



County Planning Committee

Date Wednesday 2 September 2020
Time 9.30 am
Venue Remote Meeting - This meeting is being held remotely via Microsoft Teams

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest
4. Minutes of the meeting held on 28 July 2020 (Pages 3 - 20)
5. Applications to be determined
 - a) DM/20/01201/FPA - Land to the south of Longedge Lane Eliza Lane Consett DH8 9HB (Pages 21 - 62)
Proposed 37no Holiday Lodges (including 10no highly accessible lodges and 1no manager's lodge) and Play Barn with associated Farm Experience. (Amended Description)
 - b) DM20/00469/RM - Land to the south of High Grange Way Wingate TS28 5FF (Pages 63 - 78)
Reserved matters application for 250 dwellings with associated highways infrastructure, landscaping, public open space and sustainable urban drainage features pursuant to planning permission DM/16/03958/OUT
6. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration
7. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information

Part B

Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information)

8. 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
24 August 2020

To: **The Members of the County Planning Committee**

Councillor J Robinson (Chair)
Councillor F Tinsley (Vice-Chair)

Councillors J Atkinson, A Bell, J Clare, K Corrigan, K Hawley,
I Jewell, C Kay, A Laing, G Richardson, A Shield,
J Shuttleworth, A Simpson, M Wilkes and S Wilson

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DURHAM COUNTY COUNCIL

At a Meeting of **County Planning Committee** held **remotely via Microsoft Teams** on **Tuesday 28 July 2020** at **9.30 am**

Present:

Councillor J Robinson (Chair)

Members of the Committee:

Councillors J Atkinson, A Bell, J Clare, K Corrigan, I Jewell, J Maitland (substitute for S Wilson), A Laing, G Richardson, A Shield, J Shuttleworth, F Tinsley (Vice-Chair) and M Wilkes

1 Apologies for Absence

Apologies for absence were received from Councillors K Hawley, C Kay, A Simpson and S Wilson.

2 Substitute Members

Councillor J Maitland substituted for Councillor S Wilson.

3 Declarations of Interest

There were no Declarations of Interest.

4 Minutes

In relation to the minutes from 1 July 2020, Application 5b - DM/19/03567/MIN and DM/19/03569/VOCMW - Land to the west of Bradley Surface Mine, Leadgate, Consett, DH8 6RS Councillor A Shield wished to note for the record that subsequent to the meeting he had met with Mr L Stokes from Banks and it had been clarified that the potential tonnage, in respect of coal generated by the site, would be nowhere near as much as the 520,000 as set out at paragraph 1 the Officer's report. He added that the Officer had responded to say the 520,000 was an estimate based upon ground investigations and that the final amount could be more or less than the old workings. He highlighted that, whatever the final tonnage, it would equate to less than 10p per tonne from the Bradley Site.

The Chair asked if the Solicitor – Planning and Development, Neil Carter could comment as this referred to the report and the minutes were a record of the meeting itself. Councillor A Shield explained he was not asking for the minutes to be changed, rather the information to be noted by the Committee. The Solicitor – Planning and Development noted the minutes were a record of meeting and would not be altered in that respect, he thanked Councillor A Shield for his comments and the information would be noted.

Councillor M Wilkes noted that last sentence on page 39 of the agenda pack should be amended to accurately reflect what he had said:

“However, he noted the NPPF requires that the national benefit be considered and therefore it was necessary to consider whether digging 100,000 tonnes of coal and fireclay was in the national interest”.

Subject to the amendment from Councillor M Wilkes, the minutes of the meeting held on 1 July 2020 were confirmed as a correct record by the Committee and would be signed by the Chair.

5 Applications to be determined

a DM/20/00669/FPA - Land To The East Of Mill Lane, Sherburn, DH6 1HP

The Senior Planning Officer, Laura Eden, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The application was for 12 additional dwellings (132 dwellings in total) linked to applications DM/16/00400/OUT & DM/18/03759/RM for the erection of 120 dwellings with a recommendation for approval subject to conditions and a Section 106 Legal Agreement.

Members were informed as regards the previous applications, the previous agricultural use of the land, and that the site was bordered to the north by the rear boundaries of residential properties, including those of Sherburn Farm, Chapel Court and South Street. The Senior Planning Officer explained that there was further agricultural land to the south, with a former railway line walkway running in a north-west/south-east direction plus a woodland trail, beyond. She added that to the east of the application there was a bridleway in a north-west/south-east direction with agricultural land beyond. She noted that to the west of the site was Mill Lane (the C12A) and the rear boundaries of Mill Lane residential properties, with further homes on the western edge of Mill Lane at The Crescent and Sherburn Way beyond.

The Senior Planning Officer noted there were no statutory or locally designated landscape or ecological sites within, or immediately adjacent, to the application site and abutted the Sherburn Village Conservation Area with a small 0.09 hectare area within the application site. She explained that the application was for 12 additional properties to the site that already had planning permission, with the highways access and show home already completed, with two properties on the site being occupied and with 28 in the process of construction. Members were referred to a comparison of the approved site layout plan and that proposed by the current application. She explained the current application was for full planning permission for 132 dwelling, an additional 12 to that previously agreed. She noted that there was no net increase in developable area, and therefore there was a partial re-plan and remixing of the site as set out, with large areas unaltered when compared to the original layout, including the majority of the internal road structure. The Senior Planning Officer set out the proposed housing mix and types, and noted all properties included off-street parking, some a mix of integral and detached garages and enclosed rear gardens. She noted access would be gained via the approved and completed access from Mill Lane and noted the open space at the entrance to the site and conditions would be re-imposed to secure the peripheral structural landscaping to the southern site boundary, the implementation of the general landscaping scheme and the maintenance thereafter. The Senior Planning Officer noted that the site access and traffic impacts associated with the substitution of plot types and increase in dwellings were set out in the Transport Statement and that this was considered acceptable subject to a condition being imposed to secure improvements to the Mill Lane – B1283 mini-roundabout junction, replicating Condition 10 of the previous outline condition. She noted the agreed works included a realignment, lining and signing scheme to improve safety and capacity prior to the occupation of the 50th dwelling on site.

The Senior Planning Officer noted the concerns raised by objectors to the application in relation to the Road Safety Audit (RSA) undertaken on the detailed design of the junction. She explained that the RSA followed Department for Transport (DfT) guidelines and all the issues raised had been addressed by designers and accepted by the Highway Authority as the overseeing organisation for the highway network. She noted that the Highways Authority considered the existing access was acceptable and there are no outstanding road safety issues and the development access is deemed to be acceptable from a road safety perspective. The Senior Planning Officer noted the proposed house types were considered to be acceptable with reference taken from the character and appearance of the Sherburn Conservation Area with a range of house types and true corner-turning units utilised at street junctions to provide visual relief within the development.

She noted that distance standards with properties external to the development were comfortably achieved and as such it was not considered that any significant issues in terms of overlooking, overshadowing or overbearing impact would arise and therefore there would be no significant adverse residential amenity impacts.

The Senior Planning Officer noted that since the publication of the Committee report there had been two further letters of representation received. She explained Local Member, Councillor B Kellett had maintained his objection to the development and a further letter of objection had been received from a local resident. It was noted there were no objections from the Planning Policy and Highways sections relating to the application and no objections from statutory or internal consultees subject to conditions and informatives. She noted that Councillor Bill Kellett objected to the application and was strongly critical of the way that the RSA had been carried out and raised concerns as regards adverse highway impacts and the likely impact on the local GP surgery. She added that Councillor D Hall, another Local Member for the Division had requested that the application be determined by Committee to fully assess the impacts on additional development on the village and any additional discretionary contributions the developer may see fit to include in their agreement. It was noted there had been eight letters of objections from residents, with a summary of those included within the Committee report.

The Senior Planning Officer noted the acceptability of the application should be considered in the context of the planning balance test contained within Paragraph 11d of the National Planning Policy Framework (NPPF) and therefore, in order to justify the refusal of planning permission, any adverse impacts of a proposed development must significantly and demonstrably outweigh any benefits. She explained that the principle of developing the site for housing was established under planning permission outline and reserved matters application and the additional 12 dwellings could be accommodated within the site without materially diminishing the overall quality of the previously approved scheme and impacts arising have been fully mitigated through additional S106 contributions. She added that as it was felt that any adverse impacts arising would not significantly and demonstrably outweigh the recognised, social and economic benefits of new housing and therefore, in accordance with Paragraph 11 of the NPPF, the proposed development should be granted planning permission.

The Chair thanked the Senior Planning Officer and asked the Senior Committee Services Officer, Ian Croft to read out a statement on behalf of Local Member, Councillor D Hall.

The Senior Committee Services Officer noted the statement from Councillor D Hall read as follows:

“I am sorry I will not be able to attend the meeting due to work commitments. The Committee team have kindly agreed to read out this statement on my behalf and I have circulated a copy to Planning Committee Members beforehand, accompanied by a copy of the Council’s December 2019 Road Safety Audit of the new junction of this development.

In relation the Persimmon Mill Lane Development’s amendment I respectfully ask that Committee Members propose, second and support a Condition, upon any planning permission grant, requiring that:

‘the 30mph zone be moved to a suitable location on the other side of the new junction and pedestrian crossing, with appropriate signage, lining, and gateway features as appropriate’.

The reasons for this request are that Road Safety is a significant concern surrounding the entrance for this development. A Road Safety Audit (RSA), jointly commissioned by the County Council and Persimmon, was recently carried out by the Council’s Accident Intervention Team’s Officers. Most of its recommendations are being implemented, including a newly improved pedestrian crossing in what is currently the 40mph zone.

Page 13 of the Council’s December 2019 Road Safety Audit recommends that if the entrance to the development cannot be moved then the 30mph zone be moved to a suitable location on the other side of the new entrance (and pedestrian crossing), with suitable lining and village gateway works done, but this has not been done. This is a low-cost piece of work and could be easily implemented.

The development, its new junction, its increased capacity pedestrian crossing, and all the additional use by its residents’ cars and footfall of residents from this development, including those to benefit from this amendment, necessitates that this sensible and reasonable action be taken.

The original development on Mill Lane of 120 houses was very controversial. After a drawn-out planning process, outline permission was reluctantly granted, and Persimmon later bought the site and now seek to amend it to add 12 dwellings on the same site. They have begun building houses on site, and the new junction with its new central-lane turning space.

I have worked with residents, fellow Councillor Bill Kellett, Parish Council and Officers over the past few years to address issues raised over the original planning application, issues over the management of the development, and to improve the benefits and lessen the impacts of this development and this amendment.

Road safety is a big concern and this amendment application, and the adoption and safety assessment processes that accompany it, provides an opportunity for local people and this Committee's Members to appropriately address one of the most significant concerns.

The nearby pedestrian crossing point has now been amended to accommodate increased use by pedestrians, cyclists, and mobility scooters as part of this development – yet it remains in a 40mph zone!

This road past the new junction is a very well used National Cycle Route, even more so during the recent COVID-19 pandemic.

Following the Road Safety Audit's recommendations, it would seem sensible for the Council to request the developers make this amendment. It is only necessary because of this development and this amendment add-on to it.

Some speed data was collected and the 85(%)-percentile speeds in this area of the 40mph zone were said to be around 35mph. Speeding above 40mph is not the issue to be addressed, safety is, as per the Council's own safety audit recommendations.

The 85(%)-percentile speeds of 35mph would indicate that reducing the speed limit down to 30mph is achievable and so credible, especially if supported by appropriate signage and gateway works to highlight the change to drivers, as recommended.

As we all know, the risk of serious injury or death to pedestrians, children and cyclists hit by cars and HGV's travelling over 30mph increases dramatically.

I have spoken to a representative of Persimmon recently when discussing this and other requests and they said they would do this if formally asked to by the Council. The relevant Senior Highways Officer has told me that he does not mind if it is moved, and a manager of the Strategic Highways team has told me he sees the sense in moving it as well.

The above may appear to be a simple, sensible, required, and straight-forward thing to do, and it is. It is however necessary for the Committee to add a condition today to make it happen, otherwise it will not be done.

I would therefore be very grateful if the Committee will please request and vote in favour of the condition for the 30mph zone be added.

Thank you for considering this application today and my statement".

The Chair thanked the Senior Committee Services Officer and noted the following the comments from Mr Paul Hunt, representing the Applicant, he would bring in the Council's Highway Development Manager, John Mcgargill to speak in relation to the matters raised.

Mr P Hunt thanked the Chair and added he hoped all were safe in the current uncertain times. He noted he represented Persimmon Homes and was speaking in support of the application. He thanked the consultees and the Senior Planning Officer for their help and hard work in respect of the application. He noted the development site was in a sustainable location and had access to a number of key services within the local area and beyond, the site being well supported by both private and public transport links. He noted the application offered the opportunity to further enhance a sustainable development within the Sherburn area with the adjustment of housing that fitted more with current housing demand of prospective residents. He noted that Members were already aware that the site benefited from both outline and reserved matters approvals and pre-commencement conditions had been discharged and development had commenced on site with marketing and sales now active.

Mr P Hunt noted that through early marketing and sales enquiries it had been apparent the housing product offered by the consented scheme was not entirely reflective of the type and size of houses which the local market was demanding, with a large number of potential purchasers seeking smaller sized family homes. He explained that therefore the application sought to re-mix the housing within the site to best meet those demands, providing an additional 12 properties to efficiently utilise the site while maintain the key design principles of the development. He noted that the proposals for 132 units, over the 120 of the approved schemes, looked to maintain the design principles of the outline and reserved matters applications and the internal road structure remained unchanged to that already approved. He added that the developable area remained unchanged, ensuring that open space would be unaffected by the increase in the number of units.

Mr P Hunt noted the development would continue to deliver good principles in line with the NPPF which seeks to create a high quality, attractive development which aimed to be respectful and complimentary to the surrounding area. He added the development would continue to make use of traditional building materials to achieve a level of complimentary development within the surrounding area. He noted the access to the site would be via the previously approved access from Mill Lane and the submitted Transport Statement summarised the approved transport assessment, the mitigation for the approved 120 units and assessment of the effect of an additional 12 units.

Mr P Hunt noted that the Transport Statement concluded that the additional 12 units would not result in an impact on the surrounding network and the previous approved site access remained suitable for the additional 12 units and that a RSA of the site had been completed with Durham County Council to inform and incorporate into the design which had already been developed on site. He noted that Persimmon Homes had worked closely with the planners in Durham Council, as well as Council and statutory external consultees and, through adaptation of the proposal and submission of additional reports, plans and information, the proposed development met the requirements of all whilst also the following the principles agreed in the previous applications to allow for a seamless and continuous development across the entire site. He explained that the impacts of the development would be fully mitigated by the development or via a planning gain package topping up payments and additional affordable housing provision was to be secure in addition to the current s106 items for the additional 12 units such that there no adverse impacts which would significantly and demonstrably outweigh the benefits. He added that the application was supported by a full suite of supporting reports, assessment and drawings which had met all the requirements of internal Council and Statutory Consultees including Drainage and Highways such that there were no outstanding objections from any of those bodies.

Mr P Hunt noted that the Applicant contended that the site was highly sustainable in its location and the proposals would result in a high quality visually attractive development, boosting housing and more closely reflect the identified demand in the area. He noted no technical issues that the application had taken into account the relevant policies and local residents and surrounding land uses and as a result there were no adverse impacts that would significantly and demonstrably outweigh the benefits of developing the site to deliver much needed family housing in the area. He concluded by politely requesting that the Committee support the Officer's recommendation an approve the application.

The Chair thanked Mr P Hunt and noted that, as the Committee had no specific questions of Mr P Hunt at that time, he would ask the Highway Development Manager to speak in relation to the application and the comments within Councillor D Hall's statement.

The Highway Development Manager thanked the Chair and noted that the access for the original application was assessed in 2015 on the basis the road running past had a 40mph speed limit, with visibility splays assessed accordingly and found to be acceptable. He noted he had been lobbied relentlessly over the last five years to move the 30mph speed limit currently north of the junction to the south of the junction, however, the Council had resisted this.

He explained that he had worked for Local Authorities for 40 years, with Durham County Council being the fourth Local Authority he had worked for. He noted in that time he had never been accused of lying and had been accused of lying to Committee in relation to the application. He explained he was certainly not lying to Committee and always took an objective point of view which could be defended if necessary. He explained he had worked in, and managed, the Accident and Investigation and Road Safety Audit Teams and therefore was able to apply that knowledge and skill when assessing new developments. In respect of the Local Members' concerns, he noted Councillor B Kellett had raised the issue of additional traffic in the village. He explained that for 12 additional units this would equate to eight additional vehicle trips and if those vehicle trips were to split in a north and south direction, there would be four additional vehicles entering the village over the peak hour and he suggested that this was not significant or noticeable within the background traffic of around 5,000 vehicles per day. The Highways Development Manager noted that Councillors B Kellett and D Hall had raised concerns as regards the RSA, with Councillor D Hall noting there were significant concerns relating to the safety of the highway. He noted that those concerns were not shared by the Highways Authority, the junction had been assessed, a RSA had been undertaken in accordance with Government guidelines and national standards and completed and signed off to the satisfaction of the Highways Authority, adding it was a safe junction.

In reference to the RSA content, the Highways Development Manager noted reference to the junction, located on the apex of a bend, contributing to visibility issues. He suggested that the apex of a bend was the best possible place for a junction, and it had been raised in the RSA and dealt with via the RSA process. He added there were no visibility issues with the junction being on the apex of a bend, it had been demonstrated and, technically proven there were acceptable visibility and safe stopping distances for the junction. The Highway Development Manager noted that the Road Safety Auditor had suggested a potential solution for the issue of the junction being on the apex of a bend was to move the 30mph limit, again the Highway Development Manager noting he did not feel this was an issue and was in fact the best position for a junction. He added that the Road Safety Auditor had recognised within his statement that there could be credibility and enforcement issues in moving the 30mph limit. He agreed that he too felt this would be the case. He added that the suggested 30mph would be outside of the built environment area, where the current 85th percentile speeds are only 35mph. The junction was designed for speeds up to 40mph and there would be issues in terms of credibility of a 30mph limit and possibly enforcement issues.

He explained the guidelines provided by the Association of Chief Police Officers (ACPO) noted enforcement could take place where you had speeds in excess of 10 percent plus 2mph, which if there was a 30mph limit equated to 35mph. He informed Committee it was unlikely the Police would enforce the limit if it was moved and therefore in effect the moving of a sign would have no impact whatsoever.

The Highway Development Manager noted Councillor D Hall had suggested that he had spoken to senior officer and himself and that they had not minded in terms of the movement of the speed limit. He explained that he did not mind in the sense that it would not impact upon road safety, neither improving it nor making it worse. He noted his concern was that if Committee were minded to insist on a condition then the Police may not support the moving of the speed limit as it lacked credibility and could not be enforced. He noted his view was that in asking for a condition to be imposed it must be necessary, and with the junction being safe the condition being requested was not necessary.

Councillor F Tinsley asked for clarification in respect of the eight vehicles from the 12 additional properties, noting Members had experience of similar developments in their areas and noted eight seemed a low number, noting he knew of many households with three or more vehicles and eight from 12 properties suggested some of the properties had no vehicles at all. In respect of the junction, he took the point that the Highway Development Manager was very strongly of the view that the existing junction within the 40mph zone was safe and asked what the Officer's view was in terms of if the 30mph zone was moved, whether this would it be a safer junction because of this. Councillor A Shield asked what the reason was for the delay of the RSA, given the application for 120 properties was approved in May 2016 and the RSA was not started until December 2019, with the development already underway.

