

Item no.

Report to: **Development Control and Regulatory Panel**

Date: **18 December 2007**

Report of: **Head of Planning and Building Control Services**

Subject: **Applications under the Town and Country Planning Acts
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Ward: **All**

A INTRODUCTION

Members are advised that in preparing the attached report full consultation responses are not presented. Care is taken to ensure that principal issues of all relevant responses are incorporated into the report. Notwithstanding this Members are invited to view all submitted plans and consultation responses prior to the Panel meeting by contacting the Head of Planning and Building Control Services.

The District of Easington Local Plan was adopted by the District of Easington on 28th December 2001 and together with the Durham County Structure Plan it has been a material consideration in the determination of planning applications. However the Planning and Compulsory Purchase Act 2004 determined that all Local Plans would expire three years after the Act came into force. This took effect on the 27th September 2007. In order to maintain continuity in the development plan system, the Council identified policies that should be 'saved' for an extended period until alternative policies are adopted in Local Development Frameworks. Direction from the Secretary of State has been received and all of those policies have been retained. The saved policies and Planning Policy Statements from the Government will be considered in the determination of planning applications. A view as to whether the proposals generally accord with them is identified in the relevant section.

Section 54A of the 1990 Town & Country Planning Act (as amended) requires the Local Planning Authority to have regard to the development plan policies when they are relevant to an application and hence are a material consideration. Where such policies are material to a proposal, section 54A requires the application to be determined in accordance with the Development Plan policies unless material considerations indicate otherwise.

The recommendations contained in this report have been made taking into account all material planning considerations including any representations received and Government guidance in Planning Policy Guidance Notes and Circulars. Consideration has been given to whether proposals cause harm to interests of acknowledged importance.

Members' attention is drawn to information now provided in respect of time taken to determine applications. Following each recommendation a determination time is provided based on a decision at this Panel. Where a decision time exceeds the 8 week target a reason for this is given in brackets.

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In considering the applications and preparing the report the District of Easington has fully taken into account the duties imposed on Local Planning Authorities by the Human Rights Act 1998. In particular, regard has been given to Articles 6, 7, and 8, the First Protocol and Section 6. Where specific issues of compliance with this legislation have been raised these are dealt with within each report.

B SPEAKING AT THE PANEL

The District Council is one of the few Councils in the country who allows verbal representations when decisions on planning applications are being made. The Panel has to balance listening to views with the efficient conduct of the business of the Panel. The following procedures have therefore been agreed. These procedures will be adhered to in respect of the items within this report. Members of the public will also be expected to follow these both in their own interests and that of other users of the service.

1. The Planning Officer will present his report.
2. Objectors and supporters will be given the opportunity to speak. Five minutes will be given to each speaker. If there is more than one speaker upon an issue, the District Council recommends the appointment of a spokesperson and that speakers register their request prior to the Panel meeting.
3. After registered speakers have had their say the Chair of the Panel will ask if there is any other member of the public who wishes to speak. Those who do may be allowed to speak. The Chair of the Panel will exercise discretion in this regard. Where the number of speakers or the repetitive nature of the points that may be raised may impact on the other business of the Panel then the Chair will restrict the number of speakers and progress the matter.
4. The applicant or representative may then speak for a duration of up to five minutes.
5. At the discretion of the Chair, objectors or supporters or applicants may ask officers questions then may be asked questions by Members and Officers
6. The Members of the Panel will then finally debate and determine the application with the assistance of officers if required.

C RISK ASSESSMENT

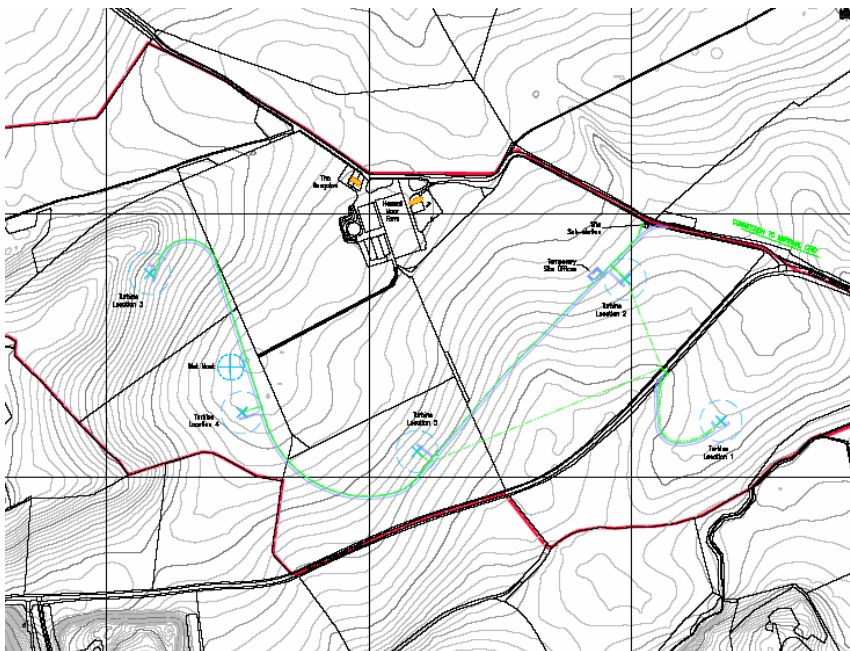
A risk assessment has been carried out in respect of individual cases. Overall, it is concluded that any risks to the Council, for example relating to an appeal being lost and costs awarded against the Council, are low, provided that decisions are made in accordance with recommendations. Risks will increase when decisions are made contrary to recommendations, and the degree will vary depending on the particular case.

D GENERAL APPLICATIONS

PLAN/2006/0869

HASWELL (HASWELL & SHOTTON) - 5 WIND TURBINES, CABLES, ACCESS TRACKS AND SUBSTATION AT HASWELL MOOR FARM, HASWELL FOR E-ON UK RENEWABLES DEVELOPMENTS LTD

Location Plan



The Application Site and Location

The proposed wind farm is to be located on farm land south of Haswell Moor Farm near Haswell in County Durham. It is located some 7 km east of Durham, between the A19 and A1 Trunk roads.

The site itself is located on rolling arable and grazed farmland adjacent the B1283 Durham Road to the south. The nearest settlements are Ludworth and

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Haswell Plough (1.6km), Sherburn Hill (2km), Littleton (2.4km) and Haswell (3.2km). The land is between 120 and 149 metres above sea level.

The area of land which will encompass the turbines will be some 1 square kilometre, however the actual land covered by the structures will be less at some 0.025 square kilometres.

The Proposed Development

It is proposed to build and operate a wind farm of five turbines and the associated cabins and access tracks and a meteorological mast. There will be two site entrances; one off the B1283 for the single turbine to the south and the other off Coalford Lane. Access tracks will connect the turbines with each other.

The height to the blade tip of the turbines will be up to 110 metres and the three bladed rotor will have a diameter of 80 metres. Each turbine base will be 15 by 15 metres in area.

Construction is expected to take up to 12 months and the operational life of the wind farm is expected to be 25 years after which time it will be decommissioned and all equipment will be dismantled and removed from the site. The internal access tracks will remain however.

Site History

04/0976 – Meteorological mast – approved February 2005.

Planning Policy

Planning Policy Statement 22: Renewable Energy

Draft Regional Spatial Strategy

County Durham Structure Plan

County Durham Landscape Character Assessment (Draft 2003)

Landscape Appraisal for Onshore Wind Development - 2003

North East Regional Renewable Energy Strategy - 2005

District of Easington Local Plan

ENV03 - Protection of the Countryside

GEN01 - General Principles of Development

TAC74 - Footpaths and other public rights of way

Consultations and Publicity

The application was advertised in local newspapers, site notices posted and residents in local villages were consulted.

Eleven individual residents wrote in objecting/commenting on the proposals and two letters of support were received.

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Objectors raised the following issues :

- There are already 2 turbines in view – rural setting will be further eroded.
- Wildlife will be affected – nearby pond attracts ducks etc.
- Noise pollution will affect property – especially at night.
- Increase in traffic during construction.
- Access to the site should only be from Durham Road.
- Distraction to passing motorists will be dangerous.
- Large spacing between turbines emphasizes their impact.
- Associated power lines will intrude further into the environment.
- Structures and their foundations will destroy quality grassland.
- Migrating birds and local bat population will be affected.
- Shadow flicker and constant movement will distract the eye.
- Wind generated power is not constant or reliable.
- Whilst local landscape is not “designated” it is an important green area appreciated by local residents.
- No benefits to local people.

Supporters raised the following issues :

- Support renewable energy proposals – turbines are more attractive than new houses.
- Will help reduce global warming.
- More attractive and cleaner than the old pit heaps.

In addition to the above the applicants commissioned a local survey of residents, and a summary of the findings is given by the surveyor below :

From the 176 homes that I visited, 134 people expressed support for the proposed wind farm (76%), 3 people could see both the pros and the cons (1.8%), 30 people were indifferent or uninterested (17%) and 9 were opposed to it (5.2%).

Of the 134 people expressing support, 102 (58% of the total who answered the door) felt they would like to add their name, address and signature to an individual letter of support to be sent to the planning department. Upwards of 35 people who signed a letter personalised it with comments of their own concerning the reasons for their support.

Of the 9 people who expressed opposition, there were 6 who indicated strong opposition, 5 of whom lived in George Street, Sherburn Hill. These people did not feel that the environmental benefits compensated for the adverse visual effects of the turbines. Concern for property values was also expressed. Taken collectively, the findings are again broadly in line with national opinion polls, where a small but vocal minority of people feel that wind turbines spoil the countryside.

Parish Council – Support providing no overhead transmission lines were erected.

Peterlee Parachute Centre – No objections.

One North East – No objections in principle.

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Environment Agency – No objection subject to conditions relating to protection of the local groundwater quality.

CPRE – Object on the following grounds :

- Proposal will be a dramatic change in the appearance and use of the existing agricultural land.
- Figures submitted relating to power outputs and Carbon Dioxide emissions are not considered accurate.
- Cumulative effect with Hare Hill and Great Eppleton is such that wind turbines will dominate the landscape from numerous viewpoints. Contests assertion that consented sites may not be built.
- Tranquility of cycle and footpath network and local roads will be affected by the development.
- Turbines are too close to residential properties – UK Noise Association recommends 1 mile minimum.

City of Durham – May be impacts on World Heritage site when viewed from The Battery in Wharton Park. Turbines will sharply contrast with views of Ludworth Tower. Some impact on Shadforth Conservation Area.

Sunderland City Council – No observations.

County Council Policy – Proposals broadly conform to the locations for wind farms in the Structure Plan and the RRES. Site near to designated landscapes – District needs to be aware.

County Archaeologist – Some evaluation of site required prior to a decision being made. See report below.

The Ramblers Association – Object to the 12 month diversion of a local footpath onto a public highway with no formal footpath – pedestrians will be placed in danger from road traffic.

Sedgefield Borough Council – Support the application as the visual impact will be limited in terms of numbers of properties affected and the environmental benefits in this case will outweigh the visual impacts.

Newcastle Airport – No objections.

Durham Tees Valley Airport – No objections.

County Highway Authority – No objections.

Easington Countryside Officer – Due to the nature of the site, impacts on birds, bats, water voles and amphibians are likely to be moderate to minor. No objections to the proposal.

Planning Considerations and Assessment

In assessing a proposal for a wind farm, there are a number of material planning considerations that need to be taken into account. Over recent years these have become established as each successive wind farm proposal has been considered, and the following list covers areas relevant to this application :

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- National, Regional and Local Planning Policies.
- Landscape and visual impact.
- Residential issues such as noise and shadow flicker.
- Impact on nature conservation.
- Impact on archaeology.
- Health, safety and other issues raised by third parties.

In addition the applicants have noted that the proposal represents £12.5 million of capital investment, the creation of 30 plus temporary construction jobs and various other economic spin offs from the project.

Planning Policy

Government guidance as contained within PPS 22 supports onshore wind farms. There is a commitment to achieving 10% of electricity generation by renewable means by 2010. The guidance states that renewable energy development should be accommodated in locations where it is technically viable and where the various impacts referred to above can be satisfactorily addressed. There is an acceptance that there will always be a compromise between maximising the capture of energy and the visual impact that will result.

