



## Area Planning Committee (North)

**Date** Wednesday 25 November 2020  
**Time** 9.30 am  
**Venue** Remote Meeting - This meeting is being held remotely via Microsoft Teams

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### Business

#### Part A

1. Apologies for Absence
2. Substitute Members
3. Minutes of the Meeting held on 16 June 2020 (Pages 3 - 20)
4. Declarations of Interest (if any)
5. Applications to be determined by the Area Planning Committee (North Durham)
  - a) DM/20/00956/FPA - Land to the West of Southfield Farm, Hamsterley Mill (Pages 21 - 36)  
Construction of a new organic 18,000 bird free-range poultry unit
  - b) DM/20/00712/FPA - Land to the south of West Pelton Primary School, West Pelton (Pages 37 - 56)  
Erection of one detached two storey dwelling, eight glamping pods, new site entrance and works including a vertical axis wind turbine, play area, protective fence and land forming.
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  
17 November 2020

To: **The Members of the Area Planning Committee (North)**

Councillor I Jewell (Chair)

Councillor S Wilson (Vice-Chair)

Councillors A Bainbridge, A Bell, L Boyd, D Boyes, J Higgins,  
A Hopgood, C Kay, O Milburn, C Martin, J Robinson, A Shield,  
J Shuttleworth, K Thompson and T Tucker

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**DURHAM COUNTY COUNCIL**

**AREA PLANNING COMMITTEE (NORTH)**

At a Meeting of the **Area Planning Committee (North)** held in the Remote Meeting  
- This meeting is being held remotely via Microsoft Teams on **Tuesday 16 June 2020 at 9.30 am**

**Present:**

**Councillor I Jewell (Chair)**

**Members of the Committee:**

Councillors S Wilson (Vice-Chair), A Bainbridge, A Bell, L Boyd, D Boyes, A Hopgood, O Milburn, C Martin, J Robinson, A Shield, J Shuttleworth, K Thompson and T Tucker

**Also Present:**

Councillors W Stelling and D Wood

**1 Apologies for Absence**

Apologies for absence were received from Councillor J Higgins.

**2 Substitute Members**

There were no substitute Members.

**3 Minutes of the Meeting**

The minutes of the meeting held on 27 February 2020 were confirmed as a correct record by the Committee and would be signed by the Chair.

**4 Declarations of Interest (if any)**

Councillor Shield declared a personal non prejudicial declaration in agenda item 5c as a local member.

Councillor Martin declared a non prejudicial declaration in agenda item 5b as a local member.

## **5 Applications to be determined by the Area Planning Committee (North Durham)**

### **a DM/20/00404/FPA - 83, Brackenbeds Close, Pelton**

The Committee considered a report of the Principal Planning Officer which consisted of a two-storey extension to the side of the dwelling at 83 Brackenbeds Close, Pelton (for copy see file of minutes).

The Principal Planning Officer provided a detailed presentation of the application which included a site location plan, site photographs and the existing and proposed layout plans for the property.

The Chair thanked the Principal Planning Officer for her presentation and asked Parish Councillor Mr Hann to address the Committee.

Parish Councillor Hann thanked the Committee for the opportunity to represent the objecting views of Pelton Parish Council in relation to the planning application as agreed at the Parish Council meeting on 26 February 2020.

Parish Councillor Hann explained that Pelton Parish Council had been contacted by a resident who was concerned about the impact of the planning application if it were to be approved. The resident felt that the two-storey extension that was proposed to be built to the side of the neighbouring property would lead to a significant reduction in light on a room which was used as an office on a full-time basis throughout the week. He felt that the site photograph of the front of the properties showed that the proposed extension would further obscure the window.

Parish Councillor Hann highlighted that the Parish Council were concerned that the economic impact of the proposed application should be considered, alongside the potential impact on the health and wellbeing of the resident if there was a greater reduction of natural light.

Parish Councillor Hann noted that there was apprehension that the proposed application would also reduce the distance between the two detached properties and encroach on the resident's space. He acknowledged that Pelton Parish Council had considered the points raised and were aware that the application form showed that no pre-planning advice had been sought by the applicant. Mr Hann thanked the Committee for considering the matters he had raised regarding the application.

Councillor Wood, local ward Member addressed the Committee to object to the planning application due to the potential implications on the resident of 81 Brackenbeds Close who didn't feel they could participate in the meeting. He explained that this was the first time in calling an application to committee and did so purely down to the unique issues presented in the circumstances relating to the reduction in light.

Councillor Wood noted that over the last couple of months due to the Covid 19 pandemic most people had experienced working from home with the prospect of getting back to some kind of normal in the future but for the resident of 81 Brackenbeds working from home was the norm and the proposed extension would further significantly reduce the amount of natural light to their single and permanent place or work.

Councillor Wood confirmed that the large bush to the front of the property that had been referred to within the report that had impacted on light into the office had now been removed for that reason. He mentioned that the report stated that the first-floor extension above the garage would have minimal impact on the natural light to the window but due to the layout of the houses in the street he believed that a second-floor extension would not have a minimal impact. He noted that even in Winter months the window was exposed to natural light which would be lessened from earlier in the day if the extension went ahead.

Councillor Wood felt that the application should be refused on the grounds that policy HP11 in the local plan and the NPPF (National Planning and Policy Framework) were there to protect against the loss of light in the development of an extension. He queried why the new Residential Amenity Standards Supplementary Planning Document (SPD) had not been applied. He noted that the SPD set out rules for property extensions that ensured that they should be subordinate to the host dwelling and that they should give consideration to the general design as not to have a negative impact to the amenities to an adjacent property to protect against over dominance, loss of privacy and the loss of day light. He felt had this been applied it would have given significant weight to the decision instead the report only focused on the separation distance between the two properties.

Councillor Wood proposed that the application also be refused on the grounds that the SPD would have shown that the extension was not a good model and should be set back by one metre, that it was not subordinate to the host dwelling and the design was not in keeping with the environment. He added that the application was inconsistent with the local plan and the NPPF. He declared that the resident had a right to a light airy space to be able to run their business at home and without this it would have a negative impact on the resident to run their business and pay their mortgage.

The Principal Planning Officer stressed that existing arrangements and the layout of the properties meant that the window had already been significantly impacted upon by loss of light. She felt that the second storey extension would not significantly make the loss of light any worse which would not warrant refusal of the application. She informed the Committee that the SPD had been considered but it was difficult to apply as all estates were different and the dissimilar types of properties and the layout of the estate had added further complications.

In addition the Principal Planning Officer noted that the proposed extension was well designed, blended in well with the surrounding area and the principle in the SPD to set the extension back by one metre would not make any significant difference to the window which also would not necessitate a refusal. She also added that there were other extensions in the estate therefore no amendments to the application would be required.

The Solicitor clarified that material planning considerations focused on protecting the public interest and the report stated that economic interests would not normally be a planning consideration but it would be for the Committee to assess the impact of the overbearing and overshadowing loss of light.

The Chair thanked Speakers and Officers and asked the Committee for any questions or comments.

Councillor Shield wanted to know if there were any properties elsewhere in the area that had also experienced similar issues that would have set a precedent.

The Principal Planning Officer stated that the SPD was very new and had only been implemented in the last few months. She acknowledged it was very different to the policies previously applied in the Chester le Street area. She confirmed that there were no extensions on the estate that would be comparable to the proposed application.

Councillor Ivan Jewell could not comprehend that the neighbouring property who were now objecting had built an extension with a window and it was this extension that was now an issue for the neighbours building their second storey extension. He felt that it was the extension with the window that was causing the issue with the proposed application.

The Principal Planning Officer explained that the original extension with the window had been built by the previous occupants of the objector's property. She noted that the objector would have been aware of the layout when they bought the property and deciding to use the room as an office that included restricted light and close proximity to the neighbouring garage.

The Solicitor reminded Members that they had to assess the application that had been presented to the Committee in terms of what was existing and not whether the extension predated the application.

Councillor Tucker was reshown the photograph of the property showing where the office was in relation to the garage at the side of the property. She was informed that the bush at the front of the property in the photograph that had been obscuring light had been removed. Councillor Tucker wanted to know if the removal of the bush had improved the amount of light into the office or whether there had been no significant change.

The Principal Planning Officer deemed that consideration was needed to be given to how the extension would adversely affect the amenity of the resident and light to the window regardless of the tree.

Councillor Tucker asked if further measurements of light had been taken without the bush to see if there had been any material change in sunlight to the room to determine whether there had been an impact or not.

The Principal Planning Officer stated that Planning Officers had the view that there would be no significant impact made by the bush due to the existing arrangements. She commented that the office window was at the end of an almost tunnel due to the position of both properties where the light would be limited and not more restricted should the planning application be approved.

Councillor Bainbridge was concerned regarding the distance between the two properties and wondered if the measurement would be a significant distance to have at present.

The Principal Planning Officer stated that the distance between the two properties was not an issue as the building line had already been established by the existing garage and therefore did not require to be in set as stated in the SPD.

Councillor Bell left the meeting.

Councillor Boyes **proposed** approval of the application and was **seconded** by Councillor Bainbridge.

Upon a roll call of members by the Solicitor to ascertain their voting intentions it was

**Resolved**

That the application be **APPROVED** subject to conditions in the report.

**b DM/20/00830/FPA - Land at 27 Blind Lane, Chester-le-Street**

The Committee considered a report of the Planning Officer for a new residential three-bedroom detached bungalow on land at 27 Blind Lane, Chester le Street (for copy see file of minutes).

The Planning Officer gave a detailed presentation of the application which included a site location plan, property elevation and floor plans, site photographs and the existing and proposed layout plans for the property.

The Chair thanked the Planning Officer for her presentation and asked Councillor Martin to address the Committee.

Councillor Martin, local ward Member addressed the Committee firstly to thank the Planning Officer for all their hard work in preparing the report and guiding both himself and residents through the process and secondly to object to the planning application. He felt the application needed to be brought to committee as the community needed further scrutiny on the lack of consultation with residents regarding the application. He informed the Committee that letters had been sent out to the neighbouring area that sit beyond the cul de sac behind trees, a grassed bank and a main road and who would not notice an additional property being built at Blind Lane. He added that only the house directly next door to the land within the cul de sac had received a letter and although the Council had fulfilled their statutory duty he was disappointed that those most affected by the application living in the cul de sac had felt left out. He noted that out of the 15 objection notices received only one would be genuinely affected.

Councillor Martin felt that there was a principle to develop in this area but only if people were sufficiently notified. He deemed that this had not happened in previous years. Through the process and asking questions he notified the Committee that an additional condition had been added to the application to protect trees in the area that acted as a buffer from the noise of the A693 which had not been done on previous successful applications.

Councillor Martin drew the Committee's attention to the unique design of the properties within the cul de sac that all had the same proportions which differed from that proposed in the design of the the new build. He felt that the application should be refused based on the NPPF regarding well-designed places as paragraph 127 stated that developments should be sympathetic to the character and create a strong sense of place. He acknowledged there was not a shortage of houses in the Chester le Street area with six years supply therefore one more property would not make a difference but would be detrimental to look of the area and would outweigh the slim economic benefit to the area.

Councillor Martin notified the Committee that due to his involvement with residents regarding the application he could not participate in any discussions with members in an objective manner and therefore agreed to leave the meeting after Ms Gregory-Martin had spoken.

The Chair thanked Councillor Martin and asked Ms Gregory-Martin to address the Committee.