The Highway Development Manager noted that the reference was for eight vehicle trips, it was not attributing vehicle ownership per property, and this was the trip rate at the peak hour from the development. He explained that this was obtained from research and surveys that had been undertaken in County Durham and nationally which showed around 0.5 to 0.65 trips per unit at the peak hour, with the figures coming from software models and data collected for different areas within the country. In respect of if the speed limit sign was moved and whether it would have an impact upon road safety, the Highway Development Manager noted that DfT research had shown that it may reduce speed by up to 2mph, in this case an impact on the 85th percentile speed from 35mph to 33mph. He added he did not feel this would make any difference in the safety of the road with any change from 35mph to 33mph.

In relation to the question from Councillor A Shield in respect of the RSA, the Highway Development Manager noted that when he assessed developments he would need to take into account road safety and therefore he needed to have some experience and background in accident investigation and RSAs to be able to apply those skills to assess a development. He added that when he was making a recommendation to Committee either to accept or refuse a development, that knowledge had already been applied to the consideration of that development. He added the RSA was undertaken on the detailed design of the junction, not at the outline stage as Members may at that point not be minded to approve the development. He explained that the developer would only request the RSA once the detailed designs were complete and once they had been completed, the RSA was completed. He noted there were three stages to a RSA, the feasibility stage, where the Highway Development Manager would look at all the information provided on a development, speeds, geometry and so on to decide whether proposals were safe. He noted the second stage was the detailed design stage and the third stage would be upon completion of the junction itself to identify any potential road safety problems, this is to be undertaken for the junction in question as it had recently been completed.

Councillor A Bell thanked the Highway Development Manager for his professional opinion and asked if, given the Local Members comments relating to an additional condition, would he support taking the condition to the Police asking for their support. The Solicitor – Planning and Development noted that in terms of the imposition of a condition, the Officers did not think that there was sufficient justification for the condition that Councillor D Hall proposed. He noted that, as Members would be aware, there were six tests that a condition has to meet, the most important being whether the condition was necessary to make the development acceptable. He noted in this particular case, Officers did not feel there were any impacts that arose from the development that would require the imposition of that condition. He reiterated that the Highways Development Manager had noted the junction was safe, the additional traffic movements associated with the additional units would be negligible in terms of the impact upon the network. The Solicitor – Planning and Development noted that he would struggle to understand what impact would arise in highways safety terms from the development that would require the developer to address by way of implementation of a reduction of the speed limit.

Councillor J Shuttleworth noted the point in relation to the Highway Development Manager having been accused of lying and felt that the Local Member should apologise to the Officer. He added that in his experience of being an Elected Member for the Council no Highways Officer had ever lied to him, and while there may have been disagreement and arguments in relation to matters, he had never been lied to and he felt the accusation was totally wrong.

Councillor M Wilkes asked for clarification in terms of the 2mph reduction in the speed limit, as he understood that for every 1mph reduction in a speed limit, there was a greater than 1 percent reduction in the number of accidents and asked if the speed was to come down by 2mph what the percentage reduction in the number of accidents would be. The Highways Development Manager noted the answer was none, it would reduce the severity of any casualty resulting from an accident, not the actual number of accidents themselves. He referred to the Government information in terms of if speeds were below 20mph, 80 percent of those involved in an accident would survive. He added that this particular road did not have an accident statistic problem.

Councillor M Wilkes noted that the Officer appeared to be suggesting that a reduction in the speed limit would result in less severe injury in the event of an accident and he noted that he noted a few areas within his Electoral Division where a 2mph reduction would have a significant benefit and therefore he would be inclined to support a condition as suggested.

The Chair noted the Senior Planning Officer did not have anything to add at that time therefore asked the Committee for their comments and questions, moving to Councillor A Bell in the first instance.

Councillor A Bell noted he was happy to listen to the debate, though would be happy to propose that the condition relating to the moving of the speed limit be included, with delegation to the Local Members and the Highways Section in terms of the details and would have perhaps wished for discussions with the Police on their view could have been included within the report.

Councillor M Wilkes noted he would listen to the debate from the Committee first, however he wished to raise another issue, that being the issue of Policy Q15 of the Local Plan relating to contributions towards public art. He explained that the contribution was £625 per property in respect of this application, however, when calculating the one percent value for a site such as this, the amount would be massively more. He noted that four years on from the outline permission property prices had increased and current average sale prices appeared to be around £193,000 and a contribution of just £625 for public art and improvements seemed woefully inadequate and was considerably less than seen on other application in other areas, including within his Division and felt that Sherburn was getting a little bit of a hard deal on this issue. He felt the amount for public art should be higher and he did not agree with those comments that come forward that the Council could not enforce the saved Local Plan as it could with Policy Q15 still existing and the report noting it could be considered.

He added he did not understand why there had not been an increase in the amount over the four years and if Officers could explain why there had not been that inflationary uplift and why for some properties in Durham City contributions were £1,000 and for others it was only £600, he felt Sherburn was not getting the deal it deserved.

Councillor J Atkinson noted that as far as he was concerned the Highway Development Manager had noted his 40 years of experience and had given a solid answer in respect of the moving of the sign in respect of the speed limit. He noted that should there be an issue in the future, it could be addressed at that time and that at the moment it was to consider the application as submitted and it was for 12 additional houses going into a scheme that had already been passed and worked into the plan that was already there. He added that the objections, concerns and impacts had therefore already been looked at adding that if the previous applications had been refused then subsequently approved on Appeal he would understand. He therefore would look to the benefits of the proposals in terms of the additional 12 properties and the monies secured via the s106 Agreement. He noted around £300,000 when added together was a lot of money and was beneficial to the local community as well as the additional provision of 12 new properties in the area which would have additional benefit in terms of rates. He noted he felt it would be very difficult to go against the Officer's recommendation, and from his point of view, looking at evidence, he could not see anything demonstrably outweighing the benefits of the development. He noted the issue relating to the speed limit was important, however, separate to the issue being considered and noted he would be happy to propose the approval of the application.

The Highway Development Manager commented on Councillor A Bell's suggestion as regards speaking to the Police and noted that the Council did speak to the Police regarding speed management almost on a daily basis. He added that Strategic Traffic Management Officers had been consulted and agreed with his stance on this application. He noted in 2011 the Government had brought forward a speed management strategy which made a big issue with making speed limits credible. He noted Members may recall where some speed limits were moved in closer to the built environment and added that extending the speed limit outside of the areas where they would be credible, to areas where there was no built environment was completely contrary to that speed management strategy. He noted that the Police had been consulted and he felt they would not support the moving of the speed limit and the Strategic Traffic Management Officers who dealt with the Police did not support it, and he did not support it himself.

Councillor A Laing noted that having heard the professional opinion of the very experienced Highways Officer and the legal advice from the Solicitor – Planning and Development, she would second the proposal by Councillor J Atkinson to approve the application.

The Chair asked the Principal Planning Officer, Henry Jones for his comments. The Principal Planning Officer noted that any condition to move a 30mph limit would require delegated authority for Officers to determine the final wording as the proposed wording within Councillor D Hall's statement would not be appropriate in terms of meeting the tests for conditions. He noted that also in effect there would be reliance on a third party, namely the Police, agreeing to the movement of the speed limit and therefore the formulation of a negatively worded condition to ensure the development could not get to a point of occupation before the speed limit had to be moved. He noted a steer from Members as regards at what point that would be implemented would be needed, should they wish for such a condition to be included, noting the existing permission for 120 properties.

The Chair asked as regards the point raised by Councillor M Wilkes in respect of public art contributions and asked if it would only apply to the additional 12 properties and not the houses that already had permission. The Principal Planning Officer noted that was correct in that any increase in the amount that could be requested could only relate to those additional 12 properties, he did not believe the 120 properties which already had planning permission could be revisited. He noted that Policy Q15 looked to encourage the provision of public art on site, and the financial contribution was in lieu of such provision and he understood that the Local Members were satisfied with the amount. He noted Officers felt the amount was proportionate and that the Policy did not include any wording as strong as any public art must be the equivalent to a percent of the development costs, but rather it referred to an amount agreed between a developer and the Council and did not proscribe it as being 1 percent. He noted that was his interpretation and Officers were satisfied with the amount and did not believe there was a need to ask for any more and that if Members disagreed then it would be necessary to bring in Mr P Hunt to ask if the applicant was willing to increase the amount.

Councillor F Tinsley noted it appeared to come down to the inclusion or not of the condition relating to the 30mph speed limit. He noted that he was content that the situation was that there was a safe junction in place and took comfort from the words from the Officer that there would not be a reduction in the number of accidents, rather the potential achievement of the proposed condition would be a reduction in the severity of any injury caused by accident.

He asked if the reduction in the severity of injury could be considered a material planning consideration; if those potential benefits could be outdone by the reduction in the credibility of the speed limit; and clarification as he understood that Police support would not be required to include a condition within a planning permission.

Councillor I Jewell thanked the Planning and Highways Officers and noted he always tried to look at applications in a logical way, and found it interesting that there was already planning permission for 120 houses and a safe junction, and it appeared as if the second application was being used as an opportunity to try and move a speed limit. He noted this did not appear to be logical as if the junction had already been approved and deemed safe, did 12 additional houses mean the junction would be unsafe, he felt the answer to that was no. He noted that all Members have issues and problems within their areas relating to speeding and faced a lot of pressure from residents in relation to such issues. He added that residents' perception of what moving a speed limit would achieve was not quite what the experts would say. He noted his experience of speaking to Highways and to Durham Constabulary on such issues and their perceptions were different. He noted people tended to think that if a speed limit was reduced then automatically drivers would comply. He noted he had found that was not necessarily the case and he reiterated that it appeared as if the planning process was being used to try and move a speed limit and he did not feel that that was a planning matter, rather the issue was whether an additional 12 properties would make the situation so much worse that there was a need of a change to the limit, whether the speed limit was credible, whether the Police had the capacity in terms of enforcement, with his feeling being that the answer would be no. He added he admired the Local Members for pushing on the issue and understood why they would want to; however, he felt the planning process was being drawn into something that was not fully a planning matter and he supported the proposer and seconder.

Councillor G Richardson noted he was well known for standing up for agricultural land in the first instance, and also in terms of the issue of overcrowding. He noted the debate had almost in totality been as regards highways issues, however, the addition of 12 properties represented a 10 percent increase and he noted from experience that pre-built estates often appeared to be "packed-in" and there was no real room to park cars and while he understood the application could not be opposed, he felt he needed to note that it was more houses, more profit and less space for people.

The Highway Development Manager commented that a reduction in speed could result in a reduction in the severity of the injury in an accident, however, if speeds were above 30mph there was a greater chance of severe injury.

He added that the causation factors did not change if you reduced a speed limit to 30mph, and it was important to note there was not an issue with accidents at this junction or on Mill Lane historically nor was there evidence that there would be in the future as the junction was designed as a very safe junction. In respect of credibility, Government guidance directs that in order to make speed limits more credible Highway authorities should look to bring them in closer to the built environment and so it would not be a credibly speed limit at 30mph.

The Chair noted there was the proposal from Councillor A Bell to include a condition regarding moving the speed limit, and a proposal by Councillor J Atkinson, seconded by Councillor A Laing to approve the application as per the Officer's recommendation within the report.

Councillor J Clare noted that he supported Councillor G Richardson's comments in terms of the increasing of the number of properties, adding it was one of his constant "beefs" that the Authority gave permission for housing and developers would come back looking for relaxation, asking for extra numbers and it happened all the time. He also agreed however that in this instance there were no grounds to refuse the application.

Councillor J Clare noted that, in respect of the proposed condition put forward by Councillor D Hall in his statement, he could not support such a planning condition. He added that his main problem with the proposal was procedural as he felt the Committee did not have the power to impose that and would have to go to a third party and go through a process and that process would very likely fail. He noted that all Members understood from their own experience how difficult it was to try to get changes to speed limits and he noted that the situation appeared to be that the Committee could be imposing a condition that the applicant, even with the best will in the world, might not be able to achieve as it involves a third party. He noted he agreed with Councillor I Jewell that the issue was outwith the concerns of a Planning Committee.

Councillor J Clare added there was a need to be careful as when the issues of road safety were concerned, Councillors found it very difficult to make these kind of decisions as they were open to the accusation that they did not care about road safety. He noted that of course Members did care about road safety, however the issue was were the proposals sufficient to meet the bar of planning acceptability. He noted that the Committee had been informed that moving the speed limit would not change anything and, given the fact that it may indeed fail, he felt this would not be a sensible option. He noted that should Local Members feel strongly, there were mechanisms they could go through post hoc.

Councillor J Atkinson noted his proposal for approved was based upon the application in front of Committee and the information provided by the Highway Development Manager, with his 40 years of experience, and he reiterated that should an issue arise as regards safety it could be addressed outside of the planning permission being sought today.

Councillor A Bell noted he had stated he would wait to see how the debate would unfold and reiterated that he respected 100 percent the professional opinion of the Highway Development Manager. He noted from the discussions that there was not the support for the condition and therefore he would withdraw his proposal to include the condition.

Councillor M Wilkes noted he would therefore not be able to second Councillor A Bell now, however, he would wish to point out that several Members had noted the Local Members should go away and look to find the money to do something in terms of the issue. He noted that not all Local Members had a raft of money to spend on 20mph or 30mph limits and asked Committee to bear in mind that when developers can get away with only giving half the money they are supposed to, for example in relation to public art, then in the case of a £20 million scheme he could not see it as being reasonable not to do implement some relatively low cost scheme to reduce traffic speeds.

Upon a vote being taken it was

Resolved:

That the application be **APPROVED** subject to the conditions and Section 106 Legal Agreement as set out within the report.

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/20/01201/FPA
FULL APPLICATION DESCRIPTION:	Proposed 37no holiday lodges (including 10no highly accessible lodges and 1no manager's lodge) and Play Barn with associated Farm Experience. (Amended Description)
NAME OF APPLICANT:	Mr and Mrs Adamson
ADDRESS:	Land to the South of Longedge Lane, Eliza Lane, Consett, DH8 9HB
ELECTORAL DIVISION:	Lanchester
CASE OFFICER:	Colin Harding, Senior Planning Officer, 03000 263945, colin.harding@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site extends to approximately 11.4 hectares and comprises of agricultural land associated with Woodlands Park Farm, which is situated some 400m to the north east of the site beyond Longedge Lane. The site itself forms part of a larger 'triangle' of agricultural land bounded by Longedge Lane, Eliza Lane and Millershill Lane. The only residential properties within this triangle are Sheepwalks Farm which is located immediately to the south west of the application site, and Chapel View, Pondfield View and Jasmine Cottage which lie at the north western corner of the triangle, approximately 800m to the west of the application site.
2. Although currently in use as agricultural grazing, there is evidence that the site has previously formed an area of woodland formerly known as Angle Wood, and the site does currently feature an established shelter belt of trees on its western boundary measuring approx. 30m in depth. It is unclear whether this shelter belt was associated with the former Angle Wood or is a later addition. The northern boundary of the site takes the form of a mature roadside hedgerow and verge associated with Longedge Lane, and the southern and eastern boundaries are formed by field boundary hedgerows.
3. The site itself is not subject to any allocation or designations, although it does lie partially within a Coal Mining High Risk Area and is crossed by a High Pressure Gas Pipeline. The site lies wholly within Flood Risk Zone 1. In terms of heritage assets, the site lies approx. 300m to the south east of the remains of a Roman aqueduct which is a Scheduled Monument. The Scheduled Monument of Longovicium Roman Fort lies approx. 4km to the east of the site, and Lanchester Conservation Area approx. 5km to

the east. The closest listed buildings can be found at the Grade II listed row of terraced houses at Hollinside Terrace, approx. 3.7km to the east of the site.

4. With regards to biodiversity, Knitsley and High House Wood Local Wildlife Site (LWS) is located approx. 1km to the north and north west of the site, Stuartfield Moor LWS is situated approx. 2km to the west of the site, Whitehall Moss LWS approx. 2.5km away, also to the west. Additionally, Butsfield and Quick Burn LWS can be found to the south of the site at a distance of approx. 1.8km, and Black Plantation LWS approx. 2.5km to the south east. The eastern extents of the North Pennine Moors Special Area of Conservation (SAC) and Special Protection Area (SPA), as well as Muggleswick, Stanhope and Edmunbyers Commons and Blanchland Moor Site of Special Scientific Interest (SSSI), are located approx. 5.5km to the west of the site.

The Proposal

5. This planning application seeks full planning permission for the development of the site in form of 37 holiday lodges, including a manager's lodge, and a play barn and farm experience attraction.
6. Although the proposal was originally described by the applicant as being "37no. highly accessible holiday lodges", officers, with the agreement of the applicant, have amended the description to clarify that 10no. of the lodges would feature specific adaptations in terms of accessibility. The remainder, although potentially remaining accessible and suitable for guests with specific needs, would not necessarily be subject to specific adaptation.
7. The documentation that supports the application sets out that the proposal would comprise of a livestock/petting farm experience, play area, sensory room and ancillary café hosted within the "Haystax" play barn, with holiday lodges provided on site, and falling into two categories.
8. 10 of the proposed holiday lodges would be rental lodges designed to be highly accessible for people with mobility issues, in particular those with special educational needs and disabilities, but also individuals with a defined need or diagnosis, for adults and children with learning disabilities, people with mental ill health, dementia, children and adults with Autism spectrum disorder (ASD), and those suffering from post-traumatic stress disorder (PTSD). It is expected that these lodges would be advertised and bookings made by a 3rd party provider.
9. The remaining 27 lodges would be available for sale, with an expectation that the profits from lodge sales would cross-fund the capital costs of the farm experience and rental lodges.
10. The development would comprise a variety of lodges, in 1, 2, 3 and 4 bed format, and each would be provided with 2no. car parking spaces.
11. The Haystax element would comprise a large agricultural style building measuring 34.25m x 12.7m, with a pitched roof of 7.5m in height. It would be a steel framed building with a profile roof and wall cladding on a brickwork plinth. The submitted plans indicate that the building would include a gym and ball pool area, 2no. sensory rooms, a play area, 3no. quiet rooms, a café and associated kitchen, a classroom, an event room, and storage and toilet provision. The applicant has indicated that rooms within the Haystax building such as the classroom and event room would be available for hire by local businesses, schools and community groups.

12. Externally, this element of the proposed development would provide an area for petting of small animals, as well as opportunities for larger farm animals, with paddocks provided for this purpose.
13. A car park associated with Haystax is also proposed including 50no. spaces, as well as coach pick up/drop off area.
14. With regards to the delivery of the proposed development, an indicative phasing plan has been submitted which sets out that the development would be implemented as follows:

Phase 1A (Years 1 and 2)

This phase would see the creation of the western site access, eastern site access, western access road, internal site roundabout and car park, the construction of 3no. rental lodges and the manager's lodge on the western part of the site, the construction of the Haystax play barn, external associated paddocks and garden/play spaces. Structure planting would be established along the northern and eastern boundaries of the site, with work beginning on the ponds and mounds on the eastern part of the site. A new hedgerow would be established between west and east areas of the site.

Phase 1B (Years 2 – 5)

This phase would see the access road to serve the first 10 sale lodges on the eastern part of the site implemented, along with the construction of 5 of these lodges. A further 2 rental lodges would be implemented on the western part of the site. Structure planting between the rental lodges and the car park would be established, along with further meadows and structure planting within the north-western part of the site. Meadows and trees, along with a further hedgerow would be established in the centre and southern part of the site.

Phase 2A (Years 5-7)

This phase would see further works to the car park, the construction of the remaining 4 rental lodges on the western part of the site, and the construction of 4 lodges for sale within the 2nd area of the eastern part of the site.

Phase 3A (Years 7-9)

This phase would comprise the provision a road connection between the western and eastern parts of the site, and the provision of 5 lodges for sale within the 3rd area of the eastern part of the site.

Phase 1C (Years 9 – 11)

This phase comprises an additional 5 lodges for sale on the 1st area of the eastern part of the site.

Phase 2B (Years 11 – 12)

The phase would comprise an additional 3 lodges for sale with the 2nd area of the eastern part of the site.

Phase 3B (Years 12 – 15)

This phase would deliver the remaining 5 lodges for sale within the 3rd area of the eastern part of the site.

15. This planning application is being reported to the Strategic Planning Committee at the request of Lanchester Parish Council.

PLANNING HISTORY

16. There is no planning history relating to the site.

PLANNING POLICY

NATIONAL POLICY

17. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
18. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
19. *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.
20. *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.
21. *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.
22. *NPPF Part 8 Promoting Healthy and Safe Communities* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community

facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.

23. *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.
24. *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.
25. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
26. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
27. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

28. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; historic environment; design: process and tools; determining a planning application; flood risk; health and wellbeing; land stability; natural environment; noise; planning obligations; travel plans, transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

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

LOCAL PLAN POLICY:

Derwentside District Local Plan (DDLPL)

29. *Policy GDP1 (General Development Principles)* outlines the requirements that new

development proposals should meet, requiring high standards of design, protection of landscape and historic features, protection of open land with amenity value, respecting residential privacy and amenity, taking into account 'designing out crime' and consideration of drainage.

30. *Policy EN1 (Development in the Countryside)* – states that development in the countryside will only be permitted where it benefits the rural economy / helps maintain / enhance landscape character. Proposals should be sensitively related to existing settlement patterns and to historic, landscape, wildlife and geological resources.
31. *Policy EN2 (Preventing Urban Sprawl)* – states that except where provision has been made in the plan, development outside built up areas will not be permitted if it results in: the merging / coalescence of neighbouring settlements; ribbon development or; and encroachment into the countryside.
32. *Policy EN11 (Trees and Development)* - states that throughout the district existing trees should be retained where possible. Consideration will be given to the effect of development on any affected trees, taking into account; landscape diversity, the setting of existing or proposed buildings, wildlife habitat and visual amenity.
33. *Policy EN19 (Protection of Sites and Settings of Ancient Monuments and Archaeological Features)* states that where nationally important archaeological remains, whether scheduled ancient monuments or not, and their settings, would be affected by a proposed development, there will be a presumption in favour of their physical preservation in situ. Other known archaeological remains of more local importance will be protected from damage to their features of archaeological interest. Where development is to be approved that could affect known archaeological remains, the council will require the developer to ensure that adequate provision has been made for the excavation and recording of the remains before development commences.
34. *Policy EN21 (Protection of Natural Nature Reserve and Sites of Scientific Interest)* states that development will only be permitted when it would not adversely affect designated national nature reserves and sites of special scientific interest.
35. *Policy EN22 (Protection of Sites of Nature Conservation Importance)* states that development will only be permitted which would not lead to the loss of or cause significant harm to sites of nature conservation importance.
36. *Policy EN26 (Control of Development Causing Pollution)* states that permission will only be granted for development which is not likely to have an adverse impact on the environment having regard to the likely levels of air, noise, soil or water pollution.
37. *Policy TO7 (Camping, Caravan and Chalet Development)* states that permission will only be granted for these forms of development where; the proposal does not affect the landscape character of the area, where the site is adequately controlled by the local topography and tree cover in the control of the applicant, the scale, materials and design of chalet developments are appropriate to the locale, site services are limited to the needs of site residents, the site is served by adequate infrastructure, and the proposal does not adversely affect the amenities of neighbours. Proposals for permanent new site warden's accommodation will not usually be approved.
38. *Policy TO8 (Occupancy Conditions for Caravans and Chalets)* states that permission for static caravans and chalets will only be granted if occupation by any one person or groups of persons is limited to not more than eight weeks in any calendar year.

39. *Policy AG1 (Protection of Better Quality Agricultural Land)* states that the development of Grade 2 or 3a agricultural land will only be permitted if it can be demonstrated that there is no irreversible loss of agricultural land, or no other site on lower grade land exists upon which the development could be reasonably located.
40. *Policy AG2 (Diversification of Agricultural Enterprises)* states that the diversification of agricultural enterprises will be supported where the proposal would not result in an adverse impact on the character and amenities of the area, is of a scale appropriate to its surroundings, and would not result in a loss of amenity to neighbouring occupiers.
41. *Policy TR2 (Development and Highway Safety)* states that development will only be approved where it is demonstrated that the scheme would incorporate safe vehicle access, provision of service vehicles, vehicle manoeuvring space, emergency vehicle access, access to the public transport network and access onto the adopted highway. Adequate parking provision will also be required.
42. *Policy TR3 (Cycling)* states that the needs of cyclists will be taken into account when considering new development, which should provide safe and convenient access, and adequate parking facilities.

RELEVANT EMERGING POLICY:

Lanchester Neighbourhood Plan (LNP)

43. A neighbourhood plan is being prepared by Lanchester Parish Council covering the whole parish area. The Plan has been examined and a Decision Statement has been issued. This means that policies can be given significant weight within the decision-making process in accordance with PPG guidance. However this will vary from policy to policy and depend upon the nature and extent of any changes recommended by the examiner in accordance with Paragraph 48 of NPPF.
44. The following Neighbourhood Plan policies are considered to be relevant to this proposal:
45. *Policy LNP2 (Design of New Development)* states that new development will only be permitted where it meets relevant criteria including: positively responding to local vernacular and materiality and landscape features including green spaces and trees; appropriate in terms of scale and density; well-integrated into the natural setting; and reflect aims of local design guidance. In relation to agricultural buildings it advises that they should be sited unobtrusively, within a group, use materials that blend in with landscape in composition and colour and is screened by earth mounding and tree planting.
46. *Policy LNP3 (Historic Environment)* states that proposals which will impact upon the significance and setting of non-designated heritage assets will be assessed in relation to the net positive or negative effects that would occur to the asset in terms of sustaining and enhancing its significance. All proposals should seek to ensure the long-term conservation of the asset and avoid or minimise any conflict between its significance and any aspect of the proposal. Where harm is identified a full justification will be provided to allow an appropriate balanced judgement.
47. *Policy LNP4A (Green Infrastructure)* states that proposals should seek to extend the routes for walkers, cyclists and horse riders to access the village and countryside network and accommodate people of all ages including those with push-chairs and wheel-chairs.

48. *Policy LNP4C (Landscape Features)* states that development proposals must seek to safeguard and enhance existing valued landscape features including trees, woodland, hedgerows and stone walls. Where landscape features are to be lost, suitable mitigation will be required.
49. *Policy LNP4D (Biodiversity and Geodiversity)* states that development proposal should recognise and conserve the biodiversity and geodiversity resource of the area, allow species to maintain their current distribution or status and should be designed to create new supporting habitats. Priority and protected species within the development, as well as protected sites in and around the development must be identified and afforded appropriate protection. All developments should also deliver biodiversity net gain and seek to improve water quality in local watercourses.
50. *Policy LNP4E (Local Views)* states that development should protect valued community views and enhance views where opportunities arise.

The County Durham Plan

51. The County Durham Plan (CDP) which in time will replace the existing saved Local Plans in County Durham commenced its Examination in Public (EiP) in Winter 2019. The programmed hearing sessions subsequently closed on 6th February 2020, and the Inspector's issued his post hearing advice on 20th February 2020. An amended CDP has been prepared to take account of the specific instructions from the Inspector, and all the minor/main modifications which the Council proposed following the hearing sessions and in response to the action points issued by the Inspector. Consultation on the CDP (Main Modifications) commenced on Tuesday 26th May and closed on 21st July 2020 (an eight-week period). All comments received during this consultation period are being sent to the Inspector to inform his final report. Paragraph 48 of the NPPF states that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. Although the CDP is now at an advanced stage of preparation, it is considered that it should not be afforded any weight in the decision-making process until the Inspector's final report has been received.

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

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

52. *Lanchester Parish Council* have raised the following objections:
 - This large development is considered unacceptable development in the open countryside;
 - The large scale of development;
 - The inclusion of a manager's lodge for residential occupation;
 - The development would comprise new build on open farmland where there are no existing buildings;
 - The proposed development would have a significant impact on the landscape;
 - The development would be visible in all directions to a substantial distance. The site is exposed;

- There is a high potential for Roman remains within the fields including an iron working area and a Roman aqueduct feeder. The emerging Lanchester Neighbourhood Plan identifies and protects heritage assets in the Parish;
 - The development is close to the route of the Roman aqueduct;
 - The proposed development would cause noise and light pollution, with the potential of large numbers of people on site in the accommodation alone. The opening hours of the farm experience and play barn are unclear;
 - There would be an increase in traffic, and the entrance/exit to the site could be problematic;
 - There would be an impact on close neighbouring properties.
53. *Highways Authority* – No objections are raised, subject to the site being served by two accesses, to be provided before the site is brought into use. Site visibility splays are also required.
54. *Drainage and Coastal Protection* – No objections on the basis that a condition is imposed to secure a detailed scheme in accordance with the principles outlined within the Flood Risk Assessment and Drainage Strategy reports.

INTERNAL CONSULTEE RESPONSES:

55. *Planning Policy* – The Local Plan is largely supportive of chalet development in countryside locations subject to criteria. The Neighbourhood Plan is at a stage where significant weight can be given to some of the policies. It places a range of qualitative requirements on development in the parish, with the aims of ensuring well-designed schemes that integrated into the landscape and do not detract from the character and distinctiveness of the place.
56. National guidance is similarly supportive of proposals which help the rural economy, subject to ensuring sustainable development within the context of environment, social and economic considerations. It is naturally less prescriptive, and detailed, than the local plan, however it places additional controls in some areas, for example in respect to managing flood risk and drainage.
57. The proposal does not fully fall under the provisions of Policy TO7, given that it includes play and visitor attractions, alongside the visitor accommodation. Policy TO2 of the LP, which covered the development of such attractions, has expired. Nevertheless, Policy GDP1 includes a range of criteria, in combination with T07, EN1 and TR2, should the decision taker be of the view that the development plan is sufficiently up-to-date to determine this proposal.
58. A three stage process is advocated in *Wavendon Properties Ltd (2019)* case, which is along the lines of (1) determining the most important policies as a matter of judgment (2) determining whether they are out of date, and, (3) looking at them as a whole and deciding whether they are out of date, or, sufficient to determine the application.
59. Furthermore, there are a number of elements of the proposal which will need to be assessed in line with specialist comments, and the material requirements of the Neighbourhood Plan and national policy, in order to establish whether the proposal is in accordance with the Local Plan.
60. *Archaeology* – Advise that the results of the trial trenching indicate that suitable mitigation is required. This can be secured by means of planning conditions.
61. *Ecology* – Raise no objection, noting that a Biodiversity Management Plan has been submitted. This document allows the LPA to understand management at the site and

determine that net gains for biodiversity will be achieved .A 30 year management plan including monitoring regimes should be secured. The management plan will need to be based on the annotated landscape plan submitted.

62. *Environmental Health and Consumer Protection (Air Quality)* – NO objections are raised, although it is recommended that a Dust Action Management Plan is secured for the build phase of the development.
63. *Environmental Health and Consumer Protection (Contaminated Land)* – No objections are raised, and a conditional approach in relation to land contamination is advised.
64. *Environmental Health and Consumer Protection (Pollution Control)* – Advise that the submitted Noise Impact Assessment and additional work has identified all expected noise sources and assessed these against appropriate methodologies to demonstrate the potential outcome. Conditions to secure mitigation measures include management plans and acoustic glazing are suggested.
65. *Landscape* – Concerns are raised that whilst the applicants have proposed a phased approach to the development, that landscape harm would result as development across the site would occur in advance of structural planting be able to effectively establish.
66. *Landscape (Trees)* – No objections are raised. The submitted arboricultural survey complies with current standards, a small section of trees/vegetation will be removed to facilitate the entrance and exit routes and a small section of hedge leading to the southern section. Trees within the site will be retained and added to through the landscape plan. Arboriculturally, the scheme will benefit with new trees however, visual landscape effects will also need to be considered.
67. *Public Rights of Way* – No objections are raised. It is identified that Healeyfield Footpaths 24 and 25 could provide useful recreational routes for the site, and should be improved if possible.
68. *Sustainable Transport* – No comments received.
69. *Business Durham* – advise that the proposed development will create jobs and bring people into Consett, which is significant in the context of Covid-19. The application is also in line with the Destination Consett Plan's objective to enhance visitor attractions and services within the area. It is also noted that the creation of 8 jobs in a sector already massively impacted by Covid-19 is a strong point in favour the application. It is further noted that jobs would be created in the short-term during the build, and the applicants have engaged with Business Durham to utilise local suppliers where possible. The County Durham Accommodation Development Study identifies that only 8% of visitors stay overnight in County Durham and increased opportunities to stay, linked to attraction and event product development could have a substantial economic impact. Combined with the accessibility that the proposed development offers, this would provide a unique facility not currently on offer.
70. *Visit County Durham* – Supports the proposal. Considerable and continuing investment is going into nearby Beamish. Beamish already has one of the region's highest proportions of visitors from outside of the North East. This will translate into demand for overnight visitor accommodation. With additional visitor attraction related investment going into Durham City, Bishop Auckland and Raby Castle, the county is increasingly positioning itself as an overnight destination and touring base. Recent research has indicated the county is still undersupplied to meet market demand. Accessible visitor accommodation will be particularly helpful. Again, there is a regional undersupply of this kind of accommodation. It is important to note that whilst offering this kind of accessible

accommodation is very much the right thing to do for the customer, this is also quite a lucrative market in terms of adding to the viability of the business as they can offer a more versatile product and experience.

EXTERNAL CONSULTEE RESPONSES:

71. *Coal Authority* – No objection is raised. The content and conclusions of the Coal Mining Risk Assessment are sufficient and demonstrate that application site is safe and stable for the proposed development.
72. *Northumbrian Water* – Have advised that they have no comment to make.

PUBLIC RESPONSES:

73. The application has been publicised by way of press notice, site notice, and individual notification letters to neighbouring residents.

Objection

74. 66 letters of objection have been received, with the majority having been received from local residents. The main concerns are summarised as follows;

The need for the development

- The development would simply replicate businesses already located in the area such as Hall Hill Farm, Lanchester Garden Centre, Clart About Sensory Café, Adventure Valley, Tweddle Farm, Down at the Farm, Broom House Farm and Mini Moos. These businesses all support disabilities and the proposed development is not unique.
- There is no need for the development as Hall Hill Farm already exists, rental cottages and bed & breakfast facilities already exist in the local area, and the outdoor classroom at Burnhill caters for wildlife education.
- Existing holiday lodge businesses in the area struggle for 20-week occupancy rates.

The nature and future of the development

- The proposed parking indicates a large car park but only 6 spaces for those who are less mobile, suggesting the target audience is the able-bodied.
- The primary goal of the proposal is to make money, and the scale of development reflects this.
- The play barn only contains two sensory rooms and three quiet spaces, all located within the café which would be noisy, and would be not appropriate for people with disabilities such as Autism.
- The majority of the lodges demonstrate little in the way accessibility adaptations, and are designed for mini-breaks, resulting in the area seeing an increase in hen and stag parties. As many as 150 people could be on site overnight. This would cause great anti-social behavior for the neighbouring property.
- Concerns that the development would become a far larger commercial enterprise which will be sold on.
- The development would not be an expansion of the original farm, but a new project built on a neighbouring farm's doorstep.
- The representations made by Hoseasons indicate that the development is purely for commercial and financial gain, clearly targeted to attracting young affluent groups. Attracting SEND groups appears to be a minor consideration for Hoseasons.
- The focus of the development is not the "not for profit" care farm experience, but rather the huge holiday park that comes with it.
- The necessity of the accommodation is questioned.

- It is rumoured that the applicants are using a previously approved holiday cottage as a permanent residence for family members, which doesn't give hope that these plans would be stuck to.

The location and scale of the development

- The development is remote from the applicant's property.
- The development of more 27 acres is out of character for a rural area.
- The proposal would be better located on a brownfield site.
- The development would be too big and would be of a form that is not found in the local area with which it could blend.
- The play barn is located adjacent to an agricultural steading, but not one belonging to the applicant.
- The development would effectively be a housing estate on a greenfield rural site.
- It is not understood why the applicants would put a project as large as this so close to Sheepwalks Farm, as opposed to their own farm.

Landscape Impact

- The destruction of the landscape is not justified by the creation of 8 jobs.
- The proposed 44 buildings with attendant light and noise pollution and car park, will be visible for a considerable distance from all sides. A more modest development with fewer buildings and more landscaping would be appropriate for a rural setting.
- The development would be a blot on an Area of Outstanding Natural Beauty and the other vistas celebrated in the Lanchester Heritage Statement.
- The development would fail to comply with NPPF paragraph 109 with regards to visual impact.
- Whether protected or not, the local landscape should be considered an area of outstanding natural beauty which has been unspoiled for hundreds of years. Assertions that the impacts of the development would be minimal or negligible are nonsense.
- The landscape would be desiccated to construct a money-making holiday park which would be visible for several miles in all directions. The impact would be of a similar scale to the nearby Eddis site.
- The application represents the destruction of the landscape for profit.
- The submitted landscape and visual appraisal demonstrates that the from 11 out of 12 viewpoints, the play barn and/or the lodges would be visible in some state.

Highway Safety

- Longedge Lane is notorious locally for not being treated in the winter and the development will attract a large volume of traffic to a narrow road.
- Longedge Lane is long and straight, and has a reputation for being a fast road, with a poor record of high-speed accidents and fatalities, one being close to the proposed access point. The development would compromise the safety of everyone traveling on the road.
- Traffic levels on Eliza Lane are busy and increasing as it is a shortcut to the A68. In places it is too narrow for two vehicles to pass each other. It would suffer from a further increase in traffic due to the holiday park.
- The site is unsuitable for access by coaches.
- Traffic generated by the development would reduce the attractiveness of local road to cyclists and walkers.
- Consideration should be given to reducing the speed limit on Long Edge Lane.
- Woodlands Bank which leads to Knitsley Farm Shop and Knitsely Mill Pub is narrow, steep and twisting. It would not be a suitable walking route for anybody walking to or from the holiday lodges. here are no footpaths on local roads.

- Local roads are in constant use by farm traffic which makes passing dangerous, particularly for cyclists.

Economic Impact

- Similar enterprises are offering packages to secure a higher occupancy rate, which results in Stag and Hen parties and other large groups being attracted, who bring alcohol and supplies. Local businesses don't benefit but have to tolerate the disturbance.
- No local people are looking for jobs in the area, and employees will be travelling to work causing pollution, nuisance and using unsuitable roads.
- Occupiers of holiday lodges tend to be self-catered, so spend little in the local economy.
- The proposed development does not appear to be sustainable financially, with funding gaps evident in the submitted business plan.