The site lies within an area identified in the Draft Regional Spatial Strategy as a “medium resource area” for onshore wind generation and whilst not specific does indicate broad support for the application site location.

Of the “saved” Structure Plan policies, policies 80 and 81 generally support the promotion of renewable energy generation, whilst requiring account to be taken of the wider impact such proposals will have, particularly on communities and the environment.

The current County Durham Landscape Character Assessment shows the application site as being on the boundary of, but not within, a landscape area of moderate to high constraint (the Limestone Escarpment). This is reflected in other landscape policy documents recently produced in the North East and referred to above.

The District of Easington’s saved local plan policies that relate to development in the countryside are not specific to renewable energy proposals. The District Council relies on guidance within PPS 22 at the present time.

Landscape and Visual Impact.

Wind turbines by their scale and tendency to be formed in groups, will always have a visual impact upon the landscape within which they are located and an impact on the amenities of people who live in the locality. The degree of impact depends on the form and character of the landscape and the perceptions of the public who are affected by the development.

The turbines will be visible over a wide area, however the fact that they are visible does not necessarily mean that they are visually harmful to such an extent as to warrant refusing planning permission.

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This part of the report will address the impact of the development on the local landscape, nearby settlements, local residents and other more distant receptors.

Impact on Local landscape - The applicants have submitted a comprehensive Landscape Visual Impact Assessment (LVIA) which attempts to describe the impacts of the development on a variety of locations using a basis of *levels of sensitivity* and *magnitude of change* ranging from negligible to high. The proposals will be widely visible in the north east part of the county.

In order to assess the visibility of the turbines from both far and near Zones of Theoretical Visibility (ZTV) documents have been produced and are submitted as part of the planning application. The potential impact of the turbines has been assessed by producing photomontages of various viewpoints of the application site based on the ZTVs.

The assessment of the landscape impact has been assisted by the comprehensive comments of the Durham County Landscape Architect, and a précis of his comments are reproduced below.

Views from the West Durham Coalfield – Turbines would be a small but notable feature on the distant skyline but given their scale and the context of the intervening landscape, the visual impact is not significant.

Views from the Wear Lowlands – Turbines would be widely visible from this area but would be similar in nature to those noted above. Views from Bowburn or Sherburn would be more sensitive bearing in mind the local topography. Whilst the turbines would be notable features, they would be seen over gentle slopes, set back from the escarpment and usually only partially visible and hence not dominant in scale.

Views from the East Durham Limestone Plateau – Turbines would be widely visible from the northern and central parts of this area, but again only the tops would tend to be intermittently visible and as such the impact would be small. Significant impacts will be evident closer to the site, where close to the site the turbines would be prominent and in places dominant features in the landscape, which has a broad and open character near to the application site. Turbines of the size and number proposed however are considered to be in scale with the character of the landscape in this locality.

Impact on Local settlements and residents - The area which the proposals would have their most significant impacts – within a 4km radius of the site – contains a number of settlements.

The turbines would be visible from some residential areas and the roads and footpaths nearby, this is a similar characteristic to existing and approved wind farms elsewhere in the county.

All of these settlements are considered to be at sufficient distances that, whilst there would be views from some public and private vantage points, the level of visual disturbance is likely to be within acceptable levels, in that the turbines would not appear to be large structures with moving rotors dominating and in close proximity to a dwelling.

The landscape is relatively open in this locality allowing uninterrupted views towards the application site from the edges of settlements, however these

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views can easily be obstructed by buildings and hedges etc, thus restricting the main impacts in many instances.

Direct views of the site will be most obvious from the edges of Ludworth, Sherburn Hill and Haswell Plough. Distances between properties and the proposed turbines varies from 700/800 metres to 1300 metres. For all of these properties the separation distances from the nearest turbines are similar to or greater than other wind farm schemes in the County.

In all the above cases the advice from the County Landscape Architect is that the turbines would not dominate the villages in an oppressive sense.

Haswell Moor Farm itself is closest to the turbines but this group of buildings lie within the planning application site and are directly associated with the proposed development.

Impacts on more distant receptors.- Durham Cathedral and Castle World Heritage Site – The turbines would be visible as a skyline feature when seen from certain limited viewpoints but these would not be usually open to the public and the scale of the turbines when seen in the context of the Castle and Cathedral would be reduced at this distance and as such have limited visual impact.

Areas of High Landscape Value (AHLV) – The turbines would not be readily viewed from the Southern AHLV however there would be some impact on the Elemore AHLV but again these would be limited in scale. The turbines would be seen from views across this AHLV and would introduce a moving vertical feature into the landscape. It is considered however that although there will be a detracting impact on the character of the AHLV, these will small in scale and intermittent and therefore acceptable.

Cumulative Impact –

The County Council Landscape Architect has commented in detail on the likely cumulative effects of the proposed wind turbines when seen in relation to others in existence nearby and those proposed. These comments are summarised below.

Given the widespread visibility of wind turbines, cumulative impacts of some order are inevitable. The issue is whether the combined impacts of two or more developments reach levels that would have been unacceptable for an individual development. Policy M45 of the Minerals Local Plan uses this approach in dealing with minerals and says that “permission will not be granted where the cumulative impact exceeds that which would be acceptable if produced from a single site under the relevant policies of this plan”. It is in those terms that I think cumulative impacts arising from wind development should be judged.

With sites in the west

There are currently two broad zones of development (operational, consented and proposed) in this part of the region. In the north and west of the county, in the higher ridges of the west Durham Coalfield there are a number of operational sites, permitted sites and a single site at pre-application stage. Further afield, but still within the Coalfield Upland Fringe landscape, is Kiln Pit

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Hill for which a planning application has been submitted. These sites are between around 15km and 30km from the Haswell Moor proposal.

While there is a high degree of intervisibility between these sites and the Haswell Moor proposals, as combined ZTVs indicate, the distance between them is such that the kind of cumulative impacts that would arise (in essence simply a general increase in the number of windfarms visible in panoramic and sequential views of the wider landscape) don't have much bearing on the planning merits of any one individual proposal. The contribution of Haswell Moor to this wider change in the landscape would be small and incremental.

I can't find any individual viewpoints where cumulative impacts with developments in this zone would be acute, or would cross any tangible threshold of what is or isn't an acceptable level of overall impact on the character of the landscape. The area most susceptible to cumulative impacts from sites to the east and west is the Wear Lowlands which lies between the two, and where a lot of intervisibility at medium distance ranges is predicted. Across this area turbines would be increasingly visible on skylines to the east and west but I wouldn't see this as a significant 'step-change' in character in what is already a fairly densely settled 'semi-rural' landscape.

With sites in the south and east

The second broad zone of development lies in the east. There are operational (High Volts, Hare Hill, Great Eppleton, High Sharpley), permitted (Walkway, Trimdon Grange) and proposed (Butterwick, Sheraton Hill, Fox Cover, South Sharpley, Great Eppleton Re-powering) sites stretching from the Tees Lowlands northwards across the East Durham Limestone Plateau.

Development in the Tees Lowlands (High Volts, Walkway, Butterwick, Sheraton Hill) would have some intervisibility with turbines at Haswell Moor, but they primarily affect different landscapes. The impacts of the Haswell Moor turbines on the landscape of the Tees Lowlands (typically blades above hub height visible as small features in shallow views) would be slight. The impacts of the various Tees Lowlands schemes on the landscape of the northern escarpment (again, typically blades above hub height visible as small features in shallow views) would be slight.

There are areas in between Haswell moor and these southern developments where there is a fairly high degree of intervisibility at medium distance ranges but I can't find any individual views or sequential views where the combined effects would give rise to acute problems. In views between the two areas they lie in opposite directions. In views where both can be seen together within a reasonable angle of view one or more developments is likely to be a small and distant feature. I wouldn't therefore consider that the cumulative impacts from Haswell moor and these southern schemes would be substantial enough to cause concern.

The same is true generally of sites closer to Haswell Moor on the Limestone Plateau including Great Eppleton and High Sharpley (operational), Trimdon Grange (permitted), and Fox Cover, South Sharpley and Great Eppleton Re-powering (proposed). While there would be many places in this relatively open landscape where there was a high degree of intervisibility between developments at fairly close or medium distance ranges, I don't believe that they would combine to create an overall scale of development that would dominate the experience of the wider landscape.

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If all of the sites proposed in this part of the plateau were to go ahead I would consider this part of the resource area to be at or approaching capacity, but I don't believe that this proposal could be considered to bring matters close to that threshold at this point in time.

With Hare Hill

The most significant cumulative impacts of the proposals would be those that would arise in relation to the existing Hare Hill. The two schemes would read in the landscape as discrete but associated clusters, and in some views would read effectively as a single wind farm. The question of whether this would have been acceptable had the whole development come forward as a single scheme is a quite straight forward one to pose here.

In terms of landscape character, the overall scale of development is one that I think this landscape can readily accommodate, and particularly where it is broken up into discrete clusters. It is certainly well within the small-medium typology that the "Landscape Appraisal for Onshore Wind Development" found to be appropriate for the area.

There are some cumulative impact issues in respect of the amenity of local residents, in that the countryside around Ludworth and Haswell Plough would be dominated by turbines in more than one direction, so reducing the opportunities for access to tranquil countryside on the footpath network to some degree. Whether that is a significant factor considering the levels of use of these footpaths is a matter of judgement.

Impact on Residential Amenity – Noise /Shadow Flicker.

The potential for noise impacts on nearby residential properties has been assessed in line with best practice guidance published in "The Assessment and Rating of Noise from Wind Farms" ETSU-R-97 Report. The Council's Environmental Health Officers were consulted on the methodology including noise measuring locations.

A maximum of twelve additional vehicles a day are expected to use the B1283 during construction work – this increase is unlikely to have any adverse impact locally.

Operational noise levels were measured at five nearby properties and whilst four of them met the relevant criteria of acceptability, the fifth marginally exceeded the guidelines. In consultation with the Environmental Health Officer, it was agreed that the permissible margin could be increased for this property in view of its financial involvement in the proposed development.

In view of the limited number of dwellings close to the proposed development, the incidence of shadow flicker affecting residents is expected to be very low. If problems do occur, various mitigation measures can be taken to alleviate the problem. Planning conditions can be imposed to ensure the above mitigation.

Impact on Nature Conservation

An assessment of the impact on a variety of flora and fauna was undertaken in line with guidelines set out in the July 2006 Ecological Impact Assessment document, in consultation with Natural England and the Durham Bat Group.

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No protected species in any significant numbers were recorded in view of the sparse and exposed nature of the application site. Some bats were observed around the site hedgerows and the turbines have been located away from these to avoid conflicts. Water Voles were restricted to the water course which are on an unaffected part of the site.

Surveys were undertaken of breeding and wintering birds, however again due to the sparse nature of the site, birds of conservation interest are low. There may be an instance of some breeding on the site by species of interest and appropriate mitigation measures will be taken during construction to avoid disturbance.

Impact on Archaeology.

Certain survey work has taken place on the application site since submission of the application at the request of the County Archaeologist. A site evaluation has taken place with trial trenches dug.

At the request of the County Archaeologist it is suggested that appropriate planning conditions can now be appended to any planning permission that is granted.

Health, Safety and Other Issues

TV and other communication interference – Consultations with local airports, the MOD and telecommunication operators have not resulted in any objections that cannot be mitigated. The turbine layout is such so as to avoid such conflicts. If television reception is affected, planning conditions should be in place to ensure remedial action is taken by the developers.

Traffic impacts – An assessment of traffic impact was undertaken in accordance with guidelines issued within the “Environmental Assessment of Road Traffic” document. The main impact will be in the form of HGVs delivering to the site during construction. During the maximum time for this occurrence – month 3 – a maximum of 12 extra trips are predicted daily. This level is not seen as significant in the context of this site. Once operational, very few vehicles will visit the site for maintenance etc.