Ms Gregory-Martin addressed the Committee by stating that she was not opposed to the principle of the development but was against the inappropriateness of it. She stated that the proposed design was out of scale, out of proportion and out of character with the neighbouring properties and would ruin the unique sense of place that was valued and enjoyed. She thought it was a shame that the local environment and a garden would be destroyed that involved the destruction of trees and hedgerows that provided homes for birds, owls, bats, insects and other wildlife. She added that they formed a barrier against the noise and pollution of the A693 that should be considered in respect of the climate change issues and carbon emissions.

Ms Gregory-Martin informed the Committee that the original builder in the 1970's could only site seven properties of the current design and scale on the land due to the limited amount of space after the construction of the single access road. She noted that over time the existing properties had been modernised but the overall design, size and gardens had not changed. In addition, the cul-de-sac had developed its own unique identity and character to live with a vibrant community spirit where everyone took pride in their gardens, two of which had won awards in the local 'Chesters best' competition

Ms Gregory-Martin felt to cram in a single build, completely at odds in design to its neighbours, would spoil the community character and neither number 27, nor the new build would have a garden anywhere near the size of the other properties. She acknowledged that the planning officer had admitted (paragraph 57) that the new design differed as it was both smaller and simpler. She thought the Planning Officer was wrong to say the new bungalow would not be noticed as it was at the end of the cul-de-sac but it would. She thought it was also wrong to imply that it was acceptable because it had not been opposed. She notified the committee that it had not been opposed because no one knew about it.

Ms Gregory-Martin drew the committee's attention to the 'hammer-head' turning bay at the end of the cul-de-sac that was a valuable asset but if this build went ahead would be directly in front of new build that would provide a temptation for the new occupants to treat it as an extra parking space. She noted that if this area was blocked with cars, then large HGVs would have no option than to reverse all the way back onto to the A693.

Ms Gregory-Martin concluded that the application be refused as the NPPF justified refusal due to the inappropriate development of residential gardens (paragraph 70), highway safety (Paragraph 109), design that failed to improve the character of the area (paragraph 130) and Councillor Martin mentioned paragraph 127. She thanked the committee for the opportunity to address them with her objection.

Councillor Martin left the meeting.

The Chair thanked Ms Gregory-Martin and asked the Committee for any questions or comments.

Councillor Boyes wanted to know if there was a history of planning applications for this area that had been refused as they were not listed in the report.

The Planning Officer notified the committee that only the most recent applications were included in reports, she detailed four applications that had been approved that dated back to 2008. The Officer was aware of earlier refusals on the site however she confirmed that these would have been assessed against the relevant policy at the time and that policy has changed since these earlier refusals. The Officer confirmed that for the previous applications the necessary statutory consultation required would have been carried out.

The Planning Officer confirmed Cllr Hopgood's query that the five letters of objection had been received as a result of extending the consultation to residents within the cul de sac.

Councillor Hopgood queried from the previous planning applications that had been approved how many had been made through delegated decisions.

The Planning Officer was aware that the last two applications had been dealt with by delegated decisions but did not have access to information on any other previous applications

Councillor Jewell wanted to know whether notices had been displayed on lamp posts in the vicinity.

The Planning Officer informed the Committee that notices had not been attached to lamp posts as they were not required. She added that due to the Covid 19 pandemic the Governments safety guidance had been for people to remain at home therefore Officers had not been able to get on site.

Councillor Wilson raised the issue of safety regarding the access on to the highway from the development.

The Planning Officer had received no issues from Highways regarding any safety concerns.

The Highway Development Manager stated that Highways had assessed the planning application and had found that the cul de sac had parking facilities for seven vehicles including three in curtilage parking spaces per existing property and two visitor laybys that catered for four cars which was above Durham County Council's parking requirements. He noted that the cul de sac had a hammer head at the top that acted as a turning area for vehicles that would be at the back of the development. He acknowledged that there had been issues in the past with existing visitors parking in the hammer head making turning difficult.

The Highway Development Manager advised that the new development would provide three additional parking spaces that would decrease the need for people to park in the hammer head keeping it clear for people to turn easily.

Councillor Jewell requested clarity as to whether the parking issues in the hammer head were existing and whether the new development would create additional problems.

The Highway Development Manager clarified that parking issues were an existing problem and the new development would not make the situation worse.

Councillor Wilson was satisfied with the response regarding highway safety.

Councillor Tucker was not clear how the egress and access was going to be granted with the new development and whether the drive was to be a separate or shared one.

The Planning Officer explained that the egress and access to the development would be at the top of the hammer head with a long unshared drive with parking for three cars plus a garage.

Councillor Tucker thanked the Planning Officer for the explanation.

Councillor Bainbridge was concerned that the design was greatly different to the existing properties and wondered if it could be made more similar.

The Planning Officer informed the committee that all the established bungalows were similar but the proposed property would be a simple designed bungalow that would sit at the top of the cul de sac and would not be visible on the street scape.

Councillor Milburn reiterated Councillor Bainbridge's concerns that was answered satisfactorily by the Planning Officer.

Councillor Jewell thought that there were a variety of types of buildings on Blind Lane in Chester le Street.

The Planning Officer confirmed that Blind Lane accommodated a variety of types of properties.

Councillor Shuttleworth left the meeting.

Councillor Wilson **proposed** approval of the application and was **seconded** by Councillor Tucker.

Upon a roll call of members to ascertain their voting intentions by the Solicitor it was

### **Resolved**

That the application be **APPROVED** subject to conditions in the report.

Councillor Martin was invited back into the meeting.

### **c DM/20/00219/VOC - 7 St Ebba's Way, Ebchester**

The Committee considered a report of the Planning Officer for the variation of approved plans and access conditions of planning permission DM/15/01563/FPA to regularise works done and allow changes including extended driveway, front seating area, alternative windows, access ramp, moving garage further from rear wall, raising of garage roof height and raising boundary wall height at 7 St Ebba's Way, Ebchester (for copy see file of minutes).

The Planning Officer delivered a detailed presentation of the application which included a site location plan, site photographs and the existing and proposed layout plans for the property.

The Chair thanked the Planning Officer and asked Councillor Stelling to address the Committee.

Councillor Stelling, Local Ward Member addressed the Committee to object to the planning application. He was aware of the history of the development transforming a former church into a house that had been ongoing for four to five years without completion. He felt that the applicant had not completed any stages of the original application and had failed with the completion of the proposed front drive and landscaping that had left the area a mess as illustrated in the photographs. He had empathy with the residents of Cohort Close and St Ebbas Way as the residents had had to endure the eyesore for years.

The Senior Committee Services Officer read out a letter of objection on behalf of the residents of Cohort Close and St. Ebbas Way who thanked the committee for allowing them the opportunity to submit their letter for consideration. The residents asked that the planning committee consider their points that objected to the planning application. The residents noted that the Local Plan Policy stated that conversions should 'respect the character of the existing building and locality'. The residents disagreed with the planning officer's conclusion that the change to the original plans met this requirement.

The residents informed the committee that the plot housed a chapel, which although on a large plot had lots of open landscaped garden to the front and a small vestry building to the side, which blended in seamlessly with its neighbours. The residents felt that the proposed changes would result in an over developed site, that produced a prominent and imposing build that 'stood out' from its neighbouring properties. They thought by extending the driveway to nearly 11 metres the frontage would resemble a public carpark and be totally out of character for the area. In their opinion it would not be visually attractive and sympathetic to the local character and surrounding built environment.

The residents were concerned that the highway officer's report had been compiled without a site visit and thorough evaluation of the road and its usage had not picked up on. The residents asked the committee to consider, that as residents they had invaluable knowledge and experience on the usage of the road and the footpath that ran parallel to this conversion as they used the facility on a daily basis. The residents were very worried about their safety should the proposed plans be approved.

The residents explained that Cohort Close and St Ebbas Way alone had over 40 vehicles coming and going, in addition to visitors and service vehicles. They added that pedestrians used the footpath and road to walk to school, the shops and access local amenities and it was a very busy area. They added that the road was already very difficult to negotiate, without the additional hazard of an expansive driveway onto what had effectively become a single carriageway with extremely poor visibility at the junctions where Fossway and Cohort Close join St Ebba's Way.

The residents stated that whilst the applicant had expressed that there was a problem with safe parking, it should be noted that this was not the case prior to him purchasing the property. They noted that there could not be any guarantee that the current on street parking would be improved or made any safer, by allowing the applicant to make the changes he was proposed. They felt that by agreeing to these changes, the legal right to park on a considerable length of dropped kerb would be given to one household, with absolutely no legal obligation that this area of dropped kerb was kept clear of his vehicles and therefore allowing a safe, clear and unobstructed view for other road users and pedestrians. The residents believed that the safety of their community should be the prime consideration, not the applicant's ability to park as many vehicles as he chose, where he chose. They informed the committee that the applicant had numerous vehicles which could not physically be accommodated off road under the proposed changes.

The Planning Officer responded to both Cllr Stelling and the letter from residents in that she was aware of the situation and the enforcement history of the site, however the planning authority could not insist on a time scale for completion under policy guidance especially under the circumstances with the Covid 19 pandemic. She added that the design and landscaping would be for half of the frontage of the property but had to be in keeping with the surrounding area.

The Highway Development Manager acknowledged that the development would provide additional parking with a double drive to accommodate two vehicles and a garage. He understood that enforcement had been involved with the construction with site visits undertaken by Highway Officers and the Neighbourhood Protection Manager. He noted that in terms of highway safety he had no concerns as it was a residential area where the speed of traffic was expected to be low. He agreed that there were issues with cars that parked on the footpath in the estate but that did not pose any visibility impairment. He added that there was a requirement that driveways should be kept clear and people could park outside their own property as long as they did not cause any obstruction.

Councillor Jewell stated that he had knowledge of the area and wondered how much movement of traffic went through the former social housing estate.

The Highway Development Manager clarified that there would be approx. 40 vehicles that would be in and out of the estate spread across a ten-hour period. In highway terms he classified this as low traffic movement.

The Chair asked Committee Members for any questions or comments.

Councillor Shield as a local member addressed the committee with a peripheral view towards the planning application. He informed members that he was aware of the development and knew that the applicant had failed to comply with elements of the original planning application that had forced planning enforcement to investigate that resulted in the new planning application being submitted. He notified the committee that during the Covid 19 pandemic where the Government had stipulated that people should stay at home the applicant had continued work on the development subsequently involving Planning Enforcement again who gave him a verbal warning to cease any further work.

Councillor Shield was concerned that the footpath outside the development that served as the main access route in and out of the estate would be prone to an expansive dropped kerb. He was unclear as to how the canty lever gates would operate on such a large scale. He was conscious that if the proposed drive was constructed it would only accommodate three of the applicants cars with one in the garage but the remainder would be situated on the highway near his property that would cause visibility issues and unsafe for cars entering and exiting the drive.

The planning Officer explained that the electric gate would be raised off the ground and would move together behind each other as it opened and closed.

The Highway Development Manager stressed that there would be no way to determine whether or not high sided vehicles would park near to the driveway to obscure visibility or cause obstructions. He acknowledged any high sided vehicle parked alongside any driveway may cause a visibility issue. He advised Members that they should not consider the users of the existing development when they assessed the application, as vehicle ownership and type could change throughout the lifetime of the development. He acknowledged there was an issue of vehicles that parked on footways in the estate to avoid blocking the carriageway. He added that this would be less likely if there was more in curtilage parking spaces.

Councillor Shield felt that there was not enough recess within the grounds to allow for the cantilever gates to work and have in curtilage parking spaces. He thought that there was a large amount of dropped kerb for access into just one property and was not convinced that residents would be safe whilst the work would be carried out to install it. He stressed that this footpath was the only means of access into and out of the estate and it would be required to be closed in the process forcing pedestrians into the road. He was fearful that an accident would occur in this area as he was aware that the applicant had numerous vehicles including high sided ones and trailers that would be parked near to the property that would cause visibility issues. He was also aware that the estate was used as a rat run therefore moved that the application should be refused.

Councillor Tucker was concerned that the hedge along with bends at either end of the road would cause impaired visibility for anyone pulling out of the driveway.

The Highway Development Manager notified the committee that the bends at either end of the road was a positive element acting as a buffer to slow traffic down as it would be most likely vehicles would not be travelling in excess of 15mph and that would calculate to enough safe stopping distance to where the driveway would be constructed.

Councillor Milburn had sympathy for Councillor Shield as she had a similar issue in her ward with an old chapel being turned into a house. She was concerned that there would not be enough room at the front of the building for the driveway for cars to park.

The Planning Officer showed the photographs of where the garage had been demolished that made room for the proposed driveway should the application be successful.

Councillor Milburn was still unclear as how the proposed driveway would accommodate three cars at the front of the property and wondered if the drive could go to the rear.

The Planning Officer assured the Councillor that there was enough room for the driveway as measurements had been taken.

Councillor Wilson wanted to know if the new development would add to the issues of parking in the estate.

The Planning Officer confirmed that the parking issues were already in existence due to the age of the estate as properties were built without curtilage parking.

Councillor Jewell asked whether the development would make the parking issues worse or would it improve the situation.

The Planning Officer anticipated that the development would improve the parking situation.

Councillor Hopgood wanted to know why the applicant had not anticipated that the retaining wall would be an issue by moving the garage in the original application. She was concerned that the applicant had warranted planning enforcement to become involved with the site by not adhering to or honouring the original application

The Planning Officer explained that originally the applicant had not expected there to be any problems with the retaining wall but concerns were raised when there were complications with the neighbour's fence that had fallen and the applicant needed to help with the situation.

Councillor Thompson voiced concern that the original planning application had been successful.

The Planning Officer confirmed that the original application had been assessed accordingly with planning principles and policies that had highlighted no concerns with the design or highway safety that deemed the application to be successful.

The Solicitor stressed that the committee needed to determine the planning application that was presented and not the previous application. She added that the planning enforcement involvement with the site could not be taken into consideration.

Councillor Wilson proposed that the application should be refused and was seconded by Councillor Thompson.

Councillor Boyes advised the committee that the reasons for any decision should be supported in case the application went to appeal.

The Solicitor stated that Members could consider the changes from both applications.

Councillor Tucker had serious reservations over the safety of the variations due to the substantial bends at either end of the road, the operation of the gate to allow safe passage in and out of the driveway and would not be in favour of the application being approved.

The planning Officer advised that an additional condition could be placed in the application to cover the operation of the electronic gates.

Councillor Shield had concerns with the application and would not support its approval as he believed it breached GP11 and HP7 policy as it did not reflect the character of the area. He felt that the development contradicted the NPPF and the Derwentside Local Plan with regards to the safe and suitable access to the property. As a local member he knew the area and the people who needed to be listened to as the implications of the development outweighed any benefits to the area.

The Highway Development Manager assured the committee that Highways had no concerns over the standard width of the road that allowed the passing of two cars without being too narrow. He advised that as the dropped kerbs works were undertaken by the County Council, he could guarantee that every safety precaution would be put in place when the dropped kerb would be constructed with the erection of barriers and bollards to allow pedestrians to step into the road safely while works took place. He estimated that the works would take approximately one day that would limit the inconvenience caused. He reiterated that the bends at either end of the road would be beneficial to reduce the speed of traffic and there would be no defence at an appeal from a Highway safety perspective.

Councillor Bainbridge asked why the extension of the driveway and dropped kerb had not been in the original application.

Councillor Martin was concerned about the closing of the footpath and the ability for pedestrians to get past. He wondered if there was a footpath at the rear of the property that could be used as a diversion.

Councillor Shield explained that there was a passageway at the rear of the property that led to a garage site but it was not a suitable footpath although it could be walked on.

The Solicitor advised upon listening to the debate that there had been no substantial reasons put forward to justify a refusal of the application.

Councillor Jewell also noted that the number of vehicles that the applicant owned could not be taken into consideration by the committee.

Councillor Boyd left the meeting.

Councillor Shield **proposed** that the application be refused and was **seconded** by Councillor Thompson but stated that should the application be successful he requested that additional conditions be included regarding the restricted hours when work could be carried out.

Councillor Boyes **proposed** a counter recommendation that the application be approved subject to the inclusion of additional conditions that was **seconded** by Councillor Bainbridge.

Upon a roll call of members by the Solicitor to ascertain their voting intentions on the proposal to refuse the application it was

**Resolved**

That the proposal to refuse the application be **rejected**.

Upon a roll call of members by the Solicitor to ascertain their voting intentions to approve the application with the inclusion of additional conditions it was

**Resolved**

That the application be **APPROVED** subject to conditions in the report and additional conditions applied that would be determined with the Chair, Vice Chair, Legal, Planning Officers and Local Ward Members.

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## Planning Services

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/20/00956/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Construction of a new organic 18,000 bird free-range poultry unit
<b>NAME OF APPLICANT:</b>	Mr Keith Henderson, Medomsley Organics Ltd
<b>ADDRESS:</b>	Land to the West of Southfield Farm Southfield Lane Hamsterley Mill NE39 1NQ
<b>ELECTORAL DIVISION:</b>	Leadgate and Medomsley Steve France Senior Planning Officer
<b>CASE OFFICER:</b>	Telephone: 03000 264871 <a href="mailto:steve.france@durham.gov.uk">steve.france@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application comprises building of 2573sqm on open agricultural land, under an improved grassland management regime, 0.7km east of the village of Medomsley. The surrounding land is open countryside, designated within the Area of High Landscape Value. There are public Rights of Way in the fields beyond the site and areas of Ancient Woodland. Between the site and the village is a greenfield burial site.
2. The landfall drops to the east of Medomsley, first gently to the burial site, then down a steeper bank, to the field upon which development is proposed, which plateaus before falling again steeply towards the farm group of Southfield Farm which is sited immediately adjacent an existing poultry shed.

#### The Proposal

3. Permission is sought for the erection of an egg production unit for organic free-range hens. The unit will be set within 40 acres of newly planted woodland consisting of traditional broad-leaved species for both hen welfare and to meet RSPA standards. Three sheds are proposed to join in a common central processing area forming a 'Y' shape, each shed is 57.5m long, 5.7m to ridge and 3.5, to eaves. The proposal will generate two car movements per day and four lorry movements per week, with no lorry movements at weekends or bank holidays.

4. This application is reported to Committee upon the request of Councillor Alan Shield to consider the concerns of residents in the village and operators of the burial site.

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## **PLANNING HISTORY**

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5. None

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
7. The NPPF requires local planning authorities to guide development towards sustainable solutions whilst taking local circumstances into account, to reflect the character, needs and opportunities of each area.
8. In accordance with paragraph 213 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.
9. 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 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.

13. *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.
14. *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.
15. *NPPF Part 15 - 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. Amongst other aims decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site to impacts that could arise from the development. Noise should be mitigated and reduced to a minimum potential adverse impact to avoid noise giving rise to significant adverse impacts on health and quality of life. Decisions should ensure that new development can be integrated effectively with existing businesses. Existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development the applicant should be required to provide suitable mitigation.

#### **NATIONAL PLANNING PRACTICE GUIDANCE:**

16. National Planning Practice Guidance (NPPG) both supports the core government guidance set out in the NPPF, and represents detailed advice, both technical and procedural, having material weight in its own right. The advice is set out in a number of topic headings and is subject to change to reflect the up to date advice of Ministers and Government.

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

17. The Development Plan is the County Durham Plan that was adopted in October 2020 and the following policies are relevant to the consideration of this application.
18. Policy 10 (Development in the Countryside) states that development in the countryside will not be permitted unless allowed for by specific policies in the Plan or Neighbourhood Plan or unless it relates to exceptions for development necessary to support economic development, infrastructure development or development of existing buildings. The policy further sets out 9 General Design Principles for all development in the Countryside. Provision for economic development includes: agricultural or rural land based enterprise; undertaking of non-commercial agricultural activity adjacent to applicant's residential curtilage. All development to be of design and scale suitable for intended use and well related to existing development.

19. Policy 21 (Delivering Sustainable Transport) requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to the Parking and Accessibility Supplementary Planning Document.
20. Policy 29 (Sustainable Design) requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable, including: making positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non-renewable resources;
21. Policy 31 (Amenity and Pollution) sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
22. Policy 39 (Landscape) states that proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts
23. Policy 40 (Trees, Woodlands and Hedges) states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
24. Policy 41 (Biodiversity and Geodiversity) restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as are biodiversity net gains.

*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at*

<https://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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## STATUTORY RESPONSES:

25. *Highways Officer*– has no objections to these proposals.
26. *The Coal Authority* - considers that the submitted reports have appropriately identified the risks and recommend a condition be attached to any approval requiring details of appropriate mitigation measures to be undertaken to demonstrate that the proposed development is safe and stable.

## INTERNAL CONSULTEE RESPONSES:

27. *Landscape* – Officers note that ‘the site is within an Area of Higher Landscape Value in the County Durham Plan, with proposal seen primarily from a short section of the B6310 to the north, the public footpath approx. 100m to the south and in long distance, panoramic views from a range of public vantage points from elevated land across the valley including Dipton. The proposals would have some adverse negative landscape and visual effects given that it is a substantial free-standing structure within open attractive, unspoilt countryside and does not relate well to the associated farmstead or business premises. Cumulatively, these free-standing poultry sheds are having a negative visual impact on the wider Pont Valley landscape’.
28. ‘Notwithstanding the above, whilst of unconventional design and the requirement for a large amount of cut and fill to accommodate the building, the low profile pitched roof and juniper green cladding will reduce the impact of the building and help assimilate the development into its surroundings and given the existing vegetation and landform, subject to the appropriate mitigation measures (as outlined below), the significance of such effects would be reduced to an acceptable level and the structure would not appear unduly prominent in the rural agricultural landscape’.
29. ‘The proposal would entail the loss of small sections of hedgerows and potentially a prominent mature oak tree to accommodate the building and the new site access. The building is also bounded directly to the west by an historic hedgerow with hedgerow trees. Together these are an important landscape features and will help filter views of the proposal and help assimilate it into the landscape’
30. A number of detailed suggestions are made for a detailed tree/hedge method statement and protection plan to respect tree Root Protection Areas during the construction phase, and for the construction of the access track. The proposed hedgerow planting should be amended with existing hedges gapped up and augmented with tree planting to give better ecological connectivity and better screen the proposal through the year, with particular attention paid to views from the road and PROW. This is suggested pre-determination.
31. *Environmental Health* – Environmental Health Nuisance Action Team Officers have undertaken a technical review of information submitted in relation to the likely impact upon amenity in accordance with the relevant TANs (Technical Advice Notes). The following information has been provided to assist in consideration of any impact upon amenity.
32. ‘The development is considered to be both noise and odour generating. In terms of odour this is associated with waste and noise mainly the potential noise from extractor fans. The development is fairly removed from receptors being in excess

of 600m from the nearest sensitive receptor, being residential properties on Manor Rd and 280m from a medium sensitive site, Seven Penny Meadow burial site’.

33. Odour arising from site such as this is from chicken waste. The level of odour is very dependent on the methodology employed on site and the type of building etc, with modern purpose-built units having a significantly reduced impact due to a range of design and good practices employed. As odour was identified as a concern the applicant has provided an odour impact assessment. This has used the FIDOL risk assessment methodology, within the IAQM guidance on the assessment of odour for planning.
34. The assessments consider a range of elements and is intended on demonstrating the potential impact of odour on receptor and as such whether further modelling or mitigation works are necessary. The assessment demonstrates that due to wind direction, separation distances and the nature of the odour that the risk posed is negligible. I agree with the risk assessment in relation to the findings associated with the residential properties. However, I do not except the findings wholly in relation to the impact on the burial site. Firstly, the site should be considered as a medium risk rather than low as stated as it will be visited by family members and as such individuals may spend some time there and likely expect a certain degree of amenity. However, although the potential sensitivities may have been under assessed, considering the wind rose and separation distance, I would expect the risk to be a slight adverse effect at most.
35. Over reliance on the wind rose is to be avoided as each separate area can have its own microclimate in relation to weather etc. However, the wind direction over the County has been shown to be very much lead by westerly winds and as such direct any odour away from the nearest receptors. As stated in ii) on page 31 of the above guidance, Odour episodes tend to be associated with periods of stable atmospheric, with low wind speeds. This is due to poor dispersal and can often be found during periods of more clement weather and as such increase the impact on receptors. However, this impact is only likely to affect very close receptors due to the lack of dispersal and as such is unlikely to be an issue in this circumstance.
36. In addition to the above risk assessment the assessment includes detail on the mitigation measures to be employed in relation to control of odour. I would advise that the information supplied demonstrates that the proposed building will implement relevant good practice and structure elements to minimise odour escape and aid with dispersal.
37. Considering the above, it is only expected that in infrequent circumstances is there likely to be any impact associated with odour from the above development. This is likely to be most frequent at the burial site, however even then, based on the FIDOL methodology, it is not expected to be more than a slight impact on amenity. It is expected that the greatest likelihood is during cleaning out time and when wind is in the direction of residential properties. However, cleaning out occurs once every 14 months and is finished in a day.
38. Further advice was provided on noise implications: where Nuisance Officers assessed the implications on a worse-case scenario for both the effect on residential properties and the burial ground, concluding that it would be prudent to affix a condition requiring a minimum threshold level to be achieved in relation to noise.
39. *Environmental Health (Contamination)* Officers have written to confirm that they have no adverse comments to make and that there is no requirement for a

contaminated land condition. They do however suggest an 'informative' to cover the eventuality that unexpected contamination is discovered on the land.

40. *Ecology* – requested and then gave further comment on a Preliminary Ecology Assessment submitted during the course of the application, having suggested the scheme provide connectivity for the benefit of ecology interests. Review of the suggested location of hedge-planting is suggested in association with comments from Landscape Officers.
41. *Footpaths* – note that vehicular access to the poultry unit would be in part over public footpath no. 12 Consett. Given the anticipated vehicle movements associated with the poultry unit they have no concerns as the footpath also serves as access to Southfield Farm and associated farm traffic, and they are unaware of any conflict with public use of the footpath arising from this arrangement. There are several other public rights of way in the wider area which are not directly affected. However, there may be an indirect effect on public amenity from possible odours and noise arising from the poultry unit. It is noted that the Draft Odour Impact Assessment concludes that the likely effect on public footpaths in proximity to the poultry units is low, and that noise management is proposed.

#### **PUBLIC RESPONSES:**

42. 100 notification letters were sent out to surrounding residents. This has resulted in 27 responses, including 25 letters of objection (with some slight duplication). Letters were sent to properties at the closest edge of Medomsley, isolated dwellings in the countryside in the hinterland of the site, and dwellings visible in longer views from the site – i.e. from Dipton. A site notice was also posted on the nearby public right of way.
43. The main concerns of local residents are summarised as follows: In visual terms and the effect on the countryside and landscape, the proposed development is not compliant with the development plan, the poor location the proposed production units encroaches on the open countryside, which will be visible from Longclose Bank and from properties in the village. The units themselves will be visible from the road and as a distraction will compromise highway safety. The access track is an unacceptable visual intrusion into the protected countryside. The countryside location is obtrusive and of detriment both to footpath users of the area, particularly children, and will compromise ecology and wildlife interests, with ancient hedgerows, specimen trees and protected birds in the area. The height of the buildings and their extraction units are concluded to be an eyesore.
44. Residential amenity concerns are significant, with two main dimensions: odour and noise. The submitted assessments are questioned in detail for their underpinnings, base assumptions and conclusions, with some confusion over the number of birds proposed. Residents are clear in their conclusions that the proposed operation will affect the amenity they expect to enjoy in their homes and on their property.
45. Comparable objections have been received from and on behalf of a Greenfield Burial ground, situated between the site and the village, with the effects for prospective clientele, mourners and visitors to that facility unacceptably compromised.
46. There are concerns raised that leaching from the burial ground will affect the egg production operation and enter the food chain or encourage avian flu.

47. Further objections mention sufficient capacity in the area and the opportunity for alternative siting.
48. The extent of the consultation exercise has been a contention, with many correspondents contending that the whole of the village of Medomsley should have received formal notification of the proposals.
49. A single letter of support describes the proposal as necessary for the, 'continued efficient operation of a local agricultural business and benefit the rural economy'. The site is contended to avoid intensification and clustering of the use, with benefits to consideration of odour issues. The siting avoids conflict with the Heritage assets of Medomsley Conservation Area and the listed buildings at Hamsterley Hall.

## **APPLICANT'S STATEMENT**

50. **Economic Benefits and Growth:**  
The Henderson family have been in poultry production for over 50 years spanning three generations. Building this poultry unit will help secure the future of the farm for our family and our employees. An additional 2 employees from the local area will also be required. Due to consumer's requiring a move from Intensive egg production to higher animal welfare production methods organic eggs are in high demand. The organic eggs from this unit will be sold to Lintz Hall Farm Ltd, a local egg packing company that will distribute them to local shops and restaurants in the North East. We have grown into the largest supplier of eggs in the region and now employ over 60 people directly, with many more ancillary businesses benefiting from the business (almost all of which live and are based within the Derwent Valley area).
51. As with any business, we must respond to the ever-changing requirements of our customers in order to continue to be successful. Due to the changing buying habits of consumers, all the major UK retailers have made commitments to phase out the sale of eggs produced by what is perceived to be lower welfare production systems. This has led to the increase in demand for both standard free range and organic free-range eggs.
52. Lintz Hall Farm does not currently have any organic free-range egg production within the business, and we must be able to offer both free range and organic free range together as a packaged solution in the future to keep our existing customers and to secure new contracts. It cannot be understated that the success of this project is a critical component to the future security of Lintz Hall Farm and its employees.
53. **Welfare and Siting:**  
When selecting a site to produce organic, high welfare and environmentally friendly eggs, we must have a site that meets the requirements of the organic certification bodies, RSPCA etc. The regulations stipulate that the range must be less than 350 meters from the perimeter of the building. Therefore, the building must be centrally situated within an area of grass land consisting of 30 acres so that birds can successfully use the available area around the shed for grazing.
54. Whilst we must have a site that complies with the relevant regulations, we have also taken great care to consider any potential impact on the local area and as such, have chosen a site with the least visual impact possible. To help achieve

this and after intensive consultation we have also scaled back the proposal from the original 36,000 birds to 18,000 birds.

*The above is not intended to list every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:*

<https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q8ICQSGDGV100>

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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### The Principle of the Development

55. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development and its effects on the countryside, the potential effects of odour and noise on residential amenity in surrounding dwellings and for the use of a greenfield burial site and highway safety.

### The Principle Issues

56. The site is in a countryside location, and the proposed use is agricultural in nature. At its most basic level, the development of an agricultural operation in the countryside, with the economic activity this brings, both during the construction process and in operation is of positive material weight. It is the detailed implication, to both the countryside location and to the reasonable expectations of amenity by nearby land-uses that will determine if the proposal is acceptable. The applicant has submitted detailed specialist reports to set out the likely effects, which have been commented on by specialist consultees and are discussed below.

### Countryside and Landscape

57. The application proposes the erection of a large modern agricultural structure in open countryside designated as an Area of High Landscape Value. Policy 39 of the County Plan states that 'proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views' and 'Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects'. Further, 'Development affecting Areas of Higher Landscape Value defined on Map H, will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm'.
58. The site is on a step in the sloping landform, that significantly restricts views from the direction of Medomsley and the greenfield burial site. Views from the roadway would be short term, with its appearance in longer views partially mitigated by the fact that this form of agricultural operation is a feature of the landscape in this part of the County and by existing blocks of woodland. Landscape Officers acknowledge the setting and the relationship to surrounding vantage points and that proposals would have some adverse negative landscape and visual effects given that it is a substantial free-standing structure within open, attractive and

unspoilt countryside and does not relate well to the associated farmstead or business premises.

59. Their assessment goes on to add that whilst of unconventional design and a requirement for a large amount of cut and fill to accommodate the building, the low profile pitched roof and juniper green cladding will reduce the impact of the building and help assimilate the development into its surroundings and given the existing vegetation and landform. Subject to the appropriate mitigation measures, the significance of such effects would be reduced to an acceptable level and the structure would not appear unduly prominent in the rural agricultural landscape. These measures include reinstatement of hedgerows between the site and the road and augmentation and gapping of existing hedgerows, use of specific materials in the construction of the access track close attention to root protection areas and agreement for a detailed planting and management plan bringing compliance with policy 40. These comments are considered to align with the County Ecologist's comments for the landscaping scheme to benefit ecological connectivity. These requirements could be achieved by imposition of an appropriate condition and this approach has been agreed with the applicant.
60. Any built development in the countryside is likely to cause a degree of harm, with policy 39 clear that proposals will be expected to incorporate appropriate mitigation measures to counter this. Driving economic development is both a general economic benefit required by the planning policies and one of the key corporate agendas of Durham County Council. With the application serving this agenda and arguments that there are benefits to these types of development, reasonably common in the area, not being allowed to cluster, it is considered that there are arguments for development in this location. Compliance with policies 10 and 39 is concluded.

#### Residential and Business Amenity

61. Residents and the greenfield burial site have raised issues of potential concern from odour and noise from the operation as noted in the objections. The applicant has submitted detailed technical reports for these issues that have been assessed in by the Nuisance Action Team in Environmental Health. Their response is set out in detail above and must be considered against the requirements of policy 31, Amenity and Pollution. This states that 'development which has the potential to lead to, or be affected by, unacceptable levels of air quality, inappropriate odours, noise and vibration or other sources of pollution, either individually or cumulatively, will not be permitted including where any identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level'. The applicant has noted on this point that in terms of noise that modern chicken sheds generate very little noise. The motors used to run feeders and fans are inside the shed and are designed to be very quiet so as to not disturb the hens. 'Outside of the shed you would struggle to hear much at all and certainly not from any short distance away'.
62. It is the conclusion of the specialist consultee, as detailed in paragraphs 29 to 36 above, that levels of odour and noise are acceptable following a detailed analysis of the operation, its timing, nature and level of intensity and the environment around the site, with appropriate conditions suggested to ensure this. The scope of the conditions sets an upper limit for the noise environment. The conditions and title of the application set a precise number - 18,000 birds reflecting the proposal.

63. The specialist consultee comments extend to an assessment of the potential effect of the development on the greenfield burial site, which again advise that subject to appropriate safeguards, the use is acceptable.
64. This specialist advice when considered against the requirements the planning policies is obviously of significant weight. Policy 31, Amenity and Pollution states that development which has the potential to lead to levels of air quality, inappropriate odours, noise and other sources of pollution will not be permitted where identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level. With the safeguards of the suggested conditions in place it is considered this can be achieved.

#### Highways

65. Residents are concerned that the twisting B6310 of Longclose Bank has a poor accident record and that the introduction of additional commercial traffic will exacerbate this issue, presenting a highway safety problem. The location of the access and the nature of the operation and level of vehicle trips to be generated was discussed with County Highways pre-submission, resulting in their lack of objection to the proposals. Both policy 21 of the Development Plan and paragraph 109 of the Framework seek to ensure highway safety, and with the advice of Highways Officers, the proposals appear acceptable and policy compliant in this respect.

#### Other Issues

66. One correspondent has commented on the relationship to nearby heritage assets – Medomsley Conservation Area and Hamsterley Hall, with its listed status. The landform, separation distances and intervening landscape features are such that it is considered there is no effect on these designations.
67. The Coal Authority's suggested condition is considered an appropriate response to ensure ground stability issues are addressed.
68. Some correspondents have suggested a contamination issue from the burial ground and a range of potential health related implications. In response to their consultation Contamination Officers have written to confirm that they have no adverse comments to make and that there is no requirement for a contaminated land condition. They do however suggest an 'informative' to cover the eventuality that unexpected contamination is discovered on the land.
69. Notwithstanding residents' concerns for the effects on the footpath network, the Public Rights of Way team consider the proposals acceptable, acknowledging the implications of the scheme.

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## CONCLUSION

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70. The application proposes a large and potentially intrusive agricultural operation in countryside subject to a protected landscape designation. The use is appropriate in principle in the countryside, but to be acceptable must mitigate its presence in the landscape. Specialist advice indicates that this can be achieved within the designated landscape meeting the requirements of County Durham Plan countryside and landscape policies 10, 39 and 40.
71. The nature of the proposal is such that it has the potential to affect residential and other neighbouring land-uses in amenity terms – particularly in relation to odour and noise issues. However following a detailed assessment of submitted information by Environmental Health Officers and subject to suggested conditions, it is concluded that the proposal meets the requirements of policy 31 of the County Durham Plan and would have an acceptable impact on the environment, and on the amenity of people and human health..
72. Highways Officers are satisfied that the scheme is acceptable in Highway Safety terms bringing compliance with. A range of extended contamination potentials are suggested, however no requirement for a contamination condition has been identified.
73. The scheme includes sufficient mitigations and supporting technical information to allow for a recommendation for approval, subject to the conditions set out below.

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## RECOMMENDATION

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74. 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 Policies 10, 21, 29, 31, 39, 40 and 41 the County Durham Plan, 2020.
  3. Prior to the commencement of development, the applicant must submit, for the written agreement of the Local planning authority a scheme of landscaping to include a method statement, timescales for implementation, a tree and hedgerow protection plan with details of root protection areas and construction details of the proposed access track. Further, written scheme for hedgerow planting around the building must be removed, and a scheme for new and augmented and gapping and thereafter maintaining identified hedges and boundaries, along with the proposed

woodland planting must be provided and shown on a landscaping plan along with timescales for implementation and replacement of failed specimens. The development must be completed in full accordance with the approved landscaping scheme and the timings therein.

*Reason:* To help assimilate the development into the countryside and Area of High Landscape Value, as required by policies 6, 10, 39 and 40 of the Durham County Plan 2020.

4. For odour implications, the approved scheme for a poultry unit of 18,000 birds must be operated in full accordance with the mitigation measures set out in the submitted risk assessment (Ref:1010396-01(00), Dec. 2019, RSK/ADAS).

*Reason:* To ensure the amenity of nearby residents and businesses in accordance with the requirements of policy 31 of the Durham County Plan 2020.

5. Before any ventilation plant is operated, a detailed noise impact assessment and scheme of sound attenuation measures shall be submitted to and approved in writing by the local planning authority. The scheme of attenuation measures shall ensure that the rating level of noise emitted from ventilation plant] on the site shall not exceed the background (LA90) by more than 5dB LAeq (1 hour) between 07.00-23.00 at Seven Penny meadow burial site and 0dB LAeq (15 mins) between 23.00-07.00 at residential properties including those on Manor road and cottages on Southfield farm . The measurement and assessment shall be made according to BS 4142: 2014. The approved noise impact measures and values must be adhered to in accordance with the written agreement at all times when the development is in use.

*Reason:* To ensure the amenity of nearby residents and businesses in accordance with the requirements of policy 31 of the Durham County Plan 2020.

6. To address potential implications of the Coal mining legacy for ground stability, prior to the development being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the mitigation necessary to address the risks posed by past coal mining activity to the access road. The development shall not be occupied until such time as the statement/declaration has been approved in writing

*Reason:* to ensure the ground stability issues are addressed for the safety of the approved use in accordance with the requirements of part 15, paragraphs 178 and 179 of the Framework.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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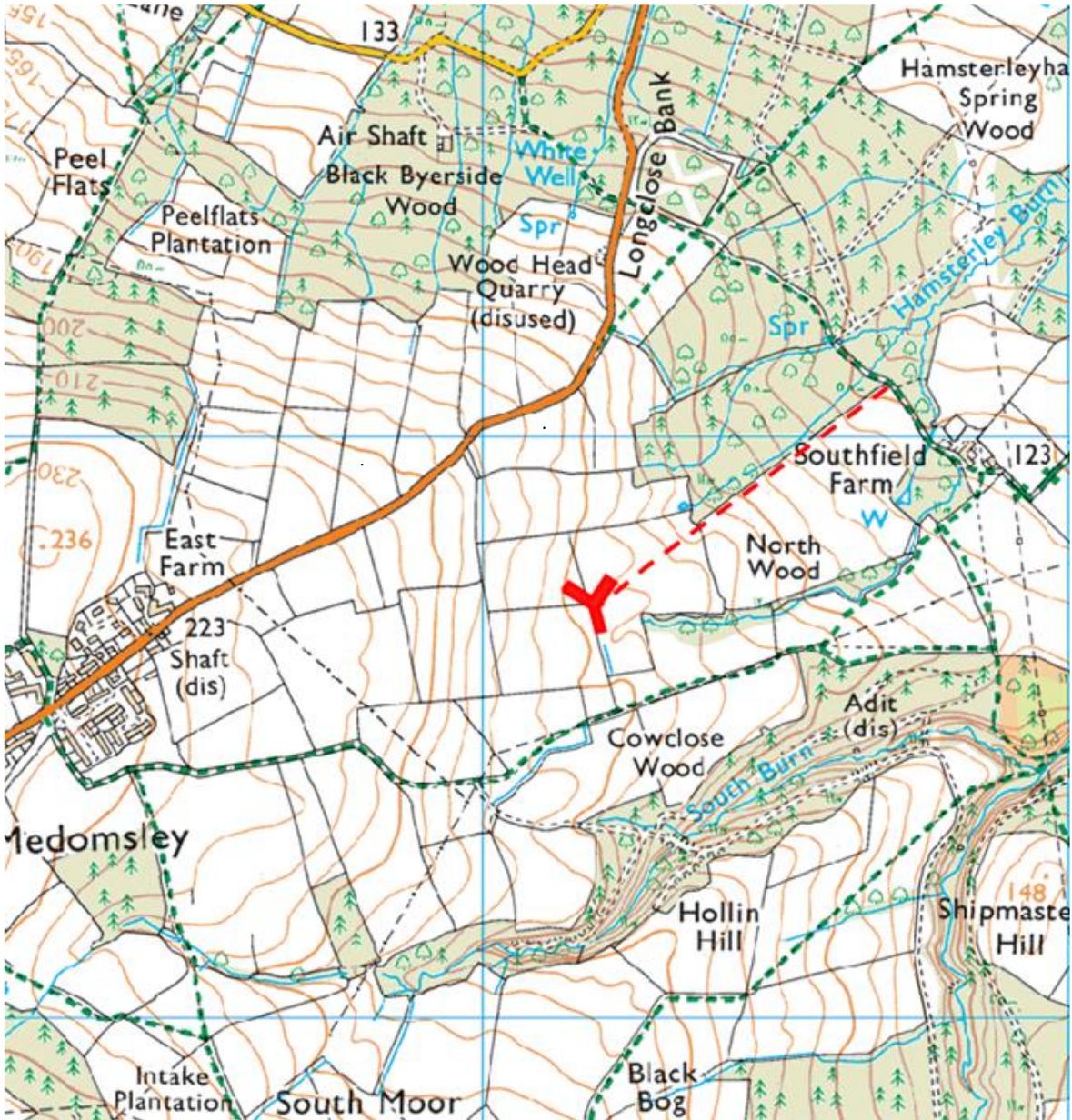
In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant 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.

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## **BACKGROUND PAPERS**

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The National Planning Policy Framework (2019)  
National Planning Practice Guidance Notes  
Durham County Plan 2020  
Statutory, internal and public consultation responses  
Submitted forms, plans and supporting documents



**Planning Services**

DM/20/00956/FPA

Construction of a new organic 18,000 bird free-range poultry unit

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**Comments**

**Date** 25.11.2020

**Scale** NTS

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## Planning Services

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/20/00712/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Erection of one detached two storey dwelling, eight glamping pods, new site entrance and works including a vertical axis wind turbine, play area, protective fence and land-forming.
<b>NAME OF APPLICANT:</b>	Mr Ivan Dawson
<b>ADDRESS:</b>	Land to the south of West Pelton Primary School, West Pelton
<b>ELECTORAL DIVISION:</b>	Edmondsley
<b>CASE OFFICER:</b>	Steve France Senior Planning Officer Telephone: 03000 264871 <a href="mailto:steve.france@durham.gov.uk">steve.france@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The small settlement of West Pelton is formed around a crossroads and sits immediately south of the main A693 that connects Chester-le-Street to Consett via Stanley and Annfield Plain. The village has two large churches, a convenience store, a public playground/playing field and a primary school. The village is a former mining community, with the parts of the housing stock and community buildings reflecting this, but also including Local authority-built dwellings, a range of 20<sup>th</sup> century residential developments in different styles and scales and a new prominent social housing scheme on the crossroads. Victorian terracing, with extensive allotments behind stretches along Twizell Lane, west of the crossroads. With the prominent bungalow developments and generous areas of open space apparent in the modern areas of the village, east of the crossroads.
2. Relevant to this application, the village is a short distance south of the Consett and Sunderland Railway Path Leisure Route, which passes Beamish Museum, 1.5km north-west of the site. There is a golf course immediately east of the village and another west of the Museum, and an extensive network of public Rights of Way in the area. Other tourist attractions in the immediate area include Beamish Hall, with the County Cricket ground at Chester-le-Street some 5.7km distant.
3. The application site is formed of open agricultural land under a semi-improved grassland regime, immediately south of West Pelton Primary school, the steel palisade security fence boundary of which forms the northern edge of the land. The other boundaries of the open land are defined by hedges – a public footpath runs along the southern one. A main road runs along the east boundary. The site falls gently across its northern half, more steeply across the southern half. The

proposed development is on the former. A site visit and Google Earth images show evidence of other pedestrian tracks across and around the land – none with any formal status.

