

RECOMMENDED FOR REFUSAL

07/0075	26.1.07
Mr Barron	Land at the North East of Briahill, The Avenue, Burnhope
Erection of Two Detached Dwellings (Outline)	Burnhope Ward

The Application

1. This application seeks Planning Permission for the erection of two detached dwellings on land to the North East of Briahill, The Avenue, Burnhope. The application is in outline with all detailed matters reserved for future approval.
2. There have been two previous application made which relate directly to this site, these are as follows,

Proposed bungalow - permission was refused on grounds that the dwelling would be outside of the framework of the settlement and poor access (reference 1/1989/0279/DM).

A stable block was granted permission (reference 1/1988/0937/DM).

There have been a number of previous applications for residential development in the immediate vicinity. These applications are summarised as follows:

Permission was granted for the erection of one dwelling on land to the South of the application site. The officer recommendation to committee was that the application be refused on highways grounds. However members were minded to grant permission contrary to officer recommendation. This site was inside the Burnhope Development Limits (reference 1/2005/0396/DM).

Immediately to the north of the site outline permission was refused for residential development of the site. The grounds of refusal were that the site would constitute building in the open countryside outside of Burnhope settlement limits, and that the access was inadequate. The applicant appealed against the decision which was dismissed by the Inspector (reference 1/2005/0173/DM).

Policy

3. The following policies of the adopted Local Plan are relevant in determining this application:

General Development Principles (GDP1)
Development on Small Sites (H05)
Development Limit for Burnhope (BI1)

Consultations

4. Director of Environment and Technical Services (Highways)- I recommend that this application be refused. It is a further dwelling that would otherwise be served by this unadopted road that itself leads from another unadopted road, Co-operative Terrace. As you will be aware this Authority has consistently recommended refusal of dwellings leading from this unmade road.

In your Authority's refusal of application 2005/0173 (which was upheld), for a site closer to the adopted highway, the second reason for refusal given was:

The traffic generated from this proposal would use a private road which, by virtue of its inadequate width, alignment and junctions, is considered unsuitable to accommodate the increase in traffic from this development from which an undesirable precedent would be set.

Among the Inspector's comments, with regard to bringing the track up to an adoptable standard, were that it was "particularly important to provide it for the section extending from the Co-operative Terrace junction to the site", and that "the track was unmade, uneven and in poor condition, with potholes and ruts, and standing water". In these last respects nothing has changed.

Despite this however, approval was given for a subsequent two applications (ref. 2005/0396, and 2005/0699), both of which had a condition attached regarding a requirement of upgrading the access track. As per my reply regarding application 2006/0729, given this track is not in the control of the various applicants I am unclear as to how the nature of any such improvements can be reasonably assured in perpetuity thereafter and it does not address the fact the road remains unadopted without pedestrian footway, highway drainage or street lighting. I do not consider that applying this condition to various planning approvals along this corridor is an adequate substitute for a requirement for an adoptable standard link from the western end of Co-operative Terrace.

5. Burnhope Parish Council - Do not wish to comment on this particular application.
6. Neighbours have been consulted and a site notice posted – no objections have been received.

Officer Assessment

7. The main considerations in determining the application are whether the application site can be regarded as being within the built up area of the

settlement and whether the access to the site is adequate to serve the development.

8. The application seeks outline planning permission with all detailed matters reserved, for residential development on a parcel of land measuring 1050 square metres, to the North East of Briahill, The Avenue, Burnhope.
9. A Tree Preservation Order covers this site, however following some investigation in 2006 when a number of trees covered by this order were felled without permission, it was found that the order was in-effective. After a report to members in June 2006 it was decided that the removal of the trees on this site would not affect the visual amenity of the area and it would therefore be inappropriate to seek a scheme of replanting.
10. The site is largely grassed and a number of small trees and other planting has been cleared from the site, which would be considered as Greenfield land. The site lies outside of the development limit of Burnhope as indicated in the Local Plan.
11. The proposal clearly does not accord with national guidance in PPG3 which aims to direct new housing development toward brownfield, previously developed sites rather than greenfield sites such as this.
12. With reference to the Local Plan, Policy HO5 states that housing development on small sites will only be permitted where the development is appropriate to the existing pattern and form of development in the settlement and does not extend beyond the existing built up area of the settlement.
13. In this instance it is considered that the proposal would constitute inappropriate and unjustified residential development on a greenfield site, clearly outside of the existing built up area of the settlement. This is also contrary to Local Plan Policy BI1 which does not support development outside of the development limit.
14. In 2005 an application immediately to the north of the site was refused on the grounds as specified in paragraph 2. The applicant appealed against the decision which was later dismissed by the inspector.
15. The proposal is not supported by the County Highways Development Control Officer who is of the opinion that the proposed access roads are not adequate to serve the development proposed. The traffic generated from this proposal would use a private road, which by virtue of its inadequate width, alignment and junctions, is considered unsuitable to accommodate the increase in traffic from this development and that for which it would set a precedent.
16. The proposal is contrary to national planning guidance and Local Plan Policy, and in addition to this as there are significant Highways concerns, then it is your officers opinion that the application should be refused.

Recommendation

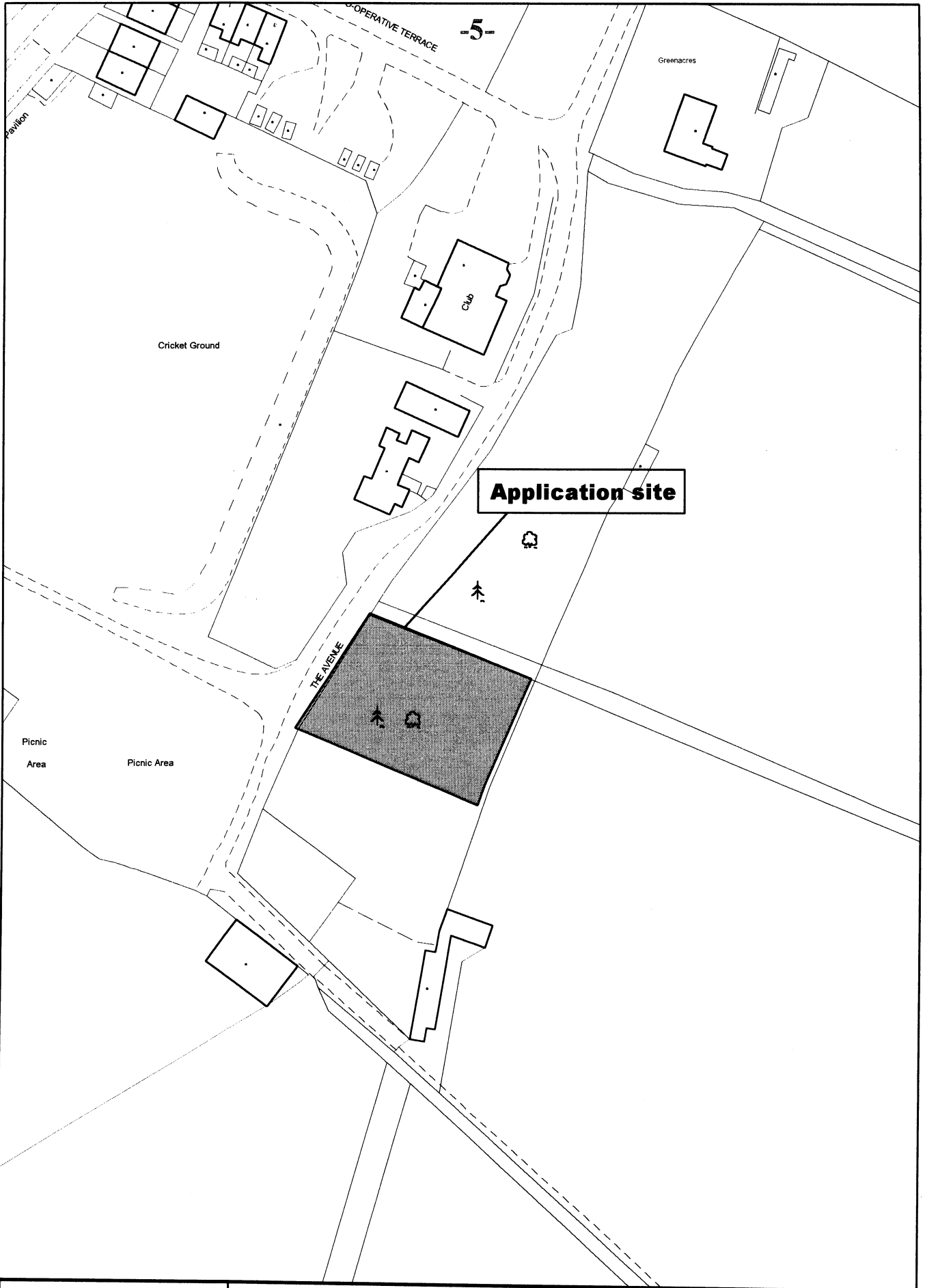
17. Refuse

The proposal would result in the development of an area of countryside outside of the existing pattern and form of development in the Burnhope settlement, extending beyond the existing built up area and development limits of the settlement, and thereby being contrary to policies HO5 and BI1 of the Derwentside District Local Plan.

The traffic generated from this proposal would use a private road which, by virtue of its inadequate width, alignment and junctions, is considered unsuitable to accommodate the increase in traffic from this development from which an undesirable precedent would be set.

Report prepared by Charlie Colling, Area Planning Officer

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 Scale metres
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 Land to the north east of Briahill
 The Avenue
 Burnhope
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