

Planning Statement

Former Sutton Arms Public House, Elton



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Contents

1. Introduction	Page 2
2. Site Location & Context	Page 3
3. Proposed Development	Page 6
4. Planning Policy Context	Page 8
5. Planning Assessment	Page 12
6. Conclusions	Page 21

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1. Introduction

Purpose of Statement

- 1.1 This report has been produced by ELG Planning to accompany a planning application for the conversion of and extension to the former Sutton Arms Public House to form a single residential dwelling.
- 1.2 This supporting statement will seek to assess the development proposals through this submission in the context of the adopted development plan, national planning policy, and any other material consideration relevant in determining this application.

Structure of Statement

- 1.3 This Planning Statement is structured as follows:
 - **Section 2** analyses the context of the site.
 - **Section 3** describes the development proposals.
 - **Section 4** sets out the relevant planning policy context.
 - **Section 5** assesses the proposed development in the context of the adopted Development Plan for the area, as well as any other material considerations.
 - **Section 6** draws conclusions on the overall findings of the statement

2. Site Context

Local Context

- 2.1 The application site is the former Sutton Arms Public House, which is located on Darlington Road, approximately 200m to the west of the village of Elton. The existing pub comprises of a bar, restaurant and kitchen area to the ground floor and a



Figure 1.1: Location Plan

two-bedroom flat/managers accommodation to the first floor. It sits in an extensive plot (approximately 1 ha), with a large beer garden and car park. To the rear of the site is the A66.

- 2.2 The public house closed in September 2020, following the retirement of the previous owners of the site. In the time since its closure, partial demolition of the public house has already taken place, with internal structures and windows being largely removed. However, the external walls and roof remains.

Planning History

- 2.3 In November 2020 an application was submitted to Stockton Borough Council for the demolition of the public house and erection of a new dwelling (part retrospective) (LPA Ref: 20/2473/RET). This application was subsequently refused for the following reasons:

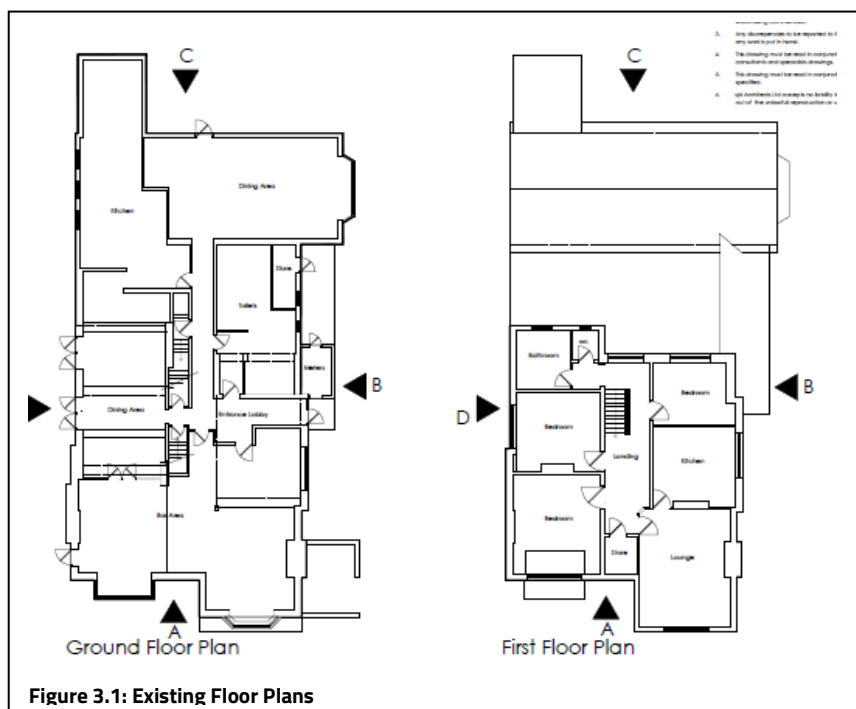
1. In the opinion of the Local Planning Authority, it is considered the proposed development would result in the permanent loss of public house/community facility whereby it has not been demonstrated that there is no longer a demand for the facility, its future use would be economically unviable or that there is a comparable local equivalent alternative facility is available to meet the community's day to day needs. The proposed development is therefore considered to be contrary to policy TI2(1) and 2 (a and b) of the Local Plan and paragraphs 83 and 91 of the National Planning Policy Framework.
2. In the opinion of the Local Planning Authority, the proposed site is in an unsustainable location for additional residential development in view of the siting outside of the development limits of a settlement which has limited services and the lack of realistic and convenient alternative transport options, thereby requiring future occupants to rely on travel by private motor vehicle for employment, education, retail and recreational uses, in direct conflict with Planning Policy SD1, SD3 and the provisions of the NPPF.
3. In the opinion of the Local Planning Authority, it is considered that the siting, design, scale and massing of the proposed dwelling would result in a poor form of design which is out of keeping with prevalent character of the area and would introduce an incongruous feature into the open countryside. The architectural style and massing of the proposed development over and above that the original building, is considered to be contrary to development policies SD3, SD5 and SD8 of the Local Plan and paragraphs 127 and 130 of the National Planning Policy Framework.