4. On the road opposite the site there is residential property in the forms of Eden Croft, a modern high-density development of apartments overlooking a communal parking area, separated from the road by a planting belt. Closer to the village is the cleared brownfield site of a former public house, followed by Orchard Close, a cul-de-sac development of 10 detached bungalows

#### The Proposal

5. Permission is sought for the erection of a single bespoke architect designed 4 bed dwelling and eight 'glamping' pods.
6. The dwelling is a contemporary flat grass-roofed design, a box, amended to include elevational timber panel elements to contrast with its render finish. Principle fenestration faces south across the falling open associated land. Separating the proposed dwelling from the road to the east, physically and visually a garage block is proposed buried within a landscaped bund. The dwelling is presented as having a high level of 'eco' sustainability and includes a vertical access windmill between the dwelling and the west boundary beyond which is open countryside.
7. The site is served by a common access for both elements of the proposal, the required visibility splay necessitating realignment of the existing hedge. The rear elevation of the dwelling directly overlooks the access giving a high degree of site security and claimed management for the glamping element.
8. The number of glamping pods has been reduced during the course of this application from 12 to 8 with the proposed planting area between the pods and the school strengthened. The pods are small wooden structures, 6m x 3m in size. They contain a double bed, a shower/wc and a kitchen/dining/living area of 9m<sup>2</sup>. The pods face onto a communal play area. A bin-store area for the holiday accommodation sits inside the entrance gates.
9. This application is reported to Committee upon the request of Councillor Danny Wood to consider the concerns of neighbours of the site and the adjacent school.

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## **PLANNING HISTORY**

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10. DM/19/03460/FPA - Managers dwelling, 12 glamping pods and the erection of a vertical axis wind turbine and solar panels. Application Withdrawn.
11. In 1991 an Outline application for residential development was refused for a smaller site adjacent the school (2/91/00430/OUT).
12. The site had been considered under the SHLAA process to inform the development of the County Plan for housing development, which concluded, 'The site is on the edge of the settlement and development on the site would encroach into the open countryside beyond natural/defensible boundaries. Development would result in significant adverse residual landscape impacts'.

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## PLANNING POLICY

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### NATIONAL POLICY

13. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
14. The NPPF requires local planning authorities to guide development towards sustainable solutions whilst taking local circumstances into account, to reflect the character, needs and opportunities of each area.
15. The following elements of the NPPF are considered relevant to this proposal;
16. *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.
17. *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.
18. *NPPF 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.
19. *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.
20. *NPPF Part 8. Promoting healthy and safe communities.* Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other, are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.

21. *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.
22. *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.
23. *NPPF Part 15 - 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. Amongst other aims decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site to impacts that could arise from the development. Noise should be mitigated and reduced to a minimum potential adverse impact to avoid noise giving rise to significant adverse impacts on health and quality of life. Decisions should ensure that new development can be integrated effectively with existing businesses. Existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development the applicant should be required to provide suitable mitigation.

#### **NATIONAL PLANNING PRACTICE GUIDANCE:**

24. National Planning Practice Guidance (NPPG) both supports the core government guidance set out in the NPPF, and represents detailed advice, both technical and procedural, having material weight in its own right. The advice is set out in a number of topic headings and is subject to change to reflect the up to date advice of Ministers and Government.

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

25. The following policies in the Durham County Plan (adopted October 2020) are relevant to the consideration of this application. It is noted that with the application submitted in March, the proposals were submitted against the policy backdrop of the then Development Plan, the Chester-le-Street District Local Plan 2003. Consultees we engaged on this basis. With the adoption of the County Plan 2020, the proposals must be assessed against the following:
26. Policy 6 (Development on unallocated Sites) states the development on sites not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities;

considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.

27. Policy 8 (Visitor Accommodation) supports new and extensions to visitor accommodation provided it is appropriate to the scale and character of the area and not used for permanent residential occupation. In the countryside such accommodation would also need to meet an identified need, support business viability (if an extension) or involve conversion and should respect the character of the countryside and demonstrate how the location can be made sustainable. For chalets, camping and caravanning development and infrastructure, in addition to the above criteria the development would need to provide flood risk details, not be unduly prominent, have appropriate layouts and have sensitive materials, colours and scale.
28. Policy 10 (Development in the Countryside) will not be permitted unless allowed for by specific policies in the Plan or Neighbourhood Plan or unless it relates to exceptions for development necessary to support economic development, infrastructure development or development of existing buildings. The policy further sets out 9 General Design Principles for all development in the Countryside. Provision for economic development includes: agricultural or rural land-based enterprise; undertaking of non-commercial agricultural activity adjacent to applicant's residential curtilage. All development to be of design and scale suitable for intended use and well related to existing development.
29. Policy 19 (Type and Mix of Housing) advises that on new housing developments the council will seek to secure an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations and the opportunity to facilitate self-build or custom build schemes.
30. Policy 21 (Delivering Sustainable Transport) requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
31. Policy 29 (Sustainable Design) requires all development proposals to achieve well designed buildings and places, with due regard to the adopted SPD advice. Eighteen elements include making a positive contribution to character, minimising green-house gas emissions, providing high standards of privacy and amenity, contributing to healthy neighbourhoods and incorporating suitable landscaping.
32. Policy 31 (Amenity and Pollution) sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.

33. Policy 39 (Landscape) states that proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts
34. Policy 40 (Trees, Woodlands and Hedges) states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
35. Policy 41 (Biodiversity and Geodiversity) restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as are biodiversity net gains. Proposals must protect geological features, have regard to Geodiversity Action Plans and the Durham Geodiversity Audit and where appropriate promote public access, appreciation and interpretation of geodiversity.

*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at*

<https://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

36. Highways Officer– raise no objection to the proposals.
37. Northumbrian Water suggest a standard condition to ensure that the implications from the scheme for Foul and surface Water Drainage can be addressed.
38. The Coal Authority – has no objection subject to the imposition of a planning condition to secure intrusive site investigations as recommended by the applicant's technical consultants: Earth Environmental and Geotechnical Ltd.

### **INTERNAL CONSULTEE RESPONSES:**

39. Landscape – The site is visible and prominent as seen from surrounding viewpoints. Most notably: the adjacent road linking West Pelton to Grange Villa across a hedge scheduled on plan for removal, and a public footpath adjacent to the south of the site. The effect of development of this nature would be transformative on such an exposed site. The proposals would have some significant adverse landscape and visual effects. Furthermore, the design and appearance of the proposed development would not form part of the village and would not be in keeping with the character of the existing settlement.

40. Environmental Health (Nuisance) – have commented on the application and considered additional material submitted in process. They note the proposed 2m close boarded boundary fence between the site and the school; the 2m high wall will be constructed on the perimeter of the site, the reduction from 12 units to 8 and the proposed management controls would demonstrate that that aspect of the application will comply with the thresholds stated within the TANS. This would indicate that the development will not lead to an adverse impact. However, it is suggested that the application of the management plan is conditioned and further, that the installation and permanent retention, in good condition, of the close boarded 2 m height fence and also the 2 m high wall.
41. Considering the Vertical Axis Wind Turbine, Nuisance Officers note that the information provided with the wind turbine is poor in relation to potential noise impact: *‘However, it appears that it will be situated over 100m from nearby sensitive receptors, which should include the open teaching areas of the school, where it should be expected to have achieve noise levels of 50dB(A) and generally not to have levels above 60dB(A). From personal experience of assessing various wind turbines, windfarms, around the country, I can advise that vertical axis wind turbines are generally quieter and cause less disturbance than horizontal wind turbines. The proposed unit would total 13.6 m in height with a diameter of 3.9m, the design is a hybrid design, that is using both Darrieus and Savonius components. Rather than seeking the provision of further information in relation to noise data I would recommend that should planning permission be granted that no more than one wind turbine should be allowed on the site; in addition the turbine should be as specified in the information provided and situated as highlighted within the application information. I would further advise that a condition be applied in order to ensure the protection of amenity to the nearby sensitive receptors at the school and residences’.*
42. For lighting this team notes that whilst the scheme does not indicate the positioning of such, as the developer intends to operate a ‘curfew’ on the site, a lighting condition to restrict operation of such could be imposed between the hours of 2300hrs and 0700hrs. They also suggest a condition for protecting the proposed dwelling from the adjacent school and road from noise.
43. The Nuisance Action Team’s conclusion states that they have assessed the environmental impacts which are relevant to the development in relation to their potential to cause a statutory nuisance, as defined by the Environmental Protection Act 1990 and based on the information submitted with the application, that the development is unlikely to cause a statutory nuisance.
44. Environmental Health (Contamination) - are satisfied with the information provided. The risks from land contamination are not considered to be significant, however given the change to a more sensitive receptor, an intrusive site investigation is required and therefore a contaminated land condition should be applied.
45. Given the relationship to the school, and concerns raised by the Headteacher and governors, the Council’s Education Safeguarding Team was consulted. They mirrored the comments of the school, raising in particular concerns for holidaymakers drinking alcohol, lighting fires and swearing in the vicinity of schoolchildren, the need for regulated staff with DBS checks for children visiting the site, potential highway safety implications and that there will be no control over who visits the site and whether any of these individuals are a risk to children. It is noted that this Team provided no updated response in relation to the applicant’s additional Management Plan submitted in response to their concerns.

46. Drainage Officers note that the current extent of development on the site is such that it falls below their remit – however that if additional Pods were (re)introduced, that further surface water design information for the whole of the site will be required. As it stands, the use of soakaways as a surface water drainage system is the preferred option for such a development and it is noted that the consultants have submitted a statement relating to the permeability of the ground; as a designer they are responsible for any subsequent flooding due to the design. The soakaway for the dwelling will be assessed by the Building Control organisation approving the construction.
47. Visit County Durham – indicate they support this development as it is consistent with their market intelligence in terms of market demand. ‘The project is very handily placed to take advantage of the very high proportion of our of region overnight visitors going to Beamish. The site would also be a good geographical visitor base from which to explore Durham City, the Auckland Project and wider regional attractions’.
48. Footpaths – Officers note the presence of the footpath to the south of the site that appears unaffected. The presence of a ‘desire line’ that crosses the site but which has no current legal status is also noted. if evidence of 20 years uninterrupted public use was presented, this feature would have to be investigated.
49. Ecology - The submitted landscape drawing provides sufficient information to confirm that the application meets the biodiversity requirements of the NPPF. The drawing should be used as the basis for a s106 agreement which requires the production of a management plan including monitoring regime, to be produced by the applicant, for the semi natural habitats on the site. The MP should run for 30yrs and be agreed with the LPA.
50. Trees – Officers note the presence of Mature trees are located on the boundary of the site within school grounds and a mature hedge surrounds the site, asking for surveys of such.

#### **PUBLIC RESPONSES:**

51. 138 letters of consultation were sent out to surrounding residents. This has resulted in around 20 letters of objection from local residents and the Campaign for Rural England. A site notice was also posted on street furniture on the public footpath opposite the site.
52. Residents objections include objections in principle, to highway safety, the relation to the primary school and for devaluation of property. It is contended that school children, and the residents of the village – particularly the elderly – will be put at risk from strangers. There is concern that the camping element could be expanded, and it is contended that Glamping should be a rural experience. Concern is made at the height of the wind turbine when viewed from Twizell Lane. The proposals are considered detrimental to local residents and not to relate well to the character, setting and density of surrounding development, with a particular reduction in visual amenity on the approach to the village. There is concern at the potential for a ‘party’ destination and noise and light pollution issues, with the potential for a statutory nuisance on lighter evenings. The CPRE raise issues of principle and in detail with the wind turbine. Locational sustainability is questioned. Loss of wildlife habitat and the potential for surface water and sewage flooding are also raised.