Impacts on residential amenity and nearby properties/businesses

- Holidaymakers can cause a nuisance, particularly when alcohol has been consumed.
- The development would be too close to a neighbouring property, particularly Sheepwalks Farm.
- The development would adversely affect views from neighbouring properties.
- There would be an increase in people in an otherwise quiet rural area who may stray onto private land, raising safety concerns.
- Additional visitors would completely change the dynamics of the quiet life of residents.
- Neighbouring businesses would suffer.
- The submitted noise assessment is considered to be inaccurate. Noise already carries from Manor Park Caravan Site which is only a small site. When the occupiers of Sheepwalks Farm have occasional barbecues or parties, the noise also carries. The cumulative impacts would become irritating. Additionally, there would be the constant ambient noise from the holiday lodges.
- Light pollution would be generated where there currently is none, and the ability to view the night sky in real darkness should be protected.
- The development would spoil an area of otherwise quiet, rural English countryside.
- Loss of views from Sheepwalks Farm.
- Therapy horses for family members who have mental health issues and who don't cope well with lots of people are kept in a neighbouring field at Sheepwalks Farm, and the development would have a negative impact upon the mental health of these family members, as would additional traffic on the roads.
- Potential trespass onto unrelated farmland by visitors could pose a risk to both visitors and livestock, as well as potential for damage to walls and fences, and gates being left open.
- The application site is separated from Sheepwalks Farm by only a 30cm high wall. This property has cattle, chickens and sheep. Having visitors with dogs so close to sheep during lambing season could lead to damage, and animals may pose a safety issue to trespassing visitors.
- The proposal demonstrates a shocking lack of empathy towards neighbouring properties, many of which would have been purchased for a quiet countryside life. The development would be a massive invasion of privacy to local homeowners.
- The visual impact of the site when viewed from Sheepwalks Farm has been under-assessed.
- The submitted noise report was only carried out in one location across an 11.4ha site. It is naïve to think that nighttime events will not occur. The noise assessment takes no account of this.

- An occupant of Sheepwalks Farm is registered partially-blind and advises that he would no longer feel safe in the local environment, and would suffer as the noises he is used to are farm animals and wildlife, and the development would affect this.
- Impacts upon local farming activity, including by noise pollution at night.

Impacts on biodiversity

- The development who cause distress to animals and wildlife.
- Biodiversity would be destroyed. Light pollution will have a great impact on wildlife.
- The development whilst providing a farm experience, would remove all wildlife experience.
- The application site is a prime nesting location for birds like the Curlew, which is an endangered species, mainly due to loss of habitat. This development would remove 27 acres of prime nesting meadow.

Impacts upon archaeology

- The application is identified as having archaeological remains which could be damaged.
- The site is at high risk of containing both Roman and Prehistoric remains

Other issues

- It would be disrespectful to approve this development in light of the awful incident that occurred on a nearby site, following the refusal of permission for a small bungalow.
- Following the tragic incident elsewhere on Eliza Lane it appeared that precedent had been set, and it was impossible to get planning permission for a new dwelling. This history should be taken into account, particularly as it remains a sensitive topic for many local people and family.
- Occupancy of the manager's lodge must be tied to employment at the site.
- Such a large number of overnight guests would increase emergency service use, and as response are longer in rural areas, this would put visitors at risk.
- The submitted application form fails to identify a stream that runs into the site.
- The timing of the submission of the application during a global pandemic is questioned, as is the motivation of the applicants to locate the development away from their own property.
- The proposal is focused on financial gain by providing fun and entertainment for holidaymakers at the expense of the local community.
- The proposed development would result in an increase in litter and as result, vermin.
- The site is not accessible by public transport.
- The families who have purchased a tranquil final resting place at the nearby Green Burial site will likely be upset that their loved ones are buried beside a large holiday complex.
- The proposed cedar clad lodges would not be built of materials in keeping with the local area.
- The existing layby on Eliza Lane is used for flytipping and this could increase, it could even become an informal overflow car park. The increase in litter could also lead to increased fire risk.
- Durham's principles for visitor growth are based upon a balance of the needs of the Visitor, Environment, Residents and Businesses. This project does not consider VERB effectively.
- No provision has been made for cess pits or oil storage.
- The application claims to be providing broadband to all lodges but this isn't feasible in this location.
- Reduced traffic in the local area as a result of Covid-19 measures could be misleading to anybody visiting the site.

75. *Campaign for the Protection of Rural England* sympathise with the motives of the applicant but raise concerns with regards to the location of the proposal. It is noted that although not within an Area of High Landscape Value, the site is within close proximity of such an area, and that the site and area are very rural and attractive. Whilst trees on Longedge Lane may screen the site in the summer, this would not be the case in the winter. It is also considered that further information is required to justify the permanent manager's residence, which would be contrary to DDLP Policy TO8. Additional concern is raised that a summer breeding bird survey hasn't been carried out. The proposal is also considered contrary to DDLP Policies TO7 and EN1. It is further represented that weight should now be afforded to the emerging County Durham Plan and that the proposal would also be contrary to Policies 8, 10 and 12.

Support

76. 301 letters of support have been received from local residents, but also from across the North East of England and the wider UK. Many supporters identify that they are relatives of, are carers of, or work with people with specific needs. The letters of support outline the following issues;

Facilities for those with SEND, mental ill health, dementia, and ASD

- There is a need for an establishment of this nature, and would provide a location for families, schools and clubs of children with additional needs to go to for recreational, therapeutic and educational breaks.
- The site is in relatively close proximity to 2 Special Needs Schools at Villa Real and Croft, and would provide young people with a more enriched curriculum and sensory opportunities.
- Children and young adults with special needs require purpose built, high quality facilities to meet their particular needs for mobility, access and stimulation.
- The rural location would allow visitors to fully immerse themselves in a working farm and to understand aspects of rural life in the 21st century.
- Farm experiences and opportunities for learning outside the classroom are an excellent way for children with SEND to enhance their social skills, learn visually, gain confidence, concentrate and improve intellectually.
- Enabling families and carers of children with SEND, for adults and children with learning disabilities, people with mental ill health, dementia and children and adults with ASD to have a break in adapted lodges is an incredibly attractive concept.
- The website "disabledholidays.com" highlights only 4 specially adapted holiday cottages in the whole of County Durham and 32 within Northumberland.
- The applicants have indicated that they would hope to provide volunteering and apprenticeship opportunities for young people with special needs. Following the closure of Remploy, such opportunities has been few and far between.
- The development would provide a destination and experience for a much overlooked, underfunded and oft-forgotten part of our community.
- The proposal represents an amazing opportunity for those with ASD to interact with animals, socialise and receive sensory feedback.
- There is nothing else like this locally, and local SEN support groups have to use local clubs/schools for their groups. This would be an asset to Consett and would help many SEN families.
- Whilst there are many attractions in County Durham, many of them lack disabled facilities and appropriate places to stay. Many families with SEND or ASD family members tend to travel outside of the north east for day trips due to a lack of suitable places.

- Many people don't understand accessibility issues among the neurodiverse and SEND community and this development is welcomed.
- This is hugely needed as there is little support for families with disabled children, particularly in the north east.
- It is not always practical for families with ASD family members to fly abroad, or visit places on holiday, and this proposal would help, particularly if there are other families staying at the who are in a similar situation.
- Facilities tailored to the needs of a family with a SEND give a better chance of a relaxing holiday. Carer breaks are crucial but can often be hard to achieve in environments not equipped for autism.

Landscape Impact

- The proposed landscaping mitigation could improve the biodiversity of the site.
- The proposed development would have little impact on the surrounding area and the applicants have taken measures to minimise visual impacts.
- The belt of woodland to the west will provide effective shielding and the topography of the site falls to the northeast, which combined with the proposed landscaping will conceal the lodges for the most part.

Economic Impacts

- The provision of purpose-built accommodation will allow the whole family to enjoy the stimulating environment for short breaks as well as day visits.
- The provision of holiday lodges will provide a boost to other attractions and amenities in the locality and support the local economy.

Character of the Local Area

- Although there are some concerns in the community that the proposal would damage the character of the locality, Woodland Park Farm is well suited to a sympathetic and well planned expansion to the existing business.

Other Issues

- The applicants have a proven track record in the area of being sound, sensible, locally orientated business people, considering local needs and local community concerns in every venture.
 - The development has been well thought through with as little impact as possible on the outside area.
77. *Project Genesis* advise that they have been engaged with Derwent Valley AAP and assisted in the development and delivery of a number of projects to regenerate the area of Consett and North West Durham, attracting developments that provide employment, leisure and recreation. Derwent Valley AAP have adopted the Destination Consett Plan, with the objective of supporting projects which would tap the visitor/tourist economy and create facilities and services, thus enhancing the commercial base of the area. This development is consistent with the Destination Consett objectives and has the benefit of providing much needed learning experience for young people generally and specifically those with learning difficulties. The facility will deliver many advantages and opportunities, enhancing the area's offer. The location is accessible from main transport routes and the design fits well in a rural location.

78. *National Farm Attractions Network* set out that the applicants are members of the NFAN and as a result will abide to the Industry Code of Practice with regards to how children and adults interact safely with animals. NFAN also highlight the importance of the need for farms to diversify, identifying that farm profitability fell by 17% in 2018 compared to 2017, and that the UK's uncertain relationship with Europe will continue to be a factor. They highlight that 66% of farms are now involved in diversification. It is also stated that there is high demand for educational visits to farms, with farm enjoying the largest increase in visitor numbers over all other attractions since 1989. Farm parks show growth in admissions of 5% from 2016 to 2017, and a further 1% from 2017 – 2018. With regards to families with Special Education Needs and Disabilities (SEND), NFAN state that in 2019 only 16% of such families believed facilities relating to shops, theatres, cafes and attractions had improved. NFAN also identify that this is an ideal location for a farm park, and that it would serve as a quality visitor destination for both the North East of England, but also for visitors from further afield making overnight stays. The importance of farm parks to local employment in rural areas is also highlighted, with 13,500 people directly employed at 200 farm parks within NFAN, with additional indirect knock-on benefits to service businesses.
79. *Social Farms and Gardens* advise that they are an organisation who support farms which offer specialist therapeutic, education and care services for a range of vulnerable individuals and groups. They highlight that there is comprehensive research linking people's physical and mental health and quality of life to time spent outside, and that farms are uniquely placed to provide this, along with meaningful activity and educational opportunities. They state the Growing Care Farming project which is part of the Government's Programme for Children and Nature seeks to increase the numbers of people accessing places such as farm centres. Social Farms and Gardens also state that there will continue to be a developing interest in people attending care farms.
80. *Journey Enterprises* advise that they have 14 years of experience supporting young people with additional needs, learning disabilities, autism, complex needs and behaviours of concern, with first hand experience of the difficulties which families/carers and individuals encounter on a daily basis. Social inclusion is vital and many people with additional needs face barriers daily. Such barriers include crowded places, lack of meaningful activities, lack of facilities for personal care, lack of understanding of additional needs, lack of inclusion, and a lack of safe space to fully engage and participate in an activity. The proposed project is very much needed as there is a massive gap in the market for a provision like that which is proposed, which could implement positive behaviour support to all.
81. *Unique – The Rare Chromosome Disorder Support Group* advise that the quality of life many of their disabled member children and adults and their families would be enhanced significantly by projects such as this. The project promises to be of great benefit, not only to the special needs community, but also to the wider community in County Durham.
82. *Mint Business Club* consider that the application will bring increased opportunity to the local area, increased visibility to North West Durham and most importantly, provide a facility for individuals with a defined need or diagnosis. The proposal would provide enormous benefit to so many that may otherwise be disadvantaged.
83. *Delta North Consett Independent School* advise that the children and students could benefit enormously from the proposed facility. Additionally, it would provide jobs and boost the local economy. It is also advised that the school would be interested in the educational and group visits that proposal development could offer.

84. *Hoseasons* advise that the domestic lodge sector is extremely buoyant at present and has sustained 10-year growth. The demand for high specification accommodation has reached an all-time high. New developers are bringing fresher, more “current” concepts to the market with success, and the proposed development would be likely to align with this. They also highlight that lodge holidays throughout the year, sometimes of shorter 2, 3 and 4 night duration are becoming more popular. The North of England has seen exceptionally strong growth in recent years as developers bring a higher quality of product to the market and diversifying offer. *Hoseasons* highlight an under-provision of lodge products in and around Durham and the North Pennines area, and also note that the positioning of the proposal towards SEND groups would address a broad gap in the market.
85. *Retreat Homes and Lodges* have advised that they support the application and are a bespoke manufacturer based in Cumbria. They go on to state that there are very few parks that cater for this important area of the tourism sector and that they support the application and are excited to be involved. They advise that their product can be tailored easily to suit any requirement.

APPLICANTS STATEMENT:

86. x

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

PLANNING CONSIDERATIONS AND ASSESSMENT

87. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise, the NPPF is a material planning consideration. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of the development, landscape impact, highway safety and access, residential amenity, ecology, and heritage and archaeology. Other issues are also considered.
88. The Derwentside District Local Plan (DDLp) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. The CDLP was adopted in 1997 and was intended to cover the period to 2006. However, NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of date simply because they were adopted prior to the publication of the NPPF. Notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired depending on the circumstances. Paragraph 213 also sets out that due weight should be given to existing policies, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
89. Paragraph 11 of the NPPF advises that a presumption in favour of sustainable development should apply and for decision making that means:
- (11(c)) - approving development proposals that accord with an up-to-date development plan without delay; or

(11(d)) - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

90. In addition, the Lanchester Neighbourhood Plan has been examined and a Decision Statement has been issued. This means that policies can be given significant weight within the decision-making process in accordance with PPG guidance. However, as changes to some of the policies within the plan have been recommended, the level of weight to be afforded will vary from policy to policy and depend upon the nature and extent of any changes recommended by the examiner in accordance with Paragraph 48 of NPPF.

The Principle of the Development

91. The site is located outside of any settlement boundary as defined in the DDLP and is therefore considered to be located within the countryside. DDLP Policy EN1 states that development in the countryside will only be permitted where it benefits the rural economy / helps maintain / enhance landscape character. Proposals should be sensitively related to existing settlement patterns and to historic, landscape, wildlife and geological resources. DDLP Policy EN2 states that except where provision has been made in the plan, development outside built up areas will not be permitted if it results in: the merging / coalescence of neighbouring settlements; ribbon development or; and encroachment into the countryside.
92. DDLP Policy TO7 states that in the countryside, that permission will only be granted for camping, caravan and chalet development where; the proposal does not affect the landscape character of the area, where the site is adequately controlled by the local topography and tree cover in control of the application, where the scale, materials and design of chalet developments are appropriate to the locale, where site services are limited to the needs of site residents, the site is served by adequate infrastructure, and the where the proposal does not adversely affect the amenities of neighbours. It also states that proposals for permanent new site warden's accommodation will not usually be approved.
93. DDLP Policies EN1, EN2 and TO7 specify that they relate to development in the countryside. For the purposes of the plan, the DDLP establishes that countryside is considered to be land beyond existing built up areas and not allocated for development within the plan.
94. Given the age of the evidence which informed them, DDLP policies in relation to establishing settlement boundaries and allocations are considered to be out-of-date. It therefore follows that policies which rely on definitions established by settlement boundaries and allocations in order to determine the extent of their applicability must also be out-of-date. This includes DDLP Policies EN1, EN2 and TO7. Whilst this does not mean that they should be disregarded or be given no weight, the weight that can be afforded is reduced. In defining countryside, these policies rely upon the established settlement boundaries and allocations.

95. It is considered that DDLP Policy TO7 is generally consistent with advice contained within the NPPF, which at Paragraph 83 states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, the development and diversification of agricultural and other land-based rural businesses, and sustainable rural tourism and leisure development which respect the character of the countryside.
96. DDLP Policy AG2 states that the diversification of agricultural enterprises will be supported where the proposal would not result in an adverse impact on the character and amenities of the area, is of a scale appropriate to its surroundings, and would not result in a loss of amenity to neighbouring occupiers. This policy is considered to be supportive of farm diversification projects in principle, subject to site specific matters being addressed.
97. Overall, subject to site specific constraints, it is considered that there is general support in principle for proposals for visitor accommodation and rural tourism attractions.

Establishing need

98. Whilst there is no requirement in planning policy to establish any need for the proposed development, understanding whether it would address an identified need may assist in apportioning weight to any potential benefits that would arise from the proposed development, and better understand its potential economic impact.
99. The County Durham Tourism Management Plan identifies that the visitor economy is extremely important to County Durham and as of June 2017, 93% of visitors to County Durham were day visitors, spending around £20.18 per day, whereas overnight visitors spent on average around £169.14 per trip. In this way, around 40% of all tourism expenditure in the county can be attributed to only 7% of the total visitors. Consequently, encouraging overnight stays is a key issue for the tourism economy within County Durham.
100. In 2012 the Council commissioned the County Durham Visitor Accommodation Futures Study (CDVAFS), which examined both existing offer, and market potential for various forms of visitor accommodation across the County. Although now 8 years old, this document remains the most up to date detailed study of visitor accommodation for the County. The CDVAFS identifies that there is market potential and developer interest in the acquisition of existing sites for major expansion and development.
101. Visit County Durham have indicated their support for the application, noting that the site would be well placed to support overnight stays within the county, would address an established under provision of accommodation, and would also offer specialised accommodation.
102. The application, as presented, differs from many holiday accommodation proposals in that it also incorporates the Haystax Play Barn and Farm Experience element, which itself could operate as a rural visitor attraction in its own right. Additionally, the applicants have also indicated within the submission that the proposed development would seek to meet the holiday needs of a broad range of society, including specialist provision for those with specific needs, learning disabilities, mental health issues and ASD. Many representations in support of the application have highlighted a lack of facilities that cater for visitors and families/carers of such visitors both nationally and specifically within the North East of England.

The nature of the development

103. The application form states that the development would comprise “37no. highly accessible lodges”. Through the consideration of the application, officers have worked with the applicants to establish the nature of the proposed development and the extent to which the 37 lodges would be highly accessible, and precisely what this would mean.
104. The development can be broadly considered as three separate, but related elements. The proposed 10 lodges on the western part of the site, are of a design which indicates that they would include physical adaptations to ensure accessibility. These include accessible bathrooms and additional wheelchair manoeuvring space within the living areas. As these lodges would be retained for holiday rental, the applicants also state that the occupancy of these lodges would be monitored and further adaptations considered if necessary.
105. The applicants have also confirmed that these lodges would be let through a third party, and the representation from Hoseasons, indicates that they would have an interest in providing this service. Some objectors have interpreted the potential involvement of Hoseasons as indicating that the rental lodges would not be for specialised occupation, however officers consider that it would be reasonable for any holiday accommodation provider to seek to offer a wide range of products to the market, catering to a wide range of needs, and to do so would not necessarily be indicative of the potential nature of any occupiers.
106. The remaining 27 lodges are proposed for sale and would be implemented over a longer period of time, ostensibly to cross-fund the remainder of the development. A wide variety of designs for these lodges have been provided, however none appear to include any specific adaptations which would make the lodges ‘highly accessible’. Whilst they may indeed be accessible, officers consider that they would not necessarily differ from other similar products that may be available elsewhere.
107. Having regards to this, and with the agreement of the applicant, the application description has now been amended to clarify that 10 of the proposed lodges are ‘highly accessible’, and the remaining 27 would be standard lodges.
108. However, it is important to note that none of the lodges on site would be restricted in terms of occupancy. There would be nothing to prevent visitors without any kind of specific needs from renting a highly accessible lodge, and equally, some visitors with specific requirements may not require physical adaptations so could potentially purchase a standard lodge on the site for holiday purposes. Indeed, the application indicates that the attractiveness of the site to families with specific needs is likely to be as much about the nature of the development in terms of atmosphere and associated Haystack attraction, as it is about physical adaptations to holiday lodges.
109. The exact nature of the proposal has proved to be a subject of comment by both objectors and supporters. Some objectors doubt that the development would become a holiday destination for families with specific needs and would instead simply operate as a holiday park, whilst many supporters identify the specific nature of the development to be an important issue and a significant benefit of the proposal.
110. In terms of decision making, it is difficult to apportion weight to the exact nature of the scheme. Ultimately, it would be very difficult, and also potentially undesirable to seek to restrict the occupancy of any of the lodges to visitors with any kind of specific needs. Whilst some of the lodges would potentially prove more attractive to certain visitors due to physical adaptations, in practice any of the lodges on the site could be occupied by any guest or owner that was willing to adhere to the site management plan. In this context, and with no ability to control occupation, it is considered that only very limited

weight should be afforded to the nature of the lodges beyond the fact that the 10 lodges which demonstrate highly accessible design would increase the supply of specialised accommodation with the county.

111. It is generally accepted by officers that there is an under provision of visitor accommodation across the county, that the market for holiday lodge accommodation is buoyant which suggests unmet demand, and that this also extends to prestige and/or specifically designed accessible holiday accommodation. This proposal would have the potential to meet some of this demand.
112. Having regard to the above, it is acknowledged that there would be a positive benefit to the local economy as a result of increased visitor numbers and job creation. The proposal is in line with the guidance in NPPF Parts 2 and 6 in these respects. However, in order to comply with relevant policies from the DDLP and wider NPPF objectives, other key issues require consideration, and are discussed below.

Landscape Character and Setting

113. The landscape setting is the first of the DDLP Policy TO7 constraints. The site is not situated within an area that is subject to any specific landscape designation, although it is undoubtedly located within, and forms part of attractive countryside. Defined Areas of High Landscape Value can be found approx. 1km to the north and south of the site, whilst the eastern extent of the North Pennines Area of Outstanding Natural Beauty aligns with the A68 which is located approx. 2km west of the site.
114. The application is accompanied by a Landscape and Visual Impact Assessment and Landscape Phasing Plan, the content of which has been considered by the Council's Principal Landscape Officer. The visual impact of the development, and its impact upon the local landscape is matter raised by a number of objectors to the application.
115. In terms of effects upon existing landscape features, the proposed development would lead to the removal of sections of drystone wall and roadside vegetation in order to accommodate the accesses and associated visibility splays, although this would likely be in the form of pruning as opposed to removal. A small section of hedge would have to be removed within the site to allow access between existing fields.
116. With regards to effect on the character of the site, the Principal Landscape Officer considers that the development would be transformative and adverse, introducing buildings, access tracks and car parking into an area that is currently very rural and wholly agricultural, and would be visible in views from nearby sections of Longedge Lane and Eliza Lane. Although vegetation exists along both of these lanes, to screen oblique views, it is thin, open in places and deciduous, allowing direct views towards the site. Views are partially screened (summer) or filtered (winter) in some places, and open in others.
117. In views from Eliza Lane a combination of topography and internal hedges would screen or partially screen some parts of the site. In views from Longedge Lane the developed part of the site would be more open to view. Although robust structure planting is proposed in order to screen the development, it would take time to become established, and until such a time it is considered that any development would be relatively conspicuous.
118. In most longer distance views, the site views are across a low broad ridge and are relatively shallow. Existing features like the shelterbelt and roadside vegetation would largely screen or assimilate the development. However, in some localised views such

as from Humber Hill, the site would be overlooked and the development would be more open to view, albeit at a distance.

119. DDLP Policy TO7 requires that new holiday lodge accommodation should be adequately screened by the local topography and existing tree cover which is within the control of, or managed by the applicant. Additionally, it requires that such development should not detract from the character of the area. DDLP Policy GDP1 states that new development should protect existing landscape features and take into account the site's own natural features.
120. In terms of current tree cover, the western boundary of the site benefits from the existing mature shelter belt. It is close to this area that the majority of built development in Phase 1A of the development would be located. This would include the Haystax play barn and the 5 of the rental lodges. Structural landscaping across the remainder of the site would also be implemented at this stage, within the first two years of the development. It is considered that this early work would not result in any significant impact upon landscape character.
121. Phase 1B of the development, which is expected to be delivered from Year 2 onwards would largely involve development on the eastern, more exposed part of the site and would comprise the delivery of the eastern access road and 5 lodges for private sale. It is accepted that at this point structure planting implemented as part of Phase 1A would not yet have fully developed, and the concerns of the Council's Landscape Officer in this respect are noted. With existing tree cover at time of commencing this phase not being to adequately screen this part of development, the proposal at this point would fail to comply with DDLP Policy TO7.
122. However, it is also the case that as the structural landscaping were to mature, that any adverse impacts would reduce over time. Furthermore, the extent of built development at the stage of Phase 1B would comprise 5 lodges, which would be relatively widely spaced and of a quality of design that would not in itself be unduly harmful in comparison to static or touring caravans. Consideration should therefore be given to the level of harm that would result during this period. No further development would be delivered on this part of the site until Year 5, and at this point would only amount to a further 4 lodges. Thereafter, it is considered likely that structure planting of more than 5 years maturity would effectively screen the remainder of the development as it would be delivered in a phased approach across the remaining 10 years of the phasing plan.
123. On balance, officers consider that although there would be a conflict with DDLP Policy TO7 in that the development would not be adequately screened by existing tree cover and that there would, in the short term be a harmful impact, that this impact would reduce over time to an acceptable level. It should also be that DDLP Policy TO7 is considered to be out-of-date, and accordingly the weight to be afforded to it should be reduced as a result.
124. Relevant policies in the emerging Lanchester Neighbourhood Plan relate primarily to the landscape impact of the proposed development.
125. Policy LNP2 requires new development to positively respond to landscape features and be well integrated into the natural setting. As with DDLP Policy TO7, it is possible that there would be some conflict with this policy during the early phases of the proposed development, as the structural landscaping matures. However, the policy does not preclude such impacts being mitigated over time, and furthermore changes to the policy recommended by the Neighbourhood Plan Examiner reduce the weight that can currently be afforded to the policy.

126. Policy LNP4C states that development proposals should seek to safeguard and enhance valued landscape features but does not refer to general wider landscape impacts. The proposed development would, where possible retain the existing stone walls and hedgerows, however, some elements would be lost in order to provide site access and circulation. On balance, it is considered that these interventions would be suitably mitigated by the proposed extensive landscape scheme. It is also considered that the weight to be afforded to this policy should be reduced as a result of changes recommended by the Neighbourhood Plan Examiner.
127. Policy LNP4E identifies key views within the parish that should be protected. The majority of these are remote from the site, and it is considered likely that the site would appear as only a small element in these longer views, if at all visible. Viewpoint 1 is located in relatively close proximity to the site; however, the valued view is shown to be towards the south, away from the proposed development. Additionally, this policy is also subject to recommendation modifications by the Plan Examiner, meaning that weight to be afforded to it is again reduced.

Impact on Highway Safety and locational sustainability

128. DDLP Policy TR2 states that development will only be granted where the applicant can satisfy the Council that the scheme incorporates a clearly defined and safe vehicular access and exit, space for service vehicles, turning and parking space, access for emergency vehicles, satisfactory access to the public transport network and a satisfactory access onto the adopted highway.
129. The potential highway safety impact of the proposed development is an issue that has been raised by a number of objectors to the application.
130. It is proposed to access the site by means of two accesses taken from Longedge Lane. As identified by local residents, Longedge Lane is a long, straight road, and similar to Eliza Lane forms a local route for traffic heading towards the A68. The road is of 4m in width and does not incorporate a centre line, some vehicles do travel along it at high speed and it is also regularly used by farm traffic.
131. It is accepted that the proposed holiday lodges and associated farm attraction would increase traffic levels of the local road network, and that some of this traffic would be likely to include commercial vehicles and coaches.
132. The Highway Authority have been consulted on the proposed development and no objections have been raised by them, subject to adequate visibility splays being provided at the proposed accesses. This indicates that it is accepted that the local road network could acceptably accommodate the level of additional traffic generated by the development and would not be inherently unsafe.
133. In terms of pedestrian safety, it is accepted the local road network does not generally incorporate footways, and this is indicative of the rural location of the site. It is possible, as identified by objectors that the development could lead to an increase in pedestrians walking in the road as they navigate the local area. Access to Knitsley, where there is a pub and farm shop is identified as being a route of particular concern to objectors.
134. It is indeed possible that visitors to the proposed development would wish to visit Knitsley or explore the local area. Ultimately the form of transport through which such journeys are undertaken is reflective of the locational sustainability of the site. With there being no pedestrian infrastructure within the locality, this suggests that it may be unattractive to undertake such journeys on foot and they could potentially be undertaken by car instead. Whilst the possibility of there being increased pedestrians using local

roads cannot be discounted, this is considered to not be a matter of such fundamental highway safety concern that it would warrant the refusal of the application. However, it is a potential adverse impact that should be weighed in any planning balance exercise.

135. In terms of general locational sustainability, the rural location of the site means that it performs relatively poorly. There are no local services located within 1.5 miles of the site, the closest being the The Old Mill pub (1.5 miles) and farm shop (2 miles) at Knitsley. Beyond this there are shops and facilities at Castleside (2 miles), Delves Lane (3 miles) and Consett (3.5 miles), however, none of these are practicably reachable on foot.
136. In terms of public transport provision, the closest bus stop to the site is on the A68 at Rowley Crossroads, 1.7 miles from the site, or 2 miles from the site at Delves Lane. The stop on the A68 is served by the 764 Consett – Wolsingham service which runs 3 times daily in each direction. By advanced request, this service can also serve specific locations closer to the application site, such as Woodlands Hall (0.8 miles) or East Butsfield (1.5 miles). However, given the irregularity of the service and remoteness of any access point well beyond the 400m limit that is generally accepted, it is considered that it would not contribute particularly to the locational sustainability of the site. The X74 service that serves Delves Lane is a more regular service that would provide access to both Durham and Consett, but again, is too remote to be considered a practicable means of accessing the development.
137. In terms of access by cycles, the site performs better, being located within 2 miles of access to National Cycle Routes 7 (Sunderland - Carlisle) and 14 (Darlington to South Shields) which provide traffic free access to the wider area once joined.
138. Generally, however it is considered the locational sustainability credentials of the application site are fairly low, however, this is not to be unexpected with regards to farm diversification proposals that generally tend to be located in more rural areas.
139. With regards to parking provision, each lodge would be provided with 2no. parking spaces, and the Haystax element of the development by a car park of 50 spaces, and 6 disabled parking spaces. The Highway Authority have raised no objections to the proposed parking provision, and applicant has confirmed that they would expect no more than 150 visitors to the Haystax element in a single day, and for no more than 15 families to be at the attraction at any single time. Some objectors have raised the issue that the level of proposed disabled parking provision would not be reflective of the intended use of the site, however the level of disabled parking proposed is in accordance with the Council's adopted Parking Standards, and additionally, it should be noted that not all visitors arriving at the attraction due to its specific nature would necessarily require a disabled parking space.

Residential Amenity

140. DDLP Policy TO7 requires that development such as that proposed does not have an adverse effect upon the amenities of neighbours. DDLP Policy GDP1 states that new developments should respect residential privacy and amenity. Policy EN26 states that permission will only be granted for development which is not likely to have an adverse impact on the environment having regard to the likely levels of air, noise, soil or water pollution.
141. In this instance, the site lies in relatively close proximity to a limited number of dwellings, but in a relatively quiet, sparsely populated rural area, the biggest grouping of properties being in the vicinity of Broadmeadows Manor and Manor Park Caravan Site, located approx. 600m to the south west of the application site. Additional groupings can be

found to the west of Sawmill Wood approx. 500m to the east of the site, with further cluster on Millershill Lane approx.. 800m to the west of the site. Further sporadic residential properties can also be found beyond this extent.

142. The applicant's own property, Woodlands Park Farm, lies approx. 450m to the north east of the site, and the closest residential properties are in fact Sheepwalks Farm and a further dwelling known as 'Beulah', which are located immediately adjacent to the south western part of the site. These properties are not associated with the proposed development. Sheepwalks Farm lies approximately 146 m south west of the proposed location of the 'Farm Experience' area and Beulah a further 50m beyond.
143. The development has the potential to be a noise and dust generating development during the construction phase, and once operational, has the potential to be both a noise/light generating and sensitive development.

Noise

144. A noise impact assessment has been submitted with the application but relates only to the impact of noise from road traffic upon the future occupants of the development and concludes that the holiday lodges should incorporate noise mitigation in the form of glazing specification. Environmental Health and Consumer Protection Officers accept the methodology and conclusions of the submitted report in this regards. Adequate noise mitigate through glazing could be secured by means of planning condition.
145. However, no detail was initially submitted relating to the likely impact of the development upon nearby sensitive receptors or any methods of mitigation in relation to noise from the proposed use of the site.
146. It is considered that noise associated with the site could relate to:
- an increase in traffic use in the area, which is currently a field, there will be an increase in vehicles associated with the holiday lodges and the 'Farm Experience' area, this will involve noise from cars and coaches;
 - the general use and voices/music from use of the amenity areas. As a holiday use it is expected that an increased level of noise can be expected from its use as individuals attending short term holiday uses tend to make more use of the amenity space. Should this be prevalent during night-time hours, considering the likely low background noise level this may cause some changes in the existing noise climate. The above is very dependent on number of caravans/guests and the management of the site.
 - use of the 'Farm Experience' area.
147. In order to address these issues, the applicants have provided a 'Lodge Management Plan' and a 'Farm Experience Management Plan'. These documents set out how the site would be managed on a day-to-day basis and with regard to the holiday lodges include such measures as restricting the numbers of visitors in same sex groups, setting out that anti-social behaviour may result in removal from the park, that noise should be kept to a minimum, that car audio systems be kept to reasonable level, that the park speed limit should not be exceeded, and that there be no outdoor gatherings or loud music before 1000 or after 2200.
148. With regards to the Farm Experience, it is clarified that the Farm Experience will only be open to the public between 1000 – 1700 and to small groups of no more than 15 people between 1700 – 2200 on a pre-booking basis. The document sets out that daily

customers would be limited to 150, that no more than 15 families could be visiting at any one time, and that all visits must be pre-booked. It is further clarified that the Farm Experience Centre would not be available for hire as a wedding, birthday party or stag/hen parties. Other provisions are made with regards to respecting the rights and comforts of others.

149. Adverse impacts upon residential amenity with regards to noise has been an issue raised by many objectors to the proposed development, including by the occupiers of Sheepwalks Farm. Some objectors have also queried the validity of the submitted noise assessment.
150. It is accepted by officers that the proposed development would almost certainly lead to a change in the noise environment in comparison to the site's current use as agricultural grazing land. It is also accepted that this change would likely be adverse in terms of the levels of residential amenity currently enjoyed by the occupiers of nearby properties.
151. The Council's Environmental Health and Consumer Protection Team consider that there is no requirement to undertake a further noise assessment, and that the proposed development would be unlikely to result in Statutory Nuisance with regards to noise, and that the use could be adequately managed by securing adherence to the proposed operating hours of the farm experience and submitted management documents.
152. Officers agree that such measures would serve to manage the level of impact that would likely result from the proposed development, such that any loss of residential amenity in this regard would not be of an unacceptable level. However, it is acknowledged that there would be an adverse impact, and that this should be weighed in the planning balance.

Light:

153. Light pollution is a further issue relating to residential amenity that has been raised by local residents, and it is acknowledged that no detail has been provided in relation to any external lighting which may be incorporated into the development, nor of any potential impact upon nearby sensitive receptors.
154. It is acknowledged that the proposed development would likely increase nighttime light levels at the site, and that it is likely that this change would be noticeable. At present the site is wholly unlit and sits within a relatively dark area. Overall, given the level of proposed landscaping and use of the site it is considered that in principle, there would not be any unreasonable impact upon residential amenity, and there would be no reason to resist the development on the grounds of light pollution. Ultimately guests of the site will want to enjoy undisturbed sleep and as a result it is unlikely the applicants would seek to light the site excessively. Overall, it is considered that subject to details of an appropriate lighting scheme being agreed, including details of lighting of the farm experience, that this issue could be addressed suitably by means of planning condition in order to preserve residential amenity.

Privacy

155. With regards to privacy, it is noted that the proposed holiday lodges would be significantly separated from neighbouring properties being located on the northern part of the site. The element of the development closest to Sheepwalks Farm would be the southernmost paddocks associated with the Farm Experience. It is not expected that visitors would be accessing these paddocks close to the boundary of the site on a regular or prolonged basis, and generally visitor movement would be located on the circulation path within the application site, the closest point of which would be approx.

40m from the boundary with Sheepwalks Farm. A recreational path through woodland at the south western corner of the site is also proposed, which could potentially come with 20m of the boundary with Sheepwalks Farm, however this path would be in woodland, thus restricting views and furthermore reducing the likelihood of visitors straying from the path. Overall, and bearing in mind that Sheepwalks Farmhouse itself is located approx. 100m from the boundary of the site, beyond existing agricultural buildings, it is considered that the proposed would not be likely to result in an unreasonable loss of privacy to the occupiers of this property.

Construction

156. As with any development located in close proximity to residential properties, the possibility for construction activities to cause an adverse impact upon residential amenity in the form of noise and dust is acknowledged. Accordingly, it is considered that planning conditions relating to hours of construction and securing appropriate Construction and Dust Management Plans should be imposed on any planning permission.

Impacts upon heritage assets

157. DDLP Policy EN19 states that where nationally important archaeological remains, whether scheduled ancient monuments or not, and their settings, would be affected by a proposed development, there will be a presumption in favour of their physical preservation in situ. Other known archaeological remains of more local importance will be protected from damage to their features of archaeological interest. Where development is to be approved that could affect known archaeological remains, the council will require the developer to ensure that adequate provision has been made for the excavation and recording of the remains before development commences. DDLP Policy GDP1 states that new development should respect the historic environment.

158. These policies are largely in accordance with parts 12 and 16 of the NPPF, which support high quality design and conservation or enhancement of heritage assets. As such they are afforded full weight in decision making.

159. Lanchester Neighbourhood Plan Policy LNP3 identifies the Roman Aqueduct and Dam that lies to the north and east of the site as Locally Valued Heritage Assets seeks to balance positive and negative affects on such assets in order to ensure long-term conservation. The Neighbourhood Examiner has recommended some changes to this policy, which reduces the weight that can be afforded to the policy.

160. The application is accompanied by an archaeological assessment that identifies that the site lies within a Romano-British landscape, evidenced by the surviving Roman aqueduct and dam structures to the east and north of the site. These structures are Scheduled Monuments. It is identified that these structures would have required maintenance, and that there exists the potential for an aqueduct feeder to cross the application site, and that there could also be associated agricultural, industrial or habitation in the vicinity of the site. Given previous prehistoric flint assemblages have been found in a field to the east of the site, it is also possible that site was occupied prior to the Roman period.

161. A geophysical survey of the application site was carried out which identified a number anomalies that could be of archaeological origin, which could relate to a potential Roman ironworking site in the northern part of the site, and a potential metalworking area with water management features. As a result a programme of trial trenching amounting to 70 trenches covering 4% of the application site was agreed with the

County Archaeologist and this has taken place during the consideration of the application.

162. The results of the trial trenching indicate the presence of archaeological remains in a large area in the eastern part of the site, and a smaller area in the western part of the site. With regards to this, the County Archaeologist has recommended that a programme of mitigation consisting of appropriate stripping, mapping and recording be carried out, the detail of which could be secured by means of a planning condition.
163. Overall, it is considered that subject to appropriate mitigation, that the development would treat heritage assets in an appropriate manner, in accordance with DDLP Policies EN29 and GDP1, as well as Parts 12 and 16 of the NPPF. With regards to the scheduled monument element of the Roman Aqueduct, this is remote from the site, located approx. 300m to the north west of the site, and would not be directly affected by the proposal, in accordance with Lanchester Neighbourhood Plan Policy LNP3.

Manager's Lodge

164. The proposed development includes a lodge specified for permanent occupation by a site manager. DDLP Policy TO7 states that proposals for permanent new site warden's accommodation will not usually be approved, whilst para.79 of NPPF states that the development of isolated homes in the countryside should be avoided other than where there is an essential need for a rural worker to live permanently at or near their place of work, or where the development would involve the re-use of a heritage asset, a redundant dwelling, would represent sub-division of existing dwelling, or is of exceptional design.
165. It is considered that for many types of holiday parks, a residential managerial presence is often essential, to achieve quality of service to the customer, security for the property, and to meet the obligations of health and safety. As far as possible, suitably located existing dwellings should be used to meet these accommodation needs. But where this is not a feasible option, and particularly in locations where suitable housing is not available, or is unaffordable, it may be necessary to provide new, on-site accommodation for managerial and/or other staff. In such cases the conversion of any suitable available existing buildings should be considered first in preference to the construction of new and potentially intrusive housing development in the countryside.
166. Planning conditions can ensure that such accommodation is occupied for this purpose only. There are a number of site-specific elements of the proposals that could be argued to justify the permanent warden's accommodation proposed here. Site management will be required for site security, general maintenance, and ensuring that the holiday park operates in accordance with the submitted Management Plan in the interests of residential amenity. The proposed warden's accommodation would be a new dwelling in the countryside, but in supporting development of sustainable tourism and leisure that benefits businesses in rural areas as per paragraph 83 of the NPPF, is potentially considered to meet the requirements for special circumstances for such as set out in paragraph 79 of that document.

Occupancy of Holiday Lodges

167. DDLP Policy TO8 states that permission for static caravans and chalets will only be granted if occupation by any one person or groups of persons is limited to not more than eight weeks in any calendar year.
168. This policy is considered to be not be wholly consistent with advice with NPPF relating to farm diversification and the rural economy as it is considered to be excessively

restrictive, and accordingly can only be afforded reduced weight. A condition restricting the occupancy of the proposed lodges by a single person or group of persons to only eight weeks would potentially have a significant impact upon the viability of the proposed development, particularly in terms of the attractiveness to the market the lodges that would be offered for sale.

169. Balanced against this is the need to ensure that the lodges would indeed remain used for holiday accommodation as opposed to permanent occupation. This is a common issue on any holiday accommodation sites, and officers have developed a standard condition for use in such circumstances, which although not restricting the amount of time that such accommodation can be occupied by any single person or group, does ensure that occupiers have an alternative permanent address. This is considered to be an appropriate approach to managing the occupancy of the site.

Viability/Business Plan

170. There is no requirement for the applicants to demonstrate the viability of the proposed development, or provide a robust plan. However, such information does assist in understanding the nature of the development and how it would progress over time. The applicant has provided some financial and business plan information on this basis. An objector has raised that they consider that the submitted information does not demonstrate that the development would be viable, and that there is a real risk that the business would fail due lack of funding.
171. This is considered to be a risk that could apply to many rural enterprises. However, it should not, in itself, form a barrier to development. The submitted information indicates that the early phases of development would include the Haystax element, the manager's lodge and the first rental lodges. Only once these were established would the lodges for sale begin to be implemented. Of these first phase works, the Haystax element could arguably operate as standalone enterprise should the holiday lodge element of the business fail to develop as envisaged. Equally, should the Haystax element fail, it would not necessarily be harmful as it essentially comprises a large agricultural building. With a suitable condition attached to any permission restricting the occupancy of the manager's lodge to persons employed at the site, and requiring its removal should the holiday lodge business cease, then it is considered that the level risk of residual harm should the business fail to develop is acceptable. Accordingly, it is considered that there is no reason to consider the potential viability of the business further.

Drainage

172. Part 14 of the NPPF requires new development to adequately manage flood risk, and that major developments such incorporate sustainable drainage systems unless there is clear evidence this this would be inappropriate.
173. The application site is located within EA Flood Zone 1 which is the zone of lowest flood risk, and does not have a history of surface water flooding. Indeed, the submitted drainage report identifies that much of the site is likely to be suitable for infiltration drainage by means of series of ponds. For those parts of the site where infiltration would not be suitable or possible, a means of drainage to Dykenook Burn via an existing drain is proposed following attenuation within onsite ponds.
174. Overall, the proposed drainage strategy is considered to accord with SuDS principles, and with no objection being received from the Council's Drainage and Coastal Protection Team, is considered to be acceptable in this regard, in accordance with Part 14 of the NPPF.

175. Foul water would be treated on site via package treatment, subject to permit from the Environment Agency.

Ecology

176. DDLP Policy EN21 states that development will only be permitted when it would not adversely affect designated national nature reserves and sites of special scientific interest, whilst Policy EN22 states that development will only be permitted which would not lead to the loss of or cause significant harm to sites of nature conservation importance.

177. The application is accompanied by an ecological report, the content of which has been considered by the County Ecologist. The report concludes that the site is generally improved grassland of low habitat value, with low suitability for foraging and commuting by bats and of low suitability for great crested newt. It is possible that the site is occasionally used as a commuting route by badgers, as well as for foraging by hedgehog and brown hare. Due to the type of development proposed, and its distance from relevant protected areas, the development has been screened out with regards to impacts upon North Pennine Moors SAC, SAP and SSSI.

178. In terms of impact the report acknowledges low level impacts upon bat commuting and foraging and badger commuting, potential risks during construction work, low levels of disturbance to breeding birds, and loss of parish value habitat relating to redwing and mistle thrush, and of local value for other bird species. Loss of habitat for hedgehog and common toad.

179. A number of mitigation measures are proposed in the form of tree loss minimisation, provision of wetland areas, low level lighting, the use of hedgehog-friendly fencing, the provision of ten bat boxes, and the enhancement of retaining grassland in accordance with biodiversity management plan, and a 4ha fenced area set aside from visitor activity to provide habitat for bird species.

180. The County Ecologist has considered the submitted report and raises no objection to its conclusions and proposed mitigation, subject to the applicants' entering into a legal agreement pursuant to Section 39 of the Wildlife and Conservation Act 1981 in order to secure the long-term delivery of the proposed biodiversity management plan.

181. The comments of objectors on this subject are noted, however it is considered that the potential biodiversity impacts of the development can be adequately mitigated on site, and through wetland creation, tree planting and grassland enhancement, would deliver net biodiversity benefits.

182. Overall, it is considered that the development would be in accordance with DDLP Policies EN21 and EN22, as well as Part 15 of the NPPF.

Other Issues

183. The application site is crossed by a high-pressure gas pipeline, which the development seeks to suitably accommodated. Cadent who are responsible for the pipeline have been consulted as part of the application process and raise no objection to the proposed development.

184. Public Rights of Way Officers have identified that the proposed development would be likely to result in an increased use of Public Rights of Way in the area for recreational purposes. Those Public Rights of Way closest to the application site are at least partially

located on land within the applicants' control. Accordingly, it is considered that it would be appropriate to secure a scheme of improvements to routes in order to mitigate these additional pressures, by means of a suitable planning condition.

185. In relation to land contamination the applicant has submitted a Phase 1 Preliminary Risk Assessment. Environmental Health and Consumer Protection Officers agree with the conclusions within the report and that intrusive site investigations are required. They advise that conditions securing Phase 2 works onwards and an informative relating to unforeseen contamination are applied to ensure that the site is suitable for its intended use taking account of any risks arising from contamination. On this basis of the aforementioned the proposed development therefore complies with Policy U11 of the CDLP and Paragraph 178 of the NPPF which. This policy is considered fully consistent with the content of the NPPF and can be attributed weight in the decision-making process.
186. The proposal has generated significant levels of public interest. The objections and concerns raised have been taken into account and addressed within the report. On balance the concerns raised were not felt to be of sufficient weight to justify refusal of this application in light of the benefits of the scheme and the ability to impose conditions.

CONCLUSION

187. Section 38(6) of the Town and Country Planning Act states that planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance, the proposed development would fail to comply with DDLP Policy TO7. The NPPF is a material consideration and states at Paragraph 11 that proposals that accord with an up-to-date development plan should be approved without delay. Where the most important policies for determining the application are out-of-date a tilted balance test should be applied.
188. *Wavendon Properties Ltd v Secretary of State & Another* [2019] EWHC establishes that with regards to applying NPPF Paragraph 11, that firstly the most important policies be determined as a matter of judgment, before a determination is made as to whether they are out of date, and then it should be considered whether they are out of date, or, sufficient to determine the application as a whole.
189. In this case, the most important policies for determining this application are considered to be DDLP Policies EN1, EN2, AG2 and TO7. Of these, Policies EN1, EN2 and TO7 are considered to be out-of-date. Policy AG2 is not based upon any time expired evidence base, and is considered to be up-to-date.
190. DDLP Policies EN1 and EN2 relate to all forms of development in the countryside and is fundamental to the consideration of the proposal. DLP Policy TO7 relates to Caravan and Chalet Site development and is also of great importance, albeit it is not necessarily wholly relevant to the Haystax and Farm Experience. DDLP Policy AG2 relates to the diversification of agricultural enterprises and is also important. In these circumstances and considering the suite of "most important" policies as a whole, in the context of the proposed development, it is considered that they should be considered to be "out-of-date".
191. There are no policies within the NPPF that indicate that planning permission should be refused in this instance. The NPPF therefore advises that the development should be subject to the planning balance test set out at Paragraph 11(d) of the NPPF.
192. In this instance benefits of the proposal have been identified as being the potential economic benefits of the development, the provision of holiday accommodation within

the county where there is a recognised under provision and within this, the provision of 10 holiday lodges specifically adapted to be highly accessible. Additionally, the development would include a Play Barn and Farm Experience business element which would represent farm diversification, as well as providing community facilities, and the development as a whole would deliver 8 jobs. There would also be a biodiversity net gain.

193. Balanced against this, the development would have an adverse landscape impact during the early part of the development, however this impact would reduce over time. Additionally, the development would have an adverse impact, albeit not an unreasonable one, upon the residential amenity enjoyed by neighbouring occupiers. The proposed development would not be particularly accessible by public transport and would also see an increase of traffic on local roads, albeit not to an unsafe level.

194. Paragraphs 11(d) states that where the most important development plan policies are out-of-date, that planning permission should be granted, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal. In this case, the adverse impacts are considered not to outweigh the benefits, and the application is therefore recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 39 Legal Agreement to secure the delivery of the proposed Biodiversity Management Plan over a 30 year period, and the following conditions:

Time Limit

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.

Plans

2. The development shall be carried out in strict accordance with the following approved plans/documents: -
 - Site Location Plan
 - Proposed Site Layout Plan 1023-001
 - Lodge Type Block Plans 103-101
 - Landscape Strategy 103-110
 - Playbarn Proposed Floor Plans 8604C/50
 - Playbarn Proposed Elevations 8604C/51
 - Playbarn Proposed General Arrangement Sections 8604/C52
 - Indicative Phasing Plan 12030_111
 - Proposed Stables Plan 8604C/02
 - Proposed Lodge Type A1 8604C/03
 - Proposed Lodge Type A2 8604C/04
 - Proposed Lodge Type A4 8604C/05
 - Proposed Lodge Type B1 8604C/06
 - Proposed Lodge Type B2 8604C/07
 - Proposed Lodge Type C1 8604C/08

- Proposed Lodge Type D1 8604C/09
- Proposed Lodge Type E1 8604C/10
- Proposed Lodge Type F1 8604C/11
- Proposed Lodge Type G1 8604C/12
- Arboricultural Impact Assessment (Woodlands Park Farm)
- Arboricultural Method Statement (Woodlands Park Farm)
- Design and Access Statement
- Flood Risk and Drainage Strategy JK-5938
- Ecological Impact Assessment 6143 and Biodiversity Management Plan

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies GDP1 and TO7 of the Derwentside District Local Plan

Phasing and Landscaping Implementation

3. The development hereby approved shall only be delivered in phased manner in accordance with the submitted Indicative Phasing Plan 12030_111. No development other than that specified within Phase 1A shall take place until all elements of Phase 1A, including structural landscaping, have been implemented.

Reason: In the interests of landscape and visual amenity in accordance with Policies GDP1 and TO7 of the Derwentside District Local Plan

Manager's Lodge Occupation

4. The occupation of the manager's lodge hereby permitted shall be limited to a person solely or mainly working at a holiday lodge operation at Land to the South of Longedge Lane, Eliza Lane, Consett, DH8 9HB and to the spouse or civil partner and any resident dependants of such a person. The manager's lodge shall only be occupied once the first holiday lodge hereby approved is completed and available for occupation. If the holiday lodge operation should at any time cease, within 12 months of such cessation, the manager's lodge shall be removed, and land restored to its condition before development took place.

Reason: To ensure an appropriate form of development in the countryside, in accordance with Policies GDP1, EN1, EN2, EN6, TO7 and TR2 of the Derwentside District Local Plan.

Holiday Lodge Occupation

5. The holiday accommodation hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/operator shall maintain an up-to-date register of the names of all occupiers and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority on written request.

Reason: To ensure an appropriate form of development in the countryside, in accordance with Policies GDP1, EN1, EN2, EN6, TO7 and TR2 of the Derwentside District Local Plan.

Archaeology

6. No development shall commence until a written scheme of investigation setting out a phased programme of archaeological work in accordance with 'Standards For All Archaeological Work In County Durham And Darlington' has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

Reason: To safeguard any Archaeological Interest in the site, and to comply with part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

7. No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To comply with Paragraph 199 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

Management Plans

8. The development hereby approved shall only be operated in accordance with the "Farm Experience Management Plan – Haystax Inclusive Farm Experience Centre & Lodges" and "Lodge Management Plan – Haystax Inclusive Farm Experience Centre & Lodges".

Reason: In the interests of residential amenity in accordance with Policies GDP1, TO7 and AG2 of the Derwentside District Local Plan.

Haystax Farm Experience Opening Hours

9. The playbarn and farm experience hereby approved only operate in accordance with the following opening hours:

Monday – Friday: 10am – 10pm (the Farm Experience closed to the public from 5pm, however rooms available to small support groups within Play Barn from 5pm-10pm)

Saturday – Sunday: 10am – 5pm

Reason: In the interests of residential amenity in accordance with Policies GDP1, TO7 and AG2 of the Derwentside District Local Plan.

Tree Retention and Protection

10. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges to be retained, are protected in accordance with the details contained within the approved Arboricultural Impact Assessment and Arboricultural Method Statement and in accordance with BS.5837:2010.

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

No removal of limbs of trees or other tree work shall be carried out, other than those trees shown for removal within the Arboricultural Impact Assessment

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

Reason: In order to ensure effective screening of the development and in the interests of visual amenity, in accordance with Policy T07 of the Derwentside District Local Plan and Parts 12 and 15 of the NPPF.

Contaminated Land

Contaminated Land (Phase 2-3)

11. Excluding demolition of existing buildings, and other than any measures required in order to comply with this condition, 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 Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

Contaminated Land (Phase 4)

12. 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.

Construction Management Plan

13. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
 1. A Dust Action Plan including measures to control the emission of dust and dirt during construction.
 2. Details of methods and means of noise reduction/suppression.
 3. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.

4. Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
5. Designation, layout and design of construction access and egress points.
6. Details for the provision of directional signage (on and off site).
7. Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.
8. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.
9. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.
10. Routing agreements for construction traffic.
11. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
12. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
13. Management measures for the control of pest species as a result of demolition and/or construction works.
14. Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: To protect the residential amenity of existing from the development to comply with Policy of the Derwentside District Local Plan and Part 15 of the National Planning Policy Framework. Required to be pre commencement to ensure that the whole construction phase is undertaken in an acceptable way.

Drainage

14. No development, other than demolition and site remediation works, shall commence until a detailed scheme for the provision of foul and surface water drainage following the principles outlined within the Flood Risk Assessment and Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme for surface water drainage shall include details of the management and maintenance regime for those drainage systems. The drainage scheme shall be completed, managed/maintained in accordance with the details agreed.

Reason: In the interests of the adequate disposal of foul and surface water in accordance with Part 14 of the NPPF.

Materials

15. Notwithstanding the submitted information, prior to the erection of the external walls of the development hereby approved, details of the external materials used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity of the surrounding area in accordance with Part 12 of the NPPF.

16. Notwithstanding the submitted information, prior to their construction, details of the surface treatment and construction of all hardsurfaced areas used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of landscape and visual amenity in accordance with Policies GDP1 and TO7 of the Derwentside District Local Plan.

17. Prior to development commencing on any specific holiday lodge, final details of the specified lodge design shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the lodge shall only be constructed in accordance with the approved details.

Reason: In the interests of landscape and visual amenity in accordance with Policies GDP1 and TO7 of the Derwentside District Local Plan.

Landscape Implementation (Phase 1A)

18. Notwithstanding the submitted information, prior to the commencement of Phase 1A of the development hereby approved, a detailed landscaping scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include the following:

- Any trees, hedges and shrubs scheduled for retention, including method of protection.
- Details soft landscaping including planting species, sizes, layout, densities, numbers.
- Details of planting procedures and/or specification.
- Finished topsoil levels and depths.
- Details of temporary topsoil and subsoil storage provision.
- The timeframe for implementation of the landscaping scheme.
- The establishment maintenance regime, including the replacement of vegetation which die, fail to flourish within a period of 5 years from planting.
- A plan showing the public/structural landscaping and private/in-curtilage landscaping.
- Full details of the management, maintenance and accessibility of all areas of open space in perpetuity.

The approved landscaping scheme shall thereafter be undertaken in accordance with the approved details and timeframes.

Reason: In the interests of the visual amenity of the area and to comply with Policy TO7 of the Derwentside District Local Plan and Parts 12 and 15 of the National Planning Policy Framework. Required to be pre-commencement in order to ensure timely delivery of structure planting.

Landscape Implementation (Phase 1A)

19. Notwithstanding the submitted information, prior to the occupation of any phase of the development other than Phase 1A, a detailed landscaping scheme relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include the following:
- Any trees, hedges and shrubs scheduled for retention, including method of protection.
 - Details soft landscaping including planting species, sizes, layout, densities, numbers.
 - Details of planting procedures and/or specification.
 - Finished topsoil levels and depths.
 - Details of temporary topsoil and subsoil storage provision.
 - The timeframe for implementation of the landscaping scheme.
 - The establishment maintenance regime, including the replacement of vegetation which die, fail to flourish within a period of 5 years from planting.
 - A plan showing the public/structural landscaping and private/in-curtilage landscaping.
 - Full details of the management, maintenance and accessibility of all areas of open space in perpetuity.

The approved landscaping scheme shall thereafter be undertaken in accordance with the approved details and timeframes.

Reason: In the interests of the visual amenity of the area and to comply with Policy TO7 of the Derwentside District Local Plan and Parts 12 and 15 of the National Planning Policy Framework. Required to be pre-commencement in order to ensure timely delivery of structure planting.

Landscape Maintenance

20. No phase of the development shall be occupied until a scheme for the ongoing maintenance of the areas of landscaping within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, irrigation systems to aid with successful establishment and life expectancy.

