

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/19/01389/FPA & DM/19/01390/LB
<b>FULL APPLICATION DESCRIPTION:</b>	Extension to the side/rear of dwelling, demolition of existing extension; re-locate garden wall, erection of garage. New dwelling and garage within rear garden.
<b>NAME OF APPLICANT:</b>	Mr Aidan Hamilton
<b>ADDRESS:</b>	13 West Terrace, Staindrop, Darlington, DL2 3JS
<b>ELECTORAL DIVISION:</b>	Barnard Castle East
<b>CASE OFFICER:</b>	Jill Conroy, Planning Officer, 03000 264955, jill.conroy@durham.gov.uk

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application site effectively consists of two elements. The first, the residential property and curtilage of no. 13 West Terrace, an end-terrace cottage which is located on the western fringe of Staindrop, adjacent to the junction of the A688 and the B6279. The property is a diminutive, single storey structure and along with the adjoining two cottages, is Grade II listed, the property also lies within the boundary of Staindrop Conservation Area.
2. The second element relates to a plot of amenity land, belonging to 13 West Terrace, sited north of the dwelling. The site lies outwith the Conservation Area boundary but within an Area of High Landscape Value (AHLV). This plot of land is characterised by thick-set mature hedgerows and trees, primarily along its boundaries and close mown grass. Public Footpath no. 9 (Staindrop) runs parallel to the northern boundary of the site and provides a clear distinction between the parcel of land and the agricultural fields beyond to the north. To the east, the land abuts the gardens of 8 West Terrace and Orchard House. To the south of the site, the gardens of West Terrace are enclosed by a mid-height, stone boundary wall. The western wall enclosure of the garden of 13 West Terrace is adjacent to a watercourse, Moor Beck. This watercourse runs under the B6279 highway and is enclosed by a dressed stone wall to the road frontage and lower wall which runs parallel with the western garden wall. Between the two walls is a driveway which leads up to a detached garage to the northwest of the host property and provides sole vehicular access to the site

#### The Proposal

3. Planning permission and Listed Building Consent is sought for the extension and alteration of the host property, which includes the demolition of an existing extension to the front and side of the property and the erection of a modest single storey rear

extension and detached garage. The extension would measure 3.6m x 4.8m and would provide for a dining room/ kitchen extension. A new detached single garage is proposed to be erected to the north, measuring 6.5m x 3.5m.

4. It is also proposed that the front garden wall would be reconfigured and an existing detached garage demolished to permit a wider driveway to allow vehicular access. A new dwelling is proposed be erected on the plot of land to the north of the properties of West Terrace. The dwelling would consist of a dormer bungalow measuring 13m by 6.8m with a pitched roof at a maximum height of 6.6m. Dormer windows are proposed in the front and rear elevations. The dwelling would be orientated so that the front elevation would face the rear of West Terrace at a minimum distance of 35m. A detached double garage measuring 6.5m x 6.5m is opposed be located to the southeast corner of the plot.
5. The application is being reported to the Planning Committee at the request of Cllr George Richardson to consider the visual impact of the proposal and the potential impact on highway safety.

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## **PLANNING HISTORY**

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6. Planning and Listed Building Consent applications (ref DM/16/03834/FPA/03835/LB) for the extension to the side/rear of dwelling; re-locate garden wall, erection of garage. New dwelling and garage within rear garden were withdrawn in January 2017.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

7. 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.
8. 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.
9. *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.

10. *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.
11. *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.
12. *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.
13. *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.
14. *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.
15. *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.
16. *NPPF Part 16 - Conserving and enhancing the historic environment.* Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

**LOCAL PLAN POLICY:**

Teesdale District Local Plan (2002) (TDLP)