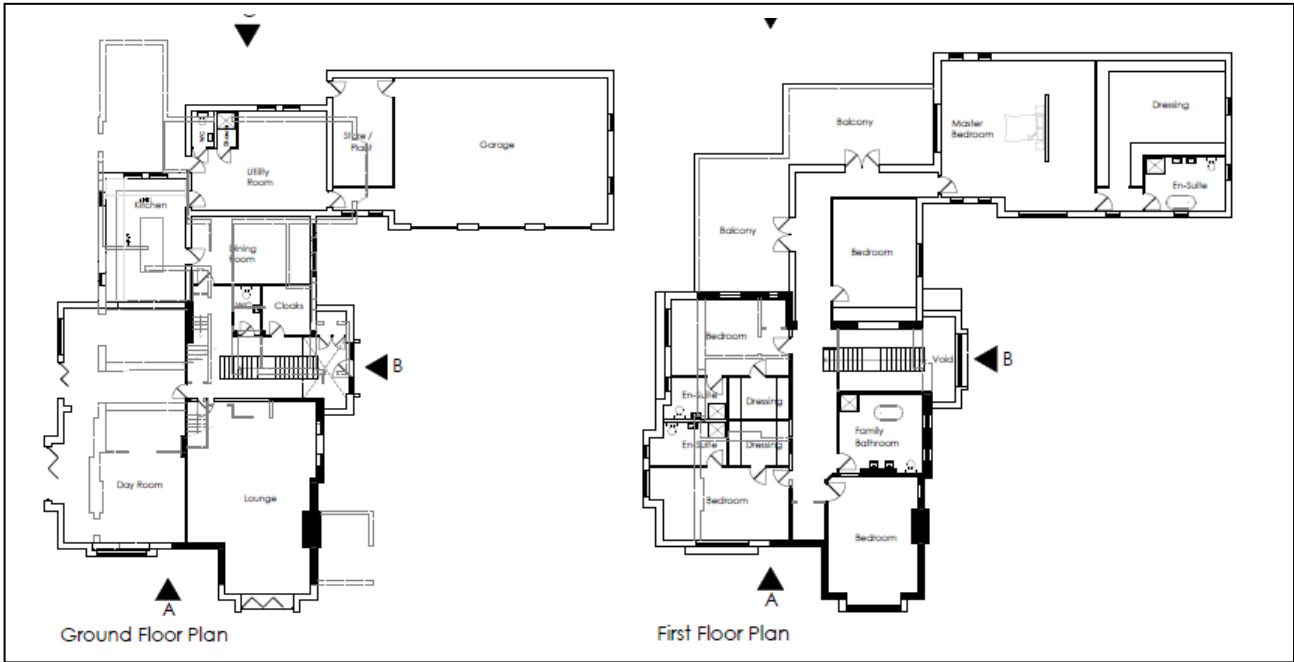
2.4 Other planning history on the site includes:

- 13/2787/OUT - Outline application for the erection of 17 no timber log cabins and associated additional car parking (30 units in total) – Application withdrawn;
- 13/2786/FUL - Single storey extension to side and creation of a new terraced area – Application approved January 2014.

3. Development Proposals

- 3.1 The current application seeks to retain the existing built fabric of the building, and along with rear and side extensions, convert the building into a single five-bedroom residential dwelling.
- 3.2 At ground floor level the extension involves a triple garage to the rear of the property. The garage itself would front onto Darlington Road. A first-floor level, to the rear of a property, is an extension to provide two additional bedrooms, one of which would be located above the aforementioned triple garage. A large balcony is also proposed in the northwest corner of the property. To the west elevation a modest two-storey side extension is also proposed, which would extend the property by approximately 2 metres.



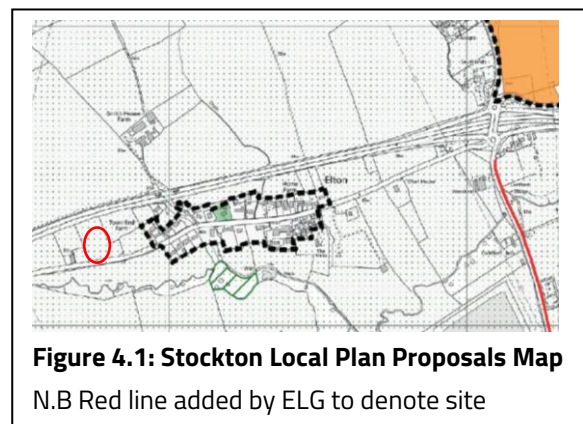


4. Planning Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that the statutory Development Plan will continue to be the starting point for the consideration of planning applications for the development or use of land, unless material considerations indicate otherwise. This is reiterated by the National Planning Policy Framework.

4.2 This section of section of the statement identifies the Development Plan in force for the area in which the application site is located and also sets out the Development Plan policies of relevance to the assessment of the current application proposals. The key material considerations relevant to the determination area also highlighted.

4.3 The adopted Development Plan relevant for this location comprises the Stockton Local Plan (Adopted January 2019). The policy map associated with the Stockton Local Plan indicates that the site falls outside of the settlement limits, and as such is considered to be in the countryside.



4.4 As such, with regards to the proposed development and the site location, the application should be assessed against the following Local Plan policies:

- Policy SD1 – Presumption in Favour of Sustainable Development;
- Policy SD3 – Housing Strategy;
- Policy SD5 – Natural, Built and Historic Environment;
- Policy SD8 – Sustainable Design Principles; and

- Policy TI2 - Community Infrastructure.

Other material considerations

National Planning Policy Framework (NPPF)

- 4.5 The revised National Planning Policy Framework was published in July 2021 and sets out the Government's planning policies for England and how these should be applied. The NPPF must be taken into account in preparing Development Plans and is a material consideration in planning decisions.
- 4.6 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and, in order to achieve this purpose, the planning system has three overarching objectives, which are interdependent and need to be supported in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a. **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and co-ordinating the provision of infrastructure;
 - b. **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;

- c. **An environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.7 Paragraph 9 of the NPPF confirms that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs opportunities of an area.

4.8 At the heart of the NPPF is a presumption in favour of sustainable development and Paragraph 11 confirms that for decision-taking this means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

4.9 Paragraph 12 of the NPPF reiterates that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

5. Planning Considerations

Key Planning Issues

5.1 Having regard to the relevant policies of the adopted Development Plan and other material considerations, namely the NPPF, it is considered that the key planning issues of relevance to the assessment of the current application are as follows:

- Principle of Development;
- Loss of community facility;
- Sustainability;
- Design;
- Residential amenity; and
- Highways/Access

Principle of Development

5.2 As stated in paragraph 4.3, the application site is located outside of the development limits of Elton, and as such is in the 'open countryside'. Local Plan Policy SD3, part 4c allows for new dwellings in the countryside where they would re-use redundant or disused buildings and lead to an enhancement of the immediate setting.

5.3 The current development proposals seek to retain the existing built fabric of the existing building, rather than the demolition and re-build that was previously proposed, and as such will result in the re-use of a redundant/disused building. The proposals also include some

modest extensions, mostly to the rear of the property, and are considered to be of a suitable scale and are subservient to the host building.

- 5.4 It is also considered that the proposal would also lead to an enhancement of the immediate area, as even before the unauthorised demolition took place, the building was looking tired and run down. The proposals would improve the appearance of the site, through the visual improvements to the building itself, and the introduction of landscaping across the site.
- 5.5 Furthermore, the previous public house also contained a residential flat at first floor level, so there previously has been an element of residential use on the site.
- 5.6 It is therefore considered that in accordance with Local Plan Policy SD3, the principle of development is acceptable.

Loss of community facility

- 5.7 Local Plan Policy TI2(2) sets out:

'Proposals which would lead to the loss of valued local shops, services and facilities, including public houses and village shops, and reduce the community's ability to meet its day-to-day needs will not be supported unless:

*a. There is no demand for the facility in the locality and its continued future use would be economically unviable, **or** (emphasis added)*

b. Equivalent alternative facilities are available nearby and the proposal would not undermine the community's ability to meet its day-to-day needs.

- 5.8 Firstly, it is important to establish that it is not necessary for both strands of the policy to be satisfied to ensure policy compliance.

There is no demand for the facility in the locality and its continued future use would be economically unviable

- 5.9 The Sutton Arms is located approximately 200m to the west of the village boundary. The pub was closed in September 2020 and sold on a 'bricks and mortar' basis, rather than as 'a going concern', meaning that it was not envisaged as being able to operate for the next 12 months without threat of liquidation or closure. It is therefore considered that its future use would not be economically viable.
- 5.10 It is no secret that public houses over the past decade have been struggling, with the Campaign for of Real Ale (CAMRA) estimating that 18 pubs a week were closing in 2018, and this number will have only risen as a result of the Covid-19 pandemic, with an estimate of 72% of hospitality and pub businesses facing closure in 2021, according to hospitality and pub trade bodies UKHospitality, the British Beer & Pub Association and the British Institute of Innkeeping.
- 5.11 The Sutton Arms had been struggling financially for some time, and the previous owner had previously sought planning permission from Stockton Borough Council for the erection of timber cabins on its grounds (LPA Ref: 13/2787/OUT). The proposed log cabins would have been operated akin to a hotel, as they did not have separate cooking facilities, and this would have allowed the pub to diversity its offering to be able to compete with local competitors who were able to offer accommodation. This application however was not supported by either the council, or local residents, and they were encouraged to withdraw the application.
- 5.12 Until June 2015, the business was run by the previous owner as a sole trader, however following a downturn in business, it was placed under new management and ran as a limited company. Despite the changes that were made, the business continued to decline,

until April 2019 when the company ceased trading and was dissolved due to a lack of funds. In this time the pub was also heavily fined for food hygiene offences. The business reverted back to being run as a sole trader, with the view to sell the business as 'a going concern'. The business only continued to operate as the owner was undertaking all of the food preparation and cooking himself, as well as running the bar with the help of family. This was not sustainable in the long term and the business continued to decline, which was further accelerated by the Covid-19 pandemic, and national/local lockdowns.

- 5.13 No offers were received in respect of the sale of the business as a going concern, and the property was finally sold on a bricks and mortar basis, with the fixtures and fittings sold at public auction.
- 5.14 The ongoing use for the public house is clearly unviable, and it would have taken a significant amount of investment to modernise/refurbish the pub so that it could compete with the modern market. The previous owner has provided a set of accounts, which sets out the financial status of the business.