Conclusion

The proposed development would undoubtedly have an impact on the landscape and visual amenity of the area. As previously noted it is impossible to provide mitigation measures that would assimilate this type of development into the landscape. The issue is whether the siting of a wind farm in the proposed location would be considered unreasonably harmful and overbearing and whether the residential amenity of neighbouring occupiers would be unreasonably affected.

Given the detailed Environmental Statement and the content of the representations received, and the comments of the County Landscape Architect, it is considered that the proposed development would not have an overbearing impact on the local landscape or be detrimental to residential amenity.

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Furthermore it is considered that there would be little impact on the archaeology or ecology of the area or on the residential amenity of any nearby occupiers in terms of noise or shadow flicker.

The proposal must also be considered for its carbon reduction potential and the significant support in national and regional planning policy for such development in this location – this proposed development of 10 – 15 megawatts capacity could annually generate electricity for 5 –6000 homes. The application has been fully assessed on its individual merits and within the context of national, regional and local planning policies. It is considered that the environmental benefits of the provision of electricity from a renewable resource in this instance outweigh the detrimental effects that a wind farm of five turbines will have on the locality.

Recommendation

Approve subject to conditions relating to: Interference with communications, archaeology, construction/decommissioning, ecology, landscaping/mitigation, noise/shadow flicker.

Reason for Approval

The proposed development is considered to comply with the National, Regional and local planning policies referred to above.

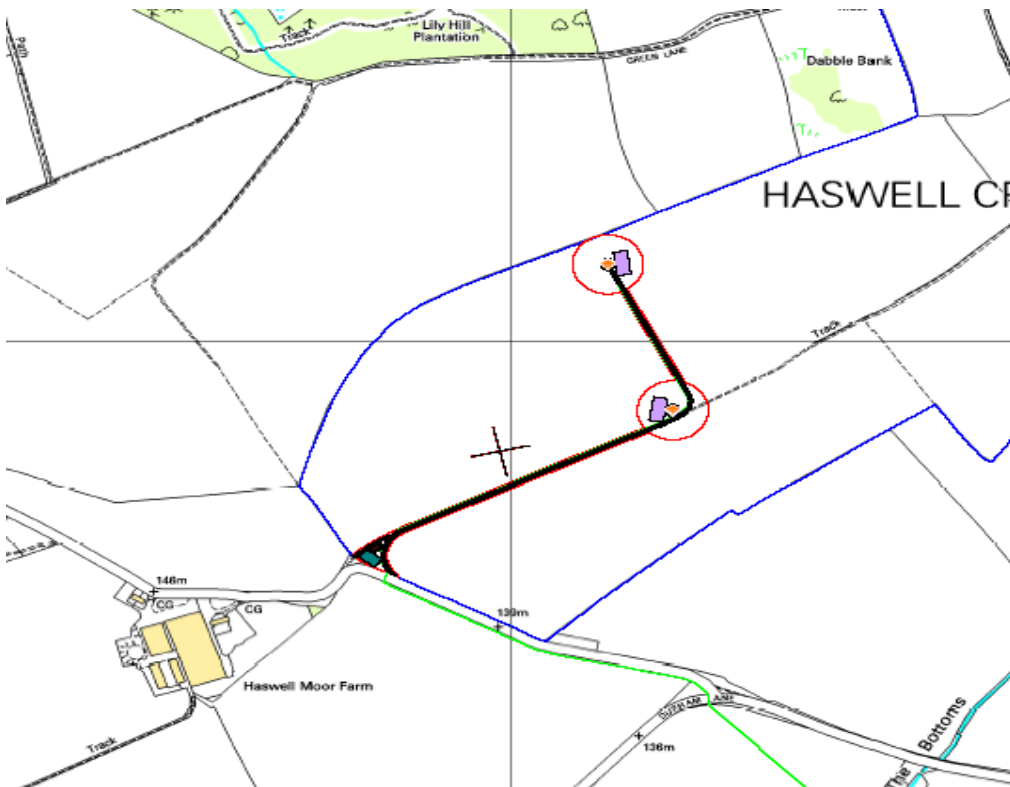
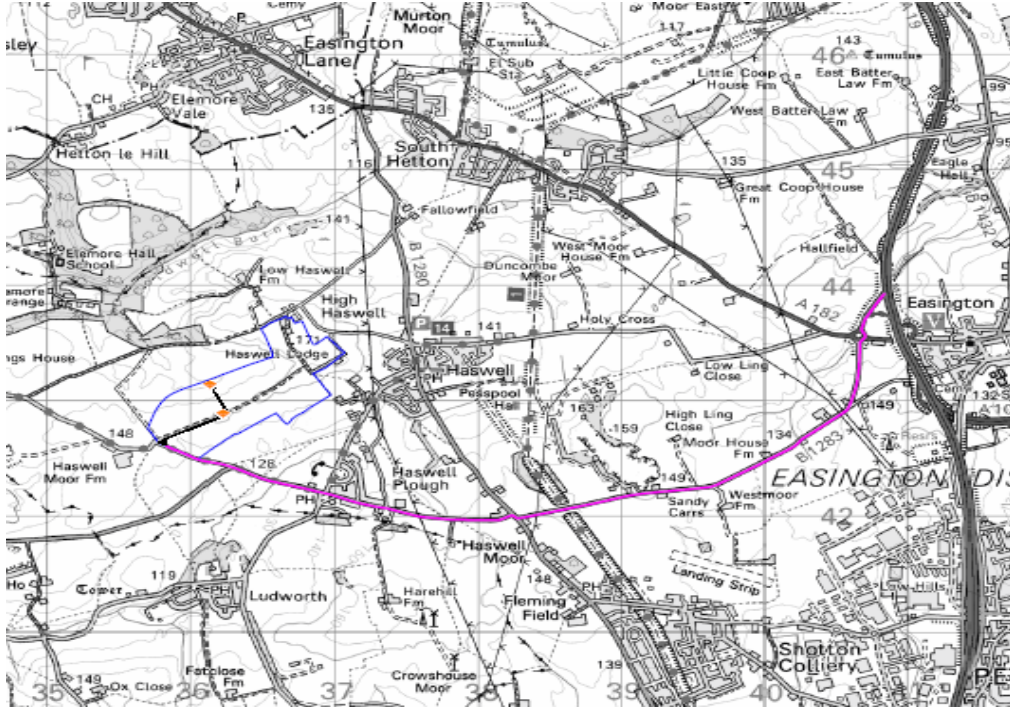
Decision time 1 year – target missed due to need to carry out archaeological surveys.

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PLAN/2007/0223

HASWELL (HASWELL & SHOTTON) - 2 NO. WIND TURBINES AT COLLIERY FARM, GREEN LANE, HASWELL FOR HALLAM LAND MANAGEMENT LTD

Location Plan



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The Application Site

The proposed wind farm is to be located on farm land east of Haswell Moor Farm near Haswell in County Durham. It is located some 8 km east of Durham, between the A19 and A1 Trunk roads.

The site itself is located on arable and farmland off Coalford Lane and near to the B1283 Durham Road to the south. The nearest settlements are Ludworth and Haswell Plough (1.6km), Littleton (2.4km) and Haswell (2km). The land is approximately 140 metres above sea level.

The area of land which will encompass the turbines will be some 2.5 hectares, however the actual land covered by the structures will be considerably less – see plan above.

The Proposed Development

It is proposed to build and operate a wind cluster of two turbines and the associated cabins and access tracks and a meteorological mast. There will be one site entrance off Coalford Lane. Access tracks will connect the turbines with each other.

The height to the blade tip of the turbines will be up to 100 metres and the three bladed rotor will have a diameter of 80 metres.

Construction is expected to take up to 7 months and the operational life of the wind farm is expected to be 25 years after which time it will be decommissioned and all equipment will be dismantled and removed from the site. The internal access tracks will remain however.

Connection to the national grid will be via a connection in association with the applicants for the adjacent Haswell Moor Site.

Site History

06/0657 – Meteorological mast – approved October 2006.

Planning Policy

Planning Policy Statement 22: Renewable Energy

Draft Regional Spatial Strategy

County Durham Structure Plan

County Durham Landscape Character Assessment (Draft 2003)

Landscape Appraisal for Onshore Wind Development - 2003

North East Regional Renewable Energy Strategy - 2005

District of Easington Local Plan

ENV03 - Protection of the Countryside

GEN01 - General Principles of Development

TAC74 - Footpaths and other public rights of way

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Consultations and Publicity

The application was advertised in local newspapers, site notices posted and local residents in local villages consulted.

Objections have been received from three residents raising the following issues :

- Turbines are to be located on the highest point in locality and be very prominent and visually intrusive.
- Enough energy generated in Easington already.
- Cumulative effect of more turbines will result in visual pollution over a wide area.

One letter of support has been submitted, citing renewable energy as something to be promoted.

Parish Council – Object to additional turbines in this locality . Cumulative effect of turbines in this locality will result in a skyline dominated by the structures. No objection to nearby application for 5 turbines but not both proposals.

Environmental Health Officer – No objections.

North East Assembly – Proposals conform with regional policies and are therefore acceptable.

One North East – No objections in principle.

Natural England – No objections and requests conditions are attached to any grant of permission.

Environment Agency – No objections.

CPRE – Object on the following grounds :

- Proposal will be a dramatic change in the appearance and use of the existing agricultural land.
- Figures submitted relating to power outputs and Carbon Dioxide emissions are not considered accurate.
- Cumulative effect with Hare Hill and Great Eppleton is such that wind turbines will dominate the landscape from numerous viewpoints. Contests assertion that consented sites may not be built.
- Tranquility of cycle and footpath network and local roads will be affected by the development.
- Turbines are too close to residential properties – UK Noise Association recommends 1 mile minimum.
- These plus those proposed on adjacent land will increase the cumulative effect of visual intrusion.

City of Durham – Concerned with impact on world Heritage site views. Turbines will sharply contrast with views of Ludworth Tower.

Sunderland City Council – No observations.

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County Council Policy – Proposals broadly conform to the locations for wind farms in the Structure Plan and the RRES. Concern that this and the adjacent Haswell Moor turbines, if approved are of similar scale and design.

The Ramblers – Concerned about the impact the turbine will have on the adjacent public right of way. Construction work will cause danger to users of the path.

Newcastle Airport – No objections.

County Highway Authority –Originally concerned about proximity of turbine to public footpath. Turbine now relocated.

Easington Countryside Officer – Due to the nature of the site, impacts on birds, bats, water voles and amphibians are likely to be moderate to minor. No objections to the proposal.

County Landscape Architect – Comments on Cumulative impact assessment are detailed below.

County Archaeologist – Suggests watching brief condition is attached to any permission granted.

Planning Considerations and Assessment

In assessing a proposal for a wind farm, there are a number of material planning considerations that need to be taken into account. Over recent years these have become established as each successive wind farm proposal has been considered, and the following list covers areas relevant to this application :

- National, Regional and Local Planning Policies.
- Landscape and visual impact.
- Residential issues such as noise and shadow flicker.
- Impact on nature conservation.
- Impact on archaeology.
- Health, safety and other issues raised by third parties.

Planning Policy

Government guidance as contained within PPS 22 supports onshore wind farms. There is a commitment to achieving 10% of electricity generation by renewable means by 2010. The guidance states that renewable energy development should be accommodated in locations where it is technically viable and where the various impacts referred to above can be satisfactorily addressed. There is an acceptance that there will always be a compromise between maximising the capture of energy and the visual impact that will result.

The site lies within an area identified in the Draft Regional Spatial Strategy as a “medium resource area” for onshore wind generation and whilst not specific does indicate broad support for the application site location.

Of the “saved” Structure Plan policies, policies 80 and 81 generally support the promotion of renewable energy generation, whilst requiring account to be

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taken of the wider impact such proposals will have, particularly on communities and the environment.

The current County Durham Landscape Character Assessment shows the application site as being on the boundary of, but not within, a landscape area of moderate to high constraint (the Limestone Escarpment). This is reflected in other landscape policy documents recently produced in the North East and referred to above.

The District of Easington's saved local plan policies that relate to development in the countryside are not specific to renewable energy proposals. The District Council relies on guidance within PPS 22 at the present time.