17. *Policy GD1: General Development Criteria:* Development will be permitted providing it complies with a number of criteria including that it would not disturb or conflict with adjoining uses, or unreasonably harm the amenity of adjoining occupants.
18. *Policy ENV1- Protection Of the Countryside* – Sets out that within the countryside development will be permitted for the purposes of agriculture, rural diversification projects, forestry, nature conservation, tourism, recreation, local infrastructure needs and an existing countryside use where there is a need on the particular site involved and where a proposal conforms with other policies of the plan. To be acceptable proposals will need to show that they do not unreasonably harm the landscape and wildlife resources of the area.
19. *Policy ENV3 – Development within or adjacent to areas of high landscape value* – Sets out that development will only be permitted where it does not detract from the area's special character, and pays particular attention to the landscape qualities of the area in siting and design of buildings and the context of any landscaping proposals.
20. *Policy ENV8 – Development affecting plant or animal species protected by law* – Sets out that development which would significantly harm any animal or plant species afforded special protection by law, or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable, and the overall effect will not be detrimental to the species and the overall biodiversity.
21. *Policy ENV10: Development Affecting Trees or Hedgerows:* Development will only be permitted where it avoids unreasonable harm to or loss of; Any tree or hedgerow protected by a preservation order; or A tree within a conservation area; or Any trees, tree belts or hedgerows which do, or will when mature, contribute significantly to any of the following A. Landscape diversity B. The setting of nearby existing or proposed buildings C. A protected species habitat D. Visual amenity.
22. *Policy ENV14 – Protection of water quality* – Sets out that development will not be permitted which would unacceptably prejudice the quality of surface or ground water
23. *Policy ENV15: Development Affecting Flood Risk:* Development (including the intensification of existing development or land raising) which may be at an unacceptable risk of flooding or may increase the risk of flooding elsewhere will not be permitted. Where appropriate, new development should incorporate a sustainable drainage system in order to manage surface water run-off
24. *Policy BENV1: Alterations to Listed Buildings:* Alterations will only be permitted if the proposals are in keeping with the character and appearance of the building.
25. *Policy BENV3: Development Adversely Affecting the Character of a Listed Building:* Development which would adversely affect the character of a listed building or its setting will not be permitted.
26. *Policy BENV4: Development within Conservation Areas:* Development within conservation areas will only be permitted provided that among other things the proposal respects the character of the area and does not generate excessive environmental problems which would be detrimental to the character and appearance of the conservation area.
27. *Policy H4: Infill Development on Sites of Less Than 0.4 Hectare:* Small scale housing development will be permitted on sites of less than 0.4 hectare, comprising previously developed land, within the development limits of Settlements. Proposals

should satisfy the criteria contained in policy GD1. Tandem development will not be permitted. Backland development will only be permitted where it would not cause unacceptable harm to the privacy or overall residential amenity of the occupants of neighbouring dwellings, and an adequate and safe access can be provided.

28. *Policy H6: New Housing in the Open Countryside:* A new dwelling will not be permitted in the countryside unless it can be shown to be essential in any particular location to the needs of agriculture or forestry, and where the need cannot reasonably be accommodated within an existing town or village. Where such justification exists and permission is granted for such development, an appropriate occupancy condition will be attached.
29. *Policy H11: Extensions:* Extensions and alterations to an existing dwelling will be permitted where the relevant criteria listed in policy GD1 are met and where in particular they respect the scale, character, architectural style and materials of the original property and its neighbours and safeguard the amenity of adjoining residents.
30. *Policy H12: Design:* The local planning authority will encourage high standards of design in new houses and housing sites, in terms of layout and organisation of public and private open space, including meeting the needs of the disabled and elderly and the consideration of energy conservation and Local Agenda 21. Residential proposals should comply with the criteria of policy GD1 where relevant to the development involved.

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/media/3401/Teesdale-local-plan-saved-policies/pdf/TeesdaleLocalPlanSavedPolicies.pdf?m=636736392446700000>

#### **RELEVANT EMERGING POLICY:**

##### The County Durham Plan

31. Paragraph 48 of the NPPF states that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. Following consultation at 'Issues & Options', 'Preferred Options' and 'Pre Submission Draft' stages, the CDP was approved for submission by the Council on 19 June 2019. The CDP was submitted to the Planning Inspectorate on 27 June 2019. A timetable for the Examination in Public (EiP) of the CDP has been devised with the Hearings set to commence in October 2019. Although the CDP is now at a relatively advanced stage of preparation, it is considered that it is not sufficiently advanced to be afforded any weight in the decision-making process at the present time.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **STATUTORY RESPONSES:**

32. *Staindrop Parish Council* – Raise Objections to the application as the proposed dwelling is disproportionately large; it is out of character with its surroundings in a Conservation Area; and the poor access from the development on to Moor Road which could cause a major hazard and add to existing congestion close to a key junction road. The amended plan refers to planting trees and hedgerow and does not

diminish the size of the development, move it from a conservation area or improve the access.

33. *Highways Authority* – Advise that the currently constrained access (due to its width) which serves the dwelling would be marginally improved due to some small-scale demolition. The area available for hardstand parking for the existing dwelling will reduce, albeit the proposed block plan arrangement could theoretically accommodate a space in addition to that depicted. It is advised that the amended access would satisfactorily accommodate movements associated with the existing and proposed dwelling and therefore no objection on highway safety is made.
34. *Environment Agency* – Offer no objections to the application as submitted following the submission of a satisfactory Flood Risk Assessment (FRA) and supporting addendum. It is advised that the revisions to the existing dwelling in Flood Zone 3 would reduce the overall footprint within the floