

# Planning Services

## COMMITTEE REPORT

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### APPLICATION DETAILS

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APPLICATION NO:	PL/5/2011/0001
FULL APPLICATION DESCRIPTION	RESIDENTIAL DEVELOPMENT COMPRISING 43 NO. DWELLINGS
NAME OF APPLICANT	McINERNEY HOMES/CANAL HOMES
SITE ADDRESS	EASINGTON VILLAGE WORKINGMENS CLUB SEASIDE LANE, EASINGTON SR8 3DY
ELECTORAL DIVISION	EASINGTON
CASE OFFICER	Barry Gavillet 0191 5274305 barry.gavillet@durham.gov.uk

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### DESCRIPTION OF THE SITE AND PROPOSAL

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#### Site:

1. This application site is located on land encompassing the Easington & District Working Mens Club which faces onto Seaside Lane, at the edge of the Easington Village locality and covers a site area of 1 hectare. There are no specific landscape or site designations relevant to the site; however, a significant proportion is located outside of the settlement boundary. The area facing onto seaside Lane is previously-developed land and is comprised of two buildings and an area of hard-standing. The rest of the site lies north of the hard-standing area and is green field land. The site is bounded to the north by agricultural land and to the south and east by residential development. There is also a car repair centre situated to the eastern edge of the site. The western edge of the site is bounded partially by residential development and partially by agricultural land.

#### Proposal:

2. This application proposes 43 dwellings comprising a mix of two and three bedroomed houses and two bedroomed bungalows. The dwellings would be both single and two storeys in the form of bungalows and traditional two storey semi-detached properties. Each property would have rear gardens and off-street parking facilities, visitor parking bays would also be provided. Access to the site would be taken from Seaside Lane which is the main road through Easington Village. The applicant has stated that the development would be Code for Sustainable Homes level 3 compliant. As the site is 1 hectare the density of the housing would be 43 dwellings per hectare.

3. The application is being reported to committee as it is a major development.

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## PLANNING HISTORY

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None relevant

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## PLANNING POLICY

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### 4. NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.

Planning Policy Statement 3: Housing (PPS3) underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Statement 7 (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

*The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>*

### 5. REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. Of particular relevance are the following policies:

Policy 2 - Seeks to embed sustainable criteria through out the development process and influence the way in which people take about where to live and work; how to travel; how to dispose of waste; and how to use energy and other natural resources efficiently.

Policy 4 - National advice and the first RSS for the North East advocated a sequential approach to the identification of sites for development, recognising the need to make the best use of land and optimize the development of previously developed land and buildings in sustainable locations.

Policy 6 - Plans, strategies and programmes should support and incorporate the locational strategy to maximise the major assets and opportunities available in the North East and to regenerate those areas affected by social, economic and environmental problems.

Policy 7 - Seeks to promote the need to reduce the impact of travel demand particularly by promoting public transport, travel plans, cycling and walking, as well as the need to reduce long distance travel, particularly by private car, by focusing development in urban areas with good access to public transport.

Policy 8 - Seeks to promote measures such as high quality design in all development and redevelopment and promoting development that is sympathetic to its surroundings.

Policy 24 - Refers to the need to concentrate the majority of the Region's new development within the defined urban areas, and the need to utilise previously developed land wherever possible.

Policy 38 - Sets out that in advance of locally set targets, major developments should secure at least 10% of their energy supply from decentralised or low-carbon sources.

In July 2010 the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when the forthcoming Local Government Bill becomes law, and it is a matter for each Planning Authority to decide how much weight can now be attached to this intention.

## **6. LOCAL PLAN POLICY:**

### District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 67 - Housing development will be approved on previously developed land within settlement boundaries of established towns or villages provided the proposal is of appropriate scale and character and does not conflict with other policies in the plan.

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*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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## **7. STATUTORY RESPONSES:**

Easington Village Parish Council – Objection. The main reasons for objection are as follows:

- the site is outside of the settlement boundary in the countryside
- most of the site is greenfield land

- there are drainage problems on the site
- parking provision is inadequate
- the proposal would set a precedent for further development in the fields north of Seaside Lane

Northumbrian Water – No objections subject to conditions relating to surface water drainage.

Police Architectural Liaison – Informal advice offered

## **8. INTERNAL CONSULTEE RESPONSES:**

Highways Officer – Level of car parking provision is acceptable, however minor changes are required to the layout plans.

Archaeology Officer – no objections.

Ecology Officer – no objections subject to mitigation in the ecology survey being carried out.