Landscape and Visual Impact.

Wind turbines by their scale and tendency to be formed in groups, will always have a visual impact upon the landscape within which they are located and an impact on the amenities of people who live in the locality. The degree of impact depends on the form and character of the landscape and the perceptions of the public who are affected by the development.

The turbines will be visible over a wide area, however the fact that they are visible does not necessarily mean that they are visually harmful to such an extent as to warrant refusing planning permission.

This part of the report will address the impact of the development on the local landscape, nearby settlements, local residents and other more distant receptors.

Impact on Local landscape -

In order to assess the visibility of the turbines from both far and near Zones of Theoretical Visibility (ZTV) documents have been produced and are submitted as part of the planning application. The potential impact of the turbines has been assessed by producing photomontages of various viewpoints of the application site based on the ZTVs.

The impact of two turbines as proposed will be less than but similar to the impacts described within the report elsewhere in this agenda for five turbines on adjacent land.

Cumulative Impact – The County Council's Landscape Architect has studied the proposals and extracts of his comments have been reproduced as follows.

The proposed turbines at High Haswell would, if Haswell Moor was permitted, read as part of a single wind farm of seven turbines.

Considered on its own, its impacts would be similar to those of Haswell Moor – certainly in terms of the level of its impacts on the wider landscape and on local communities (although its specific impacts would fall more on Haswell and less on Sherburn Hill). The turbines lie closer to the AHLV and would have a similar but, it is considered, locally slightly higher impact on the AHLV than the more distant, if more numerous, turbines of Haswell Moor.

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Combined impacts

The two main issues that arise from the combination of the two proposals are whether the scale of the developments combined would be unacceptable either in itself or cumulatively with other development in the area, and whether the overall design of the combined development would allow it to read as a visually coherent whole.

Scale

The larger number of turbines of the two combined developments would clearly bring about a higher level of impact on the local landscape and local communities than either in isolation. This is a matter of degree. It is considered that the scale and character of the landscape here is such that it could accommodate a wind cluster of something like this scale without the local landscape being entirely overwhelmed by it. Having said that, if both sites were permitted the local landscape would be somewhere close to capacity.

The combined sites would not have a significantly greater impact in views from the wider landscape. In more distant views the lateral extent of the group, or its visual density would be only slightly increased.

The combined sites would have a greater impact on the AHLV, being visible from more of the AHLV, being more prominent in views from the Lily Hill /Low Haswell Banks area, and having more turbines visible in views across the AHLV from the north than either in isolation. In views across the AHLV from the north the existing Hare Hill turbines are visible. The proposed turbines would be closer and more numerous so although they wouldn't bring about a 'step change' in character they would have a significantly greater impact than Hare Hill. As noted in the previous report, the AHLV in these views has quite a broad scale with large woodland masses and so the turbines wouldn't be out of scale with it as they might be with some finer grained landscapes. The turbines wouldn't be dominant features in a lot of interior views from lower ground within the AHLV – though more so with the additional turbines of High Haswell than they would otherwise be.

Either site in isolation or the combined sites together would have cumulative impacts with Hare Hill. The closer the development was to the scale of Hare Hill the more the two would read as discrete and analogous clusters. The larger the Haswell development the more Hare Hill would read in the wider landscape as an isolated offshoot – which would tend to make the developments feel generally more arbitrary & less rooted in / assimilated into the landscape. Having said that it is difficult to find any individual views in which there are particularly acute cumulative landscape or visual impacts.

Design.

The two turbines of High Haswell stand somewhat further from the nearest turbine of the Haswell Moor group than the typical spacings within the groups, but despite that they would read effectively as a single group of seven in most middle distance and distant views. The wirelines submitted in the Cumulative Impact Assessment show that in these views there is often as much distance within the Haswell Moor group as there is between the two groups.

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This isn't as true in views looking directly between the two groups – such as the view from Haswell Plough – where they would read as slightly separated.

The design of the turbines of both proposals should be the same as any difference in size or shape would be obvious and would weaken the visual unity of the schemes and increase their impact.

Conclusions

It is considered that the conclusions reached for the Haswell Moor proposal would stand for both the High Haswell site on its own and the combination of the two.

Impact on Residential Amenity – Noise /Shadow Flicker.

The potential for noise impacts on nearby residential properties has been assessed in line with best practice guidance published in “The Assessment and Rating of Noise from Wind Farms” ETSU-R-97 Report.

A maximum of twelve additional vehicles a day are expected to use the B1283 during construction work – this increase is unlikely to have any adverse impact locally.

Operational noise levels were measured at eleven nearby properties and none of them will experience noise levels in excess of the minimum ETSU-R-97 guidelines.

In view of the limited number of dwellings close to the proposed development, the incidence of shadow flicker affecting residents is expected to be very low. If problems do occur, various mitigation measures can be taken to alleviate the problem. Planning conditions can be imposed to ensure the above mitigation.

Impact on Nature Conservation

An assessment of the impact on a variety of flora and fauna was undertaken by consultants of the applicants during the summer of 2006 and the winter of 2006/7.

No non – avian protected species were recorded within the site boundary in view of the poor quality of habitats present.

Surveys were undertaken of breeding and wintering birds, however again due to the sparse nature of the site, birds of conservation interest were low. There may be an instance of some breeding on the site by species of interest and appropriate mitigation measures will be taken during construction to avoid disturbance. A condition can be attached to a planning permission to ensure that mitigation takes place.

Impact on Archaeology.

Certain survey work has taken place on the application site since submission of the application at the request of the County Archaeologist. A site evaluation has taken place with trial trenches dug.

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At the request of the County Archaeologist it is suggested that appropriate planning conditions can now be appended to any planning permission that is granted.

Health, Safety and Other Issues

TV and other communication interference – Consultations with local airports, the MOD and telecommunication operators have not resulted in any objections that cannot be mitigated. The turbine layout is such so as to avoid such conflicts. If television reception is affected, planning conditions should be imposed on any permission granted to ensure remedial action is taken by the developers.

Traffic impacts – These are likely to be less than those for the High Haswell proposal for five turbines. Some improvements to the site access are expected to allow access for large vehicles but any other impacts generated by the site will be limited to site maintenance after the construction period has ended, which is expected to be six to seven months.

Concerns have been raised relating to the visual impact the proposals will have on users of the nearby public footpath. Whilst there will undoubtedly be an impact on footpath users, this has to be balanced against the benefits of the proposal described above and the limited impact the development will have on the wider environment.

Conclusion

The proposed development would undoubtedly have an impact on the landscape and visual amenity of the area, particularly when seen in the context of the proposed five turbine development nearby. As previously noted it is impossible to provide mitigation measures that would assimilate this type of development into the landscape. The issue is whether the siting of a wind farm in the proposed location would be considered unreasonably harmful and overbearing and whether the residential amenity of neighbouring occupiers would be unreasonably affected.

Given the detailed Environmental Report and the content of the representations received, and the comments of the County Landscape Architect, it is considered that the proposed development, in isolation, would not have an overbearing impact on the local landscape or be detrimental to residential amenity. Furthermore, officers agree with the conclusions of the County Landscape Architect that the cumulative effects of this proposal when seen in the context of existing and proposed wind turbine developments nearby will not be sufficiently harmful so as to warrant refusing planning permission.

Furthermore it is considered that there would be little impact on the archaeology or ecology of the area or on the residential amenity of any nearby occupiers in terms of noise or shadow flicker.

The application has been fully assessed on its individual merits and within the context of national, regional and local planning policies. It is considered that the environmental benefits of the provision of electricity from a renewable resource in this instance outweigh the detrimental effects that a wind farm of two turbines will have on the locality.

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Recommendation

Approve subject to conditions relating to : Interference with communications, archaeology, construction/decommissioning, ecology, landscaping/mitigation, noise/shadow flicker.

Reason for Approval

The proposed development is considered to comply with the National, Regional and local planning policies referred to above.

Decision time

1 year – target missed due to need to carry out archaeological surveys

PLAN/2007/0536

SHOTTON (HASWELL & SHOTTON) - CHANGE OF USE TO MIXED USE AS STABLE YARD (AUTHORISED) AND CARAVAN SITE FOR STATIONING OF 3 RESIDENTIAL CARAVANS WITH ASSOCIATED WORKS (SURFACING OF YARD, REPAIRS TO BOUNDARY WALL/FENCING) FOR OCCUPATION BY SINGLE TRAVELLER FAMILY AT LAKE BANK STABLES, MOORE TERRACE, SHOTTON COLLIERY FOR MR AND MRS T J COLLINS

The Application Site

The application relates to a walled compound situated to the south of Shotton. Three caravans are currently sited on this land with associated portable w.c. structures and original buildings linked to the previous use of the land for stables. Vehicular access is gained across open land from Moore Terrace to the north of the application site.

The application site is situated outside the settlement boundary as identified in the District of Easington Local Plan. The application site is unallocated in the Local Plan. Therefore, the site is considered to be situated in the countryside.

The Proposed Development

Retrospective consent is sought for the siting of three residential caravans on the land including associated portable w.c. units. The three caravans are situated within the existing walled compound, and are to provide accommodation for the applicant's family.

Information has been provided by the agent for the application in relation to the applicants' family status as Irish Travellers, an ethnic group afforded protection under the Race Relations Act. It is argued by the agent for the application that the family's status as Irish Travellers is justification for the siting of the three caravans on the application site.

Site History

97/112 – Stables – Refused 17.04.97

97/560 – Stable and Fish Pond – Refused 22.01.98

00/154 – Stable – Approved 29.06.2000

PLAN/2007/0383 – Siting of 3 no. Residential Caravans – Refused

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The current proposal represents the re-submission of the most recent previous refusal. In support of the current proposal further information has been provided to the Council in support of the applicants' family status as Irish Travellers. The previous application relating to this site was refused as it was considered to represent inappropriate residential development in the countryside; no information was given at the time to justify the proposed development.

Planning Policy

National Planning Guidance

PPS3 - Housing

District of Easington Local Plan

GEN01 - General Principles of Development

ENV03 - Protection of the Countryside

ENV35 - Environmental Design: Impact of Development

HOU72 - Control of sites for travellers

Consultations and Publicity

The application has been advertised by site notices and in the press. Neighbouring properties have been consulted. No letters of representation have been received in relation to this application.

Easington District Council, Policy Officer, comments:

- The site in question is not visually intrusive to the surrounding countryside nor does there appear to be any conflict with the local community. Sewerage facilities are in place and also running water and electricity are available.
- Consideration should be given to PPS3 Housing, Circulars 01/2007,01/2006. Local Plan Policy 72 is relevant to this case – Albeit that the site concerned is outside of the settlement boundary, consideration of the case with reference to local plan policy 72 does indicate that permission be granted. Referring to local plan policy 72 the site is within a reasonable distance of local facilities and services. There is unlikely to be a serious adverse effect on amenity. With regard to visual intrusion there is unlikely to be a serious adverse effect given that the site is within a walled/fenced enclosure. The present nature and small scale of the site should be retained through the use of conditions.

Easington District Council, Environmental Health Officer, comments:

- No objections.

Durham County Council, highways Authority, comments:

- No highway objection is raised.

Environment Agency, comments:

- No objections.

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Planning Considerations and Assessment

The application site is located to the south of Shotton village, and is situated outside the existing settlement limits as identified in the District of Easington Local Plan. The application site is therefore considered to be in the countryside.

Retrospective planning permission is sought for the siting of three residential caravans on the site including associated development. The agent for the application has argued that the siting of the three caravans is justified due to the applicants' Irish Travellers status.

The main issues to consider in determining this application are:

- National Planning Guidance
- Easington District Local Plan Policies

National Planning Guidance

Circular 1/2006 contains the most up to date guidance on Gypsy policy and as such carries considerable weight in determining planning applications. The Circular makes clear that areas of open countryside not otherwise designated will be appropriate in principle for Gypsy sites and sites on the outskirts of settlements are regarded as acceptable. The general aims of the circular are to increase the number of sites for Gypsy-Travellers by 2009-11.

The information provided by the agent for the application relating to the applicants' family status as Irish Travellers is accepted by the Local Planning Authority, as such it is considered that the proposal to site the three residential caravans on this site accords with the advice contained within Circular 1/2006.

District of Easington Local Plan Policies

The relevant local plan policy in assessing this application is Policy 72, which deals with the control of sites for travellers. The policy states that sites for travellers will not be allowed in the green belt, coastal zone, or on visually intrusive sites in the countryside. The Local Plan Policy does, however, allow for sites outside established settlement boundaries providing that: the site is within reasonable distance of local facilities; suitable access can be provided; and, the proposed use would have no detrimental effects on the amenity of people living or working in the vicinity of the site.

With regard to the siting of the site adjacent to the established settlement boundary for Shotton, it is accepted that the site is within a reasonable distance of local facilities and as such is in keeping with the relevant development plan policy.

Durham County Council, Highways Authority have been consulted on the application and have confirmed that they have no objections to the scheme; as such the access arrangements for the site are considered to be acceptable and in accordance with the relevant development plan policy.

The application relates to an existing walled compound and as such the caravans sited on the land are not considered to be visually intrusive. No letters of representation have been received in relation to this application, and as such subject to the suggested conditions it is considered that any adverse

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effects that the proposed use may have on adjacent occupants can be controlled.

Conclusion

In conclusion it is considered that the siting of the three residential caravans on this land is in keeping with the relevant development plan policies. The site is currently occupied by a family of Irish Travellers, a group protected by the Race Relations Act, and afforded rights relating to provision of accommodation sites under circular 01/2006. Subject to the suggested conditions it is considered that the future use of the site can be controlled and the amenity of adjacent occupants protected. By allowing permission for the Travellers' site it is not considered that any precedent for future permanent residential development of this site is being sought and it is recommended that planning permission be granted with regard to the special circumstances relating to this case.

Recommendation

Approval subject to the following conditions: restriction of occupancy of site to Gypsy Travellers; number of caravans to be limited to 3 no.; no commercial/industrial activities to take place on the site.

Reason for Approval

The proposed development is considered to comply with the national and local planning policies referred to above.

Decision time Outside eight weeks, due to discussions with DCC.

PLAN/2007/0609

SEAHAM (SEAHAM NORTH) - HOUSE (RESUBMISSION) AT SEAHAM GRANGE FARM, STOCKTON ROAD, SEAHAM FOR MR I DAVIDSON

Members will recall considering the following report (amended to reflect the changed policy situation following expiry of the development plan) at the Panel meeting held on 16th October 2007, when it was resolved "that Members be minded to approve the application".

Subsequently, the proposal was referred to the Government Office for the North-East who have now advised that there is not sufficient conflict with national planning policies or any other sufficient reason to warrant calling in the application for determination by the Secretary of State.

In these circumstances, the planning application has been referred back for determination by the District Council, and the Panel now retains the authority to make the formal decision on the application.

The Application Site

The proposed site lies within an arable field some 25 metres to the south of an existing Agricultural grain drying shed. It is close to a group of buildings consisting of dwellings and outbuildings that were formerly part of Seaham Grange Farm but which have now been sold off except for one dwelling occupied by the applicant's mother.

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The Proposed Development

This outline application relates to the erection of an agricultural dwelling within an open countryside location in order to act as security for the adjacent agricultural building. The building is to be occupied by the applicant to facilitate more convenient and effective monitoring of the building and general operation of the farm business. Access will be via the existing shared driveway to the other buildings nearby.

Site History

07/260 – Agricultural dwelling – Withdrawn June 2007

Planning Policy

County Durham Structure Plan

CSP05 - North Durham Green Belt

District of Easington Local Plan

ENV03 - Protection of the Countryside

ENV04 - Greenbelt Extension in County Durham

GEN01 - General Principles of Development

ENV35 – Design and amenity

PPS 7 – Sustainable development in Rural Areas.

Consultations and Publicity

The application has been advertised in local newspapers, a site notice posted and local residents have been consulted.

Comments have been received from three local residents in respect of the following:

- Applicant should live on the site to protect buildings from criminal activity.
- The house would not be visually intrusive.
- There will be no increase in traffic.
- Grain dryer needs someone on hand 24 hours a day.

Town Council – No comments received.

Environmental Health Officer – Contaminated land survey should be undertaken.

Planning Policy Officer - Considers that the effect of the dwelling on the openness of the Green Belt is reduced due to its proximity to the existing buildings. However the dwelling is not a replacement but a new one which will have an impact on the openness of the Green Belt. Considers that information in support of the application is sufficient to warrant approval, however further information supplied raises concerns that the dwelling would be used solely as a means of managing and monitoring the existing grain/fertiliser store nearby

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– this justification for a new dwelling would be contrary to guidance contained within PPS 7.

Highway Authority – Concerned with additional traffic using the existing access onto the B1285 Stockton Road. Revised access proposals not submitted at the time of drafting.

Planning Considerations and Assessment

The main planning issues relating to this proposal are considered to be

- Planning Policy and
- Impact of the development on the Green Belt.

Planning Policy

The main policy document the Local Planning Authority uses when assessing the need for a new dwelling in open countryside is Planning Policy Statement 7 – Sustainable development in Rural Areas. This provides guidance for dealing with proposals for agricultural, forestry and other rural dwellings.

Paragraph 10 of PPS7 makes clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. It will often be as convenient and more sustainable for such workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the countryside. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is *essential* in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:

- there is a clearly established existing functional need
- the need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement
- the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so.
- the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned
- other planning requirements e.g. in relation to access, or impact on the countryside are satisfied

A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night :

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- in case animals or agricultural processes require essential care at short notice;
- to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

In cases where the local planning authority is particularly concerned about possible abuse, it should investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings, or buildings suitable for conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of lack of agricultural need.

The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one. If a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.

The applicant has submitted a supporting statement which included numerous examples of case law and appeal decisions together with a financial statement. Information relating to the functional need for a new dwelling was not conclusive however and further information was sought from the applicant. This report is based on that further information.

In considering the current application officers are aware that the grain dryer was erected in 2004 and that prior to that a number of farm buildings on the site were sold off for residential conversion. Of more relevance however, in particular in relation to the advice within PPS 7 above, Seaham Grange Farmhouse was renovated and sold off in 2006.

The main issue to consider in this instance is whether it is essential for someone to live permanently close to the existing building, or whether it would be merely convenient for the efficient operation of the business.

Any essential need for someone to be readily available at most times on this site will derive solely from the needs of the security and monitoring of the existing grain store. Such needs have been examined on numerous occasions by Appeal Inspectors, and whilst each proposal must be considered on its merits, in the main, Inspectors have determined that the needs of arable crop monitoring and security of farm equipment seldom on their own justify the erection of a new dwelling in open countryside contrary to established planning policies.

More sensitive crops such as Cactus or other temperature sensitive plants usually provide justification, as do livestock husbandry needs. However grain drying facilities tend to be less sensitive to machinery malfunction and security issues are normally expected to be addressed by remote cameras, alarms etc.

In addition to the above concerns Officers are aware that a certain amount of passive security is already present on site as the applicants Mother lives nearby and there are a number of existing dwellings within the old farm yard area.

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There is also the issue of why the original farmhouse was renovated and sold off by the applicant only one year before applying for the current proposal, although an explanation is contained within the applicant's supporting document.

Impact on the Green Belt

Whilst it is accepted that the development is proposed to be located close to the existing grain store and other buildings, it nevertheless remains some 25 metres away and will be seen as new development located within an agricultural field, within the Green Belt for which strict residential planning policies apply.

It is considered that without a justifiable overriding essential need, a new dwelling in this location will have an unacceptable detrimental effect on the open character of the Green Belt.

In addition to the above, the applicant has now proposed a new access to the proposed dwelling in response to the Highway Authority's objections to the existing farm track access.

The revised route runs more than 400 metres through the fields to the south of the site to emerge at Glebe Drive. It is considered that the creation of a domestic access through arable fields in an open location within the Green Belt would have a detrimental effect on its rural and open character by the creation of a large expanse of surfaced driveway.

The applicant has submitted further information in response to the previous report. The main issues included within that further submission are highlighted below and comments made thereon where necessary.

The application is for a replacement dwelling to administer the enlarged farm business, not to act purely as security for the nearby agricultural building.

This description is accepted in the report below, however officers are concerned as to whether it is essential to locate a new dwelling in this particular location.

The original farmhouse was sold by the applicant in 2003 not 2006.

The applicant states in the supplementary information that the farmhouse was sold off for rebuilding and doesn't give a precise date but goes on to say that it was "eventually sold in 2006". Whatever the date of sale, officers are concerned that the farmhouse was sold off as were other convertible outbuildings on the site **after** planning permission had been granted for the nearby agricultural building in May 2002. This action does not indicate that there would have been a need to live on site to monitor the agricultural building.

The applicant farms seven farms, much of the produce of which "goes into bio fuels production".

The eventual destination of the grain is not a material planning consideration, and whilst officers accept the applicant's business is viable, concern remains as to the functional requirement to locate a new dwelling in an open

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countryside green belt location given the history of building sales referred to above.

Existing dwellings located nearby are obscured from view of the shed entrance so cannot adequately monitor the building.

Officers consider that appropriate alarm systems could be installed. If it was accepted that every agricultural storage building required a dedicated dwelling to be erected next to it then there would be an unacceptable demand for new dwellings in the open countryside.

The new building will not impact on the Green Belt as it will not be seen from the B1285.

The aim of green belts is to prevent the spread of new development by keeping land permanently open. The visual prominence or other wise of the application site is an issue but is underpinned by the principle of resisting any new development within the green belt unless there are exceptional circumstances which dictate otherwise. Officers are of the opinion that the proposed development will erode the open nature of the Green Belt and that there are no overriding reasons to allow such development.

The alternative vehicular access will be obscured from view by hedges, fences and mounding – there will be no block paving or hard surface and no impact on the Green Belt.

Officers remain concerned that a domestic access some 400 metres in length will inevitably bring with it a visual impact that will affect the open nature of the Green Belt, however they are aware that enforcing the use of this access by occupiers of the new dwelling would not be possible.

Conclusion

The application was referred to the Government Office for the North East but they concluded that there was insufficient conflict with national planning policies or any other reason to warrant calling the application in for determination by the Secretary of State.

Members will recall resolving to grant permission for this application at an earlier meeting, and it would be consistent to maintain this view. However, officers remain of the opinion that permission should not be granted for the reasons detailed in the above report.

This proposal relates to the erection of a new dwelling within a countryside location within the Green Belt.

Such development should only be permitted if there are overriding reasons why well established residential planning policies should be set aside. In this instance agricultural need is put forward as the reason why planning permission should be granted. However it is considered that this need is not essential to the running of the existing farm business having regard to the circumstances surrounding the application.

This opinion is reinforced by the open nature of the application site and its designation as Green Belt land within which enhanced restrictions apply to new residential development.

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The further information supplied by the applicant is not considered to be of sufficient weight to alter the opinion of officers with regard to the need for a new dwelling in open Green Belt countryside.

It is considered therefore that insufficient justification has been given to enable planning permission to be granted in this instance and it is recommended that permission be refused.

Recommendation (Subject to change if revised access plans are submitted)

Refuse for the following reasons :

1. National planning guidance in the form of Planning Policy Statement 7 – Sustainable development in Rural Areas requires that new residential development in the open countryside should have a special justification to enable planning permission to be granted contrary to established residential planning policies relating to the open countryside. The reasons put forward by the applicant are of insufficient weight to warrant the overriding of existing planning policies for this area designed to preserve the character of the open countryside and in particular the open character of the Green Belt.

It is considered therefore that the proposed development will form an intrusive domestic feature which will have an unacceptably detrimental effect on the character of this rural location, which is designated as Green Belt land, contrary to policy 5 of the Durham Structure Plan, policies 1, 3, 4, and 35 of the District of Easington Local Plan and Planning Policy Statement 7 – Sustainable development in Rural Areas.

2. The proposed development is served by an unsatisfactory access onto the B1285 Stockton Road. The additional traffic created by a new dwelling will be likely to exacerbate existing road safety problems to an unacceptable degree, contrary to Policy 36 of the District of Easington Local Plan.

Decision time 16 weeks – Target not achieved due to referral to Government Office.

PLAN/2007/0634

EASINGTON VILLAGE (EASINGTON VILLAGE & SOUTH HETTON) - REAR SUN LOUNGE EXTENSION AT SOUTHSIDE SOCIAL CLUB, SOUTHSIDE, EASINGTON FOR SOUTHSIDE SOCIAL CLUB

The Application Site

This application site lies within the settlement boundary of Easington Village and within the conservation area. It is bounded by residential properties to the east, south and west with the village green to the north. The proposed rear lounge extension is in the rear garden of the club.

The Proposed Development

Planning permission is sought for the erection of a single storey sun lounge extension to the rear of the social club. The extension would measure 10.7

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metres wide by 4.8 metres deep and would be 4.2 metres at its highest point. It would be constructed of upvc windows, brick walls and a slate roof to match the existing building. Samples of materials would be requested for approval before the development commences.

Site History

PLAN/2006/0499 - REAR LOUNGE AND W C EXTENSION (approved)

Planning Policy

District of Easington Local Plan

ENV22 - Preservation and Enhancement of Conservation Areas

ENV35 - Environmental Design: Impact of Development

GEN01 - General Principles of Development

Consultations and Publicity

The application has been advertised by site notices and in the local press. Neighbouring properties have also been consulted. One letter of representation was received with no objections to the proposal. Three letters of objection were received with regard to the application. Objections were raised to the proposed works on the following grounds:

- the proposed extension will exacerbate the existing noise problem, to the detriment of residential amenity.
- If the Club is increased in size, the existing parking problems will become worse to the detriment of highway safety and residential amenity.
- There are concerns over fire safety at the club; there does not seem to be a suitable access to the rear in case of emergency.
- There is no right of way to the rear of the property.

Fire service comments

- No objections to the proposals.

Durham County Council, Design and Conservation Officer, comments:

- The proposed extension is to the rear of the social club and is not in view of the public realm. There will be no impact on the character of the conservation area.

Environmental Health comments:

- No objections to the amended plans.

Durham County Council Highways Authority, comments:

The response to the earlier planning application, PLAN/2006/0499 of no highway/traffic issues would remain valid for this latest application as I do not see any significant difference between a rear lounge & w.c. extension and this latest rear sun lounge extension.

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Planning Considerations and Assessment

Impact on neighbours/conservation area

In principle the proposed extension is considered acceptable in terms of scale and design. The Conservation Officer is supportive of the application; it is considered that the proposed works would improve the rear elevation of the property. The amended plans also show a rear boundary fence which would improve screening to the rear of the premises – it is not considered that the proposal would lead to significant loss of amenity to nearby residents.

However, objections have been raised to the scheme on the basis of the detrimental effects the club currently has on adjacent occupants, and how the proposed extension will exacerbate these problems. The proposal relates to a relatively small extension to an existing club. It is considered that any effects the proposed extension may have on residential amenity for adjacent occupants would be insufficient to warrant refusal of the application.

Land ownership/right of way

Concerns have also been raised regarding the ownership of the application site; specifically relating to an area of land to the rear of East Grange Farm adjacent to the application site. Land ownership is not a planning matter, the Local Planning Authority are content that the application can be determined with regard to the submitted information. Concerns have also been raised regarding fire safety at the club; in particular over whether or not the club has the right to use the rear access as a fire escape. Fire Regulations are dealt with under separate legislation, and are not considered to be a relevant planning matter.

Highway issues

The Highways Authority have no objections to the proposal as the extension is unlikely to attract a significant increase in patronage.

Conclusion

It is not considered that the proposal would lead to any significant adverse impacts on residents or the conservation area that should warrant refusal of planning permission.

Recommendation

Approval subject to the following conditions: Materials; Accord with amended plans received

Reason for Approval

The proposal is considered to be in accordance with policies 1, 22 and 35 of the District of Easington Local Plan.

Decision time 12 weeks (target missed due to land ownership issues).

Item no.

PLAN/2007/0699

HORDEN (HORDEN NORTH) - RESIDENTIAL DEVELOPMENT COMPRISING 21 NO. DWELLINGS AT HORDEN WORKING MENS CLUB, EDEN STREET, HORDEN FOR MR M. SAVAGE, HOLYSTONE DEVELOPMENTS LIMITED

The Application Site

The site is a relatively flat area of land extending to some 0.45 hectares and lying to the east of the Horden Colliery Welfare Football Club ground and car park. It comprises the former Horden Big Club which closed in the summer of this year and is now substantially cleared.

The Proposed Development

The application is a submission of reserved matters following the granting of an outline planning permission.

The development involves the erection of twenty-one houses in a mix of six pairs of semi-detached and three terraces of three, arranged around a simple cul-de-sac penetrating the site from Eden Street which runs along the south side of the site.

Site History

05/572: Residential development (outline) – Approved 09/05.

Planning Policy

District of Easington Local Plan

ENV36 - Design for Access and the Means of Travel

GEN01 - General Principles of Development

HOU66 - Provision of outdoor play space in new housing development

HOU67 - Windfall housing sites

Consultations and Publicity

Parish Council:	No response.
DCC Highways:	Acceptable scheme; detailed information relating to adoption requirements and means of enclosure heights.
Northumbrian Water:	No response.
EDC Landscape:	Bat survey not necessary; detailed comments about proposed landscaping works.
EDC Environmental Health:	Contaminated land risk assessment required and noise impact assessment from adjacent sports facility.
Neighbours:	No response.
Site and Press Notices:	No response.

Planning Considerations and Assessment

Material considerations:

- Design;
- Effects on surroundings;

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- Highways matters.

Design

The site layout formed part of the outline permission granted in September 2005 and the now submitted details are the same as that layout apart from some minor changes to improve the private open areas on some of the house plots and to tidy up detailed highways requirements.

The density of the development equates to 49 houses per hectare, which is acceptable for a site of this type and in this location but it does result in small house plots with, generally, car parking provision being accommodated as spaces in front of the houses. It is suggested that a condition should be attached to any approval which may be issued to remove normal permitted development rights to extend the houses in the future because of the limited space available within each plot.

The scheme includes 14 two-bedroomed and 7 three-bedroomed houses, all at two storeys in height. They are of traditional brick and tile construction, which will reflect the existing character of the area. The proposed types of brick and tile to be used have been submitted and are considered to be acceptable.

Policy 91 of the District of Easington Local Plan, which has been “saved” pending the preparation of the new Local Development Framework, requires a development of this size (i.e. more than nine houses) to include the provision of children’s play facilities. The scheme approved as part of the outline permission did not include such facilities. However, the applicants have agreed to enter into a s.106 legal agreement to provide a sum of £10,500 to the Council for the provision or enhancement of recreational facilities elsewhere in the vicinity of the site.

The Council’s Landscape Consultant has suggested minor revisions to the submitted landscaping scheme but these can be resolved by the attachment of an appropriate condition to any approval which may be issued.

The Council’s Environmental Health Unit has suggested that a noise assessment should be carried out in relation to the adjacent football ground but it is considered that the installation of double glazing in the houses, as intended by the applicants, should prove to be a satisfactory protection of the the new residents’ amenities.

Effects On Surroundings

The site is bounded on the north and east sides by existing dwellings and on the west side by the Horden Colliery Welfare Football Club premises. The south side of the site faces Eden Street, on the opposite side of which is the Horden Social Welfare Club and the blank gable end of the houses in Seventh street.

The proposed houses are arranged satisfactorily on the site so that the usual spacing and privacy distances are respected to the surrounding houses and there have been no representations made by any of the existing residents.

It is not considered that the proposal will have any unacceptable or undesirable effects on either the football ground or the social club which are also located adjacent to the site.

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Highways Matters

The site layout involves the construction of a simple, straight, short cul-de-sac with a T-shaped turning head with a junction on Eden Street opposite the end of Seventh Street. This arrangement is acceptable to the Highway Authority.

Conclusion

The proposal is almost identical to a site layout approved as part of outline planning permission 05/572 and the reserved matters included in this current application are considered to be acceptable

Recommendation

Approval subject to:

- a) conditions relating to landscaping works, surface treatments, a contaminated land risk assessment, and the removal of permitted development rights; and
- b) the satisfactory completion of a s.106 agreement relating to children's play facilities.

Reason for Approval

The proposal is considered to be in accordance with policies 1, 36, 66 and 67 of the District of Easington Local Plan.

Decision time 7 weeks 5 days – target achieved.

PLAN/2007/0710

SOUTH HETTON (EASINGTON VILLAGE & SOUTH HETTON) - OUTDOOR AND INDOOR ARENA WITH ATTACHED AND DETACHED STABLES AND ASSOCIATED CAR PARKING AT WHITEGATES EQUESTRIAN CENTRE, SALTERS LANE, SOUTH HETTON FOR MS S LINCOLN

The Application Site

The site is an existing equestrian centre located to the west of South Hetton on some 9.5ha of a former farm steading on the east side of the B1280's junction with the A182. The centre utilises four former agricultural buildings which have been adapted to accommodate stabling, livery, tack and food storage accommodation. There is also an outdoor arena and a residential property within the site.

The Proposed Development

This application relates to the erection of an indoor arena of some 800sq.m. with an attached block of 20 stables; two detached blocks of 20 stables each; the construction of a new outdoor arena; and the construction of associated car parking areas.

These proposals are part of a master plan for major improvements to the existing facilities at Whitegates Equestrian Centre, which has the following elements:-

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- the sale of the existing dwellinghouse on the site to raise finances to fund the development;
- refurbishment of another existing dwelling on the site for the proprietor;
- a new vehicular access onto the A182 to serve the equestrian facilities;
- the restriction of the use of the existing access to the B1280 to serve the two dwellings only;
- removal of some existing barns;
- reduction in size and recladding of western barn;
- erection of shop/office/amenity block;
- erection of a small holiday accommodation block designed for disabled riders;
- erection of indoor riding arena;
- erection of approximately 40 livery stables;
- provision of appropriate parking facilities.

Planning permission has already been granted for the new vehicular access to the A182 and for the refurbishment of existing residential accommodation on the site (ref:07/114).

Site History

- 5/92/289: Change of use to riding school and erection of boundary enclosures – Approved 06/92.
- 92/419: Residential caravan – Approved 06/92.
- 5/92/713: Change of use from stable/barn to dwelling and elevational alterations – Withdrawn 11/92.
- 5/93/137: Change of use of stable/barn to dwelling and elevational alterations – Approved 04/93.
- 5/93/565: Private double garage – Approved 09/93.
- 93/626: Equestrian shop: - Approved 10/93.
- 98/258: Change of use from stable/barn to dwelling including extensions and alterations – Approved 07/98.
- 03/608: Variation of condition 6 of planning permission 98/258 – Approved 09/03.
- 02/2: Dwelling (outline) – Refused 02/02.
- 06/540: Attached double garage and bedroom over – Approved 09/06.
- 07/114: Refurbishment and extension of existing dwellinghouse and construction of new vehicular access to classified road, A182 – Approved 05/07.

Planning Policy

District of Easington Local Plan

ENV03 - Protection of the Countryside
ENV35 - Environmental Design: Impact of Development
GEN01 - General Principles of Development

Consultations and Publicity

Parish council: No response.
DCC Highways: New access should be satisfactorily completed

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	before construction works begin on new buildings; minor queries on information contained in submitted design and access statement.
Environment Agency:	No objections in principle; drainage from hard surfaces must pass through oil interceptor.
Sport England:	Proposal is consistent with policy objective to promote the urban fringe as an important resource in providing opportunities for sport.
EDC Landscape Unit:	Removal of trees to create visibility splays acceptable.
EDC Environmental Health Unit:	Light impact assessment should be approved before business commences.
Neighbours:	3 objections from local residents:- <ul style="list-style-type: none">- visual intrusion;- effects on outlook;- majority of new development will not be attached to existing structures;- indoor arena could be constructed at lower level;- satisfactory fencing should be constructed;- potential nuisance behaviour by users of riding school;- horse riding on busy road is dangerous;- groups of riders disrupt traffic;- horse manure left on footway and roadside;- Pinedale Avenue is used as horse riding thoroughfare;- huge smelling piles of horse manure attract flies;- cannot open windows because of smells and insects;- soiled horse bedding left lying is unhygienic;- potential for pollution of stream;- additional access onto A182 will cause highway safety problems;
Site/press notices:	No response.

Planning Considerations and Assessment

The material planning considerations relevant to this application are:

- Policy matters relating to site location
- Scale of development/visual impact
- Environmental effects on site surroundings
- Other effects on amenities of nearby residents
- Highway matters
- Public representations

Policy Matters Relating To Site Location

Whitegates Equestrian Centre is located outside the South Hetton settlement boundary, between South Hetton and Easington Lane. Therefore, policies relating to development in the open countryside apply to this proposal. While development in the countryside is, generally, severely restricted, Planning

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Policy Statement 7: Sustainable Development In Rural Areas (2004) requires that local planning authorities should support development for countryside-based enterprises and activities which promote recreation and the enjoyment of the countryside.

Sport England have commented that the proposal is in line with their Land Use Planning Policy Statement "Planning Policies For Sport", the overall thrust of which is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to ensure the sport and recreational needs of local communities are met.

It is considered that the proposed development is in accordance with both these policy bases.

Scale Of Development/Visual Impact

The application site is located on an elevated area of land which initially slopes down gently from west to east and then more steeply as it abuts existing paddocks situated along its eastern boundary.

The main visual impact of the proposals will be created by the proposed indoor arena and attached stables when viewed from the north-east in the vicinities of Logan Terrace and Donald Avenue. The north-east elevation of the arena building itself will be 40m long, with an eaves height of approximately 4m and the roof plane rising to a ridge height of 7.5m. Attached to the north-eastern end of that elevation would be a lower stable block building, 30m long and with the same eaves height but a ridge height of only 5m.

It is intended that this building should be cut into the existing sloping ground to a marginal extent and, although such a large building will inevitably be visible, its location part way down the slope on the site means that it will not be seen rising up from the horizon but rather will sit into the landform without being unduly intrusive. The nearest part of the lower stables building will be over 90m away from Logan Terrace at its nearest point to residential properties, while the arena building's nearest point would be a further 30m distant.

Snippersgate House, to the west of the site of the arena, will be some 75m away from the arena building and approximately 85m from the attached stables and sits at a slightly higher level.

In these circumstances, it is considered that this main element of the current proposals will not be detrimental to the visual amenities of either the area in general or the nearby residential properties.

However, in the absence of detailed ground levels information in the application, it is suggested that final details of earthmoving works and the precise floor levels of the building are reserved for later approval by an appropriate condition and that additional landscaping on the site should be required to provide a visual softening of the development.

The smaller stable block buildings are intended to be located to the south of the new arena and, in that location, it is considered that they will have less visual impact than the arena building and , therefore, also be acceptable.

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The car parking areas and the outdoor arena do not involve any buildings so they will be completely unintrusive in visual terms.

Environmental Effects On Site Surroundings

Increased activity at the equestrian centre will, quite obviously, result from its development into a larger operation but, in principle, that is considered to be acceptable in the interests of the provision of the improved recreational facilities.

It will be important, however, to ensure that this increased activity does not harm the amenities of the residential properties at Snippersgate House in particular and in the surrounding area in general.

In this regard, it is not considered that noise is likely to be a problem, unless the applicants decide to install sound amplification equipment in the arena for competition purposes. That is not proposed in this application but it is suggested that the provision of any such equipment in the future should be subject to careful control and to that end it is recommended that an appropriate condition should be attached to any permission which may be granted.

Similarly, any proposed external lighting on the site should be carefully controlled in the interests of the amenities of the area generally.

Other Effects On Amenities Of Nearby Residents

The eastern boundary of the curtilage of Snippersgate House abuts the boundary of the application site and it is felt that protection of that property by way of appropriate fencing should be provided in order to obviate potential problems created by the provision of car parking areas on the application site immediately adjacent to the boundary.

The storage of waste products such as manure and soiled bedding from the stables is potentially an environmental problem with attendant smells and the attraction of flies being the obvious manifestations. Good housekeeping by the operators of the equestrian centre should be effective in minimising, if not eliminating, these matters and, again, it is suggested that appropriate conditions be attached to any permission which may be granted.

Objectors to the proposal have raised the question of horse riders from or based at the centre riding into adjacent residential areas. While it may be difficult for the proprietors of Whitegates to control the activities of individual riders once they have left the premises, the matter has been raised with the applicant in an attempt to ascertain what measures might be put in place to minimise any disturbance or inconvenience to local residents.

Highway Matters

As part of the overall proposals for this site, the use of the existing vehicular access onto the B1280 is to be restricted to only residential use for the two dwellings on the site. This involves some adaptation works and the Highways Authority have requested that these works and the construction of the new access to the A182 should be completed before any works are commenced on the site in connection with the erection of the development included in this application.

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Public Representations

Although a number of objections have been received to these proposals, as outlined above, it is considered that all the points which have been raised have already been covered in this report.

Conclusion

This is a major proposal in terms of the provision of much improved and increased facilities at an existing equestrian centre, which will inevitably have a visual impact on the surrounding area. Similarly, the nature of the operation has the potential for various environmental problems. However, the proposal is in accordance with relevant policies and it is considered that, with appropriate conditions and properly arranged facilities and suitable control being exercised by the proprietors, the proposals are acceptable and will result in a valuable equestrian sporting venue in the area.

Recommendation

Approval subject to conditions relating to : external materials, car parking, refuse storage and disposal, highway works, drainage arrangements, external lighting, means of enclosure, landscaping, earthworks and floor levels, sound amplification equipment

Reason for Approval

The proposal is considered to be in accordance with policies 1, 3 and 35 of the District of Easington Local Plan.

Decision time 9 weeks 1 day – target achieved.

PLAN/2007/0715

MURTON (MURTON WEST) - HOUSE AT SANDHILLS, LAND REAR OF DAVISON CRESCENT, MURTON FOR MR J NAYLOR

The Application Site

The site is located to the north east of Davison Crescent to the north of Murton Village. The application site has previously been used as a farm although the agricultural use has been abandoned. To the west of the application site the land is used as allotments, to the east of the application site is an area of land used as an educational centre incorporating a polytunnel, nursery, classrooms and toilets.

The application site is situated outside the settlement boundary as identified in the District of Easington Local Plan; the proposal is therefore considered to represent development in the countryside.

The Proposed Development

Planning permission is sought for the erection of a detached one and a half storey dwelling containing 3 no. bedrooms. The dwelling is to be constructed of materials including re-constituted stone facings with an artificial slate roof and artstone detailing to heads and cills.

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Site History

None relevant.

Planning Policy

District of Easington Local Plan

GEN01 - General Principles of Development

ENV03 - Protection of the Countryside

ENV35 - Environmental Design: Impact of Development

HOU67 - Windfall housing sites

Consultations and Publicity

The application has been advertised in the local press and by a site notice. Neighbouring properties have also been consulted. One letter of representation has been received objecting to the proposal. Objections have been raised on the following grounds:

- The area of land has always been used as allotments or as a farm, it is not considered suitable for development.
- Concerns over access arrangements to the site and the effect traffic may have on occupants of Shinwell Terrace.

Durham County Council, Highways Authority, comments:

- The proposals appear reasonable, however the two parking spaces referred to on the application forms are not shown on the plans; subject to these spaces being provided no highway objections are raised.

Easington District Council, Policy Officer comments:

- As the application relates to an area of land outside the established settlement limits for Murton and because no relevant justification has been given for the proposed dwelling, the proposed works are considered to be contrary to policy 3 of the District of Easington Local Plan and Planning Policy Statement No.7: Sustainable Development in Rural Areas and should be refused.

Easington District Council, Environmental Health officer, comments:

- A contaminated land risk assessment should be carried out before works commence on site.

Planning Considerations and Assessment

As the proposed development falls outside of the settlement boundary for Murton Village the proposed works are considered to represent development in the Countryside.

Policy 3 of the District of Easington Local Plan is intended to protect the countryside and outlines the council's approach to development outside of settlement boundaries. It states that other than where allowed for under specific policies development in the countryside will not be approved.

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Planning Policy Statement 7: Sustainable Development in Rural Areas 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, away from established settlements or from areas allocated for housing in development plans. It continues by making it clear that isolated new houses in the countryside will require special justification for planning permission to be granted. The requirement for special justification can 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. With regard to the current proposal, it is not considered that a suitable justification has been offered to overcome the PPS7 objections.

Planning Policy Statement 3: Housing 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 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.

Durham County Council, Highways Authority have been consulted in relation to this application; no highway objections are raised to the proposal.

Conclusion

It is considered that the proposed development is contrary to the relevant national policy guidance, and the relevant development plan policies. The application relates to a site situated outside the existing settlement boundaries. The applicant has provided no agricultural or other justification to show a need for the proposed dwelling. The proposed development if allowed would result in a new build dwelling in the countryside, which could act as a precedent for future developments on comparable sites across the district. Accordingly the proposal is considered to be unacceptable.

Recommendation Refusal for the following reason:

The proposal represents a new dwelling within the open countryside, outside the existing settlement boundaries. In the absence of any justification of need for rural workers dwellings, the proposal is considered to be contrary to policy 3 of the District of Easington Local Plan and advice contained within Planning Policy Statement No.7: Sustainable Development in Rural Areas.

Decision time Within 8 weeks. Target achieved.

Item no.

PLAN/2007/0725

PETERLEE (PASSFIELD) - RESTORATION WORKS AND ALTERATIONS TO PAVILION INCLUDING INSTALLATION OF CCTV CAMERAS, SEATING, VIEWING PLATFORM, VISITOR INFORMATION PANELS AND LANDSCAPING WORKS AT PASMORE PAVILION, OAKERSIDE DRIVE, PETERLEE FOR DISTRICT OF EASINGTON

The Application Site

The site lies off Oakerside Drive and comprises an area of landscaped public open space and lake fed by a stream known as Blunts Beck. The whole area including the Pavilion is designated as a Registered Park and Garden by English Heritage. There are numerous points of public access and the area is surrounded by residential development

The Proposed Development

The applicant has submitted a detailed account of the proposals and extracts of these are reproduced below:

A full restoration will be carried out to restore the structure to its appearance when built in 1970.

Surfaces will be repaired and cleaned.

Severely damaged or corroded areas of reinforcement and concrete will be cut back, treated and refilled with new exposed aggregate to match the existing.

All surfaces will be cleaned and all signs of graffiti removed.

The original Pasmore abstract painted murals in black will be repainted in their locations on the south and north gables.

The initiative for the project was started following a meeting of the local residents held in the Oakerside Community Centre seven years ago. Since then, a residents' steering group has been holding regular meetings to discuss and support progress towards the current planning application and funding stage.

The local community has been involved at all stages, and there are support petitions and surveys which will be submitted with the lottery bid to the Heritage Lottery Fund.

The building is being made accessible to the public at an open day each summer, as part of the Civic Trust programme involving many of the heritage buildings in the Easington district and other areas throughout the north-east and the country as a whole.

Brown tourist signs will be erected to direct visitors from the A19 through Peterlee to the site at Oakerside.

It is proposed to provide information at the new sports building to be built at Helford Road playing fields adjacent to the pavilion in 2008. There will be measures taken by the resident and management group to ensure visiting groups will be met at the pavilion by prior arrangement, and given access to it

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when appropriate, say for students, university and other special interest groups.

The original staircases on the north elevation and east side were removed in the 1980's to deter vandalism and unauthorised access.

It is proposed to replace the north stair with a new stair to dimensions and appearance to match the existing – exposed aggregate treads on reinforcement concrete spine beam, cantilevered from the main structure and finished with painted steel balustrades.

The original pavilion had an integrated floodlighting system built into recesses within the concrete structure, providing dramatic heavily modelled appearance of the abstract compositions at night. The proposal is to reinstate the lighting installation to its original effect.

The site is a listed park and includes the original lake and surrounding hard and soft landscaping.

