



Area Planning Committee (South and West)

Date Thursday 18 July 2019
Time 2.00 pm
Venue Council Chamber, Spennymoor - Council Offices,
Spennymoor

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. The Minutes of the Meeting held on 20 June 2019 (Pages 3 - 6)
5. Applications to be determined
 - a) DM/18/03891/FPA - Land North of Quarry Farm Close, Hunwick (Pages 7 - 32)
31 no. dwellings and associated works
 - b) DM/18/02742/FPA & DM/18/02743/LB - Former Pumping Station to the North East of Presser Villa, Bale Hill, Blanchland (Pages 33 - 60)
Residential conversion and extension of pumping station (amended description/plans 11/03/2019)
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
10 July 2019

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

Councillor J Clare (Chair)
Councillor J Atkinson (Vice-Chair)

Councillors D Bell, J Blakey, L Brown, J Chaplow, E Huntington,
G Huntington, I Jewell, J Maitland, S Quinn, G Richardson,
J Shuttleworth, F Tinsley and S Zair

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DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in **Council Chamber, Spennymoor - Council Offices, Spennymoor** on **Thursday 20 June 2019** at **2.00 pm**

Present:

Councillor J Clare (Chair)

Members of the Committee:

Councillors J Atkinson (Vice-Chair), D Bell, J Blakey, L Brown, G Huntington, I Jewell, J Maitland, S Quinn, G Richardson, J Shuttleworth and S Zair

Although Councillors G Huntington and J Blakey were in attendance, they took no part in the decision-making process.

1 Apologies

Apologies were received from Councillors J Chaplow, E Huntington and F Tinsley.

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 9 May 2019 were agreed as a correct record and signed by the Chairman.

5 Applications to be determined

a DM/18/00374/FPA - Greyhound Track, Front Street, Merrington Lane, Spennymoor

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of 84 dwellings with associated access,

parking and landscaping at the Greyhound Track, Front Street, Merrington Lane, Spennymoor (for copy see file of minutes).

The Senior Planning Officer gave a detailed presentation which included a site location plan, aerial photographs and photographs of the site and confirmed that the following updates which had been received following the publication of the report;

- The information which was required to be submitted to verify the drainage scheme had now been received and agreed in conjunction with the Council's Drainage Section. It was proposed to amend the wording of condition 9 to secure its implementation.
- In addition, amended plans, including details of the proposed boundary treatment, had been submitted and the earlier objections raised by the Police Architectural Liaison Officer (PALO) had been withdrawn. Whilst the plans were agreed in principle, a boundary enclosures condition was required to secure the exact details namely of the chicane feature adjacent to the subway entrance. Subject to this condition being imposed no objection was raised by either the PALO or the Public Rights of Way section. A boundary enclosures condition was therefore proposed in addition to the conditions listed within the report. Condition 2 (approved plans) also required updating to reflect the most up to date version of the plans.

The Chair confirmed that there were no registered speakers for the application though Deborah Smith acting as agent was available to answer questions.

Councillor Jewell queried the provision for parking, access and construction of driveways and the Principal DM Engineer confirmed that that Highways had found that since the introduction of a new formula for visitor parking, applications were swamped by laybys which dominated developments, whereas 2013 standards consisted of over-providing in curtilage parking. The Highways Development Manager had researched National formulas and it had been agreed that for a provisional period of time, all developments would be subject to 25% visitor parking provision, which on this development equated to 21 spaces. The Principal DM Engineer confirmed that the initial application had included an alternative access, however the applicant had eventually submitted the application with an identical access route to that approved in 2007, as Highways were keen to maintain it.

Councillor Jewell confirmed that he was satisfied with the response of the Principal DM Engineer and therefore moved approval of the application.

Councillor Brown asked for clarification on the comments received by Public Transport and the Senior Planning Officer confirmed that a contribution of £300k was not being sought as it was not considered necessary to make the development acceptable in planning terms given the distances to alternative bus stops and the accessibility of the site.

Councillor Blakey referred to the lack of proposed bungalows and housing for the elderly in the development and asked whether in light of the emerging County Durham Plan, they could be incorporated in the development. The Senior Planning Officer explained that the report acknowledged that the absence of specific provision for the elderly was an adverse impact. Flats were incorporated into an initial version of the layout but they were inappropriate for other planning reasons. The Senior Planning Officer replied that the emerging County Durham Plan was not yet adopted and therefore no weight could be afforded to it when determining applications.

Resolved:

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

- provision of 15% affordable housing units on site equating to 13 units;
- £382,278 towards providing additional primary teaching accommodation in Spennymoor;
- £132,367.50 towards improving offsite open space and recreational provision within Low Spennymoor and Tudhoe Grange Electoral Division;
- £9,328.20 is required to be used by the Council towards biodiversity enhancements in accordance with the framework identified in Durham County Council's Local Biodiversity Compensation Strategy

And subject to the conditions outlined in the report (as amended by the Senior Planning Officer)

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/03891/FPA
FULL APPLICATION DESCRIPTION:	31 no. dwellings and associated works
NAME OF APPLICANT:	Gleeson Regeneration Limited
ADDRESS:	Land North of Quarry Farm Close Hunwick
ELECTORAL DIVISION:	Willington and Hunwick
CASE OFFICER:	Steven Pilkington, Principal Planning Officer, 03000 263964 steven.pilkington@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site consists of a rectangular shaped parcel of land, located on the northern edge of Hunwick. The site extends to approximately 0.83 hectares in area and comprises two agricultural fields. There is a level change across the site, with the land falling approximately 8m in an easterly direction. The site is bound by the existing residential development of Quarry Farm Close to the south, agricultural fields to the west and north and Hunwick Primary school to the east of the site. Several mature trees are present on the northern boundary of the site and significant hedgerows are present on the eastern site boundary and centrally within the site.
2. Two Public Rights of Way (Footpath No's.113 and 114, Crook) cross the western portion of the site, while there are two un-registered routes which have public status in the immediate vicinity that also cross the site. Hunwick Conservation Area, containing a number of listed buildings, is located a minimum of 40m to the south of the site. No designated sites of ecological interest are located within a close proximity of the site.

The Proposal

3. This application seeks full planning permission for the erection of 31no. dwellings. The site layout shows the dwellings arranged around a cul-de-sac taken off a single access point off Quarry Farm Close. Pedestrian links are proposed to the north connecting onto PROW no.113 and the south west connecting to PROW 114. A SUDS feature is proposed in the south eastern corner of the site, while an existing drainage ditch to the

eastern boundary is to be widened. The levels across the western part of the site are proposed to be increased up to 1.79m in height to provide suitable development levels.

4. The proposed dwellings would be two storey in nature, consisting of a mix of 7no. 3 bed detached dwellings and 24no. 2 and 3 bed semi-detached dwellings. The buildings would be constructed from red and buff/yellow bricks and concrete roofing tiles. A buff coloured, crushed aggregate, and tarmac apron would form the surfacing of the drives of the properties.
5. The existing hedgerow running centrally within the site on a north/south orientation is proposed to be removed along with a number of semi-mature trees. It is proposed to plant a new hedgerow along the northern site boundary.
6. This planning application is being reported to Planning Committee because it is a major residential development.

PLANNING HISTORY

7. There is no relevant planning history to the site, however the site has been considered within the Council's Strategic Housing Land Availability Assessment (SHLAA) (ref. 3/HU/13) for its appropriateness for housing and has a suitable but not currently achievable classification. This is based on an assessment the site would be able to accommodate circa 24 dwellings. The conclusion for the assessment is that development of this site "is commensurate with the size of village. The site is contained on two sides with clear boundaries. Development would not extend significantly into the open countryside and would consolidate development to the south. Significant surface water flooding issues have been identified which cannot be adequately mitigated and render the site undevelopable." The emerging CDP (Pre-Submission Draft) no longer earmarks the site for housing (the earlier "preferred options" (June 2018) had identified the site as an allocation).

PLANNING POLICY

NATIONAL POLICY

8. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
9. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). 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
10. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three

overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.

11. *NPPF Part 4 Decision-Making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
12. *NPPF Part 5 Delivering a Sufficient Supply of Homes* - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
13. *NPPF Part 6 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.
14. *NPPF Part 8 Promoting Healthy and Safe 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.
15. *NPPF Part 9 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.
16. *NPPF Part 11 Making Effective Use of Land* - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
17. *NPPF Part 12 – Achieving well-designed places*. 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.
18. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

19. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - 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.
20. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

21. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; conserving and enhancing the historic environment; determining a planning application; design; flood risk; land stability; light pollution; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

<https://www.gov.uk/government/collections/planning-practice-guidance>

LOCAL PLAN POLICY:

Wear Valley District Local Plan (2007) (WVDLP)

22. *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.
23. *Policy ENV1 – Protection of the Countryside*. Sets out that the countryside should be protected and enhanced, development will only be allowed for the purposes of agriculture, farm diversification, or other compatible uses as defined by local plan policies.
24. *Policy ENV10 -Sites of Special Scientific Interest* – Sets out that development which will affect the conservation value of Special Scientific Interest (SSSI) will only be permitted if the development is of overriding national importance and the development cannot be located elsewhere
25. *Policy ENV11- Sites of Nature Conservation importance and Local Nature Reserves* – Sets out that development which will adversely affect sites of Nature Conservation Importance or Local Nature Reserves will only be allowed if the development is of overriding local importance and it can be demonstrated that there are no alternative development site. The policy also sets out that developments should include measures to conserve and enhance nature conservation interest and where practicable provide replacement habitats and features.

26. *Policy BE1 – Protection of Historic Heritage* – Sets out that the Council will seek to conserve the historic heritage of the District by the maintenance, protection and enhancement of features of and areas of particular historic architectural or archaeological interest.
27. *Policy BE8 – Setting of a Conservation Area* – Sets out that development which impacts on the setting of a conservation area and adversely affects its townscape qualities, landscape or historical character will not be allowed.
28. *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.
29. *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.
30. *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
31. *Policy H16 – Exceptions Policy* – Sets out that as an exception to H3 small scale housing scheme may be permitted on suitable sites outside the defined settlement limits where is clearly demonstrated that there is an overriding need for affordable housing that cannot be reasonably provided elsewhere. Developments should not have an adverse impact on the character or appearance of settlements, their setting, the surrounding countryside and satisfies general development criteria.
32. *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.
33. *Policy RL5 – Sport and Recreation Target*. For every 1 hectare of land developed or redeveloped for 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, including changing rooms, by other agencies. Such land should be located and developed to accord with the provisions of proposal RL1. On sites under 1 hectare (24 dwellings) a proportion of this standard will be expected.
34. *Policy T1 – General Policy – Highways*. 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

35. Paragraph 48 of the NPPF states 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. Following

consultation at 'Issues & Options', 'Preferred Options' and 'Pre-Submission Draft' stages, the CDP was approved for submission by the Council on 19 June 2019. The CDP was submitted to the Planning Inspectorate on 28 June 2019. Although the CDP is now at a relatively advanced stage of preparation, it is considered that it is not sufficiently advanced to be afforded any weight in the decision-making process at the present time.

The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Whats-in-place-to-support-planning-and-development-decision-making-at-the-moment> (Wear Valley District Local Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

36. *Highways Authority* – Advise that the existing Quarry Farm Close adopted highway, can satisfactorily accommodate the additional generated traffic. With the proposed additional dwellings, Quarry Farm Close would serve circa 70 dwellings (it serves 38 currently). Peak period two-way vehicle movements to and from the B6286 will be in the order of less than one vehicle movement per minute on average; this includes existing dwellings. This is a relatively modest traffic level. Sight visibility from the junction with the B6286 is considered satisfactory. No Transport Assessment is submitted with the application, albeit given the modest quantum of development this is not required when assessed against relevant guidance. An adequate footway network exists to and from the wider highway network and within the proposed new highway. Notwithstanding local concerns, including detailed objections on highways grounds, on an objective technical basis, it is not considered that a highway objection to the proposal could be sustained.
37. *Northumbrian Water* – Advise a conditional approach to deal with the disposal of foul water from the development site.
38. *Drainage and Costal Protection* – Advise that the proposed drainage strategy would adequately deal with the existing surface water flows around the site, and subject to some minor modifications would acceptably attenuate and treat surface water from the development site. It is recognised that there is an existing issue with surface water flooding that the development would not solve, although the regular maintenance of the watercourses could help reduce instances of blockage. Overall it is advised that the development is considered to mitigate its own impacts and would not worsen the existing situation. It is however identified that a less dense site layout could provide some opportunity for storage of existing flows and a high level of treatment of water quality.

INTERNAL CONSULTEE RESPONSES:

39. *Planning Policy* – Advise that the site is situated beyond the limits to development for Hunwick, so this proposal draws no support from Policy H3. The policy is partly derived from an out-of-date assessment of housing need so is not considered to be up-to-date, however, it is a policy which can be afforded weight based on the decision takers assessment as it is relevant as a starting point in assessing how well a site relates to the settlement's build up area and the extent to which development encroaches into the countryside. The application therefore falls to be determined in accordance with the provision of paragraph 11 of the NPPF, and planning permission should be forthcoming unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. At the present time the LPA can demonstrate a

5-year supply of deliverable housing sites, which means that the weight to be given to boosting the supply of housing is not as significant as it would be in instances where there is not a 5YHLS. For this proposal to be acceptable the impacts in terms of landscape, townscape, flood risk and integration with settlement form and access to services and facilities would need to be within acceptable parameters.