Tree Officer – no objections subject to adequate landscape plan

Environmental Health – Contaminated land study required. Acoustic fence required around the boundary of the car repair site

Planning Policy – Objection. The proposal does not accord with planning policy. It is mostly located on a greenfield site outside of the settlement boundary.

## **9. PUBLIC RESPONSES:**

The application has been advertised by way of a press notice, site notice and letters to surrounding occupiers. One letter of objection has been received which raises concerns relating to traffic and parking problems in the area.

## **10. APPLICANTS STATEMENT:**

The proposals are considered to provide much needed affordable homes within the former Local Authority area of Easington. The mix of housing provided has been formulated to provide the housing types that are most needed within the former Easington District and to acknowledge the views of local residents who have during public consultation stated a desire for more bungalows to house the ageing population.

The scale and design of the layout has been developed so as to be sensitive to the open countryside to the rear of the development site and to incorporate the principles of good design.

The proposals have been designed in such a way to apply inclusive design principles in order to maximise access for disabled people in accordance with the Disability Discrimination Act 1995, as amended.

The public realm areas are proposed to be user friendly for all pedestrian and vehicular users, appropriately segregated wherever possible.

## **PLANNING CONSIDERATION AND ASSESSMENT**

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The main planning considerations relating to this application are the accordance with the relevant planning policies, affordable housing, the design and layout of the development, and objections received.

### **11. Planning Policy**

The former District Council considered that housing development should normally only be approved on sites within the towns and villages of the former District, this is reflected in the saved Local Plan Policies. There are a number of reasons for this: firstly, new development within the settlements helps to maintain the compact and coherent village form, which is most appropriate for the support of shops and facilities. Redevelopment of “Brownfield” sites within settlement boundaries should take priority over sites that are outside the village boundary such as the current proposal. Indeed, development of sites outside of the settlement boundary can undermine the regeneration of the villages, as such developments can lead to urban sprawl.

For the purposes of clarity the application site can be considered in two parts, firstly the smaller area which fronts onto Seaside Lane and which is delimited by the northern settlement boundary of the settlement. This land is previously developed and comprises the former Easington and District Working Men’s club, a brick shed and associated hard-standing area. The development of this portion of the site accords with existing Local Plan policy 67 on account that the land comprises a previously-developed site within the settlement boundary of Easington Village. Secondly, the larger area is Greenfield land and lies beyond the settlement boundary. Given the location of the latter area in relation to the settlement limits defined in the Local Plan this element of the application must be considered as development in the countryside, in terms of saved Policy 3.

Local Plan Policy 3 severely restricts development in the countryside. Policy 3 deals with development in the countryside in general and states that it will not be approved unless allowed for by other policies. It is therefore considered that the proposal is contrary to policy 3 of the Local Plan.

Policy 67 of the Local Plan states that housing development will be approved on previously developed sites within settlement boundaries of established towns and villages. The application site is partly situated outside the village of Easington and is considered to be contrary to policy 67 of the Local Plan.

Planning Policy Statement 3: Housing (PPS3) is the national planning guidance relating to housing development. Government policy in PPS3 is to maximise the re-use of previously developed land, and requires a sequential approach to the identification of housing sites, which prioritises the development of previously developed land in urban areas. As the proposal relates to a site outside the settlement limits as outlined in the Local Plan it is not considered to accord with the advice contained within Planning Policy Statement 3: Housing.

Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) is the national planning guidance relating to development in the countryside. PPS7 states that Local Planning Authorities should strictly control new house building in the countryside, outside established settlements or areas allocated for housing in development plans. It continues by making it clear that new houses in the countryside will require special

justification for planning permission to be granted. Special justification could, for example, relate to the essential need for a worker to live permanently at or near their place of work in the countryside, or to the exceptional quality and innovative nature of the design of a proposed dwelling. One of the main aims of PPS7 is to promote sustainable patterns of development within rural areas. The document identifies the need to strictly control new house building in the countryside, away from established settlements. The proposal is not considered to accord with the advice contained within Planning Policy Statement 7: Sustainable Development in Rural Areas as a possible exception to policy.

The application also needs to be assessed against policies contained within the Regional Spatial Strategy (RSS) for the North East. The RSS was adopted in July 2008 and sets out a broad development strategy for the region up to 2021. Policy 4 of the Regional Spatial Strategy reiterates this onus on focusing new development towards previously developed land. The policy advocates a sequential approach to the location of future development, based on consideration of previously developed land first. The applicant refers to part d. under this policy, but seems to over look the 3 sequential tiers under parts a, b and c which would be applied before consideration of d, 'Suitable sites in settlements outside urban areas, particularly those that involve the use of previously-developed land and buildings.' A, B & C are listed below:

- a. Suitable previously-developed sites and buildings within urban areas, particularly around public transport nodes;
- b. Other suitable locations within urban areas not identified as land to be protected for nature or heritage conservation or recreational purposes;
- c. Suitable sites in locations adjoining urban areas, particularly those that involve the use of previously-developed land and buildings

There are two sequentially preferable sites within 50 metres of the proposal site which would be defined through part a. (above) due to their being previously developed sites with little or no Greenfield component. Also within the wider settlement there are further sequentially preferable sites; the existence of several sequentially preferable sites, as defined within RSS policy 4, is significant in terms of assessing this application.

Within the locality of this proposal there are three other sites which have been assessed through the Strategic Housing Land Availability Assessment (SHLAA). Of these sites the present site of the Council Offices on Seaside Lane is considered the most suitable and viable site for future residential development within the village. It is considered that development of the site proposed in this application could jeopardise the market viability of the Council site. This site will not come forward within the same time scale but will be for a far greater number of homes and would provide the affordable quota required for this locality, in addition it is sequentially preferable to the application site as it is a previously developed site within the settlement boundary.

## **12. Affordable housing provision**

The applicant seeks to justify the development on land situated outside of the settlement boundary on account that it will aid in the delivery of affordable housing on the whole of the site. In essence they are justifying the Greenfield part as an enabling area to achieve overall affordable housing development.

PPS3 outlines that the Government is committed to providing high quality housing for people who are unable to access or unable to afford market housing. With regard to

affordable housing in rural areas the guidance requires planning authorities to adopt a positive and pro-active approach to the delivery of affordable housing. This application proposes the delivery of 100% affordable housing. However, the applicant has not provided any evidence to suggest that this would be viable and achievable. This is a concern given that developers elsewhere in the County are stating that the inclusion of any affordable housing would make their scheme unviable. To further justify doubt over the affordable percentage indicated, Easington is a settlement which historically has had a weaker housing market, relative to other areas across that district and the county. There is also an issue as to whether Easington Village needs an 100% affordable housing scheme. PPS3 advises that local authorities need to deliver balanced and mixed communities, so market housing would be required to achieve this.

It is considered that the delivery of affordable housing is only a benefit if the site itself is suitable in principle for housing. Given how this scheme encroaches beyond the settlement boundary, this is not the case. There are also concerns whether a scheme solely for affordable housing would be viable, and whether it would deliver sustainable mixed communities.

### **13. Design and layout of development**

In general, and notwithstanding the policy concerns outlined above, the design and layout of the development are considered to be acceptable. Although some of the rear garden areas are limited, it is not considered that there would be any significant concerns in terms of residential amenity. In addition, guidance in the District of Easington Local Plan relating to privacy distancing standards is met within the application site, and to existing properties outside of the application site. Therefore it is not considered that there would be any adverse impact on surrounding occupiers in terms of loss of privacy or amenity.

It is noted that there is limited open space or play space provided on the site. As such, if the application were to be approved then the applicant would be expected to enter into a Section 106 legal agreement to secure a financial contribution toward the provision or upgrading of facilities in the Easington area.

### **14. Objections received**

With regard to the Parish Council objection it is agreed that the site is outside of the settlement boundary in the countryside and is a greenfield site. However, with regard to drainage, Northumbrian Water have not objected to the proposals but have suggested conditions which would overcome any drainage issues.

The Parish Council and a neighbour have also raised concerns regarding parking and access, however the Highways Officer has confirmed that the level of car parking provision and means of access to the site are acceptable.

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## **CONCLUSION**

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15. It is considered that over the lifetime of the County Durham Plan, sites within the confines of the residential framework for Easington Village will become available to meet housing requirements. These are sequentially preferable to the application site. It is considered that there is significant conflict with the Easington District Local Plan on account that housing development is proposed beyond settlement limits, and conflict with elements of the RSS in respect of the sequential approach to development. The development of the footprint of the Workingmens Club would be permissible under existing policy; however, the development of the Greenfield land to

the rear raises significant conflict. Overall, the development is considered to be unacceptable on this basis.

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## RECOMMENDATION

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16. That the application be **REFUSED** for the following reason:
1. The proposal would result in residential development outside the established settlement boundaries as identified in the District of Easington Local Plan and is part located on greenfield land. It would constitute an unacceptable extension of the existing built-up area, adversely affecting the character and appearance of this part of the village. The proposal is therefore considered to be contrary to national planning guidance contained within Planning Policy Statement 3 and 7, and saved policies 1, 3 and 67 of the District of Easington Local Plan.

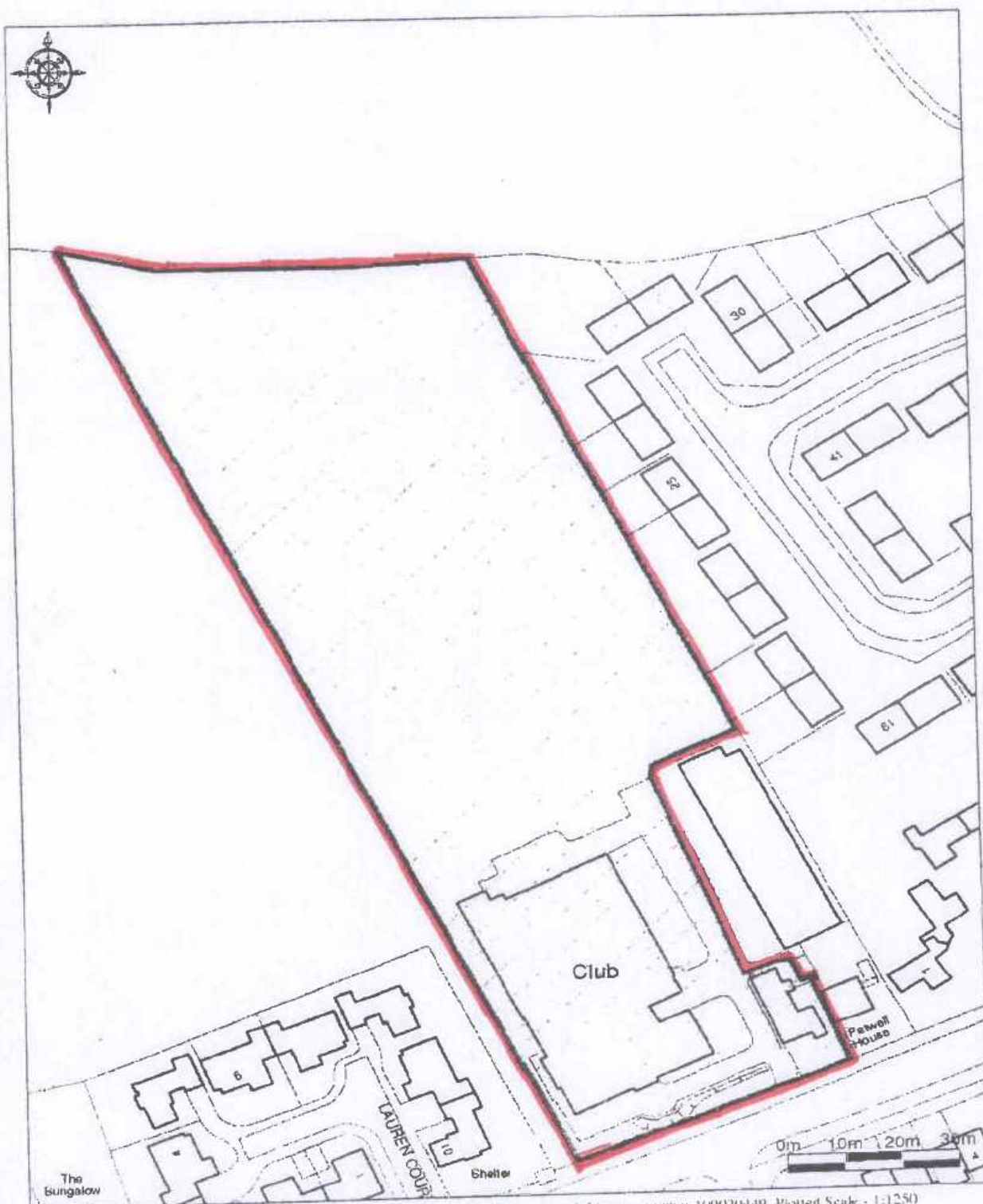
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## BACKGROUND PAPERS

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- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPS3, PPS7
- Consultation Responses





The  
Sunglow

LAUREN COURT

Club

Petwell  
House

Shelter

0m 10m 20m 30m

Plotted Scale - 1:1250