Reason: In the interests of landscape and visual amenity in accordance with Policies GDP1 and TO7 of the Derwentside District Local Plan

Highways Access

21. No part of the development shall be brought into use until two new highway accesses built in accordance with the submitted plans are completed and available for use. The site visibility splays at 2.4m x 215m at both accesses onto Longedge Lane must be clear to under 1 metre in height and made available before the site is brought into use and maintained thereafter for future use.

Reason: In the interests of highway safety.

Enclosures

22. No lodge shall be occupied until details of all means of enclosure related to that lodge, including bin store, have been submitted to and approved in writing by the Local Planning Authority. The enclosures shall be constructed in accordance with the approved details thereafter.

Reason: In the interests of the visual amenity of the area and to comply with Parts 12 and 15 of the National Planning Policy Framework.

External Site Lighting

23. Prior to the commencement of operation of external floodlighting, an assessment demonstrating the risk/level of impact on nearby sensitive receptors shall be submitted and agreed in writing by the Local Planning Authority. The assessment should include a vertical spread plan which demonstrates compliance with the Institution of Lighting Professionals (ILP) Guidance for the reduction of obtrusive light. Any assessment should also provide detail on why the particular luminaires have been selected and how efficient the chosen product will be at reducing the potential impact of light spill and glare.

Reason: In the interests of residential amenity in accordance with Policies GDP1, TO7 and AG2 of the Derwentside District Local Plan.

Deliveries and Servicing

24. The development shall only be serviced (deliveries and waste collections) between 07.00 - 23:00 Mondays to Saturdays (including Bank Holidays) and 09:00 – 19:00 on Sundays.

Reason: In the interests of residential amenity in accordance with Policies GDP1, TO7 and AG2 of the Derwentside District Local Plan.

Ecology

25. 22. The development shall be carried out in accordance with the mitigation outlined within the submitted Ecology Report.

Reason: To mitigate the ecological impact of the development, in accordance with Part 15 of the National Planning Policy Framework.

Construction Working Hours

26. No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1300 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

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

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

Reason: In the interests of residential amenity in accordance with Policies GDP1, TO7 and AG2 of the Derwentside District Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

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

BACKGROUND PAPERS

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

The National Planning Policy Framework (2018)

National Planning Practice Guidance Notes

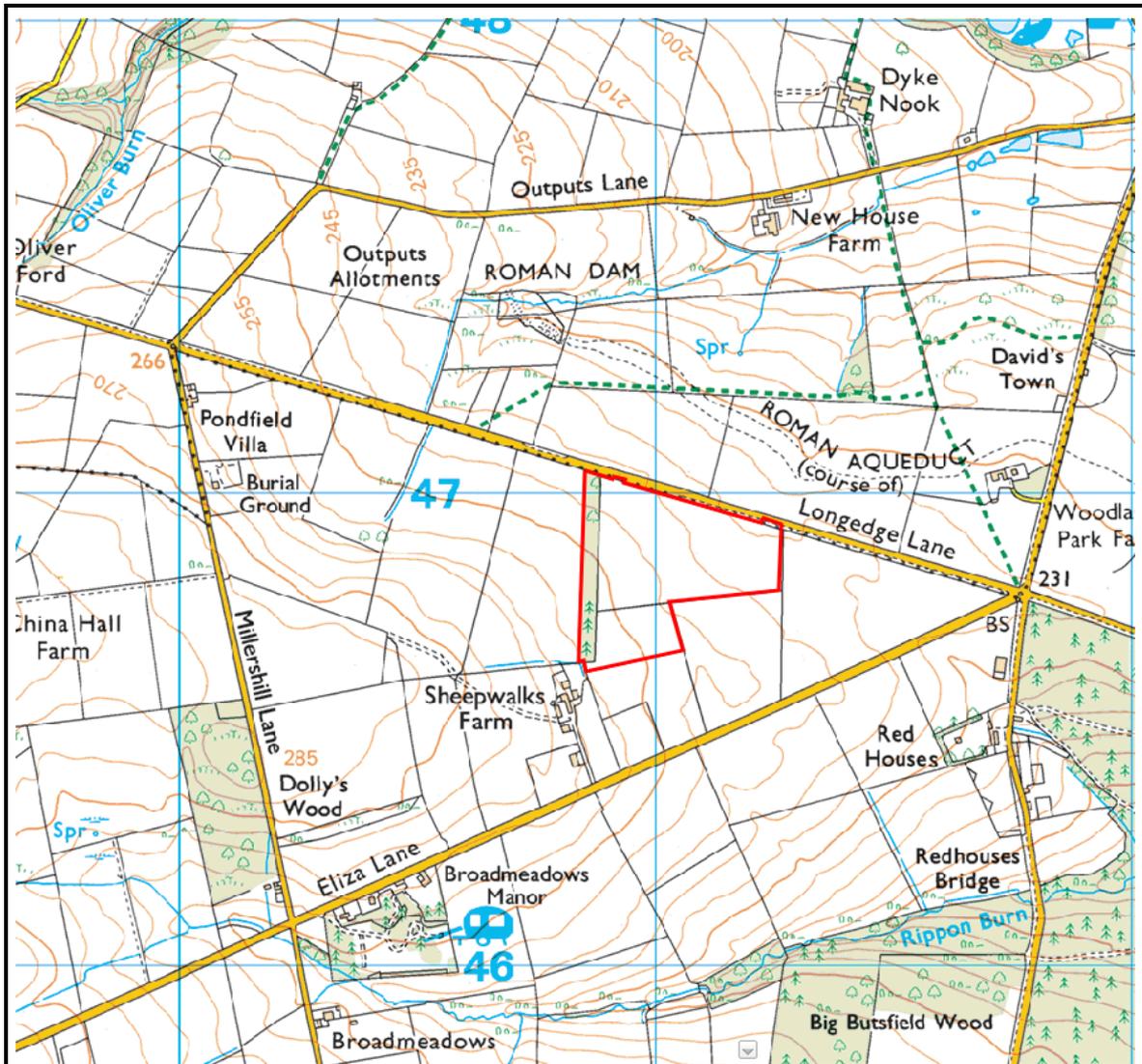
Derwentside District Local Plan

Lanchester Neighbourhood Plan & Examiners Comments

County Durham Visitor Accommodation Futures Study

County Tourism Management Plan

Statutory, internal and public consultation responses



Planning Services

Ref: DM/20/01201/FPA
 Proposed 37no holiday lodges (including 10no highly accessible lodges and 1no manager's lodge) and Play Barn with associated Farm Experience. (Amended Description)
 Mr & Mrs Adamson
 Land to the South of Longedge Lane, Eliza Lane, Consett, DH8 9HB

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Date 2 September 2020

Scale Not to scale



COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/20/00469/RM
FULL APPLICATION DESCRIPTION:	Reserved matters application for 250 dwellings with associated highways infrastructure, landscaping, public open space and sustainable urban drainage features pursuant to planning permission DM/16/03958/OUT
NAME OF APPLICANT:	Bellway Homes Ltd
ADDRESS:	Land To The South Of High Grange Way, Wingate
ELECTORAL DIVISION:	Wingate
CASE OFFICER:	Barry Gavillet, Senior Planning Officer 03000 261958 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. This application site consists of a rectangular shaped parcel of land located adjacent to the village Wingate to the East of the County. The site extends to approximately 10.85 hectares (ha) in area and comprises agricultural fields. There is a level change across the site, with the land falling approximately 8m in a south easterly direction.
2. The site is bound by a new residential development to the north which is partly still under construction. To the east of the site the Haswell to Hart former railway line and Countryside Walk is located, beyond which lies open countryside and the A19. To the west of the site, playing fields are located, beyond which lies Wingate. To the south of the site are agricultural fields and open countryside beyond. The fields are to be used as green infrastructure as agreed at the outline application stage in order to provide recreational space and offset the impact on nearby sensitive areas on the coast and at Castle Eden Dene.
3. A public right of way (Footpath No.13, Wingate) extends across the middle of the site running in a north - south direction and passes through the new development to the north. To the southern boundary of the site, two public rights of way (Footpath No.14 and 39, Wingate) extend in an east - west direction linking Caradoc Road to the Haswell to Hart former railway line which is also designated National Cycle Network Route 1 (NCN1).
4. The site is located approximately 800m to the south east of Castle Eden Dene Site of Special Scientific Interest (SSSI), National and Local Nature Reserve and Special Area of Conservation (SPA). The site lies 5.4km to the west of the Durham Coast Special Area of Conservation and within the Habitat Regulations Assessment impact buffer. Bracken Hill Wood, Local Nature Reserve is located 1.6km to the north of the site. The site does not lie within any designated landscape; however, an area of High Landscape Value lies

approximately 800m to the east and north of the site. Castle Eden Conservation Area, which contains a number of listed buildings, is located approximately 550m to east of the site.

5. Locally, the Wingate area is served by an infant, primary and secondary school, all accessible from North Road East or Front Street, the main road through Wingate centre. In addition, there are several community facilities including a library and community association, family centre and the 19th century Holy Trinity Church, also along North Road East/Front Street. This road also has a number of businesses including shops, post office, hairdressers, restaurants/ takeaways and other specialist businesses as well as a pharmacy, medical centre and GP surgery.

Proposal

6. Outline planning permission has recently been granted for the erection of up to 250 dwellings with all matters reserved. This application seeks reserved matters approval for details of the layout, scale, appearance, landscaping and access associated with 250 dwellings with a density of 24 dwellings per hectare.
7. A site layout has been submitted which shows the dwellings arranged around a series of cul-de-sacs and private shared drives taken off a main distributor road. The layout shows active frontages overlooking a central area of public open space and retaining the line of the public right of way through a green corridor. The main vehicular access to the site would be taken off Wellfield Road, to the north of the site and would pass through the development of phase 1 to the north. A secondary access would also be available through Martindale Walk to the west of phase 1. SUDS drainage ponds are proposed to the eastern boundary of the site adjacent to the Hart to Haswell walkway.
8. The dwellings would be two storeys in height and would be constructed of traditional brick and weatherboard along with tiled roofs. A mix of 2, 3 and 4 bedroomed properties would be provided, 10% of which would be affordable as agreed at the outline approval stage.
9. All dwellings would have front and rear gardens and off-street parking in the form of driveways or garaging, and visitor parking would be provided around the site.
10. The application is being reported to committee at the request of the Local Ward Member.

PLANNING HISTORY

11. Outline Planning permission was granted 2016 for the erection of up to 161 dwellings (CE/13/01568/OUT) to the north of the site followed by Reserved Matters application for 161 dwellings (DM/17/03229/RM). Planning permission was granted in 2014 for the provision of green infrastructure to mitigate the impacts of the development on the Coastal and Castle Dene Special Areas of Conservation (CE/13/01569/FPA). This was amended through application DM/16/01565/NMA. In 2017 planning permission was granted for drainage works on neighbouring land in association with the 161 dwelling residential development (DM/17/03244/FPA). A substitution of housetypes for this development was approved in 2018 (DM/18/02504/VOC) and an application for a further substitution of housetypes and 5 additional dwellings is currently pending consideration DM/18/02504/VOC.
12. Outline planning permission with all matters reserved, for the erection of up to 250 dwellings and associated infrastructure on the current application site, subject to this reserved matters submission, was granted in 2019 (DM/16/03958/OUT).

PLANNING POLICY

NATIONAL POLICY

13. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
14. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
15. *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.
16. *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.
17. *NPPF Part 5 - Delivering a Sufficient Supply of Homes.* To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
18. *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.
19. *NPPF Part 8 – Promoting healthy and safe communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. *Developments* should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
20. *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.

21. *NPPF Part 11 – Making effective use of land.* Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.
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 14 – Meeting the challenge of climate change, flooding and coastal change -* The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
24. *NPPF Part 15 - Conserving and Enhancing the Natural Environment -* Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

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

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

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

LOCAL PLAN POLICY:

Easington District Local Plan 2001(EDLP)

26. *Policy 1 – Principles of Development.* Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with a range sustainable development principles and criteria while benefiting the community and local economy.

27. *Policy 3 – Protection of the Countryside* - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.
28. *Policy 14 – Protection of Special Areas of Conservation*. Development that is likely to adversely affect a Special Area of Conservation will not be permitted unless certain exceptional criteria are met.
29. *Policy 15 – Protection of Sites of Special Scientific Interest and National Nature Reserves*. Development that is likely to affect Sites of Special Scientific Interest (SSSI) Or National Nature Reserves (NNRs) will only be permissible if no alternative solution can be found and is in the national interest. Minimisation of the impacts and appropriate compensation is required where works affect SSSIs or NNRs.
30. *Policy 16 – Protection of Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodlands*. Advises that development which is likely to adversely affect such a site will only be approved where is no alternative solution and the development is of national interest.
31. *Policy 18 – Species and Habitat Protection*. Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.
32. *Policy 19 – Management of Areas of Nature Conservation Interest* - Areas of nature conservation interest, particularly those of national importance will be protected and enhanced. Measures include, encouraging landowners to adopt sympathetic management regimes, creation of habitat in development proposals and controlling inappropriate development in accordance with policies 14-18.
33. *Policy 35 – Design and Layout of Development* - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
34. *Policy 36 – Design for Access and the Means of Travel* - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
35. *Policy 37 – Design for Parking* - The design and layout of parking should seek to minimise the level of parking provision.
36. *Policy 66 – Provision of Outdoor Play Space* -This policy requires developers to provide adequate provision for children's play space and outdoor recreation space in new major housing developments
37. *Policy 74 – Footpaths and Other Public Rights of Way* – Sets out that public rights of way should be improved, maintained and protected from development. Suitably landscape alternatives to public rights of way should be provided where impacted on by a development.
38. *Policy 75 – Provision for Cyclists and Pedestrians* – Sets out that provision for cyclists and pedestrians will be reviewed to establish a programme to provide safe and convenient networks within settlements which, together with other appropriate facilities, encourage cycling or walking journeys to work, town centres, transport interchanges.

EMERGING PLAN:

The County Durham Plan

39. The County Durham Plan (CDP) which in time will replace the existing saved Local Plans in County Durham commenced its Examination in Public (EiP) in Winter 2019. The programmed hearing sessions subsequently closed on 6th February 2020, and the Inspector's issued his post hearing advice on 20th February 2020. An amended CDP has been prepared to take account of the specific instructions from the Inspector, and all the minor/main modifications which the Council proposed following the hearing sessions and in response to the action points issued by the Inspector. Consultation on the CDP (Main Modifications) commenced on Tuesday 26th May and closed on 21st July 2020 (an eight-week period). All comments that are received during this consultation period are being sent to the Inspector to inform his final report. Paragraph 48 of the NPPF states that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. Although the CDP is now at an advanced stage of preparation, it is considered that it should not be afforded any weight in the decision-making process until the Inspector's final report has been received.

Neighbourhood Plan

40. There is no neighbourhood plan in place for Wingate.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

41. *Highway Authority* have reviewed the submitted plans and conclude that no highways objections would be raised to these proposals.
42. *Drainage and Coastal Protection* confirm acceptance of the drainage design as detailed in the submitted drawings and note that permeable surfaces or filter strips will serve all private and shared driveways. The SuDs basin with forebay area and low flow channels for additional water quality and treatment is acceptable and the finished floor levels have been set at 300mm above maximum water levels in downstream drainage as requested. Officers note that the location of the outfall is yet to be confirmed, however there is confidence that it can be achieved with the appropriate mitigation works off site and so request a condition ensuring that the location of the outfall and any downstream accommodation works be approved by the Council prior to commencement.

INTERNAL CONSULTEE RESPONSES:

43. *Environment, Health and Consumer Protection* have no objections but request a condition in relation to any contaminated land remediation being required.
44. *Ecology* advise that the landscaping proposals for the Habitats Regulations Assessment mitigation area appear consistent with the original designs and therefore they do not consider that further Habitats Regulation Assessment is required. It is also noted that the soil specification for the wildflower areas is to be approved by the landscape architect. It is considered that, as wildflowers have very different nutrient requirements to species normally used in residential developments, that the soils in the areas intended for wildflowers should be approved by the project ecologist prior to them being seeded.

45. *Public Rights of Way* welcome the adoption of the section of Footpath 13 which runs through the site. They note that the unmarked path to the East of Footpath 13 will be replaced by a 'footpath link' and there also appears to be many other 'footpath link' areas on the site which will link to the Public Right of Way including a pedestrian footpath link running the entirety of the western boundary, again this is welcomed.
46. *Landscape* state that the proposed layout removes the road crossing of the central public open space and has been amended along the western boundary to accommodate visitor parking spaces. They conclude that there are no further improvements necessary in terms of wider changes to the layout. Some individual properties will have sub-optimal garden spaces but overall provision across the site is not an issue. On this basis Landscape officers accept the proposed layout.
47. *Design and Conservation* have no objections to the proposals and comment that previous concerns regarding the highway severing of the north-south public open space have now been resolved.

EXTERNAL CONSULTEE RESPONSES:

48. *Northumbrian Water Limited* have no objections to the proposals subject to a condition requiring further details of foul and surface water drainage.

PUBLIC RESPONSES:

49. The application has been advertised by way of a press and site notice, and individual notification letters to neighbouring residents. No letters of objection have been received from members of the public.
50. A letter of concern has been received from County Councillor John Higgins from the Wingate Electoral Division. Concerns raised are the lack of infrastructure with regard to school places and GP surgery capacity and insufficient parking for the development. Specific concern is raised regarding the proposed SuDs pond, given its proximity to the Haswell to Hart walkway, Wellfield Comprehensive School, housing estates, and the Primary School is only a ten-minute walk from the proposed area. The Councillor is very concerned for the safety of youngsters and adults, as sadly a number of youngsters have drowned in ponds in the village, therefore he is very concerned that a further pond is to be created in the village.

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

APPLICANTS STATEMENT:

51. This application seeks approval of the reserved matters – appearance, landscaping, layout and scale – following the outline approval of 250no. new homes in July 2019.
52. The applicant has actively engaged with the Council, arriving at this design and layout. The scheme is in full accordance with the outline permission and there are no technical issues outstanding.
53. Access will be via the Avant Homes development to the north, which is accessed off Wellfield Road, as proposed through the outline application.
54. The appearance of the homes will all be two storeys in height, comprising a mix of terraced, semi-detached and detached houses. A range of brick types, feature elevational treatments

and boundary treatments add interest to the site. The Council's Design Review Panel have scored the site all Green and Amber.

55. Landscaping is incorporated throughout. The existing mature hedgerow along running north-south through the site will be maintained and enhanced. Tree, hedgerow and wildflower planting creates a strong landscaped scheme.
56. The layout reflects existing landscape features forming clear development parcels. The central green corridor running north to south forms a key design feature with the SUDS located to the eastern edge. The SUDS is a dry basin meaning it will only be wet in extreme rainfall events; whereby it will continually filter, treat and discharge water collected at a controlled rate.
57. The scale reflects the outline planning permission for 250no. new homes. 10% are affordable, pepper-potted throughout the site. 7.8ha of ecology, green infrastructure and a playground is included on land to the south of the development. This space will be used for biodiversity benefit and also recreation by providing a number of new walking routes.
58. Each two and three-bedroom house will have a least two parking spaces, each four-bedroom house will have at least three parking spaces and there are a further 63 visitor parking spaces across the site. This is fully compliant with the Council's parking design guidance.
59. The development offers a mix of house types and sizes, providing the housing needed for different groups in the community with an environmental benefit gained from the proposed landscaping and SUDS provision.
60. The proposed development will support a range of economic benefits, including the generation of construction jobs, support to local businesses, increased local expenditure in the area and revenue to the Council through increased Council Tax receipts and relevant new Homes Bonus payments.
61. The principle of residential development has been established by the outline planning permission. The application process has raised few issues from consultees, all of which have been addressed by the applicant with the design of the proposed development amended to incorporate the comments raised. There are no objections from the public or consultees.
62. In summary, the proposed development contributes to all three dimensions of sustainable development. It fully accords with the outline planning permission and the adopted development plan. The NPPF is clear that development should be approved without delay.