It is proposed to restore all the landscaping to its original design and condition.

The east side of the pavilion included a viewing platform, also to Pasmore's design, together with landscaping.

The brickwork to the platform and retaining walls will all be repaired, together with brick copings, some of which are missing.

There were original pre-cast concrete seats in the 1970 design and these positions are to be reinstated.

There will be two CCTV cameras on poles at either side of the lake, giving surveillance of the pavilion itself and the immediate area.

There will be two or three vandal-proof visitor information display panels situated on the approaches to the pavilion – one on the viewing bridge to the west and another adjacent to the north-south public footpath passing below the pavilion.

Site History

There is no recent planning history on this site.

Planning Policy

Registered Park and Garden.

District of Easington Local Plan

GEN01 - General Principles of Development

REC90 - Protection and provision of outdoor sports facilities

REC92 - Protection of amenity open space

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Consultations and Publicity

An advertisement was issued in the local press, a site notice posted and numerous local residents consulted. At the time of drafting, two letters have been received. One resident has commented that there is concern that her property will be overlooked by the viewing platform and that a new seat will be located too close to the house. The second letter expresses concern that the proposals will encourage anti-social behaviour.

English Heritage – Comments awaited.

Durham Constabulary – Fully support the proposals, including CCTV installation.

County Highways - No objections.

Town Council – Comments awaited.

20th Century Society – Comments awaited.

County Council Planning – Comments awaited

Planning Considerations and Assessment

The main planning issues to be considered in relation to this application are the impact the proposals will have on the amenities of local residents in terms of both visual impact and their privacy and the impact the proposals will have on the character of the Registered Garden.

The applicants consulted with English Heritage before submitting the application and the proposals were considered to be acceptable and not detrimental to the character of the Pavilion or the surrounding Registered Park and Garden. It is considered that the hard and soft landscaping proposed together with the renovation works to the Pavilion itself will only serve to improve the appearance of the locality and with the aid of CCTV unsociable behaviour should be reduced.

Some aspects of the scheme may give rise to privacy/amenity problems for some local residents and officers are in discussion with the applicants in this regard and amended plans should be available in time for the meeting. The proposed elevated viewing platform will be some 25 metres from the nearest dwelling and as such it is not considered that privacy or amenity will be adversely affected, bearing in mind the existing use of the land in the locality as a public open space.

Conclusion

The appearance of the Pavilion at present is unsightly and contributes little to the character of the locality. Its refurbishment together with the landscaping of the area and the provision of CCTV should provide a boost to the regeneration of this part of Peterlee and possibly enhance its role as a tourist destination.

Recommendation Approve subject to the following conditions: Revised plans, materials.

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Reason for Approval

The proposals are considered to conform to the planning policies referred to above.

Decision time 9 weeks – Target not achieved due to consideration of English Heritage comments.

PLAN/2007/0733

EASINGTON VILLAGE (EASINGTON VILLAGE & SOUTH HETTON) - CHANGE OF USE FROM CAR PARKING TO RECYCLING SITE AT SEASIDE LANE CAR PARK, EASINGTON FOR DISTRICT OF EASINGTON

The Application Site

The site lies within the settlement boundary of Easington Village – within the main car park of the Council Offices.

The Proposed Development

This application proposes a change of use from part of the car parking area to recycling site for use by the general public. The proposal comprises a storage bay for recycling bins constructed of powder coated stainless steel and aluminium. The construction would be 2.6 metres high, 3 metres deep and 7.7 metres wide and would result in the loss of 3 to 4 car parking spaces.

Site History

No relevant history.

Planning Policy

District of Easington Local Plan

ENV35 - Environmental Design: Impact of Development
GEN01 - General Principles of Development

Consultations and Publicity

Parish Council – no response
Highways – no objections
DCC Planning – no objections
Environmental Health – no objections
Neighbours – one objection stating that the proposal would be unsightly, would create parking problems and result in loss of view.

Planning Considerations and Assessment

Environmental issues

It is considered that the proposal would benefit the local community and would contribute toward the need for recycling domestic waste.

Impact on residents/street scene

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It is not considered that the proposal would result in any significant adverse impact on residents or the street scene. The proposal is situated away from dwellings and would not be a dominant feature in the locality. One resident has raised concerns that the proposal would be unsightly and would result in loss of view, however the site is some 60 metres away from the resident's property and it is considered that the structure is designed in such a way that it would not be an incongruous feature.

The site lies outside of the conservation area boundary.

Highways issues

There are no objections from the highways authority. The site is located in a car park and can be easily accessed by members of the public. It would not result in a significant reduction in parking facilities.

Conclusion

It is considered that the proposal would be of benefit to the community and would contribute towards the need for recycling domestic waste. It is not considered that there are any planning reasons that should lead to refusal of planning permission.

Recommendation Approval

Reason for Approval

The proposal is considered to be in accordance with planning policies 1 and 35 of the District of Easington Local Plan.

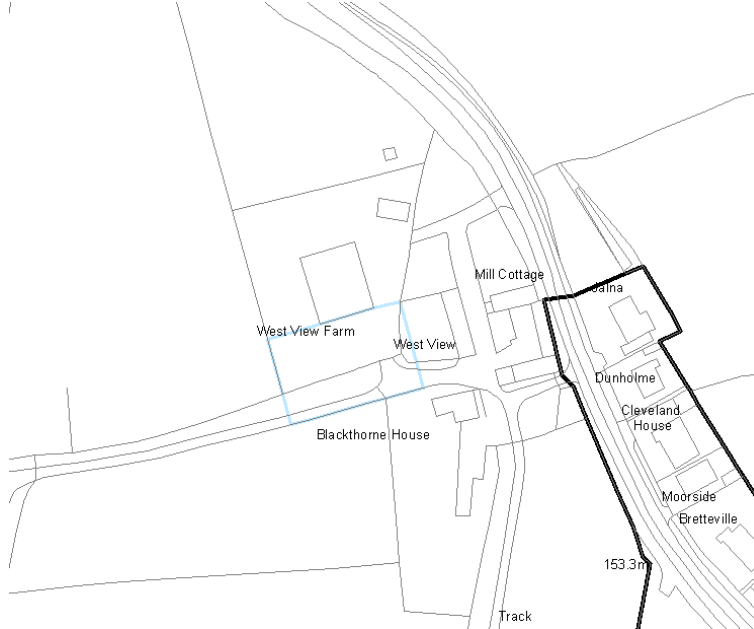
Decision time 6 weeks (target achieved)

Item no.

PLAN/2007/0746

TRIMDON FOUNDRY (WINGATE) - HOUSE WITH INTEGRAL STUDIO/WORKSHOP (RESUBMISSION) AT LAND REAR OF WEST VIEW FARM, THORNLEY ROAD, TRIMDON STATION FOR MR A SMALLWOOD

Location Plan



The Application Site

The application relates to land at the rear of West View Farm, which is situated off Thornley Road in Trimdon Station. The application site is currently grassed but has some hard standing and is situated adjacent to existing farm buildings. The site has been developed in the past for agricultural purposes; no remains of previous structures remain on the site.

The application site is located outside the existing settlement limits for Trimdon Station as identified in the District of Easington Local Plan. The application site is therefore considered to be in the countryside.

The Proposed Development

Planning permission is sought for the erection of a detached dwelling and associated studio/workshop.

The proposed structure is to be of a modern design; in support of the application the agent has stated that the proposal will feature the utilisation of environmentally sound construction methods, consisting of sustainable and renewable materials, and that the proposal has been designed to have a minimal impact upon the site.

Site History

PLAN/2006/0919 - House with Integral Studio/Workshop – Refused.

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The current application represents a resubmission of the previous application that was refused under delegated powers. The current proposal is identical to that previously refused.

Planning Policy

District of Easington Local Plan

ENV03 - Protection of the Countryside
ENV35 - Environmental Design: Impact of Development
GEN01 - General Principles of Development
HOU67 - Windfall housing sites

Consultations and Publicity

The application has been advertised in the local press and by a site notice. Neighbouring properties have also been consulted. No letters of representation have been received in relation to the current proposal.

Durham County Council, Highways Authority, comments:

- The proposed dwelling would be the third residential property served via the private access road arrangement, which is acceptable. However some vegetation will need to be removed to the north of the access onto the C22, Thornley Road, in front of the chain link fencing, to improve sight visibility to the north.
- The double gates to the existing access currently open out over the public highway. The gateposts will need to be turned around to ensure that the gates open inwards into the site.

Durham County Council, Conservation Officer, comments:

- I have no objections to the design and the principles behind the proposal of low energy use environmentally sound construction methods and low impact on the site. This scheme has been designed as a whole and I would not interfere with any part of it. However my concern is its location. It is proposed on land to the rear of the village that is open space. It is outside the village envelope and also has no immediate setting. If we are going to approve it I consider a very important aspect must be the creation of a setting.
- If the location is acceptable in principle we need proposals for the design of the setting and conditions to ensure that trees are planted that make an impact straight away and will develop to provide a mature setting.

Trimdon Foundry Parish Council, comments:

- Members were made aware that the development falls outside the current development plan boundary for development, however as long as it was not on a Greenfield site they have no objections to the proposal. Members felt that the proposal for a house with studio/workshop was worthy of support especially with the attention being given to current planning policy guidelines in respect of energy efficiency and it's ecological design. The Parish Council support the application and offer no objections to it.

Northumbrian Water, comments:

- No objections to the current proposal.

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Planning Considerations and Assessment

The application relates to a site situated outside the established settlement boundaries for Trimdon, as such the proposed works are considered to represent development in the countryside. It is considered that Policy 3 of the Easington District Local Plan and national guidance contained within Planning Policy Statement No. 7: Sustainable Development in Rural Area and Planning Policy Statement 3: Housing.

Policy 3 of the Easington District Council Local Plan is intended to protect the countryside and outlines the council's approach to development outside of settlement boundaries. It states that other than where allowed for under specific polices development in the countryside will not be approved.

Planning Policy Statement 7: Sustainable Development in Rural Areas 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, away from established settlements or from areas allocated for housing in development plans. It continues by making it clear that isolated new houses in the countryside will require special justification for planning permission to be granted. The requirement for special justification can 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. The proposal is for the erection of a dwelling that has been designed to provide the absolute minimum impact on its environment, incorporating good modern design with sound environmentally sustainable building method. However with regard to its setting it is not considered that the high quality design is sufficient to provide a justification for a new build dwelling in the countryside. It is not considered that a suitable justification has been offered to overcome the PPS7 objections.

Planning Policy Statement 3: Housing 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 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.

Durham County Council, Highways Authority have been consulted in relation to this application; no highway objections are raised to the proposal.

Durham County Council, Conservation Officer has commented in relation to this application. With regard to the design of the proposed dwelling the Officer is supportive of the scheme, however concerns have been raised regarding its setting/location.

Conclusion

It is considered that the proposed development is contrary to the relevant national policy guidance, and the relevant development plan policies. The application relates to a site situated outside the existing settlement boundaries. The applicant has provided no agricultural justification to show a need for the proposed dwelling, and although the proposed dwelling is of a

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high quality design incorporating environmentally suitable building methods, with regard to its setting it is not felt that a justification in terms of innovative/quality design can override the clear policy objections to the development. The proposed development if allowed would result in a new build dwelling in the countryside, which could act as a precedent for future developments on comparable sites across the district. Accordingly the proposal is considered to be unacceptable.

Recommendation Refusal for the following reason:

The proposal represents a new dwelling within the open countryside, outside the existing settlement boundaries. In the absence of any justification of need for rural workers dwellings, the proposal is considered to be contrary to policy 3 of the District of Easington Local Plan and advice contained with Planning Policy Statement No.7: Sustainable Development in Rural Areas.

Decision time Within 8 weeks. Target achieved.

E Background Papers

The following background papers have been used in the compilation of this report.

Durham County Structure Plan
District of Easington Local Plan
Planning Policy Guidance Notes
Planning Policy Statements
Regional Spatial Strategy
DETR Circulars
Individual application forms, certificates, plans and consultation responses
Previous Appeal Decisions



Graeme Reed
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