



Area Planning Committee (South and West)

Date Thursday 22 February 2018
Time 2.00 pm
Venue Council Chamber, Council Offices, Spennymoor

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. Minutes of the Meeting held on 18 January 2018 (Pages 3 - 4)
5. Applications to be determined
 - a) DM/17/03976/FPA - Land To North East of Bourne Way, Willington (Pages 5 - 18)
Erection of 16 dwellings including associated access, landscaping and parking provision and the creation of two ponds on land to the north of Park Street.
 - b) DM/17/03446/FPA - Land To The West Of The Weardale Inn, Ireshopeburn (Pages 19 - 30)
Erection of dwelling and garage.
 - c) DM/17/00764/FPA - Hilton Hall Farm, Hilton (Pages 31 - 46)
Conversion of farm buildings to 5no. dwellings; demolition of farm sheds to the rear and construction of 4no. dwellings with garages and associated works.
 - d) DM/17/03729/FPA - Land To The North Of Graveyard Copthill, Cowhill, (Pages 47 - 56)
Conversion of redundant building to holiday accommodation, including extension to north.
6. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Helen Lynch
Head of Legal and Democratic Services

County Hall
Durham
14 February 2018

To: **The Members of the Area Planning Committee (South and West)**

Councillor H Nicholson (Chairman)
Councillor J Clare (Vice-Chairman)

Councillors J Atkinson, D Bell, L Brown, J Chaplow, E Huntington,
K Liddell, C Martin, A Patterson, G Richardson, J Shuttleworth,
L Taylor, F Tinsley and S Zair

Contact: Ian Croft

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DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, County Hall, Durham on **Thursday 18 January 2018 at 1.00 pm**

Present:

Councillor H Nicholson (Chairman)

Members of the Committee:

Councillors J Atkinson, D Bell, L Brown, J Clare (Vice-Chairman), C Martin, A Patterson, G Richardson, L Taylor and F Tinsley

1 Apologies for Absence

Apologies for absence were received from Councillors Huntington, Shuttleworth and Zair.

2 Substitute Members

There were no substitute Members in attendance.

3 Declarations of Interest

There were no declarations of interest.

4 Minutes

The minutes of the meeting held on 14 December 2017 were agreed as a correct record and signed by the Chairman.

5 DM/17/03662/FPA - Land at Wordsworth Road, Chilton, Co Durham

The Committee considered a report of the Planning Officer regarding an application for the erection of 18 bungalows on land at Wordsworth Road, Chilton, Co Durham (for copy see file of Minutes).

M O'Sullivan, Planning Officer gave a detailed presentation of the application which included a site location plan, aerial photograph of the site, site photographs, proposed site plan and plans and elevations.

The Planning Officer informed the Committee that since the publication of the report, the applicant had submitted a gas report which would require the proposed Condition 11 to be amended to reflect this.

Councillor G Richardson informed the Committee that the application had met with no objection and **moved** approval.

Councillor Brown asked whether consultation had taken place with the Clinical Commissioning Group regarding GP provision in the area. The Planning Officer replied that the size of the proposed development was such that it did not require consultation regarding GP provision to take place.

Councillor Clare informed the Committee that there was a demand for bungalows. There were no objections to the proposed development, which was on a brownfield site. Councillor Clare **seconded** approval of the application.

Upon a vote being taken it was

Resolved:

That the application be approved subject to completion of a Section 106 Obligation to secure the retention of 2 affordable units and the Conditions, as amended, contained in the report.

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/17/03976/FPA
FULL APPLICATION DESCRIPTION:	Erection of 16 dwellings including associated access, landscaping and parking provision and the creation of two ponds on land to the north of Park Street
NAME OF APPLICANT:	County Durham Housing Group
ADDRESS:	Land To North East of Bourne Way, Willington
ELECTORAL DIVISION:	Willington and Hunwick
	Laura Eden
	Senior Planning Officer
CASE OFFICER:	03000 263980
	laura.eden@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site is located at the northern end of Willington, between Park Street and Railway Terrace. The main development site is approximately 1Ha in area, currently grassed, but formerly occupied by 23 houses. The land slopes approximately 8 metres from north to south. It is surrounded by residential development to the east, west and south.

The Proposal

2. The application proposes the erection of 16no. 3 bedroomed, two storey, semi-detached properties. The materials palette will include red and buff brick, render, tiled roofs and white UPVC windows. Each property would benefit from private amenity space and 2 no. off-street car parking spaces. There would also be 6.no visitor car parking spaces.
3. The existing areas of tarmac to the eastern and southern boundaries would be extended, formalised and improved to create an additional 14 parking spaces.
4. The application also includes the creation of two 100m² ponds on the opposite side of Park Street as part of the ecological mitigation.
5. This application is being reported to Planning Committee in accordance with the Scheme of Delegation as it is classed as a major development.

PLANNING HISTORY

6. The 23 dwellings previously on the site were demolished under prior notification (3/DE/2002/0008) approved in December 2002.

PLANNING POLICY

NATIONAL POLICY:

7. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependent.
8. The following elements are considered relevant to this proposal;
9. *NPPF Part 1 – Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the Country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
10. *NPPF Part 4 – Promoting Sustainable Transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
11. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing applications should be considered in the context of the presumption in favour of sustainable development. A wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.
12. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
13. *NPPF Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
14. *NPPF Part 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

15. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at: <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

16. The following saved policies of the Wear Valley Local Plan are relevant to the application; however, in accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policies will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight.
17. Policy GD1 - General Development Criteria - All new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
18. Policy BE23 – Provision of Public Art - In appropriate cases, the Council will encourage the provision of works of art as part of development. In considering planning applications the Council will have regard to the contribution which such works make to the appearance of the scheme and to the amenity of the area.
19. Policy H3 - Distribution of Development - New development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map, development will be allowed provided it meets the criteria in Policy GD1 and conforms to the other policies of the plan.
20. Policy H15 - Affordable Housing - The Council will, where a relevant local need has been established, seek to negotiate with developers for the inclusion of an appropriate element of affordable housing.
21. Policy H22 - Community Benefit - On sites of 10 or more dwellings the local authority will seek to negotiate with developers a contribution, where appropriate, to the provision and subsequent maintenance of related social, community and/or recreational facilities in the locality.
22. Policy H24 - Residential Design Criteria - New residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.
23. Policy RL5 - Sport and Recreation Target - For every 1 hectare of land developed residential purposes, at least 1300 square metres of land should directly be made available on or off-site for sporting or recreational use as part of the development or developers will be expected to make a contribution to the provision of such facilities.
24. Policy T1 – Highways - Sets out that all developments which generate additional traffic will be required to fulfil Policy GD1 and; provide adequate access to the developments; not exceed the capacity of the local road network; and, be capable of access by public transport networks.

RELEVANT EMERGING POLICY

The County Durham Plan

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

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

- 26. *Highways Authority* – No objections subject to the imposition of conditions and informatives
- 27. *Northumbrian Water* – No objection subject to the development taking place in accordance with the submitted details
- 28. *Coal Authority* – No objection

INTERNAL CONSULTEE RESPONSES:

- 29. *Planning Policy* – Consider that this application should be subject to the planning balance exercise outlined in Paragraph 14 of the NPPF.
- 30. *Affordable Housing* – Confirm affordable housing requirement of 10% would be expected across the site to be delivered as 2.no properties for affordable rent
- 31. *Archaeology* – No objection
- 32. *Drainage and Coastal Protection Section* – The proposal is acceptable in principle however the discharge rate needs to be agreed.
- 33. *Ecology* – No objections subject to the conditions being imposed to secure the recommendations of the Great Crested Newt Mitigation Strategy including but not restricted to the acquisition of a great crested newt license from Natural England and a financial contribution of £6,000 towards the future management and maintenance of the ponds for 25 years.
- 34. *Environmental Health (Contaminated Land)* – No objection subject to the imposition of a completion condition
- 35. *Environmental Health (noise)* – No objections to the development on the provision that a condition is imposed to minimize the impacts of the construction phase.

36. *Landscape* – No objection subject to the imposition of landscaping scheme condition

37. *School Organisational Manager* – There are sufficient school places in the area to accommodate the pupils that would be accommodated by this development

38. *Police Architectural Liaison Officer* – No objection

PUBLIC RESPONSES:

39. The application has been advertised by a press notice, site notice and letters to neighbouring residents. 8 letters from six neighbouring properties have been received. The main concerns are summarised as:

- Increase in noise, disturbance and traffic which would be harmful to the local residential area
- Concerns about access arrangements and parking in the area especially during the construction phase
- The modern housing is not in keeping with the character of the surrounding area
- Loss of view
- Loss of open space
- Concerns regarding who the future occupants would be
- Property devaluation and difficulty selling existing properties if development progresses
- Flooding
- Question the need for the creation of two ponds
- Housing mix and lack of affordable housing

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:

<http://publicaccess.durham.gov.uk/onlineapplications/search.do?action=simple&searchType=Application>

APPLICANT'S STATEMENT:

40. The Strategic Housing Market Assessment (2016) indicates that 25% of people interested in affordable housing in County Durham are interested in intermediate tenures like Rent to Buy, which 14 of the 16 homes proposed will be; the remaining 2 being affordable rent to meet the 10% affordable housing requirement for the site. As the Rent to Buy product is aimed at those residents who ultimately aspire to purchase their own home, it is also important to consider private sector demand where 31.8% of those households moving in the county would like to move to a 3 bedroom house and 40.8% expect to move to a 3 bedroom house, further strengthening the case for additional 3 bed properties

41. Willington is a good area for both affordable and market housing, with significant development activity targeted predominantly at the private sale market in recent years. The proposed site on land north of Bourne Way, Willington is in a sustainable location and the new homes proposed under this scheme will help to improve the housing offer in Willington and are anticipated to be highly sought after when complete. The proposed site layout has been carefully designed to minimise impact on parking for existing residents at Railway Terrace and goes above and beyond this through the provision of a further 14 parking bays for the use and benefit of existing residents in the area.

PLANNING CONSIDERATIONS AND ASSESSMENT

42. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to whether the proposal would constitute sustainable development, having particular regard to its location, impact on the character and appearance of the surrounding area, access and highway safety, residential amenity, ecology and other material considerations.

Planning Policy Context

43. The application site lies within the development limits of Willington and is not allocated for any purpose within the Wear Valley Local Plan. There is no conflict with Wear Valley Local Plan policy H3.

44. However, policy H3 must be regarded as a housing supply policy and given the age of the Wear Valley Local Plan the policy is not up to date.

45. The emerging County Durham Plan is still at an early stage following its previous withdrawal from examination. Consultation was carried out on the new Issues and Options in June 2016. It is therefore not at a stage where it can be given any weight.

46. In April 2017 the Council considered it had a deliverable supply of 10,234 (net) new dwellings for the next 5-year period. Set against the lowest need figure the Council took the position that it could demonstrate a supply of 4.91 years of deliverable housing land.

47. On 14 September 2017, the Government published a consultation document entitled "Planning for the Right Homes in the Right Places". That consultation introduced a standard methodology for calculating housing need. Applying that methodology for County Durham, the housing need figure would be 1,368 dwellings per annum, in which case the Council would be able to establish a supply of housing land in excess of 5 years. However, as this is still a consultation document it cannot be given significant weight at this time.

48. It is therefore considered that there are no up to date housing policies relevant to the proposal. In these circumstances paragraph 14 of the NPPF is engaged, which requires that housing applications should be considered in the context of the presumption in favour of sustainable development. This means granting permission unless any adverse impact would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted. The proposal is therefore subject to the planning balance test.