40. *Landscape* – Advise that the site is not within a locally or nationally designated landscape. It is visible, primarily, from the public footpaths that cross it. It is identified that the outgrown hedge that lies on the eastern boundary of the site is unlikely to survive the erection of a fence through its length as well as the earthworks proposed to create more level platforms for the houses, the treatment of this eastern boundary requires more careful and sympathetic consideration. It is further advised that that the use of post and rail fencing between rear gardens is not acceptable. It is inadequate for residents who want privacy, or who wish to keep pets or children in, or out. Leaving the erection of alternative fencing to the residents is likely to lead to visual inconsistency.
41. *Landscape (Arboriculture)* – Advise that the proposed layout, the lack of clarity regarding the widened water course and the lack of tree protection plan means there is a risk of harm to the existing trees and there will still be a potential conflict with WVDLP policy. However, if approved the applicant should provide a Tree Protection Plan and Arboricultural Method Statement (to BS5837 (2012) standard) that includes clarity in relation to the widened water course.
42. *School Places and Admissions Manager* – Advise that a development of 31 houses could produce an additional 10 primary pupils and 4 additional secondary pupils. It is identified that based on projected school rolls and taking into account the likely implementation timeframe of the development that there are sufficient primary and secondary school places in local schools to accommodate the development.
43. *Housing Delivery* – Advise that the site falls within a medium viability area. This means that 15% of properties on the scheme would be a requirement to be affordable, this equates to 5 units. An affordable housing statement has been provided, however it doesn't detail the type and location of houses that will be delivered as affordable housing, it only states that the properties will be 2 bed units. It is identified that there is also a requirement to provide 10% of the private and intermediate properties for older people, Building for Life provision should be secured.
44. *Ecology* – Advise that the findings and conclusions of the ecology survey reports are sound, however the proposals would likely result in a net loss in biodiversity. There is no attempt within the proposed landscaping plans to address this loss, and no offset has been discussed within the ecological report. This is contrary to the requirements of the updated NPPF.
45. *Environmental Health and Consumer Protection (Contaminated Land)* – No objections are raised. Officers advise a conditional approach in relation to land contamination to detail and secure the implementation of gas protection measures.
46. *Environmental Health and Consumer Protection (Pollution Control)* – Advise that the construction management plan should detail whether the foundations for the new housing will be piled and if so what type of piling will be undertaken.
47. *Archaeology* – Offer no objection on archaeological grounds.
48. *Access and Rights of Way* – Advise that the revised layout now incorporates the recorded Public Rights of Way Public Footpaths no's 113 and 114, Crook. These

appear to be shown unobstructed by fences, gardens, or trees. It is highlighted that there are un-registered routes which cross the site, these have public status as public footpaths and are recognised by the landowner. An application to stop up or divert these unregistered paths would need to be made if the planning application is successful.

49. *Design and Conservation* – Advise that the site lies to the north of Hunwick Conservation Area and the development is unlikely to harm the significance of the conservation area. It is however highlighted that the development is a standard solution in an area of positive character and local distinctiveness, particularly in respect to the house types used and proposed materials which are not characteristic of Hunwick. The gravel drives also do not reflect the character of the area and a solid/bound surface should be utilised. Concerns are also raised regarding the enclosure of the footpath/public right of way which would result in a pedestrian route which is not overlooked

NON-STATUTORY RESPONSES:

50. *NHS* – Advise that the current medical practice in Crook is challenged for capacity and order to mitigate the development's impact a contribution of £14,973 is sought.
51. *Coal Authority* – Advise that the application site falls within the defined Development Low Risk Area. Standing advice should be attached to any decision notice.

PUBLIC RESPONSES:

52. The application has been publicised by way of press notice, site notice, and individual notification letters to neighbouring residents. 130 letters of objection from local residents including the Hunwick Community Working Group have been received in relation to the development as summarised below.

Principle of development / Sustainability

- The development would conflict with sustainable development policies of the County Durham Plan, WVDLP and the NPPF.
- The site was now been withdrawn as a proposed allocation in the County Durham Plan.
- The site is not needed to meet housing land supply, some 140 houses have been built within Hunwick in recent times.
- The council can provide a 5 year supply of housing and therefore the tilted balance is not engaged, existing policies in the WVDLP carry significant weight and are not out of date.
- Brownfield land should be used first, then utilising sustainable greenfield sites
- There are limited services and amenities within Hunwick to serve the proposed development, additional car travel will be unavoidable
- The village is only served by a limited bus service
- If Hunwick Primary school cannot accommodate the additional pupils generated, it is considered inappropriate to expect children to walk to Sunnybrow
- There is not sufficient capacity at local doctors/medical centers

Flooding

- Objections raised in relation to historic flooding of the site and Hunwick Primary School, the development will exacerbate the existing situation.
- Site was removed as a proposed allocation in the CDP due to suitability around flooding.

- The existing drainage network cannot accommodate the additional flows from the development.
- The proposed SUDS reed bed is poorly considered.
- The grassed site provides storage for rain water which would be lost.
- The drainage calculations are questioned and the suitability of the drainage system as a whole.
- Coal seams and mine workings prevent the creation of the SUDS
- By placing the swale into the rear gardens which is private land the developer is reliant on the house owners to maintain the swale.
- Concerns are raised as to how foul water would be disposed of.
- Security and safety concerns are raised regarding the SUDS infrastructure.

Highway Safety

- Entry and Exit from Quarry Farm Close onto the B6286 is not safe and could not serve additional dwellings.
- The level of vehicles using the B6286 has been mis-represented in the application, the development of the site would add to existing problems.
- Vehicles travelling on the B6286 are in excess of the speed limit, this has implications for visibility splays at relevant junctions.
- Parked cars and blind spots cause a highway safety issue, particularly around school drop off/pick up times.
- Concerns are raised regarding the road alignment and geometry of Quarry Farm Close and its suitability to serve the development.
- There is an established parking problem on Quarry Farm Close, with significant on street car parking.
- The access to the site would not comply with the disability Equality Duty under the Disability Discrimination Act 2015.
- It is highlighted in winter months that the roads are not gritted.
- It is considered that the development would conflict with paragraph 109 of the NPPF.
- Potential safety concerns are raised regarding children play on amenity space within Quarry Farm Close
- Concerns are raised regarding the suitability of the proposed arrangements for the farm access, due to the width and layout, there is no wider access available.
- The site was withdrawn as a proposed allocation in the Wear Valley District Local Plan due to concerns around the layout of the highway in the proximity of the site.
- Large commercial vehicles regularly get stuck to the constraints of the local road network leading to the site. This brings into question how construction vehicles would access the site.

Layout/ Design

- The density of the site is over development with a density of 40 dpha, whereas the adjacent site is approximately 20 dpha.
- The appearance of the dwellings is questionable, particularly the proposed materials. A bespoke approach to the site should be adopted as the dwellings are not locally distinctive.
- The development would remove boundary walls of adjacent properties.
- The development will impact on the Hunwick Conservation Area. English Heritage are a statutory consultee and should be consulted on the development.
- The development does not provide any open space on the site.
- The gravel drives are unsightly.
- The land surrounding is located within a Landscape Conservation Priority Area and more building work will spoil the beautiful views.
- The development will destroy trees and hedgerows on site, including along the boundary of Hunwick Primary School.

Ecology

- The development will impact on the ecological value of the site.
- Birds of Conservation Concern are present on the site, which are in danger of disappearing due partly to habitat loss.

Public Right of Way

- A public right of way runs right through the proposed site, with one proposed front garden overlapping the footpath.
- Following an application for a Definitive Map Modification Order (DMMO) the landowner has accepted the submitted evidence of two further footpaths across the above site between PROW 113 and 114.
- The proposed layout should be amended to identify the existence of all public rights of way and the layout should respond to the location of paths.
- This footpath is used extensively by dog walkers, children and ramblers.
- The proposed rerouting of the Public Rights of Way is inappropriate.

Other Issues

- The development will result in a loss of view and outlook.
- Loss of value of properties.
- Concerns are raised regarding land stability given the proposed level changes on site.
- All residents in Hunwick should have been consulted.
- The residents of Hunwick Facebook page has 300 members in the group and in the last month, there have been 601 posts, comments and reactions from individuals. This must be recognised and considered as part of the comments.
- The development will impact on the privacy and amenity of the existing dwellings on Quarry Farm Close.
- Concerns are raised regarding development related impacts.
- A number of questions on the planning application form are factually incorrect.
- 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.
- The development threatens community cohesion.

53. *Laura Pidock MP*- I fully support the residents in their objections and I am writing as their MP to express my disapproval of this application to build 31 houses next to a primary school on land already deemed not suitable for development due to flooding and drainage, access of traffic to main highway via Quarry Close and Sustainability (insufficient services in Hunwick). I understand that in 1994 and again in 2013 the land was considered unsuitable for development and that the site has been removed from the County Durham Plan for housing allocation. It is very disappointing that the developer is taking this opportunity whilst the County Durham Plan awaits approval to lodge an application which does not address any of the residents' concerns

54. *Councillor Fraser Tinsley* - As one of the County Councillors representing the Willington & Hunwick Division, within which this planning application is located, I wish to highlight to Officers the significant community opposition to the proposals detailed in this planning application. Though not exclusive, opposition is focused around 4 key issues. These are detailed as follows.

1. The deletion of the allocation of the site from the emerging County Durham Local Plan demonstrates that the site is not suitable for residential development.

2. The highway network is of an inappropriate standard to accommodate safe access to the proposed development. Traffic movements associated with the

proposed development will have a detrimental impact on the residential amenity of Quarry Farm Close.

3. The development site is subject to flooding and development thereon is not appropriate. Measures to address this issue are not in place.

4. There are insufficient services available in the village of Hunwick to serve the demand created by the approximate 70 residents who will occupy the proposed development once complete. This is an unsustainable approach to the development of the area and will result in a reliance on the use of the private car.

55. *Hunwick Primary School* – It is suggested that any work carried out prior to or during any construction must give consideration to the impact on the children and the ability of the staff to fulfil their teaching and safeguarding responsibilities. It is the view of the Governing Body that should the application be approved work within 50 metres of the school boundary should be carried out during school holiday periods only. Concerns are raised regarding the drainage network in the area and the impact of the development in terms of flooding.

APPLICANTS STATEMENT:

56. None provided.

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

<https://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

PLANNING CONSIDERATIONS AND ASSESSMENT

57. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of the development, housing land supply, locational sustainability of the site, landscape and visual appraisal, layout and design, highway safety and access, flooding and drainage, residential amenity, ecology, heritage issues, ground conditions, planning obligations, and other issues.

Principle of Development

58. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Wear Valley District Local Plan (WVDLP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF.
59. The WVDLP was adopted in 1997 and was intended to cover the period to 2006. However, NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired depending on the circumstances. Paragraph 213 also sets out that due weight should be given to

existing policies, according to their degree of consistency with the Framework, the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

60. WVDLP Policy ENV1 sets out that in order to protect and enhance the countryside, development beyond the defined settlement limits will only be allowed for the purposes of agriculture, farm diversification, forestry or outdoor recreation. This approach is replicated in Policy H3 of the WVDLP, which sets out that new development will be directed to those towns and villages best able to support it, recognising that other than infill developments or small extensions, development outside of defined settlement limits would not be acceptable. The development of the application site would conflict with WVDLP Policies ENV1 and H3, representing an encroachment into the surrounding countryside beyond the defined settlement limits of Hunwick. Policy H16 is a housing exceptions policy that does accept housing development on suitable sites outside settlement boundaries. However, it only applies to small scale sites and is not applicable to this application nor does the proposal draw any support from the policy.
61. The NPPF does not prevent a local planning authority from defining settlement boundaries to control development, however these would need to be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Given the age of the evidence which informed them, policies in relation to establishing settlement boundaries and location of new housing are considered out of date. Whilst this does not mean that they should be disregarded or be given no weight, the weight that can be afforded to them is reduced and paragraph 11 is engaged.
62. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise):
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Policies in this Framework taken as a whole
63. As set out above the it is considered that policies ENV1 and H3 within the Local Plan are out of date by virtue of the evidence which informed them, Therefore, the acceptability of the development must be considered in the context of Paragraph 11(d) of the NPPF.

Housing Land Supply

64. Paragraph 73 of the NPPF maintains the requirement for Local Planning Authorities (LPAs) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement

set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

65. Within County Durham all the extant development plans are more than five years old and their housing figures need revising so the starting point for calculating land supply will be local housing need using the Government's standard methodology. The County Durham Plan (CDP) is aligned with the standardised methodology and identifies a housing need figure of 1,368 dwellings per annum (dpa). At this time, the Council is able to demonstrate 5.9 years supply (8,404 dwellings) of deliverable housing land against this figure. The Council also has commitments of an additional supply of 15,946 dwellings beyond the deliverable 5-year supply period.
66. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is clearly less than in instances where such a healthy land supply position could not be demonstrated.
67. Further to this, Annex 2 of the NPPF sets out that to be considered deliverable, sites for housing should be available now and have a realistic prospect that housing will be delivered within 5 years. In particular where a site has planning permission for major development it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. In this respect the proposal involves a detailed planning application by a major house builder on land in their control. Given the scale of the development it is likely that the site could be build out within the 5 year period delivering 31 units.
68. The Government has also recently published its Housing Delivery Test (HDT) results in February 2019. The HDT outcome for the Council indicates that housing delivery has been above the requirement over the last three years, which is evidence that delivery of housing on the ground is on track and exceeding our housing targets.

