
Appeal Decision

Site visit made on 14 June 2016

by **C L Humphrey BA (Hons) DipTP MRTPI**

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

Decision date: 25TH July 2016

Appeal Ref: APP/N1350/W/16/3141768

Drayton Grange, Bishopton, 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 & Mrs Morris against the decision of Darlington Borough Council.
 - The application Ref 15/00944/FUL, dated 28 September 2015, was refused by notice dated 19 November 2015.
 - The development proposed is change of use to residential (C3 use) by erecting 1no. residential unit and associated parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide a suitable location for housing, having particular regard to the accessibility of the site and the proximity of services, and to the character and appearance of the area.

Reasons

3. The appeal site is located to the west of the village of Bishopton. The site consists of a number of single storey outbuildings and areas of hardstanding. A range of single storey stable buildings are located to the east. I noted during my site visit that construction appears to be taking place on land to the west of the appeal site. The appellant states that a dwelling is being reconstructed on this land, however I have not been provided with any details of this development. To the north, beyond the road, is a group of farm buildings and a house associated with Sundial Farm. The land falls away from the site to the south, affording long range views across the open countryside.
 4. Both parties agree that the appeal site lies outside the development limits of Bishopton as defined in the Borough of Darlington Local Plan (Local Plan). There is also agreement between the parties that the development plan policies relating to the supply of housing land, and those that seek to restrict development outside existing settlements, cannot be considered up to date.
 5. The western edge of the village is bounded by Bishopton Beck. Beyond this, to the west, the land rises towards the appeal site. There are open fields between Bishopton and the appeal site, and mature trees and hedgerow along field boundaries. The appeal site is thus not adjacent to the village, and views
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between the village and the proposed development are restricted by topography and landscape features. Although there is some development on and adjacent to the appeal site, this appears to be largely related to agricultural and equestrian uses consistent with the rural nature of the area. The appeal site therefore has more affinity physically, visually and functionally with the surrounding open countryside than with the village of Bishopton.

6. The appeal site is accessed from a single carriageway derestricted road. I noted during my site visit, which took place mid-morning on a weekday, that the road was well used by vehicular traffic. The section of road between Bishopton and the appeal site rises fairly steeply out of the village, and a bend in the road restricts forward visibility. There are no footways and the road is not lit. All these factors are likely to deter future occupiers of the proposed development from making journeys on foot or by cycle due to safety concerns.
7. As such, the appeal proposal would fail to accord with Local Plan Policy CS2(d), which requires that all development proposals should provide links to existing networks to ensure safe, convenient and attractive access for pedestrians, cyclists, public transport users and disabled people.
8. The appellant states than many forms of residential development, notably barn conversions, do not have lit footpaths. In accordance with paragraph 55 of the National Planning Policy Framework (Framework), the benefits of re-using a redundant or disused barn may outweigh other harm. No such special circumstances have been identified in this case.
9. Both parties agree that there are limited services in Bishopton. No evidence has been provided of buses serving the village. Given the poor accessibility of the appeal site set out above, future occupiers of the proposed development would not be able to take advantage of sustainable forms of travel such as walking, cycling and public transport. Rather, it is likely that future occupiers would be reliant to a significant extent upon the private car for employment, education, retail, health, leisure and social needs. The appeal proposal is unlikely to make a significant contribution to enhancing or maintaining the vitality of neighbouring rural communities.
10. For these reasons, the proposed development would fail to accord with Local Plan Policy CS2(e), which requires that all development should easily connect to key social and community facilities, promoting sustainable neighbourhoods.
11. The proposed development would result in the erection of a detached two storey dwelling and detached garage, following the demolition of the existing buildings on the site. The appeal proposal would have a significant width, height and bulk. Although the stepped design would slightly reduce the massing, the proposed development would be clearly visible from the road and would result in an intrusive, urbanising effect which would be harmful to both the character and appearance of this rural area. The introduction of soft landscaping in the proposed garden is unlikely to mitigate this harm.
12. The proposed timber cladding and metal roofing materials would reflect the materials used in the existing buildings on the site and the agricultural setting, and the glazed entrance would allow views through the proposed dwelling to the open countryside beyond. However, these positive features of the proposed development would not outweigh the significant adverse effects upon

the character and appearance of the surrounding area. As such, the appeal proposal would fail to accord with Local Plan Policies CS2(b) and CS14.

13. I have had regard to the presumption in favour of sustainable development, the core planning principles, and the policy aims in respect of design and the supply of housing set out in the Framework. I have also taken account of Planning Practice Guidance relating to sustainable rural communities.
14. As set out above, the proposed development would result in the creation of a new dwelling in the open countryside which, due to the poor accessibility of the site and the distance from many services, would be isolated. Therefore, the appeal proposal would fail to accord with paragraph 55 of the Framework which makes it clear that new, isolated homes in the countryside should be resisted unless there are special circumstances. I have no evidence that there are any such special circumstances in this case.
15. The intrusive, incongruous and urbanising effect of the proposed development would have a harmful effect upon the character and appearance of the surrounding area, and would therefore conflict with paragraph 56 of the Framework which sets out that good design is a key aspect of sustainable development. As a result, the appeal proposal would fail to protect and enhance the natural environment, as required by the environmental role of sustainable development set out in paragraph 7 of the Framework.
16. For the reasons set out above, the proposed development would not provide a suitable location for housing, having particular regard to the accessibility of the site and the proximity of services, and the character and appearance of the area. As such, the proposed development would be contrary to Local Plan Policy CS2 which seeks to achieve high quality, safe, sustainable and inclusive design and to Local Plan Policy CS14 which seeks to promote local character and distinctiveness. The poor condition of the existing buildings on the site does not justify their replacement with inappropriate development.
17. It is acknowledged that the appeal site is previously developed, and the proposed development would reuse this previously developed land thereby according with Local Plan Policy CS2(a) and the Framework in this regard. The incorporation of measures such as air source heat pumps, photovoltaic panels, high insulation levels and efficient glazing would help to reduce carbon emissions and promote energy management, in accordance with Local Plan Policy CS2(f) and the Framework.
18. However, the adverse effects of the appeal proposal would significantly and demonstrably outweigh these benefits. Therefore, when assessed against the policies contained within the Framework as a whole, the appeal proposal would not constitute sustainable development.
19. My attention has been drawn to a proposal for one new dwelling in East Thirston, Northumberland which, the appellant states, was recently granted planning permission. I do not have full details of this scheme, but it would seem from the location plan which has been provided that the East Thirston development would infill a small area of land within a linear development fronting the B6345. As such, the site would appear to be in a less isolated position than the appeal site. In any case, I have determined the appeal on its own merits.

20. The appellant has also referred to an Appeal Decision relating to a site at Neasham in Darlington (APP/N1350/A/13/2202495). Although I have not been provided with full details of this proposal, the appeal site is described by the Inspector as being on land that lies, for the most part, just outside the development limits of the settlement. In the case of the proposed development before me, there is a distinct separation between the western edge of Bishopton and the appeal site. It would therefore appear that the circumstances of the Neasham scheme are not directly comparable with the appeal proposal. As such I attach little weight to the findings of the other Inspector. In any event I am required to reach conclusions based on the individual circumstances of this appeal.

Conclusion

21. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

C L Humphrey

INSPECTOR