Location

49. Within the Durham County Council Settlement Study (2012) Willington is classified as a Tier 2 – Smaller Town and Larger Villages. It acts as a smaller localised centre which contains a good range of services and employment. Furthermore, the application site has a favourable allocation within the Strategic Housing Land Availability Assessment (SHLAA), and there has previously been residential development on the site.

50. Accordingly, there is no conflict with the aims of the NPPF to secure sustainable patterns of development and avoid isolated housing.

Impact on the character and appearance of the surrounding area

51. Although the site is currently grassed and may be used informally as amenity open space, it is not formally designated as open space in the Wear Valley Local Plan. Up until 15 years ago the site was occupied by 23 dwellings. It is surrounded by housing on 3 sides and is therefore seen as an undeveloped gap site within an otherwise built up envelope.

52. It is accepted that residents of the surrounding properties may have become accustomed to looking out over this grassed area and would prefer that to remain the case. However, that could be said for many cases where dwellings are adjoining an undeveloped area. That does not mean that the area has an intrinsic value in itself in terms of the character and amenity of the area.

53. There are vast areas of open space in the wider surrounding area close to the site. A footpath on the north side of Park Street leads directly to the central village park and play area, just 200m away. Furthermore, the Open Space Needs Assessment (OSNA) identifies a surplus of general Amenity Open Space in the area.

54. It is therefore considered that the land does not contribute to any significant degree to the character or amenity of the area and its return to housing would not cause harm in these respects, particularly bearing in mind the amount of more valuable open space in close proximity.

55. The existing housing in the area comprises of a range of different post war housing, including semi-detached bungalows, terraced bungalows, some with rear dormer windows, and two storey terraced properties. There is such a wide variety of house type, size and materials that there is no strong or consistent character.

56. The scale and design of the proposed dwellings would relate appropriately to the surrounding properties in this context. The contemporary palette of materials would not look out of place in this setting and would help to break up the massing of the buildings and add some interest to the otherwise unremarkable character of the area. Precise details of materials and landscaping can be agreed by condition.

57. Overall, it is considered that development of the site could be achieved without causing significant harm to the character and appearance of the surrounding area. There is no conflict with policies GD1 and H24 of the WVDLP and NPPF objectives in Part 7 and 8.

Access and Highway Safety

58. The dwellings would be served off a new access road off Railway Terrace, which would include junction radius improvements at the Railway Terrace/Park Street junction. Some slight amendments are still required to the submitted plans, which the Highway Authority is satisfied can be addressed though a planning condition. It is considered that the highway network can satisfactorily accommodate the additional traffic that would be generated by this development, particularly having regard to the higher number of dwellings that previously occupied the site. Each of 16 dwellings would benefit from 2no. off-street car parking spaces in addition to 6no. visitor spaces, which would comply with the minimum requirements outlined in DCC Residential Car Parking Standards.

59. It is appreciated that there is a lack of in curtilage parking in this area therefore local residents park their vehicles on street and utilise the existing parking bays within Railway Terrace. The proposal has recognised this by including 14 additional parking spaces and also excluding an area of tarmac, which is used as informal parking by residents. The Highways Authority have indicated that the parking bays could be offered up for adoption if constructed to the required standard which CDHG has indicated they would be willing to do. A condition is proposed to ensure the delivery of improved off-street parking. While there may be some inconvenience to existing residents caused through the construction of the improved access arrangements and parking bays, this would only be temporary.

60. Overall it is considered that the development would not adversely impact on the highway safety. There is no conflict with policies GD1, H24 and T1 of the Wear Valley Local Plan, or Part 4 of the NPPF.

Residential amenity

61. The land slopes approximately 8 metres from north to south and plans have been submitted demonstrating how site levels will be addressed. On this basis, together with the separation distances between the new and existing dwellings, officers are satisfied that the development can be accommodated on the site without surrounding residents experiencing any significant adverse impacts in terms of overshadowing, overbearing or loss of privacy. The effect on views and property values are not material considerations which can be given any weight in the consideration of the application. Within the scheme, the design and layout would ensure occupants of the new dwellings would enjoy appropriate levels of amenity.

62. The Environmental Health Section has highlighted the potential for disturbance during the construction period, however this would be a relatively small scale development with short lived impacts. Conditions to control construction hours would be sufficient mitigation in this case.

63. There is no conflict with policies GD1, H17 or H24 of the Wear Valley Local Plan.

Ecology

64. A preliminary ecological appraisal and great crested newt (GCN) survey have been submitted in support of the proposal. The latter confirms the presence of GCN larvae in a pond close to the development site, indicating a small localised population of breeding GCN in adjacent gardens. These species are afforded special legal protection under the Conservation of Habitats and Species Regulations 2010 (as amended) and/or the Wildlife and Countryside Act 1981 (as amended). Natural England has the statutory responsibility under the regulations to deal with any licence applications for works affecting European Protected Species. Before planning permission can be granted for development that may lead to species protected by European Law being harmed, the local planning authority must apply the same derogation tests as Natural England, in order to establish if it is likely that a licence would be granted. The derogation tests are i) that the activity must be for imperative reasons of overriding public interest, or for public health and safety; ii) there must be no satisfactory alternative; iii) the favourable conservation status of the species must be maintained.

65. To compensate for the potential impacts on GCN habitat, it is proposed to create two new ponds on land to the north of Park Street, opposite the site. The chosen area is sufficiently close to the site and also links to a wider network of suitable habitat. In addition a financial contribution of £6,000 has been agreed towards the

future management and maintenance of the ponds. This would be secured through a S106 Agreement.

66. The Ecology Section is satisfied with the proposed mitigation. The developer would be required to undertake these works in strict accordance with the conditions of a Natural England Licence.
67. Having regard to the Habitats Regulations and derogation tests it is considered that i) It is in the public interest that the development scheme can be implemented to deliver associated economic, environmental and social benefits; ii) and therefore there is no satisfactory alternative; iii) the proposed mitigation is appropriate to ensure there will be no significant impact on the conservation of the local GCN population as a whole. It is therefore considered that Natural England would be likely to grant a license. Accordingly, the LPA can discharge its duties under the Habitats Regulations.

Affordable Housing

68. The developer is a social housing provider and therefore this scheme proposes to deliver all 16 units as affordable, with 14no. being for 'Rent to Buy' and 2no. being for affordable rent. This exceeds the local affordable housing requirement of 10%.
69. The minimum of 10% affordable housing, comprising of 2 three bed roomed houses for affordable rent, can be secured in perpetuity by a planning obligation secured through a S106 agreement, which has been submitted in draft form. The proposal therefore makes appropriate provision of affordable housing.
70. Whilst some local residents have raised concerns about who would be occupying the dwellings, this is not a material planning consideration. The provision of affordable housing is wholly in accordance with the NPPF aims to widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Infrastructure and Open Space

71. The Local Education Authority has advised there are sufficient school places in the area to accommodate the pupils that would be accommodated by this development and therefore no education contributions are required.
72. Under Wear Valley Local Plan Policy RL5 developers are expected to make a contribution to the provision or maintenance of local recreation and sporting facilities. This is in accordance with NPPF Part 8. Because of existing provision near the site, there is no requirement for on site provision in this case, however occupiers of the development will place additional demands on the existing provision and the OSNA identifies a shortage of play space in the area. An offsite contribution towards the provision or upkeep of play space is therefore appropriate. It was agreed at the pre application advice stage that this would equate to £16,000.
73. However, during the course of the application process it became necessary to provide additional car parking to address local concerns. The costs of providing this additional parking has affected the ability of the development to deliver the full open space contributions and therefore a reduced contribution of £7,000 has been offered.
74. It is considered that this is reasonable in light of the additional costs of providing the parking. There is also an area of open space to the north of the properties, which

will be retained and enhanced with landscaping as part of the scheme. The open space contribution will be secured through the S106 agreement.

Other issues

75. The site lies within flood zone 1 (areas of lowest probability of river or sea flooding) and is not in an area which is identified as being at risk from surface water flooding. Northumbrian Water have advised that they have no objection to the proposal subject of the imposition of a condition regarding foul and surface water discharge rates at the agreed manholes. The final surface water rate needs to be agreed by the Lead Local Flood Authority however. The precise details can be secured by condition.
76. The site lies within the coal mining high risk area, however, the submitted reports are sufficient to demonstrate that the site can be made safe for the proposed development. There is no objection from the Coal Authority.
77. The Contaminated Land Section is satisfied with the submitted investigation reports and considers there are no undue risks that cannot be mitigated. Verification reports can be secured by condition.

CONCLUSION

78. In accordance with paragraph 14 of the NPPF, housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.
79. The proposal would provide significant social and economic gains by adding 16 dwellings, including affordable dwellings, to the mix and supply of housing at a time when there is not an up to date 5 year housing supply. There would also be support for local services in the area and temporary employment benefits during the construction period.
80. In environmental terms the development could be achieved without causing harm to the character and appearance of the area, highway safety, residential amenity of neighbours and ecology. A financial contribution would be secured towards provision or maintenance of local recreation facilities. These would be neutral impacts.
81. Having considered all matters, including representations received, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole, and there are no specific policies in the NPPF that indicate development should be restricted. The proposal therefore benefits from the presumption in favour of sustainable development.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 agreement to secure the following:

- 10% affordable housing on site
- £7,000 towards offsite open space and recreational provision

- £6,000 towards the future management and maintenance of the Great Crested Newt Mitigation Ponds.

And subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out only in accordance with the approved plans, specifications and conditions hereby imposed.

Drg. no. 2953.18.020B plans and elevations for plots 1, 2, 15 and 16 received 11/12/2017

Drg. no. 2953.18.021B plans and elevations for plots 3, 4, 11 and 12 received 11/12/2017

Drg. no. 2953.18.022B plans and elevations for plots 5 and 6 received 11/12/2017

Drg. no. 2953.18.023B plans and elevations for plots 7 and 8 received 11/12/2017

Drg. no. 2953.18.024B plans and elevations for plots 9 and 10 received 11/12/2017

Drg. no. 2953.18.025B plans and elevations for plots 13 and 14 received 11/12/2017

Drg. no. 2953.18.050A Street Scene received 11/12/2017

Drg. no. C-GA-002 Rev. P1 Level Arrangement received 11/12/2017

Drg. no. 2953.18.001B location plan received 11/12/2017

Drg. no. 2953.18.002H site layout received 11/12/2017

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies GD1, H24 and T1 of the Wear Valley District Local Plan.

3. No development, other than site remediation works, shall commence until plans showing full engineering details of the Park Street/Railway Street junction improvement and all new estate roads serving the development have been submitted to and approved in writing by the Local Planning Authority. The dwellings hereby permitted shall not be occupied until the access works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and to comply with Policies GD1 and T1 of the Wear Valley District Local Plan.

4. No development, other than site remediation works, shall take place until a detailed landscaping scheme, including planting species, sizes, layout, densities and numbers has been submitted to and approved in writing by the Local Planning Authority.

The approved landscaping scheme shall be implemented and completed in accordance with the approved details in the first planning season following the substantial completion of the development. Any trees or plants which die, fail to flourish or are removed within 5 years of completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area having regards to Policies GD1 of the Wear Valley District Local Plan and Parts 7 and 11 of the NPPF.

5. The foul and surface water from the development shall discharge to the combined sewer at manhole 0402 or 0403 at a rate which has first been agreed in writing by the local planning authority before any development commences, but shall not exceed 5.0 l/sec.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

6. Notwithstanding the information shown on the submitted plans, no development, other than site remediation works, shall take place until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies GD1 and H24 of the Wear Valley District Local Plan.

