



# Appeal Decision

Site visit made on 11 November 2009

**by Christopher Checkley**  
**BA(Hons) MRTPI**

**an Inspector appointed by the Secretary of State  
for Communities and Local Government**

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**Decision date:**  
**26 November 2009**

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## **Appeal Ref: APP/N1350/A/09/2111815**

### **The Potteries, Skipbridge, Neasham Road, Hurworth Moor, Darlington**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Robert Burnside against the decision of Darlington Borough Council.
- The application Ref 09/00306/FUL, dated 1 May 2009, was refused by notice dated 3 July 2009.
- The development proposed is the erection of a detached dormer bungalow with garage.

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## **Decision**

1. I dismiss the appeal.

## **Main Issue**

2. The main issue is whether the scheme represents a sustainable form of development having regard to its location within the open countryside.

## **Reasons**

3. The appeal site is a rectangular hardstanding lying on the edge of an extensive former brickworks site that itself stands within the open countryside well outside the limits of development of any town, village or identified settlement. The site lies immediately east of a leisure park comprising some 80 static caravans for holiday provision that is currently under construction on the former brickworks, and immediately south of the three dwellings within converted buildings at The Potteries. There is a complex of existing agricultural buildings to the immediate east and south. A short distance to the south alongside the shared private access road is a small number of dwellings that occupy what seem to be long-established buildings.
  4. Government policy (PPS1) indicates that sustainable development is the core principle underpinning planning, involving the simple idea of ensuring a better quality of life for everyone, now and for future generations, with homes being built in locations that will reduce the need to travel. An underlying aim is that everyone should be able to access services or facilities from home on foot, bicycle or public transport rather than having to rely on access by car. Therefore, the government indicates (in documents including PPG13, PPS3 and PPS7) that most new housing in rural areas should be in existing towns and identified service centres, together with some housing to meet identified local need in other villages.
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5. Accordingly, national policy strictly controls new housebuilding (including single dwellings) in the countryside in locations such as the appeal site. Whilst exceptions may be allowed to enable agricultural and certain other full-time workers to live at or close to their place of work where this is essential, no such exceptional justification has been advanced in support of this scheme. Policies E2 and H7 of the adopted Borough of Darlington Local Plan 1997 (including adopted Alterations 2001) broadly reflect these features of national policy.
6. The North East of England Plan Regional Spatial Strategy to 2021 (RSS) similarly reflects these provisions. RSS Policy 4 sets out a sequential approach to the identification of land for development, giving priority to previously-developed land and buildings in the most sustainable locations. This means that all sites should be in locations that are, or will be, well related to homes, jobs and services by *all* modes of transport, *particularly public transport*, walking and cycling, as RSS Policy 2 also requires. The Council do not dispute the appellant's contention that the site comprises previously-developed land and I have no reason to disagree. Although the appeal site is brownfield land, it stands within the countryside and fails to fall within any of the categories of sustainable locations identified within RSS Policy 4.
7. The appeal site lies about 2 km from Darlington, a town centre providing a full range of services and facilities, and about 1 km from Hurworth, a village providing a restricted number and range of services. Although a range of facilities can be found within the walking and cycling distances mentioned within PPG13 (paragraphs 75 and 78), the appeal site does not benefit from being on a bus route. In the absence of public transport, I consider that it is inevitable that future residents of the proposed dwelling would be likely to be reliant on use of the private car for many everyday and regular journeys.
8. Other points have been raised. The fact that the site is generally screened from view from the public highway at Neasham Road by existing buildings does not lessen the unsustainable nature of the location. Significantly different planning policies apply both to schemes for caravan sites for purely holiday purposes and to proposals for the conversion of existing buildings in the countryside to permanent residential use. Therefore, the existence of such developments on neighbouring land does not create any precedent for the appeal proposal for a new-build 4-bedroom permanent dwelling. Had I been minded to grant permission, conditions could have been imposed to ensure that the vehicular and pedestrian access to The Potteries was maintained free of obstruction and that details of sewage disposal were agreed prior to construction of the dwelling. The other objections raised by a neighbour are legal/ownership matters that do not affect my decision on the planning merits of the case. I have taken a full account of all the matters raised but none have been sufficient to outweigh the considerations above leading to my decision.
9. I conclude that a family dwelling at this location in the countryside would fail to comprise a sustainable form of development and would be contrary to the provisions of RSS Policies 2 and 4, LP Policies E2 and H7, and national policies in PPS1, PPS3, PPS7 and PPG13.

*C J Checkley*