

# COMMITTEE REPORT

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## APPLICATION DETAILS

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| <b>APPLICATION NO:</b>               | <b>DM/16/01871/FPA</b>  |
| <b>FULL APPLICATION DESCRIPTION:</b> | <b>Erection of a single detached dwelling (resubmission of withdrawn application - DM/15/03197/FPA)</b> |
| <b>NAME OF APPLICANT:</b>            | <b>Mrs Rachel Quin</b>  |
| <b>ADDRESS:</b>                      | <b>Land To The West Of Corbrae, Todhills, DL14 8BB</b>  |
| <b>ELECTORAL DIVISION:</b>           | <b>Spennymoor</b>   |
|                                      | <b>Laura Eden</b>   |
| <b>CASE OFFICER:</b>                 | <b>Senior Planning Officer</b>  |
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## DESCRIPTION OF THE SITE AND PROPOSALS

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### The Site

1. The application site consists of a rectangular shaped parcel of land measuring 0.27ha in area, located within Todhills between Newfield and Byers Green. The surrounding area is predominantly rural in character. Todhills largely consists of an operational farm, brickworks and several residential properties located at the corner of the junction with Long Lane and the road that leads to Byers Green. Four properties are situated to the east immediately adjacent to the farmhouse. A further residential property is situated on the opposite side of the road backing on to the brickworks. Some 140m further to the east on the north side of the road lies Corbrae, a residential property and cattery, with a further residential property adjacent to it. The application site relates to a detached field between the main grouping of buildings and Corbrae. There is an existing access to the field served off the unclassified road that leads to Byers Green.
2. The boundaries to the site consist of mature hedgerows and trees with the exception of an open section at the north eastern corner of the site. The site was previously occupied by a farm which benefitted from a number of associated buildings and a residential dwelling. These buildings were demolished in around 1986-1987 and the site cleared. This has since revegetated although four lines of exposed foundations remain which relate to the farm house and an outbuilding respectively.

### The Proposal

3. Planning permission is sought for the erection of a two storey detached dwelling. The property would measure 12.6m wide by 10.8m deep. It would have an overall height of 8.8m and 5m to the eaves. It would be of brick construction with a blue slate roof and cream UPVC windows. The property would have four double bedrooms, one with en-suite facilities, a main bathroom, two reception rooms, an open plan kitchen, dining and family room and a separate utility. The site would be accessed through the

existing entrance to the site albeit with improved visibility splays. This would have implications for the existing hedgerows and a replacement planting scheme is proposed. The property would have three off-street car parking spaces.

4. The application is a resubmission of a previous withdrawn scheme. Although the two applications are alike in terms of the proposed development further information has been submitted in support of this current submission relating to the principle of development and contaminated land.
5. This application is being referred to the Planning Committee at the request of a local member Cllr Geldard. He considers that there are complex issues to determine regarding the sustainability of the site therefore it is his preference that the application is determined by committee rather than being a delegated item.

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## **PLANNING HISTORY**

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6. This application is a resubmission of application DM/15/03197/FPA for the same development. Officers previously raised concerns about the unsustainable location of the site and to a lesser extent land contamination issues which meant that the application was unlikely to be looked upon favourably. The application was subsequently withdrawn.
7. In terms of the more general history of the application site information has been provided by the applicant to indicate that the Church Commission built the farm. It was demolished in around November 1986 and the further outbuildings were removed in 1987. The site appears to have been cleared for around 30 years.

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## **PLANNING POLICY**

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### **NATIONAL POLICY:**

8. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
9. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
10. The following elements are considered relevant to this proposal;
11. *NPPF Part 4 – Promoting Sustainable Transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
12. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing application should be considered in the context of the presumption in favour of sustainable development. A

wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.