7. No dwelling shall be occupied until the car parking spaces shown on drg. no. 2953.18.002H have been constructed in accordance with the approved plans and thereafter the parking areas shall not be used for any purpose other than the parking of vehicles.

Reason: In the interests of highway safety and to comply with Policies GD1 and T1 of the Wear Valley District Local Plan.

8. Prior to their construction or installation, details of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The enclosures shall be constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate.

Reason: In the interests of the visual amenity of the area and to comply with saved policies GD1 and H24 of the Wear Valley District Local Plan.

9. If, at any time during the construction or implementation of any land contamination remedial works, any contamination is identified that has not been identified pre-commencement, it must be reported in writing immediately to the Local Planning Authority. Thereafter, an investigation and risk assessment shall be carried out in accordance with the YALPAG guidance and where necessary a Remediation Strategy shall be prepared and submitted for the written approval of the local planning authority before any further works take place. The development shall be completed in accordance with the approved details.

Upon completion of any necessary remedial works, a Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in Section 6.3 of the submitted Phase 2 Site Investigation shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

Reason: The site may be contaminated as a result of past or current uses and/or is within 250m of a site which has been landfilled and the Local Planning Authority wishes to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems in accordance with NPPF Part 11.

10. The development shall be carried out in accordance with the recommendations outlined within Section F of the Great Crested Newt Mitigation

Strategy by E3 Ecology Ltd dated January 2018, and no dwelling shall be occupied until the ponds detailed in F.3.1 of that Strategy have been completed.

Reason: In the interests of ensuring no protected species are affected by the development in accordance with Paragraph 109 of the National Planning Policy Framework.

11. No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

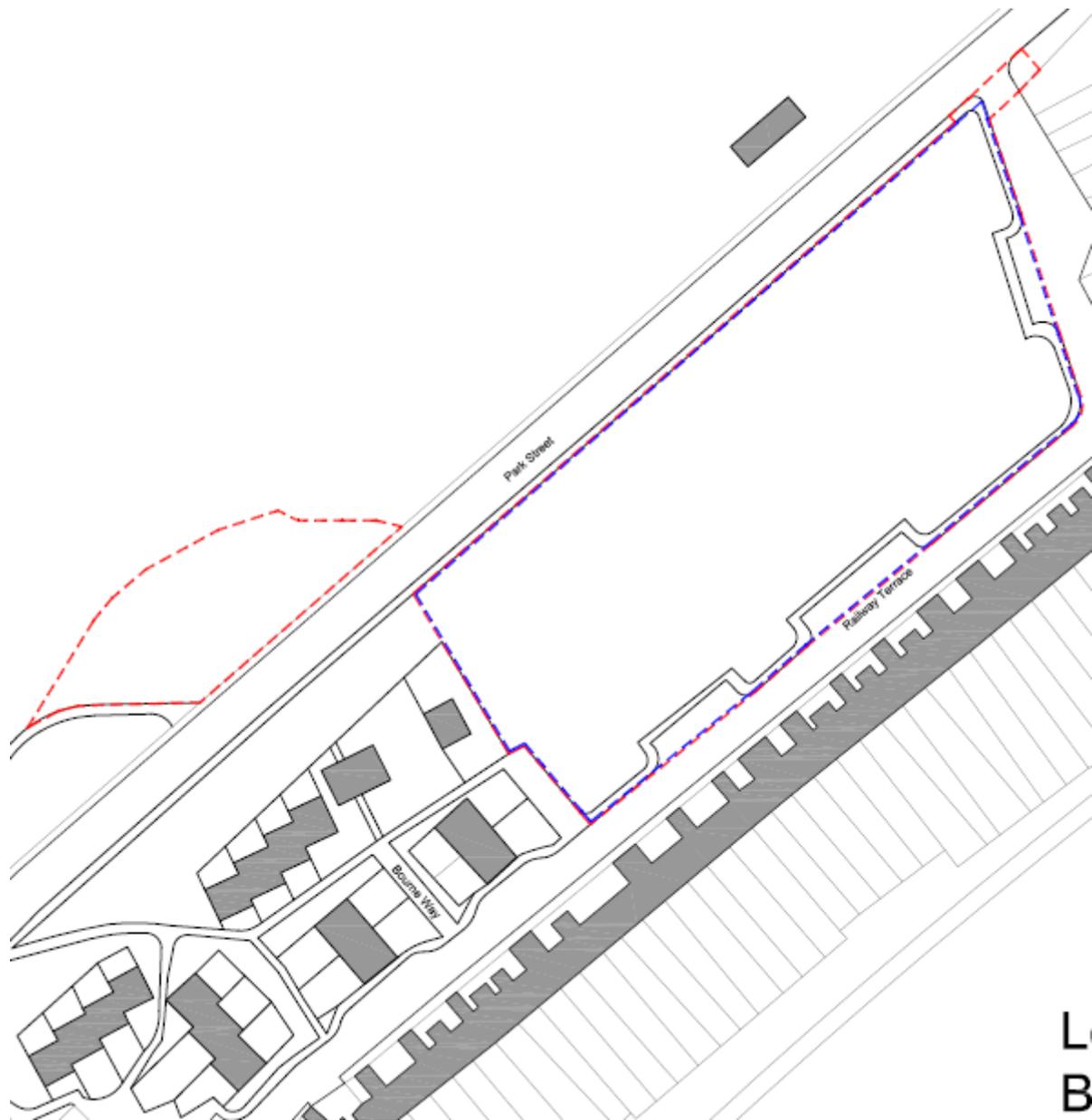
Reason: In order to prevent noise disturbance in accordance with Policy GD1 of the Wear Valley District Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. Pre-commencement conditions have only been used where details are required at the start of the development process. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

BACKGROUND PAPERS

- Submitted application form, plans, supporting documents and subsequent information provided by the applicant
- The National Planning Policy Framework (2012)
- National Planning Practice Guidance
- Wear Valley District Local Plan
- Statutory, internal and public consultation responses
- DCC Open Space Needs Assessment
- DCC Settlement Study



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Planning Services

16 dwellings including associated access, landscaping and parking provision and the creation of two ponds on land to the north of Park Street

**County Durham Housing Group
Land To North East of Bourne Way,
Willington**

Ref: DM/17/03976/FPA

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Date
22nd December 2017

Scale
Not to scale



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/17/03446/FPA
FULL APPLICATION DESCRIPTION:	Erection of dwelling and garage
NAME OF APPLICANT:	Ms Isobel Page
ADDRESS:	Land To The West Of The Weardale Inn Ireshopeburn DL13 1HD
ELECTORAL DIVISION:	Weardale
CASE OFFICER:	Adam Williamson, Planning Officer, 03000 260826 Adam.williamson@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

1. The application site is a grassed area, which lies between the grade II listed High House Chapel to the west and grade II listed Weardale Inn to the east, within the Ireshopeburn conservation area and the North Pennines Area of Outstanding Natural Beauty (AONB). To the north the site is bounded by a former railway embankment and beyond this is the River Wear. To the south is the A689.
2. The site is approximately 0.16 ha in area, with a number of mature trees around the periphery of the site, and a hedge to the highway boundary.
3. The application seeks full planning permission for the erection of a single dwelling and detached double garage. The dwelling would be single storey, but with accommodation in a large roof space, facilitated by dormer windows and an overall height of 7.2 metres to the ridge. The garage would be located to the west of the dwelling, measuring 8 metres in length, 6.6 metres in width, and 6 metres to the ridge. The dwelling would share the existing access to the Weardale Inn.
4. A contemporary palette of materials are proposed for both the dwelling and the garage, with render for the walls, an anthracite metal standing seam roof, and anthracite aluminum windows and doors.
5. The application has been called to the Planning Committee by Stanhope Parish Council who object to the impact on the historic chapel, the design not being in keeping with the local vernacular, and lack of a flood risk assessment.

PLANNING HISTORY

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6. An application for four dwellings (DM/14/02306/FPA) was withdrawn in October 2016.
-

PLANNING POLICY

NATIONAL POLICY

7. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings - economic, social and environmental, each mutually dependent. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
8. In accordance with Paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
9. NPPF Part 4 - Promoting Sustainable Transport. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It is recognised that different policies and measures will be required in different communities and opportunities to maximize sustainable transport solutions which will vary from urban to rural areas. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
10. NPPF Part 6 - Delivering a Wide Choice of High Quality Homes. To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
11. NPPF Part 7 - Requiring Good Design. The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning. Planning decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive.
12. NPPF Part 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change. Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy.
13. NPPF Part 11 - Conserving and Enhancing the Natural Environment. The planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognizing the benefits of ecosystem services, minimizing impacts on biodiversity and providing net gains in biodiversity where

possible, preventing new and existing development being put at risk from unacceptable levels of soil, air, water or noise pollution or land instability, and remediating contaminated and unstable land.

14. NPPF Part 12 - Conserving and Enhancing the Historic Environment. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

<https://www.gov.uk/guidance/national-planning-policy-framework>

LOCAL PLAN POLICY:

15. The development plan is the Wear Valley District Local Plan as amended by the saved and expired Policies September 2007.
 16. **Policy GD1 (General Development Criteria):** All new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
 17. **Policy BE1 (Protection of Historic Heritage):** The District Council will seek to conserve the historic heritage of the District by the maintenance, protection and enhancement of features and areas of particular historic, architectural or archaeological interest.
 18. **Policy BE4 (Setting of a Listed Building):** Development which impacts upon the setting of a listed building and adversely affects its special architectural, historical or landscape character will not be allowed.
 19. **Policy BE5 (Conservation Areas):** The character of each Conservation Area will be protected from inappropriate development.
 20. **Policy BE6 (New Development and Alterations in Conservation Areas):** The District Council will permit new development and alterations within Conservation Areas provided it satisfies the following criteria:
 - i) the proposal preserves or enhances the character of the area in terms of scale, bulk, height, materials, colour, vertical and horizontal emphasis and design; and
 - ii) the proposal will use external building materials which are appropriate to the conservation area. This will generally require the use of local materials or equivalent natural materials; and
 - iii) the proposal satisfies the General Development criteria set out in Policy GD1.
 21. **Policy BE8 (Setting of a Conservation Area):** Development which impacts upon the setting of a Conservation Area and which adversely affects its townscape qualities, landscape or historical character will not be allowed.
 22. **Policy H3 (Distribution of Development):** New development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map, development will be allowed provided it meets the criteria set down in Policy GD1 and conforms to the other policies of this plan.
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23. **Policy H24 (Residential Design Criteria):** New residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.

EMERGING PLAN

The County Durham Plan

24. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that report was quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

25. *Stanhope Parish Council:* Object to the proposal as it will stop views of the historic Chapel, is in view of listed buildings, the design is not appropriate, and no flood risk assessment has been submitted.
26. *Highways Authority:* Revision B of the proposed site plan, drawing number 02, is acceptable; with the details thereon secured if the plan is an approved drawing as part of any consent. The blue lined site to the east also directly abuts the A689 and sight visibility from the subject access partly falls across this land. In order to secure its continued availability the following condition is requested: *No obstruction to sight visibility within 2m of the A689 public carriageway edge and greater than 1m above the A689 carriageway level, shall be permitted closer than 30m east of the subject A689 junction access centre line.*

INTERNAL CONSULTEE RESPONSES:

27. *Tree Officer:* No arboricultural concerns following amended plans. Submission of a Tree Protection Plan will be required as a condition.
28. *Ecology:* Have no objection to the proposal.
29. *Landscape:* No objection following amended plans showing re- aligned access.
30. *Design and Conservation:* No objection subject to the careful control of all construction details.

PUBLIC RESPONSES:

31. The application has been advertised in accordance with statutory provisions. One letter of objection has been received.