53. There is objection to the proposed dwelling as unnecessary for management of the glamping (the need for which in itself is disputed) and the location, form, size and appearance of the house outside the settlement boundary in the open countryside, with the pods a likewise alien element in the surroundings.
54. The Chair of the School Governors, a Parent Governor and the Headteacher of the adjacent school object strongly that that the health and safety of the pupils at the school will be compromised, and that children using the school grounds will be distracted from their studies. Safeguarding pupils is suggested 'an uncomfortable challenge' with a high turnover of campers, with the increased traffic generated a safety issue for children and their families.

## **APPLICANT'S STATEMENT**

55. "We have been asked by our client to lead what is a very exciting project for them as they plan their retirement strategy around their 'forever home'. Our client and his family have no plan to rest easy and they have resisted the path of least resistance, which would have been to sell the land to a private home developer; who with the right team could have placed over 50 houses on this site.
56. Instead, they have seen this land as an opportunity to give back to the local economy by bringing outside custom from across the country, increasing the local economic impact, over the many years ahead; whilst enjoying a home that they have taken time and care to design, that suits their own living needs and the needs of the business that sustains it.
57. One of the key elements of the build and something that the client is passionate about is sustainability and Passivhaus designs, both of which are implemented into the design strategy to leave a self-sustained home relieving the local infrastructure, as much as possible.
58. It is our view, in an architectural capacity that this notion should be promoted and supported as much as possible whilst taking the local planning policies into account, we feel that over the course of this application both of these statements have been fully considered and implemented."

*The above is not intended to list every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:*

<https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q79ZKCGDGIQ00>

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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### The Principle of the Development

59. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development in the countryside and the implications of the uses proposed. There are policy implications for each of the two elements, but as one scheme they must be brought together to be considered as a whole. For the dwelling the main policies relate to the site being in countryside outside the

existing framework of the village. For the glamping element, visitor accommodation policies are key. Policies relating to the effect on the countryside are common to both. Likewise, the implications for highway safety must be considered cumulatively. Relating in particular to the glamping element, potential effects on residential amenity and safeguarding of the school are relevant.

## The Development Plan

60. The County Plan 2020 was adopted in October, with the policies therein up to date in terms of the required consistency with the NPPF.

## The Principle Issues

61. The site is in countryside adjacent the existing settlement. The lead policies against which to consider the principle of development are the overlapping: Policy 6 (Development on unallocated Sites), Policy 8 (Visitor Accommodation), Policy 10 (Development in the Countryside) and Policy 39 (Landscape), with many aspects of these complementary to each other.
62. Policy 6 allows for development sites not allocated within the County Plan, outside the built-up area subject to a number of criteria; including they are compatible with (and not prejudicial to) the use of adjacent land; it does not consist of ribbon development; it is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement; and that it will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity.
63. Considered against the requirements of this policy, the compatibility with adjacent land uses (i.e. existing residential and the school) is considered below. In terms of the form of the settlement, the only significant extensions to the village since the early 20th century have been the Primary School and the redevelopment of an industrial 'works' opposite the site, which itself first appeared on the 1960 Ordnance Survey map – now Eden Croft. The village has traditionally therefore had its main core either side of the road east of the crossroads, with two extended arms of development west (Twizell Lane) and south. The extent of the proposed development site mirrors that on the east side of this southern spur of development, all of which is modern in appearance. The residential element of the scheme, low density and well landscaped, dependent on being connected to the village by the glamping use, could potentially be accepted as an extension mirroring and extending the variety of modern built form on the east side of the road. Landscape Officers and residents disagree with this conclusion stating that there will be significant adverse landscape and visual effects. Again, highway implications are considered below.
64. Policy 8 supports Policy 7 (Visitor Attractions), which notes, 'the visitor sector is an important and resilient part of the county's economy'. The visitor accommodation policy requires in the first instance that; it is appropriate to the scale and character of the area; and it is not used for permanent residential occupation. The second element of this can be secured by condition. The first is a balance. A low-key development of small structures built of natural materials, surrounded by landscaping helps to assimilate this element of the development. Objectors consider the Glamping use inappropriate adjacent the settlement in character. It is noted that whilst visitor accommodation is often sited in the countryside such uses often struggle for locational sustainability in being distant from shops, facilities and transport routes. This edge of settlement site provides those - well located in terms of short access to local visitor and leisure attractions with close access to

cycle routes, the site could be argued to reduce the need for vehicular access to these, and benefit from access to the convenience store and bus stops the village provides. With cycle parking provided on-site, these aspects of the scheme are considered to meet the requirements of criteria f. of policy 8, demonstrating the sustainability of the location.

65. This new policy further requires proposals to be necessary to meet identified visitor needs – the support and comments of Visit Durham supporting this aspect to bring compliance with criteria c. of the Visitor Accommodation policy; and to respect the character of the countryside, with adequate screening and vegetation – the enhanced landscape scheme considered to meet this requirement.
66. The proposed dwelling is a bespoke, high quality, architect designed structure with ‘eco’ credentials. It is considered in siting to achieve a balance between being appropriately screened in the countryside and relating to the form of the existing settlement. Without the Glamping use, a dwelling on this site would be detached from the form of the settlement, and therefore is dependent in justification on the leisure use. To this end a phasing condition to ensure the occupation of the house is formally related to the completion of the holiday accommodation is proposed and another to functionally tie the occupation of the House to the associated visitor accommodation. There is some local concern at an eventuality of the camping business failing and a future application for housing. The application must however be considered on its own merits as presented
67. The application proposes a less formal and far lower density form than that potentially considered in the SHLAA process, reducing its potential for impact as urban form on the landscape. Development is restricted to the upper part of the land before it falls away, more visually exposed, to the south. The dwelling is cut into the landform and the proposed parking is bunded, giving the potential for meaningful screening. The main south elevation has been amended to give a more muted appearance and be less visible in long views. The size and finish of the individual Glamping pods are considered to meet the requirement for materials to blend in with the site, and the scale to be limited to meet the needs of site occupants only. Subject to appropriate conditions, the scheme is proposed compliant with the requirements of Policy 8.
68. Policy 10 is complimentary to Policy 6 and seeks to protect the countryside for its own intrinsic value. The policy allows for economic development where required to be in the countryside, requiring it to clearly demonstrate an essential and functional need for that specific location and where it can be clearly demonstrated that it has the prospect of being financially sound and will remain so. This application has been lodged since March 2020, and this detailed policy requirements have been set only recently – it was not a requirement of then relevant policy TM4. However, a detailed business plan has been provided, and the support of Visit County Durham is considered to indicate a likely demand and the prospect for the Glamping element to be financially sound and a benefit to the County’s economy. The Glamping proposal is not considered contrary to this policy’s general requirements that it not ‘give rise to unacceptable harm to the heritage, biodiversity, geodiversity, intrinsic character, beauty or tranquillity of the countryside either individually or cumulatively, which cannot be adequately mitigated or compensated for’.
69. Policy 39 (Landscape) states that proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape

and visual effects. The proposed landscaping proposed is considered to meet this requirement. The site is not within a designated or protected landscape.

70. Some residents have raised concerns that the glamping pods are a vehicle to facilitate an isolated dwelling in the countryside only. The application must be considered on its merits as submitted. If one element is critical to ensure the acceptability of the other, the timings for implementation can be conditioned to be dependent on each other.

#### Highway Safety

71. Residents have significant concerns for highway safety, especially in relation to parent/children access/egress of the school. The site entrance has been designed to meet the requirements of County Highways for visibility. The access is 185 m from the village crossroads, opposite the entrance to the brownfield site, opposite. The entrance to Eden Croft is 50m further from that point, this argued to define the existing extent of the village for vehicular and pedestrian use. The pedestrian and vehicular accesses to the Primary School are 100m along Twizell Lane, therefore nearly 300m from the site entrance, around a corner. The likely traffic from the glamping element would not be expected to coincide with the school day, and with that of the proposed dwelling, is restricted in volume.
72. County Highways Officers raise no objection to the scheme, subject to conditions to ensure future unimpeded visibility of the access and timing the implementation of the access. Suggested 'informatives' direct the applicant to the requirements of the Highways Acts.
73. All the site's parking requirements are met on-site.
74. The proposals are concluded compliant with policy 21 of the County Plan and paragraph 109 of the Framework.

#### Residential Amenity

75. Residential amenity concerns for local residents derive mainly from the Glamping element of the proposals and the proposed single wind turbine. Residents consider that the siting of the proposed visitor accommodation at the edge of the village is inappropriate in principle, and that the expectations of holiday accommodation will have an adverse effect on their amenity. Other than in general terms, the Visitor Accommodation policy does not advise on this specific amenity relationship.
76. Environmental Protection Officers note the proposed fencing and walling, which with the background noise environment of the existing road that separates them from the site gives some separation. The bungalows of Orchard Close are the closest dwellings to the Glamping pods, with number 1, 45m from the nearest. The pods face into the site, have a single door opening in a recessed porch on their front elevation, no windows and are of a size that restricts numbers in occupation. The park/play area is overlooked by the pods. Presented as having a management role for the glamping development, the residential amenity relationship of the proposed dwelling would likely ensure that the effects of campers' occupation would be controlled.
77. The potential for residential disturbance has been reduced by the reduction in numbers of pods and tenets of the submitted Management Plan directed to mitigate effects on existing residential properties. Subject to the suggested

safeguards ensuring the erection of the walls and fences proposed and control of lighting that will help reduce any interference, led by the advice of Environmental Health Officers that the development is unlikely to result in a statutory nuisance, Planning Officers come to a similar conclusion for the reasonable expectations for residential amenity from the planning system.

#### Relationship to the School

78. A number of concerns have been received from and on behalf of the Primary School to the north of the site. Concerns for highway safety are discussed in the detailed paragraph above. Likewise, concerns that noise from the site would be distract pupils from their studies which could have a negative effect on their attainment, were assessed and concluded acceptable for the relationship to residents and the school grounds by the Environmental Health Team's Nuisance Officers, with a condition suggested to ensure retention of the fences and walls that underpin this conclusion. The additional efforts of the applicant to address these concerns are concluded acceptable subject to the suggested safeguards.
79. Concerns for safeguarding of children in the school grounds was responded to be the applicant by the introduction of an additional fencing barrier to give a physical and visual separation between the Glamping and the school, along with the production of a Management Plan. This Plan states that staff will be DBS checked with ongoing license updates over the course of their employment, the site will feature CCTV security, with the entrance controlled by staff during the day and the dwelling on an evening, with visitors signed in and group bookings will not be permitted other than for family groups and similar circumstances. Between the physical separation of the existing and proposed uses and the tenets of the management Plan, the applicant is considered to have responded appropriately to the concerns raised. Whilst it is not for the Local planning authority to macro-manage the operation of the site should the application be approved, a condition requiring compliance with the Management Plan would give the school some surety of a level of control over and above the standard mechanisms for addressing safeguarding issues.

#### Drainage Considerations

80. The applicant has submitted detailed drainage proposals proposing that package treatment plants are used, there being no Northumbrian Water apparatus close to the site. Drainage Officers note the detailed information submitted, and that the appropriate mechanism for its detailed assessment is through the Building Regulations process.

#### Other Issues

81. For residents' concerns that the number of pods could be increased, such a proposal would require submission of another application and the usual consolations of neighbours.
82. The requirements of the Coal Authority can be achieved by imposition of a standard condition tied to the recommendations of the applicant's submitted reports. Likewise, Environmental Health (Contamination) consider their requirements can be met by condition and 'informatives'.
83. The submitted scheme shows that the development can meet the requirements of the Framework to ensure net bio-diversity gain. The County Ecologist suggest a

s.106 agreement to secure this, however a condition could be used to the same end.