Locational Sustainability of the Site

69. Policies GD1, H24 and T1 of the WVDLP jointly seek to promote that adequate and safe pedestrian and cycle routes are provided to facilitate access to services and amenities, prioritising pedestrian and cycle links. The policies also seek to ensure that adequate links and access to public transport are incorporated within the layout of the site.
70. These policies are considered consistent with the NPPF in this respect with paragraph 103 of the NPPF which sets out that the planning system should actively manage patterns of growth including to promote walking, cycling and public transport use. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 110 of the NPPF also sets out that applications for development should give priority of priority to pedestrian and cycle movements, facilitate access to high quality public transport, address the connections between people and places and the integration of new development into the natural and built environment. Due to their consistency Policies GD1, H24 and T1 of the WVDLP should be afforded full weight in the decision-making process.
71. In terms of distances to services and amenities, consideration is given to a range of distances that are generally considered acceptable set out in the Chartered Institute of Highways and Transportation (CIHT) documents including 'Guidelines for Providing for Journeys on Foot' and 'Planning for Walking', The Department for Transport's 'Manual for Streets', along with work undertaken by independent consultants. In general, it is considered that a walking distance of 1650-2000m or a 20-minute walk is

considered at the upper end of what future residents could be expected to walk, taking into account topography and desirability of routes.

72. In this respect, it is noted that the limited facilities within Hunwick and New Hunwick, including Public Houses, a Church, some sports facilities and Primary School would be within a suitable walking distance. However, future residents will need to travel to Crook, Willington and Bishop Auckland to access the majority of services and amenities. Accordingly, Hunwick Scores low (ranked 67th) when compared to other settlements within County Durham in relation to the provision of facilities and services. It is noted that there is a bus service passing through the village which would provide some options for public transport use. However, the bus stops are at the upper end of the distances that future residents could reasonably expected to walk to, particularly at the extremes of the site (up to 415m). There would be no realistic option to walk to services and amenities in adjacent settlements.
73. It is considered that some level of additional development may be acceptable in Hunwick, recognising that some limited facilities are within the village. However, in the round it is considered that the proposed development goes over and above the level of what is appropriate for the location of the site and the role Hunwick plays within the Council's settlement hierarchy. It is therefore considered that the development would not promote accessibility via a genuine choice of transport modes contrary to Policies GD1 and T1 of the of the Wear Valley District Local Plan and Paragraphs 103 and 110 of the National Planning Policy Framework. This impact is also required to be taken into account in the planning balance.

Landscape and Visual Appraisal

74. WVDLP Policy GD1 seeks to protect and enhance the countryside of the Wear Valley, requiring that developments do not have a detrimental impact on the landscape quality of the surrounding area, while requiring that major developed sites incorporate structural landscaping. WVDLP Policy ENV1 seeks to protect and enhance the countryside. These policies are considered consistent with the NPPF in this respect which at paragraph 170 recognises the intrinsic character and beauty of the countryside, whilst paragraph 127 (c) requires that development is sympathetic to its landscape setting. However it is recognised that the strategy of Policy ENV1 of the WVDLP in restricting development proposals for agricultural or compatible uses is only partially consistent with the NPPF which takes a more permissive attitude towards a wider range of development types in the countryside and therefore this policy can only be afforded moderate weight. Due to its consistency Policy GD1 can be afforded full weight in the decision-making process.
75. The site is not within a locally or nationally designated landscape. However, it is considered attractive in its own right and reads as part of the wider countryside when viewed from the Public Rights of Way which cross and surround the site. The development would encroach into the open countryside when viewed from the Public Right of Way network and also in wider views from the site. However, it is also recognised that the site is bordered by existing development on two sides and a sensitive development could be read as an appropriate extension to the village.
76. In considering the proposals, it is noted that the development would result in the loss of some historic landscape features, including a hedgerow running north and south across the middle portion of the site which is shown on the first edition OS map. An alternative, less dense site layout could retain this feature. The applicant proposes hedging on the northern boundary of the site, which is currently open, as compensation for this hedgerow. However, it considered that a suitable boundary treatment along this site boundary would be required in its own right, in this rural

context and a 1.8m high domestic boundary fencing to the effective edge of the settlement would be inappropriate. It is considered that the proposed northern boundary treatments of a 1.2m wide hedge, would be inadequate to assimilate the development into the landscape and the landscaping should be more structural in nature with a greater width to allow a mature hedgerow to form, planted with hedgerow trees.

77. A 1.8m close boarded fence to PROW no.114 (Crook), is proposed, which would extend along the western site boundary. This is considered inappropriate in this rural setting. Concerns are also raised by the Council's Landscape and Arboricultural Officers regarding the impact of the widening of the watercourse, formation of SUDS features and installation of sewers on the existing mature vegetation on the eastern boundary of the site, both in terms of engineering works and hydrology changes. Further clarification has been sought in relation to this element, as appears that the proposed works are within the root protection areas of the hedge and associated trees. No additional information has been forthcoming.
78. Overall, in the round it is considered that the development would result in an encroachment into the surrounding countryside and would not be sensitive to its landscape setting and landscape features on site, contrary to Policies GDP1 and ENV1 and Parts 12 and 15 of the NPPF. This adverse impact is required to be taken into account in the planning balance.

Layout and Design

79. WVDLP Policies GD1 and H24 require development to be designed and built to a high standard and contribute to the quality and built environment of the surrounding area. The policies also set out that development should be in keeping with the character and appearance of the area, and be appropriate in terms of its form, scale, mass, density and layout, to its location. Parts 12 and 15 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 127 of the NPPF also states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. Due to their consistency with the NPPF, significant weight should be afforded to WVDLP Policies GD1 and H24 in the decision-making process.
80. The NPPF at paragraph 129 also encourages the use of assessment frameworks based on Building for Life 12 (BfL12). The Council has also adopted its Building for Life Supplementary Planning Document (SPD). The SPD sets down design standards for major new residential development, based on the 12 Building for Life Standards. While the SPD does not contain any policy requirements, it can be regarded as a material consideration. In this respect the application has been considered by the Council's Design Review Workshop utilising BfL12 as an assessment framework, which overall scored the development poorly. Significant concerns were raised around the developments relationship with the PROW running through the site, accessibility of public transport, lack of affordable housing, lack of distinctiveness of house types, lack of connections to New Hunwick and relationship with existing landscape features.
81. These concerns are reiterated in separate comments from the Council's Design and Conservation Officer, who advises that the proposed development, particularly in relation the house types, is a standard solution in an area of positive character and local distinctiveness. It is also advised that an approach sympathetic to the local character and history of the area, including built environment and landscape setting, should be adopted and would be more appropriate. It is identified that the key characteristics of the built form in Hunwick are set out in the Hunwick Conservation

Area character appraisal, and include general simplicity in built form, local sandstone, welsh slate, facing red brick, front roof lines not broken by dormers, opening and fenestration generally vertical, sandstone flush heads and projecting cills, and limited use of render. In addition to the proposed house types, the Council's Design and Conservation Officer advises that the proposed materials utilising buff brick with contrasting bands and quoin detailing does not reflect the character of the area. Furthermore, it is advised that the proposed gravel are not an appropriate solution in this context with an unfinished appearance, resulting in an unattractive development.

82. The Council's Landscape officer also highlights that the proposed post and rail fencing used to define the rear gardens of individual plots is an inappropriate design solution in this context. This is likely to lead to an adhoc approach to boundary treatments across the development as residents seek to ensure a degree of privacy.
83. The scheme proposes a density of approximately 37 dwellings per ha. This is considered inappropriate in this edge of village, rural location. The density also results in separation distances on a number of plots which are below the standard that would be expected in a development of this nature, giving a congested, over developed feel. There is also no public open/amenity space provided on the site to give relief to the layout, while the density results in boundary treatments being set directly adjacent the public highway interrupting the street scene and forms some of the external boundaries of the site. The amended site layout does recognise the route of PROW 113 and 114 (Crook), however the proposed site layout with a gable elevation and site boundaries enclosing PROW 114 would result in a pedestrian route which is not overlooked with limited natural surveillance.
84. Overall, it is considered that the development would relate poorly to the character of the surrounding area in terms of its layout, density and design, and would not achieve a high-quality inclusive development contrary to Policies GD1 and H24 of the WVDLP and Parts 12 and 15 of the NPPF

Highway Safety and Access

85. WVDLP Policies GD1, H24 and T1 set out that developments should be served by a safe means of access and developments should not create unacceptable levels of traffic which exceed the capacity of the local road network. These policies are considered consistent with the NPPF which seeks to promote accessibility by a range of methods while ensuring that a safe and suitable access can be achieved. The NPPF also sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Given the consistency of WVDLP Policies GD1, H24 and T1 with the NPPF, full weight can be given to them in the decision-making process.
86. The proposed vehicle access to the site would be taken via Quarry Farm Close which leads out to the B26286 (Church Lane). Internally to the site a cul-de-sac would be provided with a 1.8m wide pedestrian footway either side and visitor parking spaces within the highway. Objections in relation to highway safety, including the capacity of the road network to accommodate additional vehicle flows and the layout and safety of the surrounding roads have been raised by local residents.
87. In assessing the suitability of the proposed site layout and access arrangements, the Highways Authority advise that the existing Quarry Farm Close adopted highway can satisfactorily accommodate the additional generated traffic. With the proposed additional dwellings, Quarry Farm Close would serve circa 70 dwellings (it serves 38 currently), which is considered acceptable and comparable to other developments in

the area. No Transport Assessment is submitted with the application, although this is not a requirement when assessed against relevant guidance. It is however advised that peak period two-way vehicle movements to and from the B6286 would be in the order of less than one vehicle per minute on average, which also takes into account existing dwellings. It is considered that this is a relatively modest traffic level. In relation to sight visibility from the junction of Quarry Farm Close with the B6286, the Highways Authority advise that this is a satisfactory arrangement and suitable to serve the development. It is also advised that an adequate footway network exists to and from the wider highway network and within the proposed new highway, to provide adequate pedestrian connectivity in this respect.

88. In relation to construction relation access and impacts, the Highways Authority advise that this matter could be controlled through a Construction Management Plan, detailing how deliveries to the site would be made to minimise disruption and ensure that the condition of the public highway and amenity space would be maintained. As with any development there would likely be some localised impacts, including disruption, however it is advised that refusal of the application on this basis would not be justified.
89. Local residents also highlight that the site was assessed as part of potential allocations under the Wear Valley District Local Plan in 1994 with the former Wear Valley District Council concluding that *“Whilst the width and alignment of the existing access is adequate to access the proposed extension it is not considered appropriate to intensify such use in such a residential location”*. Whilst a previous decision of the Council can be a material consideration, the merits of the application must be assessed against current planning policy and guidance on an objective basis.
90. Overall, notwithstanding local concerns and objections on highways grounds, the Highways Authority advise that on an objective technical basis, the development could be served by an appropriate means of access, that is acceptable in highway safety terms and would not result in a severe cumulative impact on the road network. The scheme is therefore considered to comply with WVDLP Policies GD1, H24 and T1 in this respect and Part 9 of the NPPF.

Flooding and Drainage

91. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment. Objections have been raised by local residents highlighting existing flooding on the site and further within Hunwick.
92. The application is accompanied by a flood risk assessment (FRA) and Drainage Strategy, which highlights that the application site is within flood zone 1 with a low flood risk probability. The FRA does however identify the risk of surface water flooding on the site due to overland flows from land further to the north west of the site. These flows principally pass along the site’s northern boundary and then down the eastern site boundary through a watercourse, before exiting the site through a culvert which passes under Hunwick Primary School. Additional flows in a west-east direction have also been identified across the site.
93. The submitted drainage strategy proposes widening the existing watercourse on the eastern site boundary to create additional storage capacity in the event of an overland flow. The strategy also sets out that site levels have been designed to deflect overland

flows to the north of the development into the existing watercourse. Surface water from the development site is proposed to be collected and attenuated in underground storage chambers, before being released at a greenfield run off rate to a cascading bio-retention outfall, planted with reed grass to the south east of the site. This would provide surface water treatment before being discharged into the existing culvert.

94. The Council's Drainage and Coastal Protection Officer advises that the proposed drainage strategy would adequately deal with the existing surface water flows around the site, and subject to some minor modifications would acceptably attenuate and treat surface water from the development site. It is recognised that there is an existing issue with surface water flooding within Hunwick that the development would not solve, although the regular maintenance of the watercourses (which could be enforced by condition) could help reduce instances of blockage. Overall it is advised that the development is considered to mitigate its own impacts and would not worsen the existing situation. It is however identified that a less dense site layout could provide some opportunity for storage of existing flows and a high level of treatment of water quality.
95. In relation to foul water, it is proposed to connect to the existing sewerage network, to which Northumbrian Water raise no objections to, subject to adopting a conditional approach to secure the details of.
96. Whilst the concerns and objections of local residents are noted, based on advice of the Council's Drainage and Coastal Protection Officer, subject to conditions requiring the minor modification of the drainage strategy and the detailing of management strategy for future maintenance. The development is considered to comply with Policy GD1 of the WVDLP and Part 14 of the NPPF in this respect.

Residential Amenity

97. WVDLP Policies GD1 and H24 require the design and layout of development to have regard to the amenity of those living or working in the vicinity of the development site while setting out appropriate separation distances. These policies are considered consistent with parts 12 and 15 of the NPPF, which require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution. Full weight can therefore be afforded to WVDLP Policies GD1 and H24 in this respect.
98. Policy H24 of the WVDLP sets out that 21m separation distance should be maintained between habitable room windows, and 15m separation distance between habitable room windows and opposing gable walls. In assessing the proposed site layout against these distances, it is identified that internally to the site there are numerous instances when facing distances are down to approximately 16.5m, which is considered inappropriate in this context. There are also instances where the 15m rear to gable distance cannot be met.
99. Externally to the site the development would not achieve appropriate rear to gable distances to no.24 and 29 Quarry Farm Close. It is also considered that the relationship between proposed plots 30/31 and 28 Quarry Farm Close is contrived, with overlooking achievable at a 12m distance, although off set slightly. Policy H24 of the WVDLP also sets out that adequate private and usable amenity space should be provided to each dwelling, setting out a rear garden depth of 10m as a minimum guideline. The scheme proposes gardens down to around 7m in numerous instances, this is considered inappropriate on an edge of village location.

100. The applicant has submitted a Construction Management Plan (CMP) setting out measures to limit the potential disturbance for existing and future residents during construction. Environmental Health and Consumer Protection Officers offer no objections to the general content of the CMP but request clarification on where piling would be used. A conditional approach could be adopted to refine the CMP ensuring that construction related impacts could be adequately mitigated.
101. Overall, it is considered that the proposed layout would not achieve acceptable relationships between dwellings, both internal and externally to the site resulting in inadequate levels of privacy and amenity for existing and future residents. The development is considered contrary to policies GD1 and H24 of the WVDLP and Part 12 of the NPPF.

Ecology

102. WVDLP Policy GD1 seeks to ensure that developments would not endanger or damage important national or wildlife site or that of the ecology of the wider area. This policy is considered consistent with Part 15 of the NPPF which seeks to ensure that developments protect and mitigate harm to biodiversity interests, providing net biodiversity gains. Policies ENV10 and ENV11 provide advice in regard to Sites of Special Scientific Interest and local designated ecological sites and these are considered consistent with the NPPF.
103. An Ecological Impact Assessment has been submitted in support of the application. The report identifies that there are no designated ecology sites within the immediate area, and that the habitats on site range from low to local ecological values. It is highlighted that the site has the potential to support a range of protected or notable species, including bats, reptiles, amphibians, otter, birds, badger and UK BAP/Priority species. A mitigation strategy for the site is therefore proposed, including a limitation of the timings of construction works and method statements for clearing and working on more sensitive parts of the site. Subject to implementing the mitigation measures the report concludes that residual effects are highly unlikely to be significant at a population level for any species, or habitat recorded or likely to be present on site.
104. The Council's Ecology officer advises that the conclusions of the report are sound, and the development is unlikely to have a significant impact on any ecological interest in accordance with WVDLP Policy GD1 and Part 15 of the NPPF in this respect.
105. It is however advised, that no assessment of the likely losses in net biodiversity, caused by the proposals has been undertaken, as required by the NPPF. Given the number of houses proposed and site area, it is advised that there is likely to be an overall net loss in biodiversity, and appropriate compensation would be required off site in order to meet the requirements of the NPPF in this respect. This could be secured through a S106 agreement, although the developer has not indicated whether they would be willing to provide a contribution on this basis.

Heritage Issues

106. Hunwick Conservation Area is located a minimum of 40m to the south of the site and contains a number of Listed Buildings. However, it is advised by the Council's Design and Conservation Officer that there is limited intervisibility between the proposed development site and the conservation area or any listed building. The development is therefore considered not to impact on these heritage assets and would comply with WVDLP Policies BE1 and BE8 and with part 16 of the NPPF in this respect. Any increase in traffic as a result of the development is not considered to impact on the significance of any heritage assets.

107. In relation to Archaeology, Policy BE1 seeks to conserve the historic heritage by the maintenance, protection and enhancement of areas of particular archaeological interest. This policy is considered consistent with Paragraph 189 of the NPPF which sets out that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. However, in this instance the Council's Archaeology officer advises that there is no archaeological interest in the site based on past investigations undertaken.

Ground conditions

108. In relation to land contamination, the applicant has submitted a geo-environmental report which concludes that there is no requirement for the remediation of soils on the site, however gas protection measures should be installed. After reviewing the submitted report, the Council's Environment, Health and Consumer Protection (Contaminated Land) Officer advises that the submitted report is acceptable and its conclusions are sound. A conditional approach to secure the detail of the gas protection measures and their implementation is recommended, in accordance with Part 15 of the NPPF.
109. The Coal Authority advise that the application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. It is recommended that standing advice should be attached to any decision notice highlighting potential risks of unstable land associated with previous coal mining activity.

Planning Obligations

110. Policy H15 of the WVDLP sets out that 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. This policy is considered consistent with paragraph 62 of the NPPF sets out that, where a need has been established, an appropriate level of affordable housing should be provided. The Council's Strategic Housing Market Assessment is the evidence base used to inform the need for affordable housing. This document confirms that there is a net shortfall of affordable homes per annum, if the application were to be approved.
111. The site falls within a low viability area, this means that 15% of properties on the scheme would need to be affordable, this equates to 5 properties. An affordable housing statement has been provided in support of the application, however as advised by the Council's Housing Officer, it doesn't detail the type and location of houses that will be delivered as affordable housing. The statement only identifies that the properties will be 2 bed units. It is identified that there is also a requirement to provide 10% of the private and intermediate properties for older people. The application makes no reference to this. However, these matters could be addressed through a S106 agreement to secure affordable housing in perpetuity and Building for Life provision.
112. The NHS advise that a contribution of £14,973 is sought to increase the capacity of existing health care facilities in the area. The applicant has not clarified whether they would be willing to enter into an agreement to secure this contribution.
113. Policy GD1 of the WVDLP sets out that adequate open space is incorporated within the design and layout of the site. This is detailed further in WVDLP Policy RL5 which

sets out targets for sporting and/or recreational land as part of the development, or as an alternative, developers are expected to make a contribution to the provision of such facilities. This is repeated in WVDLP Policy H24, which also sets out that on developments of more than 10 dwellings, the Council will seek to negotiate a contribution, where appropriate, for the provision and subsequent maintenance of social, community and/or recreation facilities in the area. NPPF paragraph 96 highlights that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 127 requires amongst other matters that developments function well and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).

114. The targets referred to in Policy RL5 and the background supporting information of the policies have been revised under the Council's Open Space Needs Assessment (OSNA) 2018, which is considered the most up to date assessment of need for the purposes of Paragraph 96 of the NPPF. Therefore, whilst the general thrust of Policies RL5 and H24 is consistent with the content of the NPPF, the evidence base in respects to open space requirements has changed and, in that sense, the policies are not fully up to date.
115. The OSNA sets out the requirements for public open space on a population pro rata basis, for a development of 31 houses 1023m² of Amenity/Natural Green Space should be provided on site. In respect of other typologies an offsite contribution equating to £48,797 would be appropriate to upgrade and enhance existing facilities in the area. The applicant has expressed a willingness to enter into a S106 agreement to secure this contribution, however, as set out above the development would not provide any open space on site, contrary to the requirements of Policies RL5 and H24 of the WVDLP and paragraphs 96 and 127 of the NPPF.

Other Issues

116. NPPF Paragraph 170 states that LPAs should recognise the economic and other benefits of the best and most versatile agricultural land and where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. The development would result in the loss of approximately 0.83ha of agricultural land. A site-specific investigation into the land classification does not accompany the application. Nor do Natural England classification maps for the North-East region identify the agricultural classification of the site.
117. In a circumstance that the land is best and most versatile land this does not preclude the land from development but is a factor to consider in the determination of the application in the planning balance. In this instance it is considered that even if the whole site was best and most versatile agricultural land, its loss would not be significant, but nonetheless would be an adverse impact which should be given weight in the planning balance.
118. Policy BE23 of the WVDLP sets out that in appropriate cases, the Council will encourage the provision of works of art as part of development. A conditional approach could be adopted to secure this requirement.
119. The NPPF at Paragraph 72 sets out that the Government attaches great importance to ensuring sufficient availability of school places to meet the needs of existing and new communities. The School Places and Admissions Manager advises that a development of 31 houses could produce an additional 10 primary pupils and 4 additional secondary pupils. It is identified that based on projected school rolls, taking

into account the likely implementation timeframe of the development, and applying the Council's policy in securing developer contributions in relation to education provision, there are sufficient secondary and primary school places to accommodate the development.

120. As identified above two Public Rights of Way (Footpath No's.113 and 114, Crook) cross the western portion of the site, while there are also two un-registered footpaths which have public status in the vicinity of these routes. Policy 98 of the NPPF sets out that decisions should protect and enhance public rights of way and access. Objections have been received stating that these routes should be protected and at a minimum fully identified on an amended site plan. In this respect the site layout responds to PROW 113 and 114, notwithstanding above concerns on the layout of the scheme. It is also considered that sufficient information is available to determine that application, taking into account the un-registered routes. Whilst the impact of the development on the unrecorded footpaths is a material planning consideration, any applications to divert or extinguish routes such is a separate process. It is however recognised that the development makes no provision for the suitable surfacing of these routes outside of the site boundary. It is considered necessary to mitigate the developments impacts, in terms of increased use, and some localised resurfacing should be secured. This could be done through a S106 agreement.
121. Concerns have been raised regarding the potential loss of view and outlook of the countryside from residential properties and loss in value of properties are not material considerations

CONCLUSION

122. The development would result in development beyond the established settlement boundaries of Hunwick, impacting on the character and appearance of the countryside, in conflict with Policies GD1, ENV1 and H3 of the WVDLP. Furthermore, the development is considered to represent poor design representing an over development of the site that does not respond or contribute to the character of the surrounding area and would not make adequate provision for future residents in terms of open space contrary to WVDLP Policies GD1, RL5 and H24. The NPPF is a material planning consideration capable of outweighing conflict with the development plan.
123. As Policies ENV1 and H3 of the WVDLP, the most important policies for determining the application are considered out of date, and no policies within the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development, consideration should be given to the planning balance test contained within Paragraph 11 of the NPPF. This requires that development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Benefits

124. The development would assist in maintaining housing land supply, however this at a time when the Council can demonstrate 5.96 years of deliverable housing land supply (8,404 dwellings) against an objectively assessed need and a further 15,946 committed dwellings beyond the five-year period. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is reduced while recognising the detailed nature of this application and likely timings of housing deliveries.
125. Typical of any residential housing development, the development would provide direct and indirect economic benefits within the locality and from further afield in the form of

expenditure in the local economy. This would include the creation of construction jobs, as well as further indirect jobs over the lifetime of the development. A temporary economic uplift would be expected to result from the development and expenditure benefits to the area.

Adverse Impacts

126. Given the limited number of services and amenities within Hunwick and the location of the site, the development would not promote accessibility via a genuine choice of transport modes and residents would likely depend on the private motor for transport.
127. The proposed development would amount to an encroachment into the surrounding countryside and would not be sensitive to its landscape setting and landscape features on the site.
128. The development would relate poorly and would not enhance the character of the surrounding area in terms of layout, density and design, would not achieve a high-quality inclusive development and would not provide any public open space on site.
129. The proposed layout would not achieve acceptable relationships between dwellings, both internally and externally to the site resulting in inadequate levels of privacy and amenity for existing and future residents
130. The development could potentially result in the loss of 0.83ha of Best and Most Versatile Agricultural Land, however this loss is not considered significant.
- 137 Overall on balance, in this instance the above adverse impacts are considered to significantly and demonstrably outweigh the benefits associated with the development and therefore planning permission should be refused. The application of the planning balance test would not outweigh the conflict with local plan policies.
- 138 The proposal has generated much public interest, with a significant number of letters of objection having been received. The objections and concerns raised have been taken account and addressed within the report.

RECOMMENDATION

That members **Refuse** the application for the following reasons:

1. The Local Planning Authority considers that the location of the development would not promote accessibility via a genuine choice of transport modes contrary to Policies GD1 and T1 of the of the Wear Valley District Local Plan and Paragraphs 103 and 110 of the National Planning Policy Framework.
2. The Local Planning Authority considers that the development would represent an encroachment into the countryside, which would not be sensitive to its landscape setting and landscape features on site in conflict with Policies GD1 and ENV1 of the Wear Valley District Local Plan and Paragraphs 127 and 170 of the National Planning Policy Framework.
3. The Local Planning Authority considers that, the development would not enhance the character of the surrounding area, and in terms of density layout and design, would not achieve a high-quality inclusive development and would not provide any open space on site, contrary to policies GD1, H24 and RL5 of the Wear Valley District Local Plan and Parts 12 and 15 of the NPPF

4. The Local Planning Authority considers that, the proposed layout would not achieve acceptable relationships between dwellings, both internally and externally to the site resulting in inadequate levels of privacy and amenity for existing and future residents contrary to Policies GD1 and H24 of the Wear Valley District Local Plan and paragraph 12 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

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

BACKGROUND PAPERS

Submitted application form, plans supporting documents and subsequent information provided by the applicant.