Equivalent alternative facilities are available nearby and the proposal would not undermine the community's ability to meet its day-to-day needs

- 5.15 It is also considered that there are equivalent alternative facilities available nearby in the village of Long Newton, or in Stockton itself.
- 5.16 Long Newton is located approximately 1 mile to the west of Elton, and there is a continuous footpath which links both villages, making it easily accessible by foot. Long Newton currently has two public houses, The Derry and the Vane Arms. In Stockton, The Penny Black public house is located approximately 1.5 miles to the east of the village, with continuous footpaths available. Both The Derry and The Penny Black are located within a 30-minute walk of the village to Elton.

- 5.17 The Officer's Report refers to an appeal decision in Elton (PINS Ref: APP/H0738/W/19/3322759) which states that there limited services or facilities in the village, however this appeal decision does not consider the Tees Flex Bus which serves the village. The effect this bus has on the sustainability of the village, is discussed in detail below. This bus service ultimately gives Elton sustainable access to equivalent facilities that are available nearby. Therefore, the development proposal would not undermine the community's ability to meet its day-to-day needs.
- 5.18 Local Plan Policy TI2(2) requires demonstration that, either there is no demand of the facility, and its future use would be economically unviable, **or** that there are equivalent alternative facilities are available nearby and the proposal would not undermine the community's ability to meet its day-to-day needs. It is considered through paragraphs 5.7 – 5.14 of this statement, that both of these criteria have been demonstrated. Compliance with both TI2 (2 and b) can be achieved.

Sustainability

- 5.19 The previous application on site was refused on the grounds of sustainability, as the local authority considered that the site is in an unsustainable location for additional residential development as it sits outside of the development limits to Elton, which has limited services and *'a lack of realistic and convenient alternative transport options, thereby requiring future occupants to rely on travel by private motor vehicle for employment, education, retail and recreational uses.'*
- 5.20 Whilst there are limited services within the village of Elton itself, the village of Long Newton is around a mile to the east, and a continuous footpath links the two villages. Long Newton is serviced by a primary school, a community centre, 2 public houses, and a church. Long

Newton is approximately a 30-minute walk from Elton. Furthermore, additional facilities such as a post office, co-operative supermarket and further public houses can be found in Hartburn, which is again an approximately 30-minute walk from Elton to the east, with continuous footpath provision available.

- 5.21 Whilst the NPPF does promote the use of sustainable transport, it does recognise at paragraph 105 that sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. This notwithstanding, Elton is listed as a primary destination on the Tees Flex Bus, whereby residents are able to order a bus to pick them up from the village and take them to a number of primary and secondary destinations across Stockton and Darlington, including Darlington, Stockton and Yarm town centres, numerous supermarkets (Tesco Extra on Durham Road, Morrisons at Morton Park, Asda on Portrack Lane), secondary schools and further education colleges (Outwood Academy, St. Michael's Academy, Darlington College, Eaglescliffe College, Durham UTC, Teesside University), hospitals (North Tees, Darlington Memorial) and further transport hubs (Darlington railway station, Stagecoach Stockton Depot, Teesside Airport).
- 5.22 It is therefore considered that Elton is indeed served by realistic and convenient alternative transport options, and future occupants would not be solely reliant on private motor vehicles to meet their day-to-day needs. As such, compliance with Local Plan Policies SD1 and SD3 can be achieved.

Design

- 5.23 Local Plan Policies SD3 and SD5 seek to safeguard the open countryside by ensuring that the development proposals can be largely accommodated within the existing building,

without significant demolition and rebuilding, and that any alterations or extensions are limited in scale and appear subservient.