32. The comments received seek assurances that the vistas of the Chapel will be unaffected, that the property is in between two listed buildings, and that the area has been flooded in the past.

PLANNING CONSIDERATION AND ASSESSMENT

33. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of the development; impact on character and appearance of the designated heritage assets and AONB; and highway safety.

Principle of development

34. The application site lies outside the development limits of Ireshopeburn as defined in the Wear Valley Local Plan and is consequently within the countryside for the purposes of saved policy ENV1. Policy ENV1 seeks to protect and enhance the countryside and only allows for development that is required for the purposes of agriculture, rural diversification, forestry, nature conservation, tourism, recreation, local infrastructure, or related to existing countryside uses, subject to landscape impact and satisfying other relevant policies. The proposal is not for one of the specified purposes and is therefore contrary to Policy ENV1.
35. However, the NPPF states that housing applications should be considered in the context of a presumption in favour of sustainable development. Given the age of the Wear Valley Local Plan and current status of the emerging Plan there are no up to date housing policies.
36. Irrespective of the Council's position on housing land supply, in these circumstances, paragraph 14 of the NPPF is engaged, which requires planning permission to be granted unless any adverse impact would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted. The proposal is therefore subject to the planning balance test.

Location

37. NPPF paragraph 55 states that "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances."
38. Although the site lies outside the defined development limits of Ireshopeburn, it is effectively an infill site between existing buildings, which continue the linear pattern of the village along the A689, and therefore it is still viewed as part of the village. While Ireshopeburn has very limited services and facilities itself, it is one of a number of small villages along the A689 which support facilities in other villages. It is possible to walk to St Johns Chapel along a pedestrian footpath with street lighting and there is a Dale's bus service along the A689, which can be easily accessed from the site.

39. The site is therefore not remote or isolated in the context of NPPF paragraph 55 and does not conflict with the aims of the NPPF to secure sustainable patterns of development.

Impact on character and appearance of designated heritage assets and the AONB

40. The site lies within the conservation area, between 2 listed buildings, and within the AONB designation.

41. Notwithstanding the AONB designation, the site is viewed as part of the built up area of the village, rather than part of the open countryside. It is well contained by natural and built features so the dwelling would be viewed as part of the built up area, rather than a feature, or an intrusion into the landscape. Having regards to Section 85 of the Countryside and Rights of Way Act 2000 (CRoW Act) it is considered that the proposal would not compromise the statutory purpose of AONB designation, which is to conserve and enhance the natural beauty of the area. The key considerations are therefore in respect of the design and appearance of the building and effect on designated heritage assets, rather than any landscape impacts.

42. A conservation area and listed buildings are designated heritage assets for the purposes of the NPPF, which advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. These national provisions are generally reflected in Policies BE1 and BE6 of the Wear Valley District Local Plan and the general design provisions of policy GD1.

43. In addition, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 66 of the above act states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

44. The site itself has no special historic significance, other than lying within the conservation area. As a part of the wider conservation area the site has little impact on the designated area in its own right, being a relatively minor open space with no direct public access or defined leisure use. The site is seen as a space between two buildings but is dominated by the trees on the boundaries, the neighbouring buildings, and by the rising valley side to the north of the site across the river. The site has not therefore been identified as having any landscape importance and its role as undeveloped land in the overall significance of the conservation area is not sufficient to prevent it from being developed, subject to appropriate scale and design of development being achieved.

45. The proposed dwelling is unashamedly contemporary in its use of materials, but this has been a deliberate design concept in order not to challenge the historic buildings to either side and to root the development in its time. This has drawn objection from the Parish Council, which is understandable given it is a risky design strategy.

46. There are different development styles and materials in the immediate area. While most of the historic buildings are constructed in stone with slate roofs, Keepers Cottage, which is immediately to the west of High House Chapel, is rendered and does not appear completely out of place or harmful next to High House Chapel. If the

render on the proposed dwelling was to be similarly coloured in a more muted stone colour, rather than off white, it would look similar to Keepers Cottage. The standing seam roof would introduce a new modern roof finish to the area, but the colour would still be reflective of traditional slate roofs, and the adopted AONB building design guide is not opposed to use of metal roofs in modern development. Precise details of the colour of the render, roof and windows could be conditioned for further approval.

47. The proposed dwelling and garage would be set back deep within the site, respecting the positioning of the Weardale Inn and High House Chapel, and would not obstruct views of either building. Use of the roofspace has also allowed the height and bulk of the dwelling to be kept reasonably low to avoid it dominating its more important neighbours.
48. The Design and Conservation Section is satisfied that the modern design of the proposed house will effectively detach the development from its historic neighbours, both visually and historically, to ensure it does not out-compete or dominate them and is therefore, overall, an appropriate design approach.
49. The conservation area appraisal for Ireshopeburn notes that “The east end of the village consists of a few scattered buildings including the 18th century High House Chapel which now incorporates the Weardale Museum, and the old school, now the Weardale Inn, both of which area Grade II listed buildings.” This character assessment suggests sporadic development over many years with each generation adding a little to the character of the village. Having regard to all the above, it is considered that the proposed dwelling will continue in this tradition, adding something that is clearly defined as a 21st century building whilst retaining the spatial quality of the area through its careful positioning, scale and design.
50. All the trees are located around the periphery of the site. The trees are predominately Sycamore with a significant linear strip located adjacent to the road at the front of the property, and the remaining trees spaced around the periphery of the site. One pear and one Ash tree (both semi mature in age) are also present along the boundary. The access to the site has been re- aligned to avoid the root protection areas of the trees to the front of the site. The Tree officer raises no objection to the proposal, subject to the submission of a Tree Protection Plan, which can be conditioned.
51. Therefore, whilst the proposed house will impact on the current open character of the site, in the wider context of the conservation area and setting of adjacent listed buildings, and having regards to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the character and appearance of the conservation area will be maintained and the setting of the listed buildings (and the listed buildings themselves) will not be negatively impacted on. There would also be no harm to the purposes for which the AONB is designated.
52. There is no conflict with the objectives in policies GD1, ENV2, BE5, and BE6 of the Wear Valley District Local Plan, or NPPF Parts 6, 11 and 12.

Highway Safety

53. The new dwelling would utilise the existing access serving the Weardale Inn, with the route of the driveway having been amended to avoid the root protection areas of the existing trees on the junction. There would be a double garage and ample additional space for parking.

54. The Highways Authority raises no objection to the proposal, subject to conditions ensuring visibility splays are not obstructed. Subject to these conditions, there is no conflict with Policy GD1 of the Wear Valley District Local Plan and Part 4 of the NPPF, which require new development to achieve a safe and suitable access.

Other issues

55. The Parish Council have commented that no flood risk assessment was submitted with the application. The development site lies outside of Flood Zones 2 and 3, and as such a Flood Risk Assessment is not required. The drainage details can be secured by a condition.

56. As a result of the siting of the dwelling and distance to neighbouring buildings, the proposal does not raise any residential amenity concerns with its neighbours or adjoining uses. It is noted that the Weardale Inn has been closed for many years and has planning permission for conversion to housing. There is little likelihood that such a large building would return to use as a public house in this rural area. In any event the proposed dwelling would be over 30m away and therefore does not raise concerns about amenity impacts on future occupiers.

57. The site has no identified ecological importance and the Ecology Section has not raised any concerns.

Conclusion

58. In accordance with paragraph 14 of the NPPF, housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.

59. The proposal would provide social and economic gains by adding to the supply of housing, support for local services and temporary employment benefits during the construction period.

60. In environmental terms the site is a suitable location for housing and the development could be accommodated without any environmental or historic harm, but this would be a neutral effect.

61. Having considered all matters, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole, and there are no specific policies in the NPPF that indicate development should be restricted. The proposal therefore benefits from the presumption in favour of sustainable development.

RECOMMENDATION

Recommendation that the application is:

APPROVED subject to the following conditions

Conditions:

1. The development shall not be begun later than the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Description	Plan Ref No.	Date Received
Red line site plan		19.10.2017
Proposed site plan	1735 02 B	22.12.2017
Proposed ground floor	1735 03	19.10.2017
Proposed first floor	1735 04	19.10.2017
Proposed elevations	1735 05	19.10.2017
Proposed elevations	1735 06	19.10.2017
Proposed garage	1735 07	19.10.2017

Reason: To define the consent and ensure that a satisfactory form of development is obtained

3. Notwithstanding any details of materials submitted with the application no development shall take place until samples of the external walling and roofing materials, including their colour, have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies GD1, ENV2 and BE6 of the Wear Valley District Local Plan.

4. Notwithstanding the details submitted with the application, no external windows and doors shall be installed until details of their specification have been submitted to and approved in writing by the local planning authority. The windows and doors shall be installed in accordance with the approved details and thereafter retained as such unless approved by the grant of further specific permission from the local planning authority.

Reason: In the interests of the appearance of the area and to comply with Policies GD1, ENV2 and BE6 of the Wear Valley District Local Plan.

5. Notwithstanding the details shown on the submitted plans, all hardsurfaced areas shall be installed in accordance with details which shall first have been submitted to and approved in writing by the local planning authority, prior to their installation. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policy GD1, ENV2 and BE6 of the Wear Valley District Local Plan.

6. At the site entrance, no obstruction to sight visibility within 2m of the A689 public carriageway edge and greater than 1m above the A689 carriageway level, shall be
-

permitted closer than 30m east of the subject A689 junction access centre line. The visibility splays shall be implemented in accordance with these details before the dwelling is first occupied and thereafter retained as such.

Reason: In the interests of highway safety in accordance with policy GD1 of the Wear Valley District Local Plan.

7. No development shall commence until a Tree Constraints Plan and Arboricultural Method Statement for Construction, including tree protection details have been submitted to and approved in writing by the Local Planning Authority in accordance with BS3998: 2010. Development shall be undertaken in accordance with the approved details and any tree protection shall be erected in accordance with the approved details before any works commence on site and shall thereafter be retained throughout the construction period unless the local planning authority agree in writing to any variation.