84. Tree Officers made no adverse comments on the proposals but did ask for surveys of the existing trees and hedges. With no part of the development within influencing distance of the trees, and the hedge along the front of the site required removed for highway safety reasons and proposed replaced, insistence on this request was considered disproportionate.
85. Confirmation that the proposed wind turbine would cause no issues for Newcastle Airport are being pursued as this report is written.

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## CONCLUSION

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86. The County Durham Plan, 2020, informed by the NPPF is up to date and constitutes the Development Plan against which these proposals must be assessed. Contrary to the views of residents and some consultees this report concludes that the proposal could be seen as a logical extension of the settlement and that the impacts on the landscape, whilst transformative for the site are not significant if the submitted landscape scheme is implemented.
87. The proposed relationship of the glamping element to the school has been physically improved by the proposed physical and visual separation, the reduction in the numbers of pods and the proposed Management Plan. The level of traffic likely to be generated is such that highways safety implications are considered acceptable. Adjacent to the village brings suggestions of conflict with existing residents, but greater locational sustainability. The site's location is supported by Visit County Durham close to a range of attractions. This element of the site therefore has the potential to bring material economic benefits to the area.
88. The proposed dwelling is considered in siting to achieve a balance between being appropriately screened in the countryside and relating to the form of the existing settlement. It is of high-quality appearance that adds to the variety of housing stock in the area, and dependent on the implementation of the Glamping scheme is concluded acceptable.
89. In response to concerns for residential amenity, the applicant has amended the scheme and produced a Management Plan that conditioned, leads Environmental Health Officers to the conclusion that resident's (and pupils) reasonable amenity expectations are capable of being met, protected by conditions.
90. Technical implications raised can be met through the imposition of conditions and through other regulatory processes.
91. The above conclusions are a judgement, where not all parties are in agreement, but on balance the identified issues with the proposals appear capable of mitigation and on this basis the application is recommended approved.

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## RECOMMENDATION

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92. 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 Policies 6, 8, 10, 19, 21, 31, 39, 40 and 41 of the Durham County Plan, 2020.

3. The development hereby approved must be carried out in full accordance with the details of elevational, fenestration and roofing materials shown and described on the submitted forms, drawings and plans.

*Reason:* In the interests of the appearance of the area and to comply with Policy 29 of the County Durham Plan 2020 and Part 12 of the National Planning Policy Framework.

4. The management of the Glamping operation must be carried out in full adherence to all elements of the following document:

- Stone Row - Glamping Facility, Management Document - V2 - June 2020, Controlled use of holiday caravan and other holiday park accommodation Management Document - Stone Row, Durham

*Reason:* In the interests of residential amenity, to ensure amenity and safeguarding relationships with the adjacent Primary School and for compliance with policy 29 of the of the Durham County Plan 2020.

5. The dwelling hereby approved must not be occupied until the glamping element of the proposal, consisting all pods, vehicular access and circulation and other hardstanding areas, communal refuse areas and play area with equipment is completed in full and ready for occupation, with said completion being confirmed in writing by the Local planning authority.

*Reason:* to ensure the justifications for the approval are met and that the development does not result in isolated development in the countryside, in accordance with policies 6 and 10 off the County Plan and part 5 of the National Planning Policy Framework.

6. The occupation of the dwelling shall be limited to a person solely or mainly or last working in the operation and management of the glamping element of this approval, as defined on the approved site layout plan, or a widow or widower of such a person and to any resident dependants.

*Reason:* To define the extent of the consent and in compliance with policies 6 and 10 of the Durham County Plan, 2020.

7. The glamping pod element of this approval must not be brought into use until the access and internal roadway has been constructed in full, in accordance with the approved layout plans.

*Reason:* In the interests of Highway Safety, Policy 21 of the Durham County Plan 2020 and paragraph 109 of the Framework.

8. The site layout plan detailing 2.4m x 100m site splays onto the public highway Stone Row must be set out and implemented in full before first use, and there-after maintained for future use and kept clear for unimpeded visibility to under a height of 1 metre.

*Reason:* In the interests of Highway Safety, Policy 21 of the Durham County Plan 2020 and paragraph 109 of the Framework.

9. Drawing Concept Landscape and Windmill Section, Layout ID 9-6, 07/07/20 must be used as the basis for an ecology/biodiversity management plan including a monitoring regime for the semi-natural habitats on the site to be submitted to the Local planning authority for approval in writing before the occupation of any element of this approved scheme The Ecology Management Plan set out a schedule for implementation in full, in accordance with the approved details and include

replacement of any elements that fails and should run for 30yrs. The Plan must contain provision for submission of an agreed format and timing of regular monitoring reports.

*Reason:* In the interests of ecology and biodiversity, to achieve the necessary biodiversity gain, and compliance with policy 41 of the Durham County Plan 2020 and part 15 of the Framework.

10. The level of noise emissions, from the wind turbine hereby granted planning permission, at nearby sensitive receptors shall not exceed LA90 10minutes 35dB(A) daytime and 43dB(A) night-time (including tonal penalty).

*Reason:* In the interests of residential amenity and for compliance with policy 29 of the of the Durham County Plan 2020.

11. The approved close boarded 2m high close boarded fence and 2m high wall must be erected in full before any part of the approved scheme is occupied and must thereafter be retained to the approved specification whilst any use or occupation is in operation.

*Reason:* In the interests of residential amenity, to ensure amenity and safeguarding relationships with the adjacent Primary School and for compliance with policy 29 of the of the Durham County Plan 2020.

12. Before the detached two-storey dwelling hereby approved is occupied, a written scheme showing that the following noise levels will be achieved and have been implemented in full:

- 35dB LAeq 16hr bedrooms and living room during the daytime (0700 - 2300)
- 30 dB LAeq 8hr in all bedrooms during the night-time (2300 - 0700)
- 45 dB LAmax in bedrooms during the night-time
- 55dB LAeq 16hr in outdoor living areas

must be submitted to the Local planning authority and approved in writing and thereafter adhered to in full.

*Reason:* In the interests of residential amenity and for compliance with policy 29 of the of the Durham County Plan 2020.

13. All external lighting for the development hereby approved, must not operate between the following times: 2300 to 0700hrs Monday to Sunday.

*Reason:* In the interests of residential amenity and for compliance with policy 29 of the of the Durham County Plan 2020.

14. 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 include a Phase 2 site investigation, 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 policy 31 of the Durham County Plan 2020 and Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

15. 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.

16. In relation to the Coal Mining legacy, in order to confirm the exact ground conditions present beneath this site and to inform the remedial / mitigatory measures required to ensure that the development is safe and stable, intrusive site investigations should be undertaken prior to development. Therefore, no development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations must be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

*Reason:* in accordance with policy 31 of the Durham County Plan 2020 and Part 15 of the National Planning Policy Framework.

17. Where the findings of the intrusive site investigations (required to investigate the implications of the Coal Mining legacy) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme, including the timing of works, to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be completed in full on site in complete accordance with the approved details and required timings.

*Reason:* in accordance with policy 31 of the Durham County Plan 2020 and Part 15 of the National Planning Policy Framework.

18. Surface water and foul drainage must be carried out in full accordance with the information set out on the following documents unless directed otherwise by the requirements of the Building Regulation process:

- Drainage Statement, Novo 55 Consulting, 22 10 /2020
- Dwg: General Arrangement Drainage rev.0
- Dwg: Drainage Layout North rev.0
- Dwg: Drainage Layout South rev.0

*Reason:* To protect the site and surrounding land from the potential for flooding as required by part 15 of the Framework.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority 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.

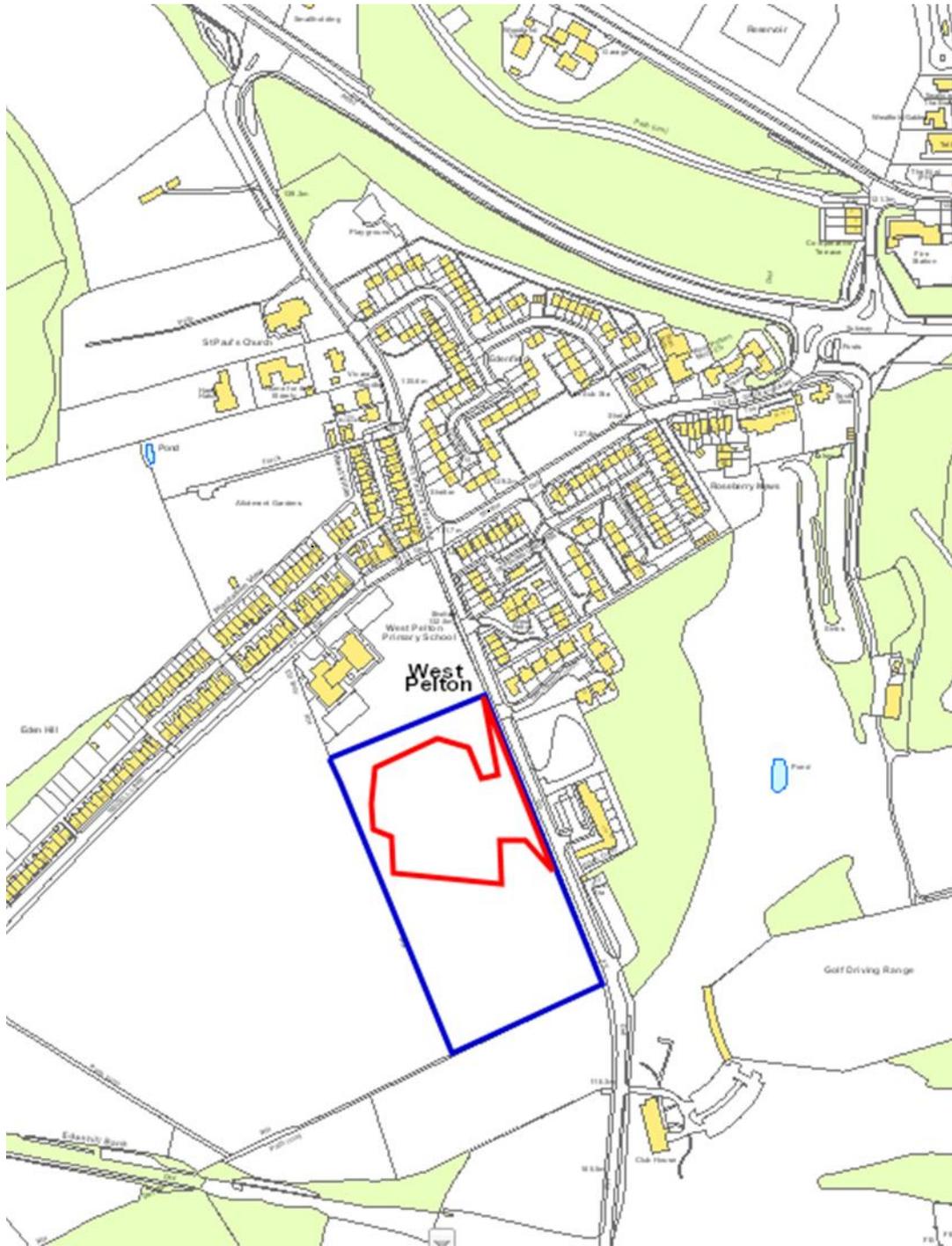
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## **BACKGROUND PAPERS**

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The National Planning Policy Framework (2019)  
National Planning Practice Guidance Notes





**Planning Services**

DM/20/00712/FPA

Erection of one detached two storey dwelling, eight glamping pods, new site entrance and works including a vertical axis wind turbine, play area, protective fence and land-forming.

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**Comments**

**Date** 25.11.2020

**Scale** NTS