- 5.24 The previous application on site involved a significant amount of demolition and rebuilding, however the proposals have been amended since the previous application, and now seek to make use of the existing building and respect its current built form.
- 5.25 A modest two-storey side extension is proposed to the western elevation of the building, which would see the building extending by around 2m. Due to the size and scale of this, it is not considered to result in an overly dominant feature on the front elevation. Furthermore, in 2013 a single storey extension to the western elevation was approved which would have seen the building extended further than is currently proposed.
- 5.26 Towards the rear of the site, a triple garage is proposed at ground floor level, which would front onto Darlington Road. This is set well back from front elevation of the property, by around 21m. A first-floor level is a rear extension to provide two additional bedrooms, one of which would be located above the aforementioned garage. This extension has been designed to respect the form of the original building and appears subservient. The existing flat roof above the (proposed) kitchen and utility has been retained, with a wraparound balcony proposed to make efficient use of the space, as well as reducing the apparent bulk of the property. Importantly, the overall roof height and eaves height will remain the same.
- 5.27 Furthermore, structured soft landscaping is also proposed across the site, which will provide screening to the property when viewed from Darlington Road, reducing its overall impact on the street scene.
- 5.28 It is therefore considered that the revised development proposals are respectful of the form of the existing, and whilst there are some extensions proposed, they are of an appropriate

scale, and have been designed to appear subservient to the host building. As such the proposals are in accordance with the design aspects of Local Plan Policies SD3 and SD5, as well as paragraph 130 of the NPPF.

Residential amenity

- 5.29 Policy SD8 of the Local Plan also states that new development should be appropriately laid out to ensure adequate separation distances and should contribute positively to making places better for people. The Sustainable Design Guide SPD states that there should normally be a minimum of 21m between main habitable rooms and where the main habitable room will face secondary rooms, such as bathrooms, hallways etc. there should be at least a gap of 11m between the two properties.
- 5.30 As confirmed by Officer's Report for the previous application, the development would not have an impact on the amenity of the occupiers of the closest residential properties, with regards to a loss of light, outlook or privacy, as the nearest residential properties are in excess of 200m away.
- 5.31 A number of objections to the previous application raised concerns over the noise and disturbance during construction, however, should planning permission be granted, the hours of construction, dust and mud on the road mitigation measures could be controlled by the Council via a suitably worded condition.
- 5.32 It is therefore clear that the proposed development complies with the provisions set out in Policy SD8 and compliance with relevant NPPF provisions can also be seen as a result.

Highways/parking

- 5.33 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is supported by Local Plan Policy SD8 which states new development should respond positively to the existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport.
- 5.34 The development would be accessed via the existing access from Darlington Road, therefore no significant highway impacts are envisaged accordingly, both in terms of highways safety nor in traffic generation, when compared to the previous use of the site, as the proposals would generate substantially less trips than the former public house.
- 5.35 A triple garage is proposed, along with parking spaces for 3 cars, and additional visitor parking. As such, the development would be in accordance with SPD3: Parking Provision for Developments (2011).
- 5.36 The application proposals would therefore accord with the transport related policies of the Local Plan and NPPF.

6. Conclusion

- 6.1 This Planning Statement has been produced to accompany a full planning application for the conversion of and extension to the former Sutton Arms Public House to form a single residential dwelling.
- 6.2 It is considered the proposals are acceptable in all respects and having regard to the relevant development plan policies and other material considerations, which includes the NPPF and its presumption in favour of sustainable development. This is because the proposals will:
- Make use of an existing building, as well as respecting its existing built-form;
 - Not result in the loss of a community facility, where no reasonable alternatives in the locality exist;
 - Is in a sustainable location, with realistic public transport alternatives available;
 - Not would adversely impact the on the landscape character of the locality;
 - Not have a severe impact on the local road network, with easy access to the major road network;
 - Not have an adverse impact on the amenity of existing or future residents.
- 6.3 Consequently, we respectfully request that the Council resolves to grant planning permission for this demonstrably positive and sustainable form of development, subject to any conditions that are deemed appropriate on this occasion. Should you wish to discuss any aspects of this application, then please do not hesitate to get in touch.