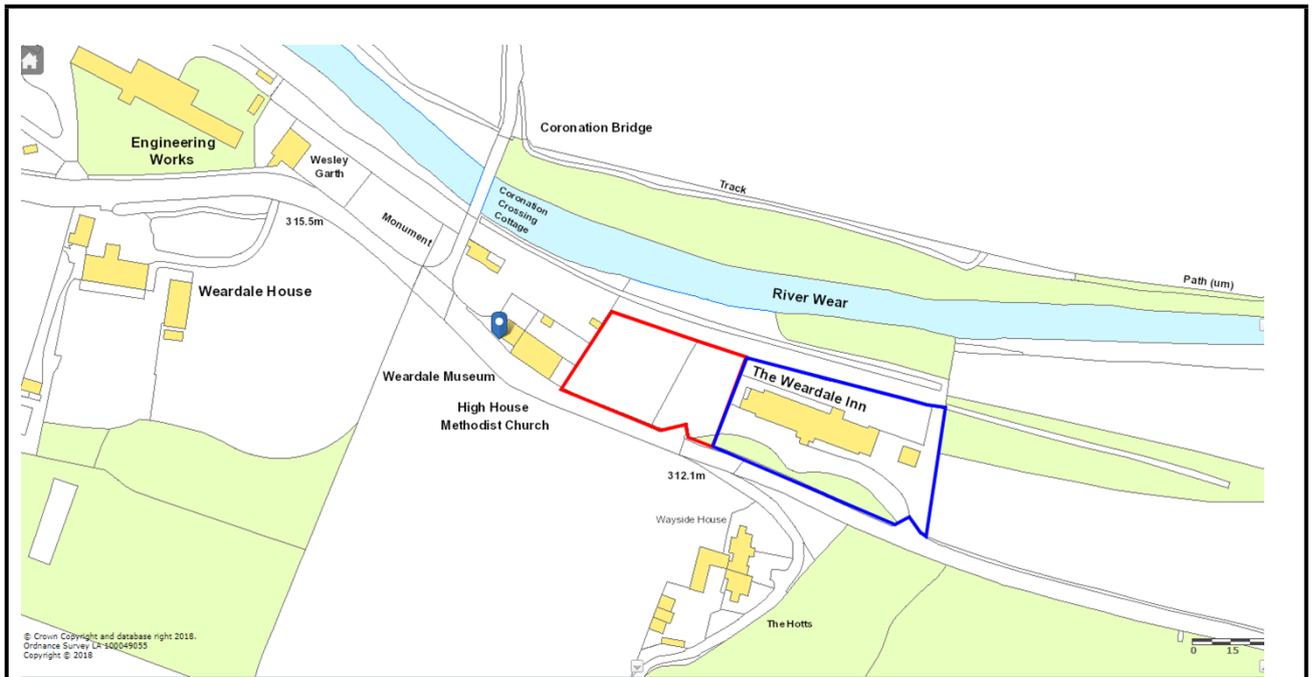
Reason: To protect adjacent trees during construction in the interests of the visual amenity of the area and to comply with policy GD1, ENV2 and BE6 of the Wear Valley District Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

In arriving at the decision to recommend approval the application the Local Planning Authority has assessed the proposal against the NPPF and the Development Plan in the most efficient way to ensure a positive outcome through appropriate and proportionate engagement with the applicant, and carefully weighing up the representations received to deliver an acceptable development. Pre commencement conditions have only been used where relevant to the start of the development process.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
National Planning Policy Framework
Wear Valley District Local Plan
The County Durham Plan (Submission Draft)
Ireshopeburn Conservation Area appraisal
AONB Building Design Guide
All consultation responses and representations received



Planning Services

Land To The West Of The Weardale
Inn
Ireshopeburn
DL13 1HD

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Planning Services

APPLICATION DETAILS

APPLICATION NO:	DM/17/00764/FPA
FULL APPLICATION DESCRIPTION:	Conversion of farm buildings to 5no. dwellings; demolition of farm sheds to the rear and construction of 4no. dwellings with garages and associated works
NAME OF APPLICANT:	Lord Barnard
ADDRESS:	Hilton Hall Farm Hilton DL2 3JA
ELECTORAL DIVISION:	Barnard Castle East
CASE OFFICER:	Tim Burnham Senior Planning Officer 03000 263963 tim.burnham@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site is located at the eastern end of Hilton Village, which is a small rural settlement located south east of the A688 and to the north west of Ingleton. The site sits partly within the Hilton Conservation Area and is within an area of Landscape Value. To the east is the grade II* listed Hilton Hall.
2. The site currently hosts a range of historic and modern farm buildings, which belong to the Marwood Estate. The whitewashed stone buildings at the front of the site are disused and no longer suited to modern agricultural practices. To the rear of these buildings is a very large set of portal framed agricultural sheds and a silage clamp.
3. There are two elements to the proposal. The first involves conversion of the stone buildings at the front of the site into 5 dwellings. The second involves demolition of the portal framed buildings at the back of the site and erection of 4 dwellings and garages in their place.
4. The application is reported to the Planning Committee at the request of Cllr Richardson due to concerns over the provision of new build residential accommodation on the site.

PLANNING HISTORY

5. The planning history on the site is limited to agricultural development and is not relevant to the application proposal.

PLANNING POLICY

NATIONAL POLICY

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.
7. *NPPF Part 4 – Promoting sustainable Transport.* The Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. On highway safety, there must be safe and suitable access to the site for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
8. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities; however, isolated homes in the countryside should be avoided.
9. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history, create safe and accessible environments and are visually attractive. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
10. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Inappropriate development in areas at risk of flooding should be avoided.
11. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
12. *NPPF Part 12 - Conserving and Enhancing the Historic Environment.* Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that

heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance

The above represents a summary of those policies considered most relevant in the Development Plan

LOCAL PLAN POLICY:

13. The following saved policies of the Teesdale Local Plan are relevant to the application; however, in accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policies will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight.
14. *Policy GD1: General Development Criteria:* All new development and redevelopment within the district should contribute to the quality and built environment of the surrounding area and includes a number of criteria in respect of impact on the character and appearance of the surrounding area; avoiding conflict with adjoining uses; and highways impacts.
15. *Policy ENV1: Protection Of the Countryside:* Within the countryside development will be permitted for the purposes of agriculture, rural diversification projects, forestry, nature conservation, tourism, recreation, local infrastructure needs and an existing countryside use where there is a need on the particular site involved and where a proposal conforms with other policies of the plan. To be acceptable proposals will need to show that they do not unreasonably harm the landscape and wildlife resources of the area.
16. *Policy ENV3: Development Within Or Adjacent To An Area Of High Landscape Value:* The proposals map defines an area of high landscape value where the distinctive qualities of the countryside are worthy of special recognition. Development will be permitted where it does not detract from the area's special character, and pays particular attention to the landscape qualities of the area in siting and design of buildings and the context of any landscaping proposals such development proposals should accord with Policy GD1.
17. *Policy ENV8: Safeguarding plant and animal species protected by law:* Development should not significantly harm plants or species protected by law and where appropriate adequate mitigation measures should be provided.
18. *Policy BENV3: Development Adversely Affecting the Character of a Listed Building:* Development which would adversely affect the character of a listed building or its setting will not be permitted.
19. *Policy BENV4: Development within and / or adjoining Conservation Areas:* Development within and/or adjoining conservation areas will only be permitted provided subject to various criteria in relation to design, scale, materials, landscaping etc.
20. *Policy BENV13 Change of Use or Conversion in the Countryside:* Change of use or conversion of a building within the countryside will be permitted for employment, holiday, recreational community or farm diversification use subject to relevant general development criteria.

21. *Policy BENV14 Change of Use or Conversion to Residential Use in the Countryside:* Change of use of a building within the Countryside to residential should only take place where a marketing exercise to use to the building for an identified use in Policy BENV13 has not been successful
22. *Policy H12: Design:* The local planning authority will encourage high standards of design in new houses and housing sites, in terms of layout and organisation of public and private open space, including meeting the needs of the disabled and elderly and the consideration of energy conservation and Local Agenda 21. Residential proposals should comply with the criteria of policy GD1 where relevant to the development involved.
23. *Policy H14: Provision Of Affordable Housing within Residential Developments* The local planning authority will, in appropriate circumstances as identified by a needs assessment of the district, seek to negotiate with developers for an element of affordable housing to be included housing developments.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/article/3271/Teesdale-Local-Plan>

RELEVANT EMERGING POLICY:

The County Durham Plan -

24. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

25. *Highway Authority:* No objections.
26. *Northumbrian Water:* No objection, subject to standard drainage condition.
27. *Historic England:* The proposal for converting the old barn buildings into residential dwellings and replacing the modern sheds at the back with modern housing is welcomed in principle as it will help bringing a viable, long-term solution for these currently vacant buildings. However, concern is expressed in relation to the alteration of the boundary walls, the removal of the whitewash finishing from the existing buildings, alteration of the rooflines and parking proposed at the front of the site which would appear overly domestic. (*Changes have subsequently been made in response to these comments*)

INTERNAL CONSULTEE RESPONSES:

28. *Design and Conservation*: This is a vastly improved proposal over that previously presented. The site layout and design of the proposal has evolved to respond to previous concerns of both the LPA and Historic England. The amended layout which now avoids a loop road system and amendments to the boundary enclosure is particularly welcome. This result is a series of more discreet spaces more reminiscent of the traditional farmstead layouts. The harmonisation of rooflines on the North West side of the site which would have resulted in a loss of character has been reversed and the more organic development of these structures is better preserved. In order to avoid the need for an adopted highway layout which would have caused substantial harm unfortunately still result in prominent parking provision at the front of the site. On balance this is considered acceptable to secure a viable future for these important buildings. The replacement new build to the rear of the site has been simplified to respond to previous requests, it will provide a contrast to the conversions which does not seek to challenge their historic character or design. The Whitewash finish is now preserved and this is important as this is a fundamental part of not just the character of these buildings but the wider conservation area. Changes have also been made to the access as requested.
29. *Landscape Section*: No objections. My previous concerns regarding the access at the edge of the field have now been fully addressed, as have the matters of the protection of the tree on the site and the arrangement of the garages and front gardens to the new properties, along with the wall detail at the entrance to the front parking area.
30. *Landscape Section (Trees)*: No objection.
31. *Ecology*: No objection. Following further submission of site plans displaying mitigation as requested, I am satisfied that providing the mitigation strategy is conditioned, the likely risk of impact on protected and priority species by the proposals will be low.
32. *Contaminated Land*: Contaminated land condition required.
33. *Environmental Health (Noise)*: No objections.
34. *Archaeology Section*: No objections although a building recording condition is required for the historic farm buildings.

PUBLIC RESPONSES:

35. The application has been publicised by way of site notice, press notice and neighbour notification letters. Five letters of objection have been received and one of the letters claims to have been sent in general on behalf of the residents within the village.
36. The main points of concern are in relation to the general scale of development in relation to the existing size of Hilton Hall; increased level of traffic; effect on existing sewage and water systems capacity; and lack of services in the area.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.durham.gov.uk/online-applications/>

APPLICANTS STATEMENT:

37. The proposed redevelopment of the Hilton Hall Farm site will look to reuse the existing under used barns to create 5 new dwellings. To the rear, it is proposed the existing modern cattle shed and concrete storage area will be removed, and replaced with 4 new contemporary family homes.
38. The approach to converting the existing barns is to retain the features and style of these buildings, bringing currently derelict structures back in to use. Where possible, existing openings will be utilised and new openings kept to a minimum. These conversions will provide new homes to the area, while safeguarding the future of these historic, agricultural structures in a sensitive manner.
39. Following liaison with the Local Planning Authority, it was agreed that the new build units should maintain and reflect the agricultural vernacular of the area. While reflecting the scale and massing of the existing cattle shed, using good quality materials and appropriate detailing will enable the properties to improve the appearance of the site, while referencing its agricultural heritage.
40. Responding to initial comments raised by the landscape officer, the site plan has been revised to further reflect the agricultural setting, being careful not to become domestic in scale or form. Each plot is provided with parking, and amenity space.
41. Responding to local concerns regarding the development within the village context, the scheme will increase the accommodation choice within the village offering a range of property sizes and styles, each with suitable parking provision provided within the site, minimising any local traffic impact.
42. Further to this, as agreed with the LPA, unit 4 will be offered as a starter home for a first-time buyer with a discount of 20% of market value. Further details of the marketing strategy for this unit, focussed towards Raby Estate residents, can be found in the affordable housing statement submitted.
43. In addition, the construction phase of the project will deliver investment in the area through construction industry job opportunities and the supply chain. Overall the redevelopment will bring back into full use a currently under used site, while maintaining the agricultural setting and heritage of the site.

PLANNING CONSIDERATIONS AND ASSESSMENT

44. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main issues are whether the proposal would constitute sustainable development, having particular regard to its location, impact on the character and appearance of the area and highway safety.

Planning Policy Context

45. The application site sits within the Countryside for the purposes of saved policies ENV1, BENV13 and BENV14 of the Teesdale Local Plan.

46. In respect of the conversion element of the proposal, policies BENV13 and BENV14 permit the conversion of buildings in the countryside, but preference is given to employment use and requires marketing to be carried out prior to any residential conversion. These requirements are however not in accordance with NPPF paragraph 55, under which securing the optimal viable use of a heritage asset and re-use of redundant buildings that leads to an enhancement of the setting is acceptable without having to carry out any marketing to first explore employment uses. Policies BENV13 and BENV14 are therefore out of date.
47. In respect of the new build element of the proposal, policy ENV1 seeks to protect and enhance the countryside and only allows for development that is required for the purposes of agriculture, rural diversification, forestry, nature conservation, tourism, recreation, local infrastructure, or related to existing countryside uses, subject to landscape impact and satisfying other relevant policies. The proposed new build housing is contrary to policy ENV1. However, this is in effect a housing location policy and given the age of the Teesdale Local Plan, policy ENV1 is not up to date.
48. The emerging County Durham Plan is still at an early stage following its previous withdrawal from examination. Consultation was carried out on the new Issues and Options in June 2016. It is therefore not at a stage where it can be given any weight.
49. In April 2017 the Council considered it had a deliverable supply of 10,234 (net) new dwellings for the next 5-year period. Set against the lowest need figure the Council took the position that it could demonstrate a supply of 4.91 years of deliverable housing land.
50. On 14 September 2017, the Government published a consultation document entitled "Planning for the Right Homes in the Right Places". That consultation introduced a standard methodology for calculating housing need. Applying that methodology for County Durham, the housing need figure would be 1,368 dwellings per annum, in which case the Council would be able to establish a supply of housing land in excess of 5 years. However, as this is still a consultation document it cannot be given significant weight at this time.
51. Irrespective of the Council's position on housing land supply, in these circumstances, paragraph 14 of the NPPF is engaged, which requires that housing applications should be considered in the context of the presumption in favour of sustainable development. This means granting planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted. The proposal is therefore subject to the planning balance test.

Location

52. Hilton is classified in the County Durham Settlement Study as a tier 6 Hamlet on account that it has very few or no services. However, whilst NPPF paragraph 55 seeks to avoid isolated housing in the countryside, it states that "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. That would be the case here.
53. In addition, although the site is technically within the countryside, it comprises existing development and is surrounded to the west, north and east by other development and as such, is viewed as part of the wider envelope of the village.

54. In light of the High Court Judgement, 15th November 2017 between Braintree District Council and the secretary of state /Greyread Limited/Granville Developments Ltd, commonly referred to as the 'Braintree case', which established that 'isolated' was considered to mean 'far away from other places, buildings or people; remote', the application site cannot be considered as isolated in the context of NPPF paragraph 55.
55. Accordingly, there is no conflict with the aims of the NPPF to secure sustainable patterns of development in rural areas and avoid isolated housing.

Impact on the character and appearance of the area and designated heritage assets

56. The buildings to the front of the site lie within Hilton Conservation Area and all of the site is within the Teesdale Local Plan Area of High Landscape Value designation. Immediately to the east is the Grade II* Listed Hilton Hall.
57. A conservation area and listed buildings are designated heritage assets for the purposes of the NPPF, which advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
58. In addition, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 66 of the above act states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
59. The historic whitewashed farm buildings are important vernacular buildings and contribute significantly to the character and appearance of the Conservation Area and landscape character. These are non-designated heritage assets in their own right. Accordingly, there is a strong desire to retain and secure the future of these buildings.
60. The proposed conversions would be achieved with reasonably limited intervention. Where some alterations would be made to the roof, this would not have any significant visibility or impact on the character of the buildings. Importantly, the proposal now retains the whitewash finish, which has been identified as an important part of the significance of the buildings in the Conservation Area. Due to the age of the historic farm buildings an archaeological recording condition is necessary.
61. The portal framed sheds at the rear of the site lie outside the conservation area, but they have a significant visual presence, which dominates the traditional buildings at the front of the site and does not make any positive contribution to the setting of the conservation area and the adjacent listed buildings. Removal of these buildings would therefore be a significant visual benefit and in any event, would have to be undertaken to facilitate the conversion of the historic stone buildings to achieve suitable standards of amenity.
62. The proposed new build dwellings and garages would occupy the site of the portal framed sheds and therefore would remain within the existing confines of the site. There would be no intrusion beyond the existing site into the countryside, thereby retaining the existing form of the village and landscape character around the site. The proposed dwellings have been designed to appear as converted farm buildings, but with a high quality design and use of materials, better spatial relationship with the

buildings at the front of the site, and an overall reduced scale. Visually, they would result in a material enhancement of the appearance of the site and the setting of the adjacent designated and non-designated heritage assets. Materials should be controlled by conditions.

63. Stone boundary walls are a strong and characteristic feature of the Conservation Area and these are proposed throughout the scheme. The provision of a parking court serving plots 2-5 accessed directly from the road to the front has enabled to rear of the site to be served by an unadopted, more informal vehicular access which is more reflective of the agricultural nature of the site. Whilst car parking would be visible from the front of the site, this is considered acceptable in the context of the wider benefits that this arrangement brings to the layout of the scheme. Precise details of the hard surfacing can be conditioned for further approval.
64. The proposal on the whole is considered well designed and the applicant has worked throughout the application process with the planning authority to improve and evolve the scheme. Amendments have been made in response to points raised, including those of English Heritage, and there are now no objections from the Design and Conservation and Landscape Sections. The removal of permitted development rights for alterations and outbuildings would be justified in this instance to protect the character of the site and buildings.
65. Therefore, having regards to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the character and appearance of the conservation area and setting of the listed buildings will be enhanced. There would also be no harm to the purposes for which the AHLV is designated.
66. There is no conflict with the objectives in policies GD1, ENV3, BENV3 and BENV4 of the Teesdale Local Plan, or NPPF Parts 6, 11 and 12.

Ecology

67. Two common pipistrelle bat roosts were identified on one of the buildings. Works to this building would therefore require a license from Natural England.
68. The Conservation of Habitats and Species Regulations 2010 contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a license to a person carrying out activity which would harm a European Protected Species (EPS). This license is normally obtained after planning permission has been granted. The three tests are that:
 - The activity to which the license is required must be for imperative reasons of overriding public interest or for public health and safety;
 - There must be no satisfactory alternative and;
 - Favourable conservation status of the species must be obtained.
69. Notwithstanding the licensing regime, the local planning authority (LPA) must discharge its duty under Regulation 9(5) and also be satisfied that these three tests are met when deciding whether to grant planning permission for a development which could harm an EPS.
70. In this case mitigation is to be provided through the provision of 10 permanent bat roosting opportunities throughout the development. The Council's Ecology Section is satisfied with the proposed mitigation and further nesting boxes are proposed for birds and owls to enhance biodiversity.

71. Having regard to the Habitats Regulations it is considered that it is in the public interest that the development scheme can be implemented to secure the future of the historic buildings on the site and deliver associated economic, environmental and social benefits. There is no more suitable alternative to the proposals. The proposed mitigation is appropriate to ensure there will be no significant impact on the conservation of the local bat population as a whole. It is therefore considered that Natural England would be likely to grant a license. Accordingly, the LPA can discharge its duties under the Habitats Regulations.

Affordable Housing

72. In line with saved Policy H14 of the Teesdale Local Plan there is a need for the provision of affordable housing in the area, equating in this case to the delivery of 1 affordable unit in the development. This Policy is consistent with the NPPF in respect of delivering a wide choice of high quality homes and to create sustainable communities. With just 1 unit, this could be Discount Market Sale secured in perpetuity by a S106 Agreement.

73. The applicant is willing to enter into a S106 agreement to secure the discount sale unit at the Council's affordable house price figure of £96,500 and therefore, subject to the completion of the agreement, the proposal would make appropriate provision of affordable housing.

Highways

74. Although some local concerns have been raised in relation to Highways Impacts, the Highways Authority is satisfied that the development would not have a material impact on local highway capacity, particularly as the farm use will already have associated vehicle movements, often by large vehicles. Amendments have been made to the access and parking arrangements in response to the Highway Authority recommendations and surfacing materials can be controlled by condition.

75. There is no conflict with Policy GD1 of the Teesdale Local Plan and Part 4 of the NPPF, which require new development to achieve a safe and suitable access.

Other issues

76. Local concerns have also been raised in relation to water supply and sewage capacity. Northumbrian Water have been consulted and have offered no objections. The full foul and surface water drainage details can be secured through a condition, which Northumbrian Water would be able to offer further comment.

CONCLUSION

77. In accordance with paragraph 14 of the NPPF, housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.

78. The proposal would provide significant social and economic gains by adding 9 dwellings to the mix and supply of housing at a time when there is not an up to date 5 year housing supply. This includes an affordable unit. There would also be support

for local services in the area and temporary employment benefits during the construction period.

79. The reuse of historic farm buildings and overall enhancement to the visual appearance of the site and setting of designated heritage assets are significant environmental benefits. Ecological interests can be appropriately mitigated, which is a neutral impact.

80. Having considered all matters, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole, and there are no specific policies in the NPPF that indicate development should be restricted. The proposal therefore benefits from the presumption in favour of sustainable development.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 agreement to secure 1 affordable housing unit; and the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans and documents.

Ecological Impact Assessment Hilton Hall August 2017 by E3 Ecology Ltd
Proposed Plans and Elevations Plots 6-9 PL05 (A) rec. 17th November 2017
Proposed Roof Plan PL08 (A)
Swallow Nest Locations rec. 20th December 2017
Barn Owl Box Locations
Proposed Plans and Elevations Plots 1-5 PL04 (B) rec. 05th January 2018
Proposed Site Plan PL03 (B)
Proposed Garage Elevations PL10 rec 09th February 2018

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with NPPF Parts 3, 4, 6, 7, 8, 9, 10, 11 and 12 and Teesdale Local Plan Policies GD1, ENV1, ENV3, ENV8, BENV3, BENV4, H12 and H14.

3. No development shall commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with Policy GD1 of the Teesdale Local Plan. The details relate to works at the start of the development process and are fundamental to acceptance of the scheme.

4. No development shall commence until highways adoption compatible details of the layout and hard surfacing of the access, parking and turning arrangements serving the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and no dwelling shall be occupied until the access has been completed in accordance with the approved details.

Reason: In the interests of Highway Safety and visual amenity to comply with Policy GD1, ENV3 and BENV4 of the Teesdale Local Plan. The access details are fundamental to acceptance of the scheme.

5. No development shall commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following:

Pre-Commencement

(a) No development approved by this permission other than preliminary site excavation and remedial works shall commence until a Phase 1 Preliminary Risk Assessment (Desk Top Study) has been carried out, to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site.

(b) If the Phase 1 identifies the potential for contamination, a Phase 2 Site Investigation and Risk Assessment is required and shall be carried out before any development commences to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

(c) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out. No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works and timescales.

Completion

(d) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11. The details relate to works at the start of the development process and are fundamental to acceptance of the scheme.

6. No development shall take place until the developer has secured the implementation of the programme of archaeological work in accordance with a written scheme of investigation, which has been approved in writing by the local planning authority as follows:

i. Methodologies for a HE-style building record prior to any conversion works or stripping out of fixtures and fittings.

- ii. A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the approved strategy.
- iii. Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- iv. A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.

Reason: To comply with para 135 & 141 of the NPPF because the site is of archaeological interest. The details relate to works at the start of the development process and are fundamental to acceptance of the scheme.

7. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the archaeological mitigation strategy shall be deposited at the County Durham Historic Environment Record.

Reason: To comply with para. 141 of the NPPF which ensures information gathered becomes publicly accessible.

8. The tree protection detailed within the Arboricultural Method Statement by Elliott Consultancy Ltd, November 2017 shall be installed prior to the commencement of any development, including demolition and retained throughout the construction works, unless the local planning authority has given written approval to any variation. There shall be no storage of materials, machinery, tools, or parking of vehicles within the Root Protection Areas of any trees on the site.

Reason: To minimise the impact of the development upon existing mature trees in accordance with Policy GD1 of the Teesdale District Local Plan.

9. Other than any approved demolition works, no development shall commence on the new-build dwellings and garages hereby approved until details of all proposed external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of visual amenity having regards to Policies GD1, ENV3 and BENV4 of the Teesdale Local Plan.

10. No windows and external doors shall be installed until plans of the joinery details at a scale of 1:20 for all doors and windows, including details of their colour, have submitted to and agreed in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity having regards to Policies GD1, ENV3 and BENV4 of the Teesdale Local Plan.

11. Prior to their construction or installation, details of all means of enclosure, to include the erection of a sample panel of stone boundary walling on the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved sample wall panel shall be retained for reference on site throughout construction. The enclosures shall be constructed in accordance with the approved details and shall be retained for the lifetime of the development, unless the local planning authority have given written approval to any variation.

Reason: In the interests of the appearance of the area and to comply with Policies GD1, BENV3 and BENV 4 of the Teesdale Local Plan.

12. No dwelling shall be occupied until its allocated parking spaces have been made available for use and thereafter the parking spaces shall not be used for any purpose other than the parking of vehicles.

Reason: In the interests of Highway Safety and to comply with Policy GD1 of the Teesdale Local Plan.

13. All rainwater goods and railings shall be black.

Reason: In the interests of visual amenity having regards to Policies GD1, ENV3 and BENV4 of the Teesdale Local Plan.

14. The development shall take place in accordance with the avoidance and mitigation / compensation strategy detailed within Ecological Impact Assessment Hilton Hall August 2017 by E3 Ecology Ltd including, but not limited to the obtaining of a European Protected species licence prior to any works relating to building 3 (plot 1). All mitigation/enhancement features shall be retained for the lifetime of the development.

Reason: To conserve protected species and their habitat in accordance with Policy ENV8 of the Teesdale Local Plan.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no development on Unit 1 falling within Classes A, B, C, D, E, G of Schedule 2, Part 1 or Class A, C of Schedule 2 Part 2 shall be carried out without the prior written permission of the Local planning authority on an application submitted to it.

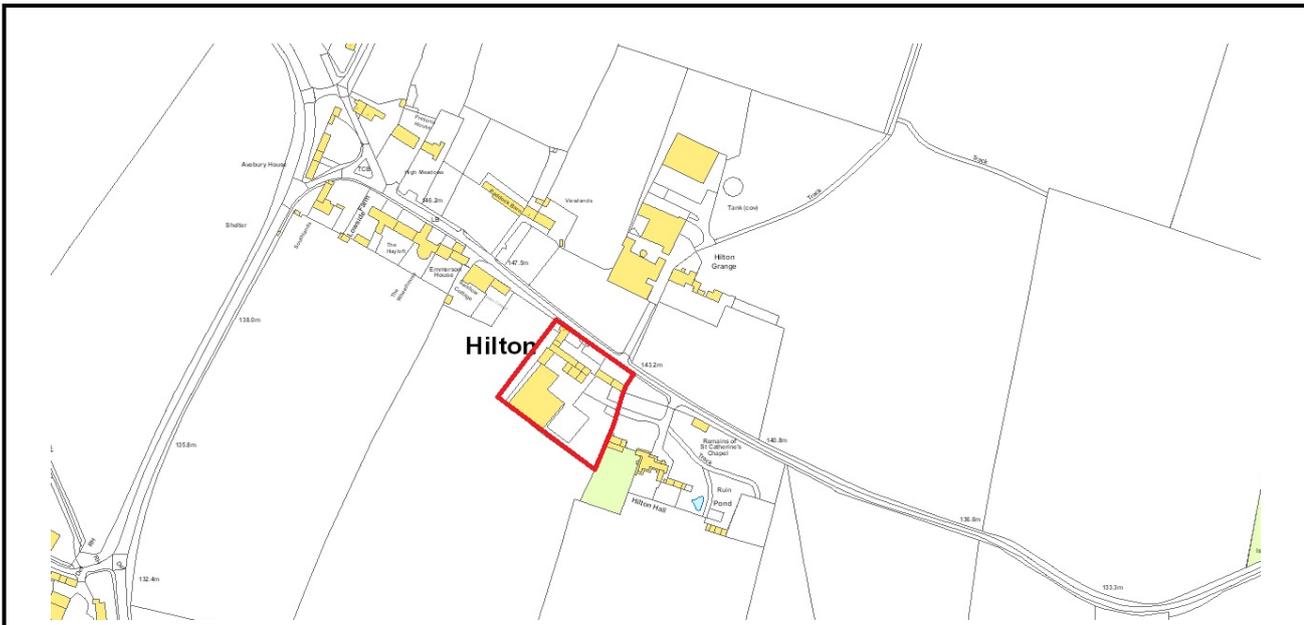
Reason: In order that the Local planning authority may exercise further control in this locality in the interests of the visual amenity of the area and to comply with Policies GD1, ENV3 and BENV4 of the Teesdale Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

In arriving at the decision to recommend approval of the application the Local Planning Authority has assessed the proposal against the NPPF and the Development Plan in the most efficient way to ensure a positive outcome through appropriate and proportionate engagement with the applicant, and carefully weighing up the representations received to deliver an acceptable development. The use of pre commencement conditions is deemed necessary are fundamental to the appearance of the area and relate to matters at the start of the development process.

BACKGROUND PAPERS

Submitted application form, plans supporting documents
The National Planning Policy Framework (2012)
National Planning Practice Guidance Notes
Teesdale Local Plan
The County Durham Plan (Submission Draft)
County Durham Settlement Study 2012



Planning Services

Conversion to form 5no. residential dwellings & demolition of barn and construction of 4no. dwellings and associated works

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22nd February 2018

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/17/03729/FPA
FULL APPLICATION DESCRIPTION:	Conversion of redundant building to holiday accommodation, including extension to north.
NAME OF APPLICANT:	Mr John Texeira
ADDRESS:	Land To The North Of Graveyard Copthill, Cowshill, DL13 1AB
ELECTORAL DIVISION:	Weardale
CASE OFFICER:	Adam Williamson, Planning Officer, 03000 260826 Adam.williamson@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

1. The application site comprises a small stone building on the south side of the A689, approximately 600 metres north west of Cowshill. The site lies within the Cowshill Conservation Area, and The North Pennines Area of Outstanding Natural Beauty (AONB).
2. This application seeks to convert the building into single bedroom holiday accommodation. This would include an extension to the northern elevation, constructed from vertical timber cladding and a curved metal roof. The access and parking arrangements would be improved and a new dry stone wall would define a curtilage around the building.
3. The application has been called to the Planning Committee by Stanhope Parish Council who object to the design and materials of the proposed extension.

PLANNING HISTORY

4. There is no recent planning history for this building.

PLANNING POLICY

NATIONAL POLICY

5. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable

development under three topic headings - economic, social and environmental, each mutually dependant. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.

6. In accordance with Paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
7. NPPF Part 1 - Building a Strong, Competitive Economy. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
8. NPPF Part 3 Supporting a Prosperous Rural Economy. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.
9. NPPF Part 7 - Requiring Good Design. The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning. Planning decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive.
10. NPPF Part 11 - Conserving and Enhancing the Natural Environment. The planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognizing the benefits of ecosystem services, minimizing impacts on biodiversity and providing net gains in biodiversity where possible, preventing new and existing development being put at risk from unacceptable levels of soil, air, water or noise pollution or land instability, and remediating contaminated and unstable land.
11. NPPF Part 12 - Conserving and Enhancing the Historic Environment. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

<https://www.gov.uk/guidance/national-planning-policy-framework>

LOCAL PLAN POLICY:

12. The development plan is the Wear Valley District Local Plan as amended by the saved and expired Policies September 2007.

13. Policy GD1 (General Development Criteria): All new development and

redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.

14. Policy BE6 (New Development and Alterations in Conservation Areas): The District Council will permit new development and alterations within Conservation Areas provided it satisfies the following criteria:

- i) the proposal preserves or enhances the character of the area in terms of scale, bulk, height, materials, colour, vertical and horizontal emphasis and design; and
- ii) the proposal will use external building materials which are appropriate to the conservation area. This will generally require the use of local materials or equivalent natural materials; and
- iii) the proposal satisfies the General Development criteria set out in Policy GD1.

15. Policy ENV2 (The North Pennines Area of Outstanding Natural Beauty): Priority will be given to the protection and enhancement of the landscape qualities of the North Pennines Area of Outstanding Natural Beauty. Development which adversely affects the special scenic quality and the nature conservation interest of the AONB will not be permitted.

16. Policy BE20 (Conversion of Buildings in the Countryside):

(a) The change of use or conversion of rural buildings in the countryside will be permitted for the following uses providing it fulfils the criteria set out in (c):

- i) small scale employment uses (Class B1, B2);
- ii) holiday accommodation;
- iii) recreational uses, including camping barns and bunk houses; and
- iv) new rural enterprises, including farm diversification (see Policy BE21).

(b) If the building cannot be developed for the uses identified in (a), residential use may be considered if:

- i) it forms part of a group of buildings which includes at least one dwelling; and
- ii) it fulfils the criteria set out in (c).

(c) All proposals for the conversion of rural buildings will be required to fulfil the following criteria:

- i) the building is structurally sound and capable of conversion without significant rebuilding or extensions; and
- ii) the new use would not cause unacceptable disturbance to rural amenities, nearby properties or land uses through noise, smell, pollution or operation at unreasonable hours; and
- iii) the proposal would not be materially detrimental to the landscape quality of the area; and
- iv) the conversion safeguards the form, character, architectural features, design and setting of the building; and
- v) the building has/can be serviced without having a materially detrimental impact on the landscape; and
- vi) the new use would not lead to an unacceptable increase in the level of traffic on local roads, cause access or parking problems or require road improvements which would be harmful to the rural environment. Direct access to metalled roads should already exist; and
- vii) the new use is in accordance with the general development criteria of Policy GD1; and
- viii) all conversions must accommodate any nature conservation interest associated with the building (refer to ENV13).

Further development and extensions beyond a building proposed for residential use will not

be allowed. Permitted development rights attached to dwelling houses may be rescinded.

17. **Policy TM2 (Tourism within the AONB):** Tourism development proposals within the AONB will be allowed only if they fulfil the criteria set out in the local plan.

EMERGING PLAN

The County Durham Plan

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

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

19. *Stanhope Parish Council:* object to the impact the design of the proposed extension, and state that ship lap boarding is not an appropriate material for Weardale.

INTERNAL CONSULTEE RESPONSES:

20. *Ecology* are satisfied that the likely risk of impact on bats and breeding birds by the proposals is low. Despite proximity to our European sites, due to the small scale of the development, there is unlikely to be any significant impacts to the site/s as a consequence of the development.
21. *Landscape:* The principle of preserving this building through conversion is acceptable from a landscape perspective. The details of the extent of the curtilage, the whinstone chipping surface for paths and access, and the surrounding walls are all acceptable. If it is necessary to use a mortar construction for the retaining walls, their appearance should mimic the local dry stone walls as closely as possible.
22. *Design and Conservation Officer:* has no objection to this proposal, the contrasting materials and design of the extension ensures that it remains subservient to the core structure whilst ensuring legibility of the original building.

PUBLIC RESPONSES:

23. The application has been advertised in accordance with statutory provisions by press notice and site notice.
24. No public comments have been received.

PLANNING CONSIDERATION AND ASSESSMENT

25. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, Impact on the character and appearance of the area, and highway safety.

Principle of development

26. Wear Valley Local Plan policy BE20 permits the conversion of rural buildings in the countryside to holiday accommodation, subject to detailed criteria. This is consistent with NPPF paragraph 28, which supports the sustainable growth and expansion of all types of business in rural areas through conversion of existing buildings, and rural tourism developments that benefit business in rural areas.

27. The visitor economy in County Durham supports around 11,000 jobs. According to Visit County Durham for every 3 self-catering properties, one full time job is created. Overnight tourists spent £81 million in the County in 2015 with the average spend of £232.55 per trip, however the number of visitors staying overnight within County Durham has remained static with the lack of new accommodation options a possible contributory factor. Improving the amount and diversity of quality accommodation options in key visitor areas is seen as an important way to keep visitors in the County for longer, thereby increasing visitor spend in the area.

28. The North Pennines AONB is an important visitor destination because of the natural beauty of the area and leisure opportunities. The proposal would therefore make a small, but nevertheless valuable contribution to increasing the range of tourist accommodation in the County and improving the ability of the County to retain overnight tourists in the area to the benefit of the rural economy. In order to ensure this remains the case, the occupation should be limited to holiday accommodation only, which can be done by condition.

29. The principle of development is therefore acceptable, subject to detailed considerations.

Impact on the character and appearance of the surrounding area

30. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. The statutory purpose of AONB designation is to conserve and enhance the natural beauty of the area, as confirmed by Section 82 of the Countryside and Rights of Way Act 2000 (CRoW Act). Section 85 places a duty on all public bodies to consider the AONBs nationally protected status in any land use related decisions. The AONB Management Plan is not part of the development plan, but it is capable of being a material consideration on individual applications where they raise relevant issues.

31. Policy BE6 of the Wear Valley Local Plan seeks to protect conservation areas from inappropriate development. Policy ENV2 gives priority to the protection and enhancement of the landscape qualities of the AONB. Policies TM2, BE20 and GD1 all provide the design criteria relevant to the proposal. These policies are in accordance with the aims of Parts 7, 11 and 12 of the NPPF.

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32. The quality of the landscape surrounding Cowshill and its importance to the rural character of the village is recognised by the inclusion of an extensive area of the surrounding fields within the conservation area boundary. The hillside to the west rises steeply to form an attractive backdrop to the concentration of development around the bridge and riverside. Deciduous trees partially obscure views of the site from Allers Bridge, however, from the higher ground to the north along the A689 the site can be seen in extensive wide ranging views taking in the open and attractive AONB landscape.
33. The building is shown on the first edition OS Map of the mid-nineteenth century and is likely to significantly pre-date this. Whilst it may have spent much of its existence as a field shelter it was potentially originally used to house a horse drawn hearse, which could account for its specific location and the unusual arched opening in the eastern gable end. Because of its age and interest it can be regarded as a non-designated heritage asset.
34. The proposal would entail a small bedroom extension to the north, which is necessary because of the small size of the building. Whilst Stanhope Parish Council have objected to the design and materials of the extension, it is considered that the design approach would clearly define the extension from the original element of the building, thereby reinforcing its subservience and allowing the original character of the building to be fully appreciated. The North Pennines AONB Building Design Guide is not opposed to the use of contrasting materials for modern extensions and states there can be positive interest from such an approach. With the building also being set well below road level, its wider visibility would be limited. Intervention in the rest of the original building would be minimal and its most important feature, the arched opening, would be retained as a feature window/door. A small curtilage would be defined by a drystone wall to match the existing and would enclose a graveled parking and turning area, which is of a commensurate scale with the accommodation. Details of the appearance of any retaining structures can be conditioned. The character of the building and its setting can be further protected by removal of permitted development rights for extensions and outbuildings. A holiday occupancy restriction is also important in this respect, as permanent residential occupation would be more likely to lead to a demand to expand the accommodation. There is no objection from the Design and Conservation and Landscape Sections.
35. It is therefore considered, having regards to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 82 of the Countryside and Rights of Way Act 2000, that the proposed development is acceptable in terms of design, scale and materials. It would not cause harm to the AONB landscape and the character and appearance of the conservation area would be preserved.
36. There is no conflict with saved policies GD1, BE20, ENV2 and TM2 of the Wear Valley District Local Plan and NPPF Parts 7, 11 and 12.

Highway issues

37. Access to the site is currently via a steep and tight access from the A689. However, it is proposed to raise the level of the access track junction level to that of the A689 carriageway, and increased depth of the junction to 7 metres in width in order to better facilitate turning movements. This is as recommended by the Highway Authority and therefore there is no Highway Authority objection.

38. It is therefore considered that a safe and suitable access can be achieved in accordance with saved policies GD1, BE20 and TM2, as well as NPPF Part 4.

Other issues

39. The Ecology Section is satisfied that the risk to protected species would be low and there is no requirement for a protected species license from Natural England.

40. Given connection to a public sewer is unlikely in this location, the requirement for a new septic tank is reasonable, however it will be necessary for specific details of the system to be submitted for further approval, which can be conditioned.

Conclusion

41. The proposal can bring positive economic benefits to the rural area and is therefore a form of development which draws strong support from the NPPF and is permitted by Wear Valley Local Plan policy BE20, subject to detailed matters.

42. The concerns from the Parish Council have been carefully considered, however when taking all matters into account, it is considered that the design and materials of the proposal would be acceptable and there would be no conflict with policies GD1, BE20, ENV2 and TM2 of the Wear Valley District Local Plan and NPPF Parts 7, 11 and 12.

RECOMMENDATION

Recommendation that the application is:

APPROVED subject to the following conditions

Conditions:

1. The development shall not be begun later than the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Description	Plan Ref No.	Date Received
Red line site plan		13.11.2017
Proposed elevations	17 40 01	13.11.2017
Proposed sections	17 40 04A	26.01.2017
Proposed site plan	17 40 03A	26.01.2017

Reason: To define the consent and ensure that a satisfactory form of development is obtained

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3. Notwithstanding any details of materials submitted with the application no development shall commence on the approved extension until samples of the external walling and roofing materials have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with Policy GD1, BE6, BE20, ENV2, T2 of the Wear Valley District Local Plan.

4. No development shall commence on the access until details of the construction of any retaining structure have been submitted to and approved in writing by the local planning authority. Thereafter the approved works to the access shall be completed prior to the development being brought into use.

Reason: In the interests of visual amenity and highway safety and to comply with Policies GD1, BE6, BE20, ENV2, T2 of the Wear Valley District Local Plan.

5. The parking and turning space shall be laid out within the site in accordance with plan 17 40 03A (received 26.01.2017) prior to the development being brought into use and thereafter shall be permanently retained and kept free of obstruction.

Reason: In the interests of highway safety in accordance with policies GD1, BE20 and TM2 of the Wear Valley District Local Plan.

6. No windows and doors shall be installed until full details, including plans at a scale of 1:20 and cross sections, of the proposed external windows and doors, have been submitted to and approved in writing by the local planning authority. The windows and doors shall be installed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with Policies GD1, BE6, BE20, ENV2, T2 of the Wear Valley District Local Plan.

7. The development shall not be occupied until the foul drainage system has been installed in accordance with details which have first been submitted to and approved in writing by the local planning authority.

Reason: To ensure foul drainage does not pollute the environment in accordance with Policies GD1, BE20, ENV2, T2 of the Wear Valley District Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Class(es) A, B, C, D, and E of Part 1; Classes A, and C of Part 2 Schedule 2 of the said Order shall be carried out without the prior written approval of the local planning authority upon an application submitted to it.

Reason: In the interests of visual amenity and to comply with policies GD1, BE6, BE20, ENV2, T2 of the Wear Valley District Local Plan.

9. The holiday accommodation hereby approved shall be occupied for holiday purposes only and not as a person's sole or main place of residence. The operators of the
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property shall maintain an up-to-date register of the names of all occupiers of the accommodation and of their main home addresses, and shall make such information available at all reasonable times to the local planning authority, upon request.

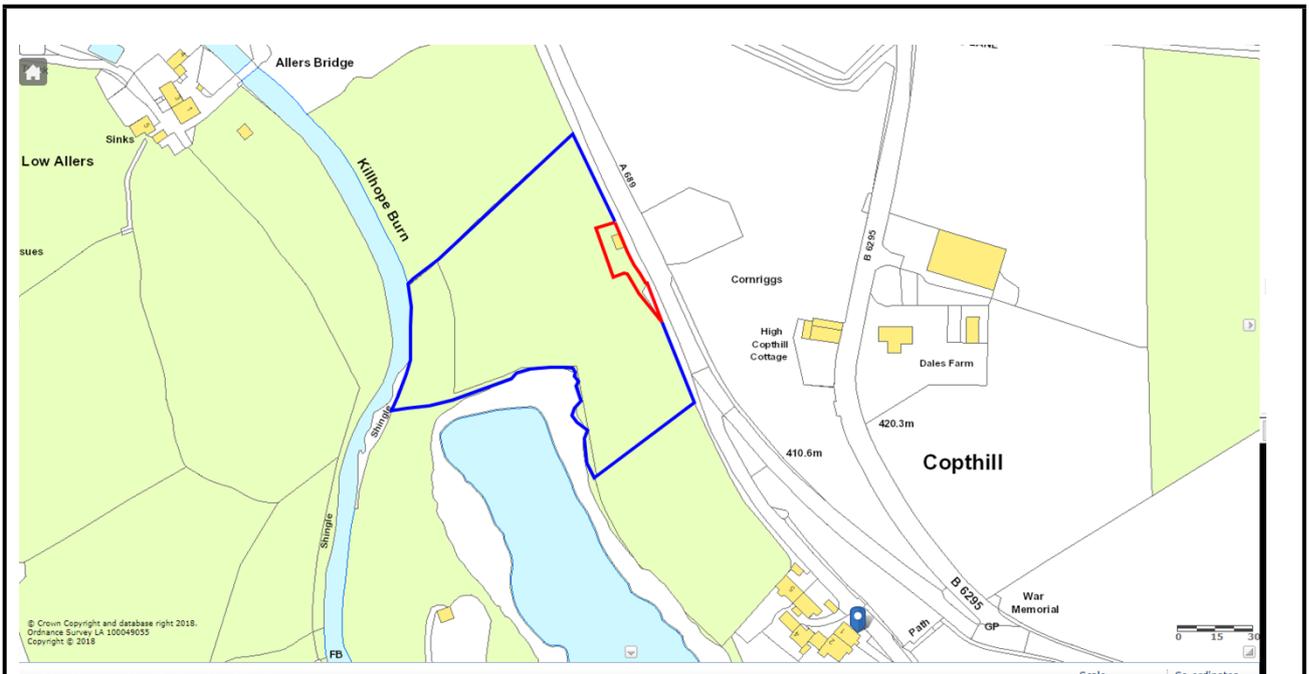
Reason: To protect the rural economy and in the interests of visual amenity in accordance with policy ENV1, ENV2 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

STATEMENT OF PROACTIVE ENGAGEMENT

In arriving at the decision to recommend approval the application the Local Planning Authority has assessed the proposal against the NPPF and the Development Plan in the most efficient way to ensure a positive outcome through appropriate and proportionate engagement with the applicant, and carefully weighing up the representations received to deliver an acceptable development.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
National Planning Policy Framework
Wear Valley District Local Plan
The County Durham Plan (Submission Draft)
North Pennines AONB building design guide
North Pennines AONB Management Plan
All consultation responses and representations received



Planning Services

Land To The North Of Graveyard
Cophill, Cowshill, DL13 1AB

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