13. *NPPF Part 7 – Requiring Good Design*. The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
14. *NPPF Part 11 – Conserving and Enhancing the Natural Environment*. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

*The above represents a summary of the NPPF considered most relevant the full text may be accessed at:*

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

#### **LOCAL PLAN POLICY:**

##### Sedgefield Borough Local Plan (1996) (SBLP)

15. Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) Sets out that development proposals are expected to retain groups of imports trees, copses and hedgerows and replace any trees which are lost.
16. Policy H11 (Housing development in the countryside) Sets out that outside the towns and villages listed within other policies of the plan the extension, infilling or redevelopment of ribbons or of sporadic groups of houses will not normally be approved.
17. Policy H17 (Backland and Infill Housing Development) Sets out that development on backland and infill sites should provide satisfactory means of access, standards of amenity and is in form and keeping with the surrounding area.
18. Policy D1 (General Principles for the Layout and Design of New Developments) sets out several key principles for the layout and design of new developments.
19. Policy D3 (Designed with pedestrians, cyclists, public transport) aims to ensure that new developments are accessible and safe for pedestrians, cyclists, public transport, cars and other vehicles.
20. Policy D5 - Layout of housing development - Requires that the layout of new housing development should provide a safe and attractive environment, have a clearly defined road hierarchy, make provision for appropriate areas of public open space either within the development site or in its locality, make provision for adequate privacy and amenity and have well designed walls and fences.

#### **RELEVANT EMERGING POLICY**

The County Durham Plan

21. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

22. *Spennymoor Town Council* – No response received
23. *Highways Authority*– There is a requirement for the sight visibility splays to be constructed in advance of the occupation of the dwelling and maintained thereafter.
24. *Coal Authority* – Require a condition to be imposed to secure intrusive site investigation works to establish whether the coal mining legacy poses a risk to the proposed development and if subsequent remediation work is required.
25. *Northumbrian Water* – Notes that the public sewer adjacent to the development will not be affected by the development

### **INTERNAL CONSULTEE RESPONSES:**

26. *Planning Policy* – Proposals should be considered in the context of the presumption in favour of sustainable development. The proposal is considered to represent an unjustified and unsustainable form of development on greenfield land within the countryside with limited access to services, facilities and public transport. On this basis it would be contrary to both national and local planning policy
27. *Landscape Section* – There will be some significant but localised landscape and visual impacts arising from the removal of the front boundary hedge to accommodate highways requirements
28. *Tree Officer* – The submitted tree protection plan is adequate to protect the prominent trees on site
29. *Drainage* – Confirms that according to the Council's Flood Data the site is not in a location within a potential to flood. Surface water drainage would be subject to the requirements of Building Regulations.
30. *Ecology* – A Phase 1 Habitat Assessment is not required to support the planning application
31. *Environmental Health (Contaminated Land)* – Is satisfied with the submitted and amended Phase 1 Assessment. Due to its findings a contaminated land condition is required.
32. *Environmental Health (Noise)* – Consider it unlikely the adjacent cattery would adversely impact upon the new dwelling and vice versa. The brickworks is a long

running business with potentially noise and dust impacts associated with it. Although there are concerns about locating a further dwelling close to a significant industrial practice it is noted that there are neighbouring properties in closer proximity to it, there are controls in place to minimize certain environmental impacts and no complaints have been recorded associated with the site.

#### **PUBLIC RESPONSES:**

33. The application has been advertised on site and neighbouring residents were notified. Eight letters of support have been received from local residents including local members Cllr Geldard and Cllr Thompson.
34. The letters of support state that the applicant is from Todhills and if the dwelling was approved it would allow her growing family to remain here, the property is in character and keeping with the area, it is a brownfield/untidy site therefore redevelopment would improve the appearance of the area, there was a house formerly on the site, that by expanding and developing further housing in rural communities will support the viability of surrounding shops and services, it would improve the sustainability of such areas, in addition to supporting the local economy as the applicant keeps her horses on the farm.

#### **APPLICANTS STATEMENT:**

35. I currently live at 'Berry Edge' cottage at Todhills, just opposite the site, in a bungalow I purchased and renovated in 2006. However I am now married with 2 small boys (ages 9 months and nearly 3 years) and unfortunately the property is not at all large enough or suitable for a growing family - but I have all my local ties here; hence this application.
36. I would love to be able to stay in Todhills as I am part of the community here, hence the desire to build a new family home on the site of the old Clarence Farmhouse. If I am granted planning permission, my parents are going to move into my old home at the small bungalow so they can be close - that is something which is totally sustainable and reduces the need to travel. This will mean they can help with childcare, be a closer part of the community and help me so that I can continue to work full time. My husband and I were married at the church in Byers Green and both of our children have been baptised here too.
37. I lived very close by at Middlestone Moor growing up (under 3 miles away from Todhills) and love this area. I have stabled my horses at Todhills Farm for the last 20 years (since I was 16 years old) and spent most of my adult life here. One of my horses is now 25 and I have had him since he was a foal which means he has lived at Todhills Farm for over 20 years. Living across the road from these horses allows me to look after them myself, something I obviously wouldn't be able to do if I had to move further away. This is another sustainable aspect to this application - I actually want to be here, my family is part of the established community, the horses have been here all their lives and my parents are to take on my current bungalow and downsize - freeing up their property further away. Despite the Policy Planners saying all new houses should be inside the old settlement lines - this is actually a win-win situation for everyone, with no down-side as the site used to have a farmhouse on anyway.
38. This is a sustainable location - it is where I am already and where I want me, my family and my parents to be - in amongst the community of which we are part. The planning process should allow for this, especially on this useless site, which you can

see from the photographs still has the foundations for the farmhouse at ground level. The land can't be farmed because of this.

39. I am friends with all of my neighbours, something which I think is essential when living in a small community - they have all written in to support this application. I just hope the Planning Committee can understand this from a local point of view, this is a dwelling for an established local family, with horses and friends nearby and all with strong community links which is something I hope you can help, nourish and protect with a planning approval on this site which used to have a house on anyway.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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40. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development; access and highway safety, residential amenity, scale, layout and design, ecology, landscaping and trees and other considerations.

### Principle of development

41. Todhills comprises of a working farm, eight residential properties, a cattery and brickworks. Development is established over some 350m along the road that leads to Byers Green, primarily to the northern side of the highway. The developed area is mainly grouped towards the road junction and there is a gap of some 150m between Clarence House/Berry Edge with Corbrae lying further to the east.
42. The Sedgefield Borough Local Plan (SBLP) does not identify any settlement limits for Todhills as it does for other towns and villages within the boundaries of the former Borough. It also falls outside the list of settlements identified by policies H2 and H8. As such the site is considered to be in a countryside location therefore saved policy H11 (developments in ribbons or groups of houses in the countryside) is considered to be the most relevant policy. This policy is considered to be partially consistent with the NPPF (less descriptive in terms of what would be relevant exceptions) given that it has a dual role and a wider remit of protecting the countryside. Furthermore it seeks to direct housing development towards the settlements that are best able to support such development. The proposed development would be contrary to this policy as development in such locations would not normally be approved.
43. Paragraph 14 of the NPPF states that 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.' The issue of whether Todhills is a sustainable location for housing development is a key material consideration. In addition, with regard to Paragraph 14 (the presumption in favour of sustainable development) means that for decision makers where relevant policies are 'out of date' that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole or specific policies (between Paragraphs 18 and 207) in the framework indicate that development should be restricted.
44. SBLP housing supply figures are based on historic supply figures and as such are considered to be 'out of date' in the context of paragraph 49 of the NPPF. Furthermore, DCC is currently unable to demonstrate a 5 year land supply. Recent Court of Appeal judgments have however confirmed that policies such as H11 have a dual role with a wider remit of protecting the countryside from development that will

be harmful to it. Some weight can therefore continue to be afforded to policies H11 as the approach to development in the countryside partially accords with NPPF guidance.