The National Planning Policy Framework (2018)

National Planning Practice Guidance Notes

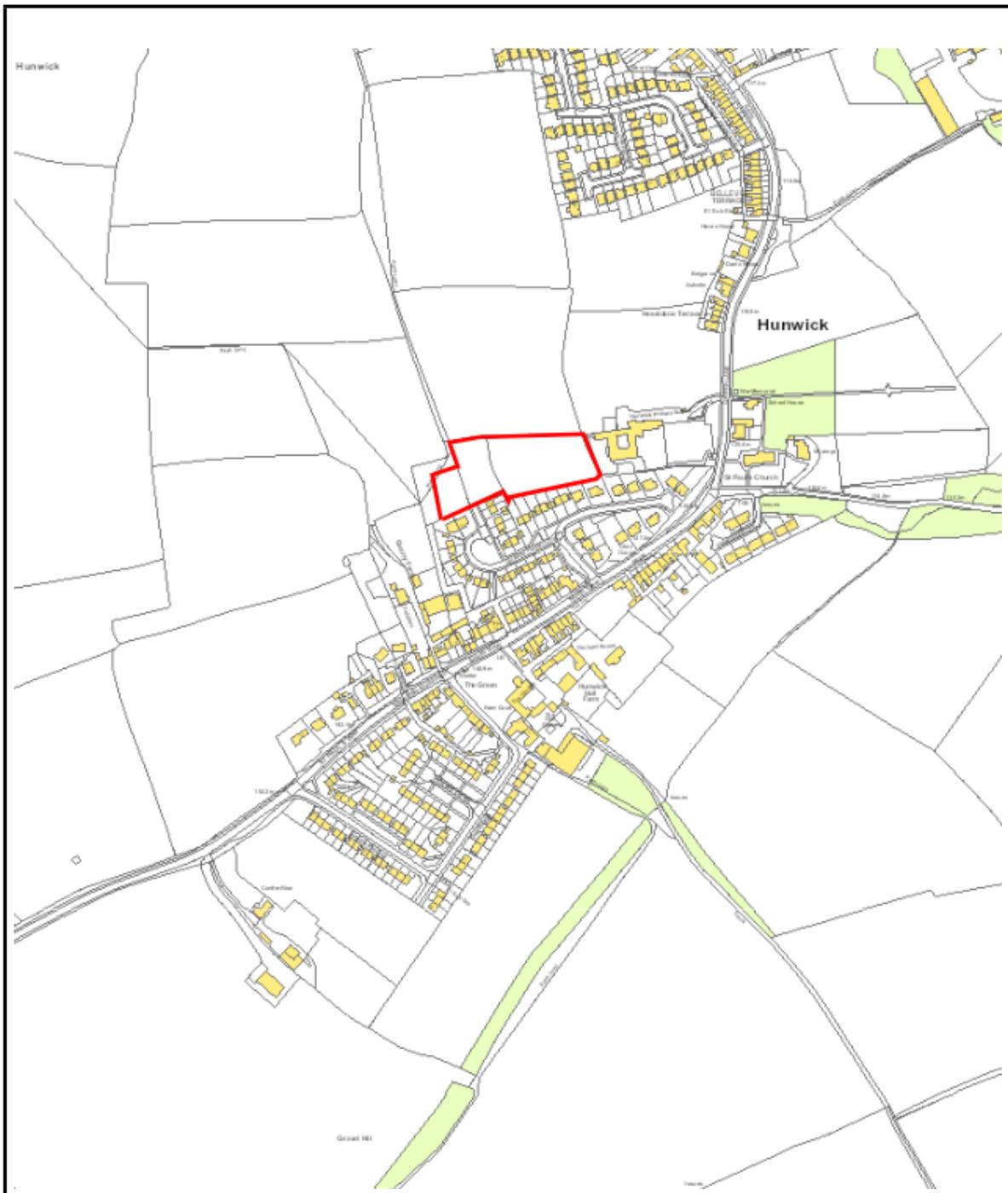
Wear Valley District Local Plan

The County Durham Plan (Submission Version)

The County Durham Strategic Housing Land Assessment

The County Durham Strategic Housing Market Assessment

Statutory, internal and public consultation responses



Planning Services

DM/18/03891/FPA
31 no. dwellings and associated works.

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Comments

Date July 2019

Scale Not to scale

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/02742/FPA & DM/18/02743/LB
FULL APPLICATION DESCRIPTION:	Residential conversion and extension of pumping station (amended description/plans 11/03/2019)
NAME OF APPLICANT:	Northumbrian Water Ltd
ADDRESS:	Former Pumping Station to the North East of Presser Villa, Bale Hill, Blanchland, DH8 9XB
ELECTORAL DIVISION:	Weardale
CASE OFFICER:	Amy Williamson, Planning Officer, 03000 261391, amy.williamson@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The property is a former water pumping station dating from the late 19th century. The building has two storey and single storey elements with a tall chimney to the south east corner. The building is constructed from coursed stone with slate hipped roofs. It features a number of arched windows and doors at both ground and first floor levels, primarily to the east and west elevations. Immediately to the north of the building is a small area enclosed by walls and fencing within which former mine shafts are situated. The building is grade II listed.
2. Vehicle access is currently taken via an unsurfaced track through a wooded area adjacent to Presser Villa to the south west. This is connected to the public highway via a gravelled track running adjacent to the southern boundary of the site, which is also a public right of way. The building sits within an open field enclosed by fencing to the north, south and east. Presser Villa, an existing residential property, lies to the west of the site. A Northumbrian Water easement runs from north to south across the site, immediately to the west side of the building.
3. The building is one of the few remaining features of the former Presser and Ramshaw Lead Mines and there are a number of associated mine shafts, structures and earth works on and adjacent to the site. The residual elements of Ramshaw Lead Mine located a short distance away to the east and west are a scheduled monument.
4. The application site is within the North Pennines Area of Outstanding Natural Beauty (AONB). Land beyond the gravelled access track are designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Special Area of Conservation (SAC) due to the high quality moorland environment.
5. Planning permission and Listed Building Consent is sought to convert the building into a 5 bedroom detached dwelling. This would be achieved by the installation of internal stud partition walls involving minimal alteration to the historic fabric of the building. Existing openings would primarily be used for windows and doors, with a

small number of new openings proposed relating to features of the existing building. A new terrace at first floor level would be created above the area containing mine shafts to the northern side of the building to completely enclose the former shafts. A light weight orangery of contemporary, flat roof design would be added to the east side of the building.

6. The existing grassed access track across the site would continue to be used and would be widened and resurfaced in gravel. A new domestic curtilage would be added around the building, enclosed to the eastern side by a 1m high dry stone wall and post and rail fencing around the access track and western extent of the curtilage. Field gates would enclose the end of the access next to the existing gravel track and would also be provided within the site to access the wider land in which the site is situated. A parking area for the new dwelling would be provided immediately to the south of the building.
7. Initial proposals included the erection of 3 no. new build dwellings. However following discussions with the LPA the new build element has been removed from the proposal and only permission to convert the existing building is now sought.
8. Hunstanworth Parish Council has requested that the application is considered by the Planning Committee on the grounds that the development would result in adverse impacts visually, on the landscape and heritage assets, residential amenity and protected species and areas.

PLANNING HISTORY

9. There are no records of any planning permissions having previously been granted at this site.

PLANNING POLICY

NATIONAL POLICY

10. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
11. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). 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.

NPPF Part 2 - Achieving sustainable development. The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application

of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.

NPPF Part 4 - Decision-making. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

NPPF Part 5 Delivering a Sufficient Supply of Homes - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

NPPF Part 11 Making Effective Use of Land - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

NPPF Part 12 – Achieving well-designed places 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.

NPPF Part 14 – Meeting the challenge of climate change, flooding and coastal change - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

NPPF Part 15 Conserving and Enhancing the Natural Environment - 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.

NPPF Part 16 - Conserving and enhancing the historic environment. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

LOCAL PLAN POLICY:

12. The following 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.

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.

Policy ENV1: Protection of the Countryside: The District Council will seek to protect and enhance the countryside of Wear Valley. Development will be allowed only for the purposes of agriculture, farm diversification, forestry or outdoor recreation or if it is related to existing compatible uses within the countryside as defined in other Local Plan policies.

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 as identified on the Proposals Map, when considering proposals for development. Development which adversely affects the special scenic quality and the nature conservation interest of the AONB will not be permitted.

Policy ENV10: Sites of Special Scientific Interest: Development which will adversely affect the conservation value of SSSI's directly or indirectly will only be permitted where the development is of overriding national importance and cannot be located elsewhere. Measures should be taken to conserve and enhance nature conservation and provide replacement habitats and features where damage is unavoidable.

Policy BE1: Protection of Historic Heritage: The Historic Heritage of District should be conserved by the maintenance, protection and enhance of features of particular historic, architectural or archaeological interest.

Policy BE4: Setting of a Listed Building: Development which impacts on the setting of a listed building and adversely affect its special architectural, historical or landscape character will not be allowed.

Policy BE20: Conversion of Buildings in the Countryside: This policy sets out the criteria that will need to be met for change of use of rural buildings to residential and other uses to be considered acceptable.

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.

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.

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

13. Paragraph 48 of the NPPF states 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. Following consultation at 'Issues & Options', 'Preferred Options' and 'Pre Submission Draft' stages, the CDP was approved for submission by the Council on 19 June 2019. The CDP was submitted to the Planning Inspectorate on 28 June 2019. Although the CDP is now at a relatively advanced stage of preparation, it is considered that it is not sufficiently advanced to be afforded any weight in the decision-making process at the present time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

14. *Blanchland Parish Council* - Support the principle of conversion of Presser Pumping Station to a residential dwelling providing this is sympathetically done to and retains the key features and fabric of the listed building. The proposed orangery is not supported. The proposed 3 no. new dwellings are not supported due to their significant adverse visual and landscape impacts upon the AONB and Dark Skies, harm to the significance and setting of the listed building and other designated heritage assets, the isolated and inaccessible nature of the location, lack of need for new housing, particularly expensive housing, in this area, lack of clarity around enabling development, adverse ground conditions and land contamination from previous mining activities, lack of environmental impact assessment, impact on biodiversity, habitats and protected species and general lack of information to prevent the Council from fulfilling its statutory duties.
15. *Highways Authority* – No objections, recommend a maintenance schedule for the shared access track is agreed by condition and considers it likely that bins will be stored in the vicinity of the junction of the shared gravel track with the public highway
16. *Historic England* – No objections
17. *Hunstanworth Parish Council* – Initially commented that they support the principle of the renovation and conversion of Presser Pumping Station to a residential dwelling providing this is sympathetic to and retained the key features and fabric of the listed building. The proposed orangery is not supported. The proposed 3 no. new dwellings are not supported due to their significant adverse visual and landscape impacts upon the AONB and Dark Skies, impacts on the significance and setting of the listed building, the isolated and inaccessible nature of the location, lack of need for new housing in this area, lack of clarity around enabling development, adverse ground conditions and land contamination, impact on biodiversity, habitats and protected species, impacts on water supply and services infrastructure, lack of environmental impact assessment and general lack of information to prevent the Council from fulfilling its statutory duties.

18. Following reconsultation on the amendments, they advised they were pleased the additional dwellings have been removed from the scheme. Careful assessment of the scheme by the LPA is advised due to the sensitive nature of the site which is a listed building in an AONB surrounded by very sensitive ecological and visually prominent managed moorland. The following issues are currently considered to be unaddressed: Impacts on habitats, the access road, water supply, ground contamination and lead pollution, visual impacts of curtilage and light pollution. A condition to remove permitted development rights is recommended.
19. *Natural England* – Natural England initially commented that further information was required in order to determine the significance of impacts of the development and the scope for mitigation, including an assessment of potential impacts on designated sites as a result of disturbance by pets and residents, including predation by pets, potential disturbance during construction, a mitigation strategy if impacts are identified and a habitats regulations assessment. Following preparation of a Habitats Regulations Assessment by the Council's Ecologist, Natural England concurred with the findings of the Assessment and raise no objections.
20. *Northumbrian Water* – No objections
21. *The Victorian Society* - Following the amendments to the scheme, consider that the introduction of new windows and the orangery will over domesticate the building. The windows may be justified by the public benefits of re-use of the building, however it is not considered there is any need or justification for the orangery.

22. INTERNAL CONSULTEE RESPONSES:

23. *Archaeology* – No objections subject to conditions requiring approval of written scheme of investigation and scheme of archaeological works.
24. *Contaminated Land* – Given previous land uses a contaminated land condition should apply to ensure future users are not exposed to any unacceptable contamination.
25. *Design and Conservation* – Support the application following the amendments to the scheme and advise that given the building now requires considerable stabilization and repair works full support is offered for this proposal to secure the fabric and ensure the development can commence as soon as possible.
26. *Drainage* – No objections
27. *Ecology* – Following completion of the HRA in consultation with Natural England, no objections are raised subject to a condition to secure the mitigation and compensation set out in the Ecological Impacts and Mitigation report
28. *Landscape* – Welcome the preservation and re-use of the building however this should not compromise its appearance in the landscape. Concerns are raised about parking arrangements, hard surfacing and boundary treatments to minimize visual impacts. Hard surfacing should be located away from the historic concrete structures to the south of the building and should be minimized and appropriately sited to screen car parking. Further details of boundary treatments are requested. It is noted that fencing around the wider site is in a dilapidated condition and it is suggested that this should be replaced in a more appropriate style.
29. *North Pennines AONB Officer* - Comments that statutory duties under the Countryside and Rights of Way Act (2000) to have due regard to the purpose of the

AONB designation should be fulfilled. Clarity is sought about whether the proposal is an outline or full planning application. Concern is raised about the orangery, which does not respect the form and function of the original building and when lit at night, will become an unacceptably dominant part of the dwelling and would negatively impact on dark skies. Colours of windows and doors and pointing should be agreed in advance. Consideration should be given to outside space and out buildings to ensure there are no negative impacts on the setting of the building in terms of clutter. The chimney should be consolidated as part of the scheme.

30. *Tree Officer* – Details of proposed tree removal, tree protective measures (compliant with BS5837) and replacement planting should be agreed.

31. *Spatial Policy* – Following removal of the proposed new build dwellings, it is advised that the application should be assessed against paragraph 11, d) i. where the policies that protect areas or assets of particular importance which are identified in relation to footnote 6 are:

- Habitats sites policies
- AONB policies
- Policies relating to designated heritage assets.

Should these policy requirements be satisfied, paragraph 11, d) ii. would be engaged and a planning balance test should be undertaken which weighs up any identified 'adverse impacts' and 'benefits' of the scheme to arrive at the final decision.

PUBLIC RESPONSES:

32. The application has been publicised by way of site notice, advertised in the local press and individual notification letters to neighbouring residents.