PLANNING CONSIDERATIONS AND ASSESSMENT

63. 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 as an outline approval for residential development has been approved on this site and the principle of the development has been accepted, the main planning issues in this instance relate to the access, appearance, landscaping, layout and scale of the development and objection raised.

Access, appearance, layout, scale and landscaping of the development

64. As mentioned previously the main vehicular access to the site would be taken off Wellfield Road, to the north of the site and would pass through the development of phase 1 to the north. A secondary access would also be available through Martindale Walk to the west of phase 1. The access points off Wellfield Road and Martindale Walk have already been constructed as agreed by the Highway Authority and are in use. Internally, all road layouts and parking provision levels including visitor parking have also been agreed and are in accordance with the Council's parking standards. Overall, all highways issues have been addressed satisfactorily including the means of access and, therefore, the proposals are in accordance with saved policies 1, 36 and 37 of the District of Easington Local Plan and part 9 of the National Planning Policy Framework.
65. Policy 35 of the District of Easington Local Plan requires that development should reflect the scale and character of adjacent buildings and the area generally, particularly in terms of site coverage, height, roof style and detailed design and materials. In addition, development should provide adequate open space, appropriate landscape features and screening where required. Part 12 of the NPPF also seeks to promote good design, while protecting and enhancing local environments. Paragraph 127 of the NPPF states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. Local plan policy 35 is considered to comply with NPPF requirements and as such significant weight can be afforded to this policy
66. The appearance of the dwellings is considered to be of a generally high standard. The scheme has been developed in a traditional style development which would work well in this location and would reflect the nature of the modern development to the north of the application site. The choice of materials, which is dominated by a traditional red multi brick, weatherboarding and traditional tile roofing materials would relate well to the surrounding area whilst the inclusion of bay windows and door canopies on properties are a welcome addition which would reflect properties in the surrounding area.
67. The properties are all two storeys in height, there are also double fronted corner turning units added. The use of some bay windows and canopy type entrance surrounds help to define the elevations and add interest. Overall, it is considered that the traditional appearance of the dwellings would create an interesting development which would be of a high standard and would be appropriate in the context of the surrounding area in accordance with saved policies 1 and 35 of the District of Easington Local Plan and part 12 of the National Planning Policy Framework which seeks to achieve well-designed places.
68. Saved District of Easington Local Plan Policy 35 states that planning permission will be required to have no serious adverse effect on the amenity of people living and working in the vicinity of the development site and the existing use of adjacent land or buildings in terms of privacy, visual intrusion, noise, other pollutants and traffic generation. This policy is considered consistent with Parts 12 and 15 of the NPPF, which require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.
69. The layout of the development is considered generally acceptable and is partly constrained due to the new housing development to the north. However, advantage has been taken of the frontage onto the Green Infrastructure to the south, SuDs basin and walkway to the east and footpath to the west where dwellings would face outward creating an interesting frontage and street scene without the dominance of car parking. It is noted that the distancing standards as set out in the appendix of the District of Easington Local Plan which

requires sufficient distance between main facing elevations in addition to space between main elevations and gable ends are met or exceeded in almost all instances. Importantly, the distances to existing dwellings are met or exceeded in all instances. Consideration has also been given to the recently adopted amenity standards SPD and again the layout is considered to meet its content.

70. Generally, the gardens and amenity space is generous and the level of off-street parking including private garaging has been considered appropriate by highways officers. The number of dwellings on the site is also considered appropriate for this location and reflects what was approved at the outline stage. The proposals are therefore considered to be in accordance with saved policy 1 and 35 of the District of Easington Local Plan and part 12 of the NPPF.
71. In terms of the scale of the development, it is considered that two storey dwellings are entirely appropriate for this location. The scale of the dwellings are consistent with the built up areas of Wingate and would not harm the visual amenity of the area or existing occupiers. The house types involved in the proposal are a mix of two, three and four bedroom properties, some in blocks of three, but mostly comprising of pairs of semi-detached and detached properties. This is considered to be an appropriate mix of house types which would contribute toward both the interest of the development and the varying needs of the future residents as well as reflecting the semi-rural nature of the site.
72. A landscaping scheme has been submitted which shows a comprehensive planting scheme throughout the development which would help create attractive street scenes. In addition to planting within the built-up area, adequate areas of open space are proposed to the north near the entrance of the site along with a green corridor which links to the green infrastructure to the south.
73. The green infrastructure to the south of the site was required as part of the outline planning permission in order to provide recreational space and offset the impact on nearby European Protected Sites – Castle Eden Dene Special Area of Conservation (SAC), Durham Coast SAC, Northumbrian Coast Special Protection Area (SPA), European Marine Site and Ramsar Site and Teesmouth and Cleveland Coast SPA and Ramsar Site. Although outside of this application site, the details provided in the landscaping details would be sufficient to address the requirements of condition 5 attached to the outline approval. The impact of the development upon these sites was considered at the outline stage where it was considered under the Habitat Regulations Assessment process that the proposed mitigation measures via the green infrastructure provision, was acceptable and no significant impact upon the European Protected Sites would occur. The detailed measures proposed under this application submission build upon and accord with the outline proposals and are deemed acceptable having regards to the relevant EDLP policies and Part 15 of the NPPF.
74. Similarly the results of the final layout, design and landscaping of the proposals are that no adverse impact upon the Area of High Landscape Value which lies approximately 800m to the east and north of the site and the Castle Eden Conservation Area, which is located approximately 550m to east of the site would occur, again as was expected at the outline stage.
75. In addition to the above, a SuDs basin to the east of the site is proposed which would serve as a supplementary landscaping feature. There are links provided onto the Hart to Haswell walkway to the east as well as links to the Public Right of Way and green infrastructure to the south. The level of amenity space has been agreed with the relevant officers and is compliant with the requirements of the Open Space Needs Assessment.

76. In general, it is considered that the landscaping scheme is acceptable and accords with saved policy 1 of the District of Easington Local Plan and part 15 of the National Planning Policy Framework.
77. A Building for Life Supplementary Planning Document (2019) (BfL SPD) has recently been adopted. In recognition of national planning advice (outlined above) and to achieve high quality housing developments the Council has adopted an in-house review process to assess schemes against the Building for Life 12 (BfL 12) Standards. The BfL SPD formalises the review process and establishes the guidelines and standards for its operation. The SPD is an adopted document and, therefore, weight can be attributed to it in the decision-making process. The scoring is based on a traffic light system with the aim of the proposed new development to secure as many “greens” as possible, minimise the number of “ambers” and avoid “reds”. The more “greens” achieved the better the development would be, “ambers” are usually concerns that can be raised to “green” with revisions, whereas a “red” gives a warning that a particular aspect needs strong reconsideration. At the start of the application process the scheme was considered against the BfL standard through a series of questions and resulted in the majority of the scores being green with only a few amber scores. On this basis, design review established that the scheme was of good quality and would meet the requirements of the Supplementary Planning Document.
78. Overall it is considered that the proposals are acceptable in terms of access, appearance, layout, scale and landscaping and would result in a good quality development with no adverse impacts on existing occupiers. The proposals are considered to be in accordance with the relevant National and Local Plan policies along with the adopted Supplementary Planning Document.

Objections received and Other Issues

79. A number of concerns have been expressed by a local County Councillor. Concerns raised include a lack of infrastructure with regard to school places and GP surgery capacity. The principle of developing the site for housing has been established by the outline planning permission and the extent to which mitigation was necessary was established at that time and cannot now be revisited as part of a reserved matters application. Whilst no contributions were considered necessary in relation to GP capacity, it was acknowledged at that time that there were insufficient school places and accordingly, the outline planning permission is subject to a contributions of £715,540 towards primary school places which was secured by way of a s106 Legal Agreement. In addition to this, the s106 legal agreement also secured 10% affordable housing, £369,000 for offsite recreation and sporting provision, £84,000 for improving cycling links in the area and, £160,620 for improving the public rights of way network in the area.
80. Further concerns relate to a lack of parking bays proposed for the development. The Highway Authority have confirmed that the level of provision is in accordance with the Council’s parking standards.
81. Specific concerns expressed regarding the safety of the proposed SuDs pond has been addressed by the Council’s drainage officers. They have advised that the relevant guidance from CIRIA has been met relating to SuDs components. In summary, the basin will be dry for the vast majority of time, for smaller storm occasions the water would be drained within minutes and in a significant 10 to 20 year flood event the water would be drained within 24 hours. They confirm that there is no requirement for fencing around the basin to address any safety concerns.
82. Environment, Health and Consumer Protection advise that a contaminated land condition should apply to any permission granted, however, such a condition is already imposed on

the outline planning permission and there is no requirement to repeat it on this reserved matters application.

83. In light of the above it is considered that the layout, appearance, scale and landscaping is acceptable and as such is in accordance with the relevant saved District of Easington Local Plan policies and parts of the National Planning Policy Framework as highlighted earlier in the report.

CONCLUSION

84. The National Planning Policy Framework advises that there should be a presumption in favour of sustainable development such as this site which was granted outline planning permission on this basis. This application seeks reserved matters of the details as the principle of residential development in this location has already been accepted.

85. It was previously considered when outline planning permission was granted that the contribution the development would make towards meeting the housing and infrastructure needs of all sectors of the community and the investment and regeneration the development would bring to the area should be afforded significant weight. Outline planning permission was previously approved on the basis that these benefits were considered sufficient to outweigh any harm caused by permitting residential development beyond an established settlement boundary in this location. Overall, it is considered that the reserved matters relating to layout, appearance, scale, access and landscaping are acceptable and therefore approval of the application is recommended.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

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

Plan	Drawing No.	Date Received
SUDS LOCATION PLAN	QD1622-00-09	19/02/20
REFUSE TRACKING LAYOUT	QD1622-40-01	19/02/20
THE SCRIVENER ELEVATIONS COUNTRY VERNACU...	SC-4B-2S-CW-E	19/02/20
THE SCRIVENER FLOOR PLANS	SC-4B-2S-P3	19/02/20
THE SCRIVENER ELEVATIONS TOWN VERNACULAR...	SC-4B-2S-TF-E	19/02/20
THE SHOEMAKER ELEVATIONS COUNTRY VERNACU...	SH-3B-2S-CB-E	19/02/20
THE SHOEMAKER FLOOR PLANS	SH-3B-2S-P2	19/02/20
THE SHOEMAKER ELEVATIONS TOWN VERNACULAR...	SH-3B-2S-TB-E	19/02/20
THE SAWYER ELEVATIONS COUNTRY VERNACULAR...	SY-3B-2S-CB-E	19/02/20
THE SAWYER FLOOR PLANS	SY-3B-2S-P1	19/02/20
THE SAWYER ELEVATIONS TOWN VERNACULAR: F...	SY-3B-2S-TF-E	19/02/20
THE TAILOR FLOOR PLANS	TA-3B-2S-P2	19/02/20
THE THESPIAN FLOOR PLANS	TH-3B-2S-P1	19/02/20
THE TURNER PLANNING LAYOUTS	TU-3B-2S-AC REV D	19/02/20
THE BLACKSMITH (2B SEMI/TERR) COUNTRY BR...	WIN/643/CB/25/01	19/02/20
THE BLACKSMITH (2B SEMI/TERR) COUNTRY BR...	WIN/643/CB/25/02	19/02/20
THE BLACKSMITH (2B SEMI/TERR) COUNTRY BR...	WIN/643/CB/25/03	19/02/20
THE BLACKSMITH (2B SEMI/TERR) COUNTRY BR...	WIN/643/CB/25/04	19/02/20
THE BLACKSMITH (2B SEMI/TERR) TOWN BRICK...	WIN/643/TB/25/01	19/02/20
THE BLACKSMITH (2B SEMI/TERR) TOWN BRICK...	WIN/643/TB/25/02	19/02/20

THE BLACKSMITH (2B SEMI/TERR) TOWN BRICK...	WIN/643/TB/25/03	19/02/20
THE BLACKSMITH (2B SEMI/TERR) TOWN BRICK...	WIN/643/TB/25/04	19/02/20
THE TAILER (3B SEMI) COUNTRY BRICK FRONT...	WIN/802/CB/25/01	19/02/20
THE TAILOR (3B SEMI) COUNTRY BRICK SIDE ...	WIN/802/CB/25/02	19/02/20
THE TAILOR (3B SEMI) COUNTRY BRICK REAR ...	WIN/802/CB/25/03	19/02/20
THE TAILOR (3B SEMI) COUNTRY BRICK SIDE ...	WIN/802/CB/25/04	19/02/20
THE TAILOR (3B SEMI) TOWN BRICK FRONT ELEVATIONS	WIN/802/TB/25/01	19/02/20
THE TAILOR (3B SEMI) TOWN BRICK SIDE ELEVATIONS	WIN/802/TB/25/02	19/02/20
THE TAILOR (3B SEMI) TOWN BRICK REAR ELEVATIONS	WIN/802/TB/25/03	19/02/20
THE TAILOR (3B SEMI) TOWN BRICK SIDE ELEVATIONS	WIN/802/TB/25/04	19/02/20
THE TURNER (3B DET/SEMI) COUNTRY WEATHER...	WIN/897/CW/25/01	19/02/20
THE TURNER (3B DET/SEMI) COUNTRY WEATHER...	WIN/897/CW/25/02	19/02/20
THE TURNER (3B DET/SEMI) COUNTRY WEATHER...	WIN/897/CW/25/03	19/02/20
THE THESPIAN (3B DET) COUNTRY WEATHERBOARD FRONT	WIN/921/CW/25/01	19/02/20
THE THESPIAN (3B DET) COUNTRY WEATHERBOARD SIDE	WIN/921/CW/25/02	19/02/20
THE THESPIAN (3B DET) COUNTRY WEATHERBOARD REAR	WIN/921/CW/25/03	19/02/20
THE THESPIAN (3B DET) COUNTRY WEATHERBOARD SIDE	WIN/921/CW/25/04	19/02/20
OVERALL SITE PLAN	100 (REV B)	19/06/20
SITE LAYOUT PLAN	101 (REV B)	19/06/20
BOUNDARY TREATMENT PLAN	102 (REV B)	19/06/20
ADOPTION PLAN	103 (REV B)	19/06/20
ELEVATIONAL TREATMENT PLAN	105 (REV B)	19/06/20
TYPICAL SUDS DETAILS	QD1622-08-04-A	13/07/20
ENGINEERING LAYOUT	QD1622-03-01 REV	19/08/20
EXTERNAL WORKS SHEET 1 OF 4	F	19/08/20
EXTERNAL WORKS SHEET 2 OF 4	QD1622-04-01 REV	19/08/20
EXTERNAL WORKS SHEET 3 OF 4	E	19/08/20
EXTERNAL WORKS SHEET 4 OF 4	QD1622-04-02 REV	19/08/20
SOURCE CONTROL LOCATIONS	D	19/08/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 1	QD1622-04-03 REV	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 2	D	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 3	QD1622-04-04 REV	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 4	D	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 5	QD1622-04-10 REV	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 6	A	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 7	136323/8003 REV B	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 8	136323/8004 REV B	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 9	136323/8005 REV B	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 1	136323/8006 REV B	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 1	136323/8007 REV B	19/02/20
LANDSCAPE CONSTRUCTION SOFTWARES SHEET 1...	136323/8008 REV B	19/02/20
PLANTING SPECIFICATION	136323/8009 REV B	19/02/20
LANDSCAPE SOFTWARES OVERVIEW SKETCH	136323/8010 REV B	19/02/20
SITE SECTIONS	136323/8011 REV B	19/02/20
THE BLACKSMITH FLOOR PLANS	136323/8012 REV B	19/02/20
THE BOWYER ELEVATIONS COUNTRY VERNACULAR...	136323/8013 REV B	19/02/20
THE BOWYER FLOOR PLANS	136323/8014 REV B	19/02/20
THE BOWYER ELEVATIONS TOWN VERNACULAR: F...	136323/8015 REV B	19/02/20
THE CARVER ELEVATIONS COUNTRY VERNACULAR	136323/SK7001	19/02/20
THE CUTLER ELEVATIONS TOWN VERNACULAR: B...	200	19/02/20
THE TURNER (3B DET/SEMI) COUNTRY WEATHER...	BL-2B-2S-P1	19/02/20
THE FORESTER PLANNING LAYOUTS	BO-4B-2S-CB-E	19/02/20
THE FORESTER ELEVATIONS COUNTRY VERNACUL...	BO-4B-2S-P1	19/02/20
THE FORESTER ELEVATIONS TOWN VERNACULAR:...	BO-4B-2S-TF-E	19/02/20
THE GLAZIER ELEVATIONS COUNTRY VERNACULA...	CA-3B-2S-CB-E	19/02/20
THE GLAZIER FLOOR PLANS	CU-4B-2S-TB-E	19/02/20
THE LORIMER ELEVATIONS COUNTRY VERNACULA...	EMC/897/CW/25/04	19/02/20
THE LORIMER FLOOR PLANS	FO-4B-2S-AC	19/02/20
THE LORIMER ELEVATIONS TOWN VERNACULAR: ...	FO-4B-2S-CW-E	19/02/20
SITE LOCATION PLAN	FO-4B-2S-TF-E	19/02/20
SITE PLAN AS EXISTING	GL-3B-2S-CW-E	19/02/20

PLAY AREA SKETCH	GL-3B-2S-P1	19/02/20
THE CARVER FLOOR PLANS	LO-4B-2S-CB-E	19/02/20
THE CARVER ELEVATIONS TOWN VERNACULAR: B...	LO-4B-2S-P1	19/02/20
THE CHANDLER ELEVATIONS COUNTRY VERNACUL...	LO-4B-2S-TB-E	19/02/20
THE CHANDLER FLOOR PLANS	01	19/02/20
THE CHANDLER ELEVATIONS TOWN VERNACULAR:...	02	19/02/20
THE CUTLER ELEVATIONS COUNTRY VERNACULAR...	136323/8001 REV B	19/02/20
THE CUTLER FLOOR PLANS	CA-3B-2S-P1	19/02/20
	CA-3B-2S-TB-E	
	CH-3B-2S-CB-E	
	CH-3B-2S-P1	
	CH-3B-2S-TF-E	
	CU-4B-2S-CW-E	
	CU-4B-2S-P2	

Reason: To define the consent and ensure that a satisfactory form of development is obtained, in accordance with Policies 1, 35 and 36 of the District of Easington Local Plan and part 12 of the NPPF.

- Development shall not commence until details of the specification and location of the proposed outfall has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and maintained as such in perpetuity.

Reason: In the interests of flood risk and in accordance with part 15 of the National Planning Policy Framework.

- Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: In the interests of flood risk and in accordance with part 15 of the National Planning Policy Framework.

- No dwellings shall be occupied until a detailed specification of wildflower seeding is submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interest of designing high quality developments and enhancing biodiversity in accordance with parts 12 and 15 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

The National Planning Policy Framework (2018)

National Planning Practice Guidance Notes

District of Easington Local Plan

Residential Amenity Standards SPD

County Durham Building for Life SPD

Statutory, internal and public consultation responses



Planning Services

Reserved matters application for 250 dwellings with associated highways infrastructure, landscaping, public open space and sustainable urban drainage features pursuant to planning permission DM/16/03958/OUT

Land To The South Of High Grange Way, Wingate

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Comments

Date: 2nd September 2020

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