45. Consequently, it is considered that in this instance, the proposal should not be assessed against compliance with policy H11 (although it does retain some materiality with regards to development in the countryside), but instead should be subject to the planning balance test as contained within Paragraph 14 of the NPPF. Clearly, whether any benefits of the proposed development are significant and demonstrably outweighed by adverse impacts can only be considered following an examination of all of the issues within the planning balance.
46. The County Durham Settlement Study (2012) provides an important part of the evidence needed to inform a settlement hierarchy to inform where new development such as housing should be located. There are six groupings within the study ranging from highest order settlements (tier 1 – main towns) down to the lowest order settlements (tier 6 – hamlets). In accordance with sustainable development principles outlined within the NPPF new housing development should be located in the areas best able to support it. There are exceptions to this presumption but Todhills due to its form, complete lack of amenities, facilities and services is not even classified within the Settlement Study and would be regarded as a small grouping of houses forming a ribbon of development along a highway. It is acknowledged the site occupies a central location between the settlements of Newfield (tier 6) and Byers Green (Tier 5). In this respect any future occupiers of the property would face a walk in excess of 640m and 500m respectively to reach even the edge of these settlements. It is acknowledged that there are bus stops that lie close to the site however only limited services operate from them. The routes include the 104 and 111 services which run approximately every 90 minutes Monday to Saturday and the latter operates a hourly service on a Saturday only. Neither operate on a Sunday and there is no very early morning or evening service. Although it is possible that occupants could cycle to neighbouring areas these are devoid of the shops, services, amenities and employment opportunities to sustain everyday life. Existing and future residents are therefore going to be dependent on the private car to travel out to visit a supermarket and wider shopping, access education beyond primary school level, make use of indoor sports facilities and employment opportunities would be limited. This goes to the heart of whether it is appropriate to locate additional housing within such an area.
47. Although the site lies within relatively close proximity to other properties within Todhills the surrounding area is rural in character being predominantly surrounded by large open fields. The proposed dwelling would occupy a central and detached position between Clarence House and Corbrae and would not be closely related to the limited surrounding development. In light of this and the concerns surrounding sustainability it is considered that the site is isolated in terms of paragraph 55 of NPPF. This would be contrary to sustainability principles and the environmental dimension of the NPPF.
48. To promote sustainable development in rural areas the NPPF states that housing should be located where it would enhance or maintain the vitality of rural communities. The example given within the framework is that where there are groups of smaller settlements development in one village may support services in a nearby village. The site lies outside of any recognised settlement and the application contains no evidence to support this stance. Irrespective of this the creation of a single dwelling would result in minimal impact in terms of the vitality of the adjacent settlements. Paragraph 55 of the NPPF then sets out that although isolated new houses should be avoided in the countryside, there may be special circumstances to

which a development of this nature could be considered acceptable. This includes the re-use of a redundant or disused building and where the development would lead to an enhancement of the immediate setting.

49. Despite the existence of some limited foundations of former buildings on the site these were demolished around 30 years ago therefore would not meet the intentions of this exception policy. The second test of the exception is the requirement that the development would lead to an enhancement of the immediate setting. In this respect the site is well screened and scrubbed over such that there is no harm to the locality in terms of its appearance. It is therefore not considered that there are any special circumstances which would justify an isolated new dwelling in the countryside.
50. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any fixed surface infrastructure. The definition excludes amongst other things land that has been occupied by agricultural buildings, land in built up areas such as private residential gardens and land which was previously developed but where the remains of the permanent or fixed structures have blended into the landscape in the process of time. This matter has been the subject of much discussion between the agent who considers that the site constitutes previously developed land and officers within the Council. The site was previously occupied mainly for the purposes of agriculture however it did benefit from an associated dwelling. The NPPF makes it clear that agricultural land is not previously developed land. Details have been provided showing the remains of foundations. Two trenches relate to the former farmhouse and two relate to former outbuildings associated with the agricultural use.
51. Whilst the NPPF's definition of previously developed land does include land that is or was developed with permanent structures it excludes from the definition land where the remains of the structures have blended into the landscape. As noted that the site is well screened with only glimpsed views through the field gate. Whilst the foundations may be visible on close inspection given they are set well within the field, are at ground level and the land is scrubbed over therefore it is considered that they have blended into the landscape. It is therefore the local authority's view that the site does not fall within the definition of brownfield land due to the previous agricultural use and existing site circumstances. Notwithstanding this, while the NPPF does promote the use of previously developed land there has been a shift to an assessment of the overall sustainability of a site, including the development of suitable greenfield sites. Given that the overall appearance of the site is not considered to be detrimental to the appearance of the locality it is not considered that there would be any overriding benefits of redeveloping the site that would overcome the sustainability concerns.
52. The proposal would contribute in a limited manner to the economic and social dimensions of sustainable development through the creation of a single new dwelling. Notwithstanding this the site is considered to represent an isolated dwelling in the countryside and it is not considered that there are any special circumstances would justify allowing development which would conflict with promotion of sustainable development as set out in the NPPF.

#### Access and Highway Safety

53. The access to the site is taken directly off the unclassified adopted highway that leads to Byers Green. The suitability of otherwise of this existing access which is proposed to serve the dwelling is considered to be the main highway issue in relation to this proposal.



54. The dwelling is required to be served by a 2.4 by 120m junction site visibility splay. To facilitate this two different options were discussed including using the existing access and upgrading it or alternatively creating access within a central point of the field. The latter was discounted by the applicant as it would have resulted in two accesses into the site and the removal of significant levels of vegetation. On this basis the scheme has proceeded on the premise that the existing access will be upgraded. This would still mean that existing hedgerows and trees which line the site frontage would need to be removed. Subject to a condition being imposed relating to the implementation of the visibility splay prior to occupation and its maintenance the Highways Authority has confirmed that the development could be served by an appropriate means of access in line with policy D3 of the Sedgefield Local Plan.

### Residential Amenity

55. Saved policies H17 (B), D1 and D5 of the Sedgefield Borough Local Plan together seek to ensure that new developments provide for satisfactory amenity and privacy for new and existing adjacent dwellings. Supplementary Planning Guidance Note 3 sets minimum separation criteria between dwellings, requiring a minimum 21m separation between opposing windows of primary elevations. These policies are in accordance with the NPPF as it too seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

56. Given the isolated nature of the site privacy distances are comfortably achieved while future residents would have appropriate levels of amenity space.

57. In considering the scheme the Council's Environmental Health section (noise) offer no objection to the scheme although they note that the proposed dwelling would be in close proximity to the brickworks and a commercial cattery. As there are other properties in closer proximity to these aforementioned businesses it is considered unlikely that the development would adversely impact on their operation. Furthermore, there have been no recorded complaints pursuant to the brickworks and there are existing controls in place to minimise certain environmental impacts. Noise and odour issues are not inherently associated with catteries unless they are badly managed. Despite having some concerns regarding the siting of a further dwelling near a significant industrial practice no adverse comments have been raised. Planning officers are therefore satisfied that the proposal has the potential to accord with both national and local policy in this regard.

### Scale, Layout and Design

58. SBLP Policies D1, D2 and D5 seeks to ensure that new development is satisfactory in terms of its design and that the needs of users of a development are accommodated. Policy H17 sets out that infill development should be in form and keeping with the surrounding area. For the avoidance of doubt the local plan specifies that 'infilling' is the filling of small gaps within small groups of houses. Part 7 of the NPPF deals with good design generally advising that it is a key aspect of sustainable development, indivisible from good planning that can lead to making places better for people. (infill development?)

59. Todhills consists of only eight properties and there are a range of different house types within the area ranging from bungalows, larger detached properties and semi-detached cottages. The properties are constructed from a variety of different materials including render, pebbledash and brick are of varying scale and massing. As such there are not necessarily any particular design characteristics that would be specific to this grouping of houses. On this basis the proposed dwelling would not look significantly out of place in terms of its detailed appearance albeit that it would

be the largest property in this area. The main issue relates to its siting is not necessarily within the plot rather the street scene generally. Although it would sit in between the main two groups of development in Todhills it would be physically detached from both. In that sense it is not considered that it is well related to the grouping nor would it constitute infill development in terms of policy H17 of the local plan. It would lead to a new property which would encroach upon the countryside

## Ecology

60. Paragraph 11 of the NPPF and policy E11 of the Local Plan requires that local planning authorities take into account, protect and mitigate the effects of development on biodiversity interests. The Ecology Section offers no objection to the scheme and does not consider that a Phase 1 Habitat Assessment is required to support the application. It is therefore considered that the granting of planning permission would not constitute a breach of the Conservation of Habitats & Species Regulations 2010 and the Planning Authority can satisfy its obligations under these.

## Landscaping and trees

61. The removal of the hedgerow to accommodate the sight visibility splays would have some localised adverse landscape and visual impacts. It is acknowledged that this could be replanted to maintain an appropriate amount of screening although in the short to medium term this would have an adverse visual impact as this takes time to mature and develop. The tree officer has advised that the submitted tree protection plan should be adequate to protect the prominent trees on site. Overall it is considered that such matters can be resolved through the imposition of planning conditions and would therefore accord with policy E15 of SBLP which expects development proposals to retain important groups of trees and hedgerows.

## Other Issues

62. The drainage officer has confirmed that according to the Council's Flood Data the site is not in a location within a potential to flood. Surface water drainage will be subject to the requirements of Building Regulations. The application forms state that it is not known how the scheme is proposed to deal with the disposal of foul water. Given the minor nature of the development it is not considered necessary to further control this matter as the developer would either liaise with Northumbrian Water directly regarding a connection to the adjacent sewer or with the Environment Agency if an environmental permit is required.

63. The development site is located approximately 270m from the edge of Todhills quarry landfill site. Although the site has ceased to accept waste it still continues to produce landfill gas therefore it would be expected that any contaminated land risk assessment of the site would take account of this. The Phase 1 report submitted in support of the previous application did not adequately address all the possible sources of land contaminated and was therefore was considered inadequate to inform the proposal. Similar concerns were initially identified with the current submission, however extensive work took place with the agent, his appointed consultants and the Contaminated Land section prior to the validation of the application. The Phase 1 Assessment is considered to be acceptable and on this basis a condition is suggested to be imposed requiring the submission of further information.

64. It is noted that a number of letters have been received in support of the planning application from local ward members and occupants of Todhills. The letters of support state that the applicant is from Todhills and that if the dwelling was approved it would

allow her growing family to remain here however this cannot be guaranteed. The applicant already has a property within Todhills The proposed dwelling is not considered to be in character with the existing form of development and would have a significant localised impact on the landscape. It is not considered that the site is brownfield or in an untidy state being well screened and covered in vegetation. Although there was a dwelling formerly on the site this was there in connection with the farming operation that ran from the site and was demolished in excess of 30 years ago. The creation of a single dwelling within a location without shops and services would not be considered to enhance the viability of area nor would it have any meaningful impact on housing land supply. The applicant already stables her horses on the farm therefore the economic situation would be no different to if she continued to reside in her existing property or the proposed one. Whilst these points of support are noted it is not considered that they alter the planning balance in light of the significant concerns regarding the unsustainable nature of the development through the creation of an isolated dwelling within the countryside.

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## **CONCLUSION**

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65. The proposal has been assessed against the policy documents identified above and it is concluded that the development would represent the formation of an isolated new dwelling in the countryside, contrary to local and national planning policies. Paragraph 55 of the NPPF states that isolated new houses should be avoided in the countryside except where there are special circumstances.
66. The proposal would contribute in a limited manner to the economic and social dimensions of sustainable development through the creation of a single new dwelling. Notwithstanding this and it is not considered that there are any special circumstances that would justify allowing isolated development which would not comply with the social and environmental roles of sustainable development specified in the Framework. The site is not considered to be particularly well related to Todhills generally or surrounding settlements. Newfield and Byers Green are both lower order settlement and are considered unsustainable locations to locate new housing development. The site is not in an untidy state and the erection of the property would have some localised adverse landscape impacts through the loss of the established hedgerow and the creation of a new dwelling in the countryside. It is not considered that the creation of a single dwelling would contribute to the viability of services within neighbouring areas. Applying the planning balance of paragraph 14 of the Framework, it is considered that the adverse effects of allowing this proposal would significantly and demonstrably outweigh the benefits. The proposal would not therefore represent an acceptable and sustainable form of development.
67. It is accepted that subject to appropriate conditions the development would provide an acceptable means of access. Whilst the scheme would preserve highway safety in terms of the proposed access arrangements there are concerns at the overall lack of sustainable modes of transport to surrounding settlements. Ecological interests would also be safeguarded and the development would have an acceptable impact on the amenity of surrounding residential properties.
68. In conclusion the development of this site for residential purposes is considered to conflict with Local Plan Policies and the promotion of sustainable development as set out in the NPPF. Despite local support for the proposal it is not considered that there are material planning considerations which indicate otherwise therefore the application is recommended for refusal.

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## **RECOMMENDATION**

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That the application be **REFUSED** for the following reason;

The development would result in the formation of a new isolated dwelling within an unsustainable location in the countryside without special justification, contrary to policies H11 and H17 of Sedgefield Borough Local Plan and the sustainable development objectives of the National Planning Policy Framework, including paragraph 55.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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The Local Planning Authority in arriving at its recommendation to refuse this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) (CC) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.).


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## **BACKGROUND PAPERS**

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- Submitted application form, plans, supporting documents and subsequent information provided by the applicant
- The National Planning Policy Framework (2012)
- National Planning Practice Guidance
- Sedgefield Borough Local Plan
- Evidence Base Documents
- Statutory, internal and public consultation responses



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|--|--|--|--|---|--|
|  <p><b>Planning Services</b></p>  | <p><b>Erection of a single detached dwelling (resubmission of withdrawn application - DM/15/03197/FPA)</b><br/> <b>Mrs Rachel Quin</b><br/> <b>Land To The West Of Corbrae, Todhills, DL14 8BB</b><br/> <b>Ref: DM/16/01871/FPA</b></p>  |  |  |   |  |
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