33. 47 no. letters of objection were received in relation to the initial proposals raising the following points:

- The unmade access track does is not adequate to serve the development. DCC Highways Guidance states that no more than 5 dwellings should be accessed via a private driveway. Emergency Services would struggle to gain access via the unmade track and access by construction traffic would be difficult. The track is a public right of way and their maybe disruption for users of this.
- The site gets a considerable amount of snow and ice in the winter and access to the public highway can be problematic during such periods, current residents park close to the public highway however there will be insufficient space for all new residents to park adjacent to the public highway. Other rural roads are single lane in places and also get blocked in the snow. There will be highway safety issues resulting from the development.
- The development will add significant to the number of vehicles using narrow rural roads
- Only 2 parking spaces are provided per dwelling, this is insufficient for the needs of large families and visitors
- There are only extremely limited public transport links in the vicinity
- The development would threaten the water supply to Presser Villa which runs beneath the application site which is via a spring, it is poor during hot weather and freezes in the winter, existing arrangements would not be suitable to serve an additional 4 no. large dwellings
- Electricity to the site is not comprehensive and is likely to require substantial upgrading, there is no mains gas.

- Concern is expressed about how sewerage would be dealt with and the impacts of a sewage treatment plant serving 4 no. dwellings
- The site is in a quiet moorland location, the development will adversely affect local residents in terms of visual impacts, loss of tranquillity, an increase in noise, light pollution, loss of privacy and additional traffic
- The development would cause substantial harm to the setting and significance of an iconic, prominent listed building, in particular from the 3 no. new dwellings and subdivision of domestic curtilages, and would be out of keeping with the openness and special scenic quality of the AONB to the detriment of local residents and tourists, contrary to saved policies GD1, ENV2, ENV3 and BE4 of the WVDLP, the NPPF and the aims of the Emerging County Durham Plan
- The NPPF requires harm to the significance and setting of the listed building to be weighed against its public benefits, given the significant public opposition, it is not considered the harm would be outweighed by any public benefits
- The contemporary designs for the new dwellings do not reflect the character of the listed building and surrounding area
- Given the sensitive location, the proposed 3 no. dwellings should not be considered on a hybrid, outline basis.
- The development will not conserve and enhance the natural beauty of the AONB contrary to the requirements of the Countryside and Rights of Way Act 2000
- The addition of 3 no. new build dwellings will affect the setting of the pumping station, be visible in views into the site and affect the wider landscape
- It is unnecessary for Northumbrian Water to build 3 no. new dwellings in order to fund restoration of the pump house as they are a successful, profitable business
- The pumping station should have been maintained by Northumbrian Water and not allowed to deteriorate, in line with their legal responsibility as owners of a listed building. Funding could have been sought from English Heritage or other similar organisations in order to restore the building.
- The development will result in light pollution from windows and bi-folding doors in an area of total darkness at night and UNESCO Geopark with dark skies status
- The proposals for converting the pumping station will take away any relevance to its original function, introduce domestic use and features, particularly the orangery, and would not conserve its significance, special architectural and historic interest in line with statutory requirements
- The site contains a number of mine shafts, spoil heaps and an underground lake, this is not a suitable location for residential development and future occupants may struggle to get a mortgage
- Bin men do not access the site and new residents will have to take bins all the way to the edge of the public highway, as such it is likely bins will be permanently kept adjacent to the road side. A discretely positioned, sensitively designed bin store would be preferable. Bins may be blown over in high winds leading to rubbish being blown across the moor.
- The proposed new dwellings will not be desirable to future purchasers due to previous land uses and remaining features of this, inclement weather and maintenance of a 20m high chimney which serves no domestic purpose. The site would be better operated as a tourist attraction to enhance local visitor offer.
- There is no need for new housing in the area, in particular large, executive housing which will be out of reach for local young residents. There are currently empty houses in neighbouring settlements.

- The site is no longer a brownfield site and has been used for grazing for many years since lead mining ceased
- New residential development would set a precedent for future development in the area
- There is no fibre or cable broadband in the area and the internet is very slow, mobile phone signal is also poor
- Moorland habitats, plants, biodiversity and wildlife, including ground nesting birds, would be adversely affected and there will be direct and indirect impacts on the adjacent SSSI, SAC and SPA, in particular from walking and cats and dogs accessing the protected areas. An Ecology Habitats Impact Assessment has not been carried in out in accordance with the Conversion of Habitats and Species Regulations 2010.
- It is unclear if the new build development is enabling development to secure the restoration of the listed building, if so a detailed structural survey identifying the issues with the building, full costs of repair and profit from the new build scheme should be provided. There is no submitted evidence that the 3 no. dwellings are necessary to achieve the repairs to the pumping station.
- The site has not previously been marketed on the basis that the pumping station could be converted to residential use, the marketing exercise was carried out over 5 years ago and does not reflect current circumstances. It is considered that the conversion would in itself deliver sufficient value. The proposal for 3 no. new dwellings is considered to be for the purposes of maximising the value of the site only.
- There are no schools, health services and amenities in the surrounding area and the location cannot be considered to be sustainable as set out in the NPPF.
- Emergency services have long response times in this area.
- Have Environmental Impact Assessment Regulations been complied with?
- The development would be contrary to the aims of the Altogether Better Strategy for County Durham 2014-2030
- Only minimal publicity has been used to notify local residents of the application, Northumbrian Water have not carried out any consultation with the local community
- The site is of archaeological value in terms of industrial archaeology, in particular the engine house and chimney which may contain earlier fabric, and should be considered as part of an archaeological mitigation strategy
- Residents have been unable to obtain planning and listed building consent for changes to their listed properties, which are of a more minor nature than the current proposal
- The development would have an adverse impact on the activities and land management of the adjacent sporting estate, which makes a greater contribution to the rural economy than 4 no. houses would do
- The shared gravelled access track is an integral part of the scheme but is not included with the red line boundary of the application site and not within the applicants ownership. There has already been encroachment onto the adjacent protected areas and the development would result in further encroachment and damage from vehicles in this area. No proposals are included to re-surface or upgrade the track. As this land is not within the applicants ownership conditions requiring widening or formalisation could not be imposed.
- There are subsidence cracks at the northern side of the building which are likely to be caused by collapse of the lead mine shaft, this is likely to be an expensive and complicated structural problem that has not been referred to in the application.

- Planning Committee members should visit the site to be able to appreciate all of the material considerations

34. Following amendment to the scheme to remove the 3 no. new dwellings and seek consent for conversion of the existing building only, a further 10 no. letters of objection have been received from previous respondents raising the following matters in addition to those raised above:

- The ecological statement refers to vegetation clearance and tree felling, precise details of these works are unclear in the application. Concern is expressed that Northumbrian Water would not effectively enhance and maintain the coniferous shelter belt as suggested.
- It is noted that Northumbrian Water own land outside the revised red line boundary and the Ecology Report advises that a restrictive covenant would be applied to this land restricting its use to moorland habitats for nature conservation without livestock grazing, it is unclear whether such a restriction can be imposed. Future owners/residents may not adhere to the restrictions. The Ecological Report refers to ponds in this area, which may require planning permission in their own right but no details are provided.
- It is unclear how use of the garden area would be regulated to prevent siting of domestic paraphernalia which would detract from the view and setting of the listed building.
- The Ecological Report is limited in its scope, the 20 day snap shot comprising only 1 hour and 25 minutes is not considered a suitable monitoring period in order to be able to make a comprehensive assessment, this should be over 12 months and the bird assessment is flawed and incomplete. A number of other birds not identified in the report are present on the moorland. A Habitat Regulations Assessment should be undertaken.
- The amended plans fail to acknowledge and mitigate potential light spillage, in particular from the orangery, roof terrace and new window openings. The proposed mitigation plan to use a maximum of 2 lux light bulbs is not considered suitable.
- Planning conditions are recommended to agree use of the access road with the land owner, upgrading of the access road including off road parking for 3 vehicles and bin storage, restriction of the blue lined land for natural moorland habitat and nature conservation without livestock grazing in perpetuity, submission of an ecological implementation plan, external materials, no new openings in the pumping station building, covenants on the pumping station to comply with the terms of the Ecological Mitigation Measures and Landscaping Scheme.
- There has been no formal withdrawal of the proposals for the 3 no. new build dwellings, concern is expressed this may lead to opportunities for the development in future. Given the significant change in the nature of the development, it is considered the initial application should have been withdrawn and a new application submitted.
- The proposed domestic curtilage is large and parking areas within this need to be carefully considered to be tucked behind the building so as not to be seen from the adjacent road
- Proposed boundary treatments are not adequate mitigation to prevent domestic dogs and cats escaping into the moorland, to the detriment of wildlife. An information pack or interpretation panel is not suitable to prevent this from occurring and may be lost with changing owners of the property. This will be difficult to enforce. Concern is raised that if the property is used as holiday accommodation these impacts would be greater.

- The additional information does not address how a safe water supply would be provided, the proposal to use a borehole may not be achievable, practical or sustainable.
- On another application at Dalton Pumping Station, Cold Hesleden, for a separate applicant, a consultation response Northumbrian Water commented that the proposals did not include sufficient information in relation to surface water drainage and this should be dealt with in accordance with part H of the Building Regulations. Concern is expressed that Northumbrian Water required this of another developer but have not provided detail of this nature as part of the current application.
- Concern is raised about a large area adjacent to the public highway to the southern side of the access track edged in red on the site location plan, this does not currently form part of the track, it is moorland, steeply shelving on one side and contains a water course, it is assumed this is shown to provide parking/access in winter.

APPLICANTS STATEMENT:

35. Presser Water is a redundant brownfield site and the pumping station has been disused for over twenty years. Under the Water Industries Act 1991, NWL are required to make best use of their assets and dispose of them when they are no longer required for operational purposes, ensuring they get 'best value' for the land and property – a requirement of OFWAT.
36. This important listed building is at risk unless an alternative use can be found that will secure its future use and maintenance. Due to the constraints of the site and the building, development opportunities are limited. It has been marketed for community uses, small scale employment, holiday accommodation, recreational uses and rural enterprise but no interest was secured. Since 2017, NWL has been working with the Council to secure a viable alternative use for the property.
37. Following lengthy discussions, an application was brought forward for the conversion of the listed building to residential use supported by three new build dwellings. However, this attracted local objection regarding the new build development. The applicant took the decision to reduce the scheme and revised proposals were submitted in March 2019.
38. The revised scheme addressed the objections and comments raised through the consultation process - removing the new houses and focusing solely on the conversion of the listed building. The applicant has since met with the Parish Council and local residents to explain the proposals and respond to any outstanding concerns or queries.
39. The applicant has responded positively throughout the process and the final scheme has evolved through input from Council Officers, Statutory Consultees, the Parish Council and Local Residents. The proposals draw upon the industrial heritage and landscape character of the area to revitalise the redundant rural site. Ecological enhancements to support wildlife in the local area have also been included and will be secured through condition.
40. This proposal provides a unique opportunity to secure the future of this important heritage asset through its repair, refurbishment and conversion to residential use and we trust that the Committee will approve this application.

PLANNING CONSIDERATIONS AND ASSESSMENT

41. 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 relate to the principle of development, impact on heritage assets and the character of the surrounding area, impacts on biodiversity and protected species, highway safety, contaminated land and residential amenity.

Principle of Development

42. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Wear Valley District Local Plan (WVDLP) forms the statutory development plan and remains the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The WVDLP was adopted in 1997, Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. However due weight should be given to them, according to their degree of consistency with the NPPF.

43. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:- c) approving development proposals that accord with an up to date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or, ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when

44. Paragraph 177 of the NPPF states that where a development requires appropriate assessment because of its potential impact on a habitats site and that appropriate assessment concludes that it will adversely affect the integrity of the habitats site, then the presumption in favour of sustainable development does not apply. In this instance, the development requires appropriate assessment under the Habitats Directive (92/43/EEC), however as this concludes the development would not have an adverse affect on the integrity of the habitats site the presumption in favour of para. 11 is still engaged.

45. Para. 79 of the NPPF states that the development of isolated homes in the countryside should be avoided unless certain criteria apply. One of which is where the development would re-use redundant or disused buildings and enhance their setting.

46. Para. 192 of the NPPF requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with the conservation.

47. Saved policy BE20 of the WVDLP relates to conversion of buildings in the countryside. It states that where the rural buildings cannot be converted to employment or tourism uses, residential conversions may be considered if it forms part of a group which includes at least 1 no. dwelling and the building is structurally sound, would not adversely affect local amenity, is not detrimental to the landscape quality, safeguards the form, character, features design and setting of the building, can be serviced without adverse landscape impacts, is accessible and has adequate

car parking, complies with saved policy GD1 and can accommodate any nature conservation interest associated with the building. This policy is not considered to be in complete accordance with the NPPF, which offers a more permissive approach to the conversion of rural buildings, however the wider principles of policy BE20 are consistent with the aims of the NPPF.

48. Saved policy H3 of the WVDLP states that new residential development will be directed to existing towns and villages best able to support it with good access to local services and facilities, Part 9 of the NPPF also supports development in sustainable locations. It is noted that the proposed dwelling is in an isolated rural location and that there are no local services in close proximity to the site. As such the location cannot be considered to be a sustainable location and new residents would be heavily dependant on private car journeys. Furthermore it is noted that during the winter months, weather conditions can be particularly inclement in this area, with problems of snow and ice as highlighted by local residents. As such the unsustainable location is something which would need to be weighed against the benefits of the proposal in a planning balance test.
49. The site is in an isolated, moorland location to the south of Blanchland, it is not easily accessible on foot or by public transport and cannot be considered to be in a sustainable location. However the proposed development would secure a long term, viable use for the grade II listed building, which has been disused for some time and in need of repair. In accordance with the broader aims of saved policy BE20 and paras. 79 and 192 of the NPPF the meaningful re-use and restoration of the building must carry significant weight in this case.
50. Subject to the outcome of the planning balance test and an assessment of whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits, it is considered that the proposal is in broad accordance with the aims of the NPPF and the Wear Valley District Local Plan.

Impact on heritage assets and the character of the surrounding area

51. Parts 12 and 16 of the NPPF and saved policy GD1 of the WVDLP seek to ensure good design in new developments, especially those affecting the historic environment, having regard to a sites natural and built features and the relationship to adjacent land uses and activities. Development should be in keeping with the scale and form of adjacent development and the local setting of the site. Saved policies BE1 and BE4 relate to protection of historic heritage and the setting of listed buildings, stating that development which adversely affects the special architectural, historic or landscape character will not be permitted.
52. Saved policies ENV1 and ENV2 of the WVDLP afford protection to countryside and North Pennines AONB, stating that development which adversely affects the special scenic quality and nature conservation interest of the AONB will not be permitted. Part 15 of the NPPF emphasises the need to protect and enhance valued landscapes, with para. 172 requiring great weight to be given to conserving and enhancing the landscape and scenic beauty of AONBs.
53. Para. 189 of the NPPF states that Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected in a proportionate level of detail. Para. 190 goes on to advise that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including the setting of a heritage asset) to avoid or minimise conflict between the heritage asset's conservation and the proposed development.

54. When considering the impact of proposed works on the significance of a listed building, paragraph 193 of the NPPF states that "great weight" be given to their conservation and states that, the more important the asset the greater the weight should be.
55. Given the designation of the property as a grade II listed building the statutory duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 arises namely that the LPA must have regard to the desirability of preserving the building or its setting and special historic and architectural interest of the listed building.
56. Section 85 of the Countryside and Rights of Way Act (2000) places a duty on local authorities and other public bodies to have due regard to the purpose of AONB designation (the conservation and enhancement of natural beauty) in the discharging of their functions.
57. The scheme has been substantially amended since being originally submitted and the proposals for the erection of 3 no. new build dwellings adjacent to the Pumping Station have been removed, which represents a significant improvement to the setting of the grade II listed building.
58. The proposed alterations to the building to convert it to residential use are largely internal and involve the subdivision of existing large spaces with stud walls. Previous pumping equipment was removed from the building in the mid 20th century and there are no remaining features associated with the former use. The internal alterations are considered necessary to facilitate the proposed residential use and are of a lightweight nature, which could potentially be reversed in future, resulting in limited harm to the significance of the listed building.
59. Some new windows would be inserted externally on the ground floor. These would primarily be situated between stone buttresses within the two storey element and would have a similar fenestration pattern to existing first floor windows. As such they are considered to be a sympathetic alteration to the building to facilitate the new residential use. Currently there are no ground floor windows to this part of the building and any internal space would not have adequate natural light without the addition of new windows.
60. An orangery would be added to the eastern side of the building. This is of a contemporary, light weight design and which is intended to be read as a modern addition to the building, without preventing the original form and purpose of the building from being appreciated. It would be sited in the position of a former crane shed. As such any harm to the overall character of the building from the proposed orangery is considered to be limited.
61. A new enclosure above the mine shafts immediately to the north of the main part of the building is proposed, which would replace an existing structure. This would contain a balcony area at first floor level enclosed by railings and would be access from an existing opening at first floor level that was previously bricked up. Whilst the introduction of a balcony would add an external domestic function to this part of the building, this would be of limited size and is considered to relate acceptably in visual terms to the main building without dominating or changing its industrial character significantly.
62. A new domestic curtilage would be formed around the building to provide outdoor amenity space and car parking for new residents. Proposed plans indicate this

would primarily be to the north, south and west of the building. It would be enclosed by a dry stone wall to the eastern side and post and rail fencing to the west side. A hard surfaced parking area is shown immediately to the south of the building. It is considered by the Landscape Officer that car parking would be better provided to the west side of the building where it would be screened by the building itself and existing trees to the south and west of the site. The proposed position to the south of the building is likely to be visible from the access track running along the southern boundary of the site, which is also a public right of way, and the public highway to the east. There are open views into the site from the east, parked vehicles seen from this direction would detract from the industrial character and moorland setting of the building and it is considered these would be more discrete in the screened location to the west. A condition to agree precise details of the location and specification of hard landscaping is considered appropriate to agree a suitable location and appearance for car parking.

63. As the building is grade II listed, it would not benefit from any permitted development rights. As such any extensions or alterations and the addition of any new boundary treatments, structures etc within the curtilage would require planning permission in their own right. The proposed domestic curtilage would be limited in extent and largely positioned to the west of the building where it would be screened by the building and existing trees. Remaining land around the proposed dwelling that would not form part of the curtilage and would be used for biodiversity enhancements, to ensure that the industrial, rural character of the building and its setting is maintained. Whilst it is acknowledged that some domestic activities and features such as planting, outdoor furniture and drying washing, may domesticate the appearance of the curtilage to some extent, it is considered that the benefits of the new use would outweigh the limited harm to the setting of the building in this regard.
64. The site is located within a UNESCO Geopark with dark skies status. Some concern has been raised by local residents, Hunstanworth and Blanchland Parish Council and the AONB Officer about the impacts light from windows and the orangery would have at night times on the dark skies status. The submitted Ecological Report identifies that external lighting will be minimised with light spillage along the adjacent tree line being less than 2 lux. A condition requiring black out blinds to all glazing has been suggested by the agent in order to overcome the issue of light spillage and is considered appropriate. Furthermore, although in a remote area, the proposed dwelling would form one of a series of rural dwellings with a 1km radius, where existing windows, conservatories and similar features would raise similar impacts. The applicant considered removing the proposed orangery, however considered that this may affect the viability of the scheme and hence it has been retained within the scheme. It is therefore considered that any light spillage in the evening from the new dwelling would be to a limited extent and would be similar to that of existing rural properties within the locality. Whilst the comments of local residents, the Parish Councils and the AONB Officer are noted, it is considered that any light spillage would be minimal and would not have such an adverse impact on the character of the surroundings and dark skies status to such an extent that would justify refusal of the application on these grounds.
65. The building is a prominent local landmark, largely due to the imposing 20m high chimney, which can be seen in long distance views into the site and it has a well defined association with local lead mining heritage. The prominence of the building within the protected AONB landscape would not change as a result of the development. Any external changes associated with the new residential use would be subtle and limited in extent. However conditions to agree precise detailing and specification of external materials, windows and doors and landscaping within the curtilage are considered appropriate to minimise impacts of the proposed

development in long and short distance views into the site from the surrounding moorland.

66. The Design and Conservation Officer and Historic England raise no objections to the applications, noting the urgency for re-use and repair of the building in order to secure its future and prevent further deterioration.
67. Whilst the proposed development would result in some limited harm to the significance of the listed building and its setting from the new domestic function and associated features, this harm is considered to be less than substantial.
68. Para. 196 of the NPPF states that where development will lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal, including where appropriate securing its optimum viable use. It is understood that the applicant has previously marketed the site for other purposes, excluding residential use, and there has been no interest from the open market in terms of securing a less intense use of the site. The development would secure public benefits in terms of the repair and long term retention of the grade II building, which forms a prominent landmark associated with local mining heritage. As such it is considered that the public benefits of the development outweigh the less than substantial harm to its significance in this case.
69. The value of the site in terms of its industrial and mining heritage is acknowledged. The Council's Archaeologist has commented on the application and recommends a condition for a scheme of archaeological works on the site in association the development, in accordance with a written scheme of investigation to be agreed by condition. This is considered appropriate to ensure that all features of interest are preserved or recorded as a public record, as appropriate.
70. Some minor tree works are also likely to be required to facilitate the improved access into the site from the shared gravel track. The Tree Officer raises no objections to the application and advises that a condition is appropriate to agree these details as part of a tree protection plan, together with any replacement planting as appropriate.
71. Whilst noting objections from local residents and Hunstanworth and Blanchland Parish Councils, taking all of the above into account and having regards to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 85 of the Countryside and Rights of Way Act (2000), it is considered that significant weight must be given the preservation and functional re-use of the grade II listed building, which is redundant and in a deteriorating condition. On balance it is considered that the proposal would preserve the character and significance of the grade II listed building and would conserve the landscape and scenic beauty of the AONB. There is no conflict with the landscape, design and heritage policies of the NPPF in this respect or Saved Policies DG1, ENV1, ENV2, BE1, BE4, BE20 and H24 of the WVDLP.

Impacts on biodiversity and protected species

72. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests and specifically paragraph 175 states that if significant harm to biodiversity resulting from a development cannot ultimately be avoided, that planning permission should be refused. Saved Policy ENV10 states that development which will adversely affect the conservation value of SSSI's directly or indirectly will only be permitted in very exceptional circumstances. Additionally, regard should be had to The EU Habitats Directive 92/43/EEC.

73. Given the small scale and nature of the proposed conversion and extension development it does not fall within schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as such an accompanying Environmental Impact Assessment is not required as part of the application.
74. The North Pennines Moors Special Protection Area (SPA), North Pennine Moors Special Area of Conservation (SAC) and Muggleswick, Stanhope, Edmundbyers Commons and Blanchland Moor Site of Special Scientific Interest (SSSI) borders the site to the south, east and west and encompasses the gravelled access track linking the site to the public highway. At the closest point these designated areas lie around 60m to the south, 78m to the east and 144m to the west.
75. The ground included within the above designations is considered to be of interest due to the presence of rare grassland types, blanket bogs, oak woodland, wet heathland, plants in crevices and scree. A number of rare birds are also found in the area including breeding hen harriers, merlins, peregrine falcons and European golden plovers.
76. An Ecological Assessment and Ecological Impacts and Mitigation Reports have been submitted in support of the application and a Habitats Regulations Assessment including Appropriate Assessment has been undertaken by the Council's Ecologist, which has been submitted for consideration to Natural England.
77. The Habitats Regulations Assessment identifies the key vulnerabilities of the protected areas as being over grazing, drainage of wet areas, acid and nitrogen deposition and recreational activity. No direct impacts on the protected areas are identified as the site does not directly comprise any of these areas, other than the existing gravel track which would not be altered as a result of the development.
78. The assessment considers potential indirect impacts in terms of air quality, water quality, hydrology, habitat/species disturbance and urbanisation impacts/recreational disturbance. It concludes that the proposed development would have no adverse effect on the integrity of the SPA and SAC subject to conditions to secure the mitigation set out in the Ecological Assessment and Ecological Impacts and Mitigation Reports which includes further bat surveys and obtaining a bat license from Natural England, appropriate site design, timing of works, best practice working methods, specific protection of the SPA and protected species and a monitoring programme. The Council's Ecologist and Natural England raise no objections to the application.
79. In light of the Appropriate Assessment and the application site being outside the boundary of the SSSI, in line with the requirements of saved policy ENV10 it is not considered there would be any adverse impacts on the SSSI.
80. The Ecological Impacts and Mitigation Report concludes that there are bat roosts within the building. 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.

81. 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.
82. In this case mitigation is to be provided by the provision of bat and bird boxes, retention of roosting opportunities within the building, minimal external lighting, retention and management of adjacent woodland, a licence will be required from Natural England prior to the commencement of works. The Council's Ecology Section are satisfied with the proposed mitigation to ensure there would be no adverse impacts upon bats as a protected species.
83. Having regard to the Habitats Regulations it is considered that it is in the public interest that the development scheme can be implemented given the untidy appearance and deteriorating condition of the site and its potential to attract antisocial behaviour. 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 licence. Accordingly, the LPA can discharge its duties under the Habitats Regulations. Overall it is considered that the proposal would not have any adverse impact upon protected species in accordance with the requirements of part 15 of the NPPF in relation to protected species.
84. Whilst the comments and concerns of local residents, Hunstanworth and Blanchland Parish Councils about the likely impacts on the natural environment are noted, it is considered there would be no adverse impacts upon bio-diversity and protected species in accordance with the requirements of part 15 of the NPPF and the EU Habitats Directive 92/43/EEC.

Highway Safety

85. Para. 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe. Saved policies GD1 and T1 of the WVDLP seeks to ensure that new developments provide safe access and adequate parking facilities.
86. It is understood that the gravelled access track connecting to the public highway is not owned by the applicant. However it is within the red line boundary of the application site on the submitted plans and certificate B has been signed confirming the land owner has been notified of the application. Any agreements or disputes over rights of access would be a private matter to be resolved between the applicant and land owner. The grassed track within the site which would be improved as part of the scheme is within the applicants ownership.
87. There is some form of maintenance of the shared access track from the public highway and surface improvement which has taken place at some time since the Google Street View record of 2009. The Highways Officer suggests that a schedule of future track maintenance should be agreed by condition to ensure the condition of the track is adequately maintained. The gravelled access track is not within the applicant's ownership and is understood to be in the control of the sporting estate. The existing track is considered suitable to serve the new dwelling, particularly given the previous commercial use of the site and that the track already serves the existing dwelling at Presser Villa. Photographs of the site over time indicate that it is in a reasonable condition and is maintained, presumably by the estate. As such it is not

considered that a condition to agree a maintenance schedule is reasonable or enforceable.

88. There appears to be at least two existing places where vehicles may pass each other on the track between the site entrance and the public highway, which are included within the red line boundary of the application site.
89. The Design and Access statement states that refuse bins would be taken to the eastern end of the third party access track on bin collection days. However it is considered that the permanent or semi-permanent location for the bins would be at/near the public highway road side. As such a condition to agree precise details of bin storage is considered appropriate in order to address this matter.
90. The existing building currently has only notional access requirements but there would have been a higher level of vehicle movements when the pumping station was operational. Although current levels of vehicular use of the shared gravel track would increase, given that it already serves 1 no. dwelling together with access by the sporting estate, the increase in traffic associated with 1 no. additional dwelling is considered to be minimal in this context. It is therefore considered that the track is capable of accommodating an additional dwelling without resulting in adverse highway safety impacts.
91. Para. 78 of the NPPF states that in rural areas new development may help to support services in nearby settlements. However as only 1 no. dwelling is proposed, any benefit that can be drawn in this regard is very limited.
92. The Highways Officer raises no objections to the application. The unsustainable location is identified as an adverse impact but despite objections in all other respect the proposal is not considered to be detrimental to highway safety, in accordance with the requirements of saved policies GD1 and T1 of the WVDLP and para. 109 of the NPPF.

Contaminated Land

93. As apparent from the site history and as noted by local residents, Hunstanworth and Blanchland Parish Councils, the site was previously used as a lead mine and contains a number of remaining features from its former use, including a number of mine shafts. In order to secure a safe, new residential use, any contamination and potentially hazardous features such as mine shafts would need to be appropriately treated to ensure they do not pose a danger to future residents.
94. The Contaminated Land Officer has considered the proposals and a Phase 1 Preliminary Risk Assessment has been submitted in support of the application. As the development involves change of use to a more sensitive receptor and given the previous use of the site, a contaminated land condition requiring the submission of Phase 2 (Site Investigations and Risk Assessment, Phase 3 (Remediation Strategy) and Phase 4 Verification Reports (as necessary) is recommended by the officer. This is considered appropriate and in line with the findings of the Phase 1 Preliminary Risk Assessment which recommends further investigations are carried out. Remediation works to existing mine shafts would also be addressed as part of the contaminated land condition, to ensure they do not pose a risk to future users of the site. On this basis the proposals are considered acceptable with regards to risks from contaminated land and would accord with saved Local Plan policy GD1 and the requirements of the NPPF.

95. Furthermore the development would need to comply with the Building Regulations to ensure the building is stable and the conversion scheme appropriately detailed in order to accommodate the proposed new use.

Residential Amenity

96. Para. 127 of the NPPF states that new development should maintain a good standard of amenity for all existing and future users of land and buildings. Para. 182 specifies that planning decisions should avoid, mitigate and reduce noise and other adverse impacts on health and quality of life as a result of new development and that existing businesses should not have unreasonable restrictions put on them due to changes in nearby land uses. Saved policy GD1 from the Wear Valley District Local Plan advises that new development should not disturb or conflict with adjoining uses. Saved Policy H24 sets out the standard of design expected of new residential development.

97. The closest residential property to the building is Presser Villa, originally built as caretaker's accommodation for the pumping station, which lies around 77m away to the west. Given the separation distance no adverse impacts in terms of loss of privacy would result from the proposed change of use.

98. Internally the rooms would have adequate natural light from new and existing windows. There is adequate space within the curtilage for private outdoor amenity space and car parking.

99. Taking all of the above into account the proposal is considered acceptable in terms of impacts to residential amenity and would not conflict with the aims of paras. 127 and 182 of the NPPF and saved policies GD1 and H24 of the WVDLP.

Other Matters

100. Concern has been raised about the deteriorated condition of the building. Para. 191 of the NPPF states that where there has been neglect of a heritage asset, its deteriorated state should not be taken into account in any decision. It is noted that the building has not been in functional use for a number of years and maintenance has proved problematic given the value of the building, its isolated location and design. If the building was in a better condition, the principle of a sympathetic residential conversion would still have been considered acceptable. Notwithstanding the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, in light of para. 191, the current condition of the building is not something which can be taken into account in this decision.

101. The supply of services to the site is outside the scope of the planning system. However it is understood that the water supply would be from an existing water main on the site or a bore hole previously used to support the former commercial use. A new septic tank would be provided to deal with foul drainage.

102. Other points raised by local residents and the Parish Councils are addressed in the report above or are not considered to be material planning considerations.

Planning Balance Test

103. The acceptability of the application should be considered under the planning balance test contained within Paragraph 11 (d) of the NPPF.

104. The primary benefit of the scheme involves the meaningful re-use and restoration of the grade II listed building, which draws support in principle from saved policy BE20 and paras. 79 and 192 of the NPPF. This key benefit must carry significant weight in the assessment of the proposal.
105. The new domestic use and associated curtilage would result in less than substantial harm to the former pumping station as a designated heritage asset, however in accordance with para. 196 of the NPPF it is considered that the substantial public benefits that would arise from securing a future for the building would outweigh the less than substantial harm in this instance. As such, it is considered the development would preserve the character and significance of the grade II listed building in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, part 16 of the NPPF and saved policies GD1, BE1 and BE4 of the WVDLP.
106. The intended external changes and interventions to facilitate the domestic use would be to a limited extent and precise details of parking and landscaping of the domestic curtilage would be agreed by condition. A condition is also appropriate to ensure black out blinds are used throughout the new dwelling to limit light spillage. These would help to ensure the essential industrial character of the building as a prominent feature within the landscape is retained and that any adverse impact on the dark skies status of the area would be minimised. As such it is considered the development could be satisfactorily accommodated without any adverse impacts on the AONB in accordance with Section 85 of the Countryside and Rights of Way Act (2000) and saved policies GD1, ENV1 and ENV2 of the WVDLP and Part 15 of the NPPF.
107. A Habitat Regulations Assessment including Appropriate Assessment has been carried out. Impacts on biodiversity arising from the development can be adequately mitigated in accordance with measures set out in the submitted Ecological Assessment and Ecological Impacts and Mitigation Reports. The proposed development would have no resulting adverse effect on the integrity of the SSSI, SAC and SPA, in accordance with part 15 of the NPPF and the EU Habitats Directive 92/43/EEC.
108. Although the site was previously part of a lead mine, an appropriate scheme of remediation can be secured via a contaminated land condition to ensure the site is capable of a safe, residential use, in accordance with part 15 of the NPPF.
109. Proposed access to the site is considered satisfactory and new residents would benefit from a good level of residential amenity, in accordance with the requirements of the NPPF and saved policies GD1, H24 and T1 of the WVDLP.
110. The site is in an unsustainable location where new residents would be reliant on private car journeys to access local services and facilities, contrary to saved policies H3 of the WVDLP and part 9 of the NPPF.

Conclusion

111. The acceptability of the application falls to be considered under the planning balance test contained within Paragraph 11 (d) of the NPPF.
112. The development would accord with the requirements of parts 15 and 16 of the NPPF with regards to landscape, biodiversity and heritage. As such no NPPF policies that protect areas or assets of particular importance provide a clear reason

to refuse the application and therefore in order to justify the refusal of planning permission any adverse impacts of a proposed development must significantly and demonstrably outweigh any benefits.

113. Whilst continuing concerns of some local residents and local representative bodies are acknowledged, overall, on balance, the adverse impacts of the development in terms of the unsustainable location are not considered to significantly and demonstrably outweigh the benefits of the scheme resulting from the meaningful re-use and restoration of the grade II listed building. No other adverse impacts have been identified and the development is considered to comply with legislative requirements, relevant saved policies from the WVDLP and the NPPF.

RECOMMENDATION

That the application be APPROVED 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 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 approved plans listed in Part 3 - Approved Plans.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy GD1, ENV1, ENV2, ENV10, BE1, BE4, BE20, H3, H24 and T1 of the WVDLP.

3. Notwithstanding any details of materials submitted within the application no works shall be carried out to convert the building to a dwelling until samples of all new external walling and roofing materials to be used in the conversion have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed thereafter in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the special character of the listed building and its setting in accordance with the requirements of saved policies GD1, ENV1, ENV2, BE1 and BE4 of the WVDLP and the NPPF.

4. Prior to the commencement of the development a method statement setting out the method of repair of the building shall be submitted to an approved in writing by the Local Planning Authority, the method statement shall include precise specification details of the proposed mortar mix and pointing details. The development shall be constructed thereafter in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the special character of the listed building and its setting in accordance with saved policies GD1, ENV1, ENV2, BE1 and BE4 of the WVDLP and the NPPF.

5. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been approved in writing by the Local Planning Authority. The Scheme shall provide for:

- i; Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
- ii; Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
- iii; Post-fieldwork methodologies for assessment and analyses.
- iv; Report content and arrangements for dissemination, and publication proposals.
- v; Archive preparation and deposition with recognised repositories.
- vi; 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 strategy.
- vii; 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.
- viii; A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

Reason: To comply with paras 197 and 199 of the NPPF because the site is of archaeological interest.

6. 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. 199 of the NPPF which ensures information gathered becomes publicly accessible.

7. Prior to the commencement of works to convert the building to residential use a land contamination scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and include a Phase 1 preliminary risk assessment (desk top study).

No development shall commence until a land contamination scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and shall include a Phase 2 site investigation that should be carried out, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.

Reason: To ensure that the presence of contamination is identified, risk assessed and proposed remediation works are agreed in order to ensure the site is suitable for use, in accordance with Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

8. Remediation works shall be carried out in accordance with the approved remediation strategy. The development shall not be brought into use until such time a Phase 4 verification report related to that part of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Part 15 of the National Planning Policy Framework.

9. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until an arboricultural impact assessment and tree protection plan detailing all trees and hedges to be removed and retained has been submitted to and approved in writing by the Local Planning Authority. All trees and hedges to be retained shall be protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2012.

No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree.

No removal of limbs of trees or other tree work shall be carried out other than in accordance with the approved details.

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.

Reason: To ensure trees on and adjacent to the site are appropriately managed throughout the development, to preserve the character of the surrounding landscape and setting of the grade II listed building in accordance with saved policies GD1, ENV1, ENV2, BE1 and BE4 of the WVDLP and the NPPF.

10. Notwithstanding the information shown on the submitted plans full specification, colour finish and joinery details of all new windows and external doors drawn to a scale of 1:20 together with full construction details and section of any frames and units of non-timber construction shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The scheme shall be implemented thereafter in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the special character of the listed building and its setting in accordance with saved policies GD1, ENV1, ENV2, BE1 and BE4 of the WVDLP and the NPPF.

11. Notwithstanding the information shown on the submitted plans full specification and colour finish details of the orangery and balcony area shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The scheme shall be implemented thereafter in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the special character of the listed building and its setting in accordance with saved policies GD1, ENV1, ENV2, BE1 and BE4 of the WVDLP and the NPPF.

12. Prior to first use of the dwelling hereby approved hereby approved a detailed landscaping scheme shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall include accurate plan based details of the following:

Trees, hedges and shrubs scheduled for retention
Details of new planting species, sizes, layout, densities, numbers
Details of planting procedures or specification

Seeded or turf areas, habitat creation areas and details etc
Details of how new planting will be established, including watering, rabbit protection, tree stakes, guards etc
Details of how hard and soft landscaping will be maintained in perpetuity
Samples or precise specification details of all hard landscaping materials
Specification details of all boundary treatments and means of enclosure, including bin stores

Trees, hedges and shrubs shall not be removed without agreement within five years.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of the visual amenity of the surrounding area and preserving the setting of the grade II listed building, in accordance with saved policies GD1, ENV1, ENV2, BE1 and BE4 of the WVDLP and the NPPF.

13. Prior to the first use of the dwelling hereby approved a scheme for the provision of automatic blinds on all windows that will close during the hours of darkness shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the scheme. These blinds shall be operated and retained in good working order in perpetuity.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of the visual amenity of the surrounding area and preserving the setting of the grade II listed building, in accordance with saved policies GD1, ENV1, ENV2, BE1 and BE4 of the WVDLP and the NPPF.

14. The development hereby approved shall be implemented in complete accordance with the mitigation measures detailed in Section G – Recommendations (E3 Ecology Ltd, Ecological Impacts and Mitigation, March 2019) including but not limited to:

- The acquisition of a relevant protected species license for bats, in advance of any works commencing on site. All works to be undertaken thereafter in strict accordance with the conditions of the license;
- All boundary fences and walls to be dog proof to prevent straying and to exclude sheep grazing (this includes the wider site outwith the red line boundary);
- Erection of heras type fencing reinforced by scaffold netting around the construction area, prior to the start of works (as detailed in the report);
- Sensitive timing of works to avoid impacts on breeding birds (no works between April and July inclusive);
- Production of a detailed reptile method statement, for agreement with the LPA, prior to any works commencing on site;
- New drystone walls to be suitable for use by reptiles – as detailed in the report;
- Sensitive lighting scheme, with respect to bats, to be agreed with LPA prior to any works commencing on site;
- Enhancement/promotion of dry heath community within wider site (outwith garden area) with suitable fencing to prevent sheep and rabbit grazing;
- Creation of two new pools within former reservoir areas as detailed in the report;

- Production of an information pack for new residents, and interpretation panel/board as detailed in report – content to be agreed with LPA prior to any works commencing on site;
- Prior to occupation of the property, a mitigation monitoring report shall be submitted and approved by the LPA to confirm that key mitigation requirements as required have been successfully delivered.

Reason: To conserve protected species and their habitat and to maintain the integrity of the SSSI, SPA and SAC in accordance with part 15 of the NPPF.

15. Details of the height, type, position and angle of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The lighting shall be erected and maintained in accordance with the approved details.

Reason: To ensure external lighting does not disturb adversely affect the character of the surrounding landscape and significance and setting of the grade II listed building in accordance with saved policies GD1, ENV1, ENV2, BE1 and BE4 of the WVDLP and the NPPF.

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. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
 National Planning Policy Framework
 Wear Valley District Local Plan
 Statutory consultation responses
 Internal consultations responses
 External consultations responses

 <p>Durham County Council Planning Services</p>	<p>Residential conversion and extension of pumping station (amended description/plans 11/03/2019)</p>
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Comments

Date 10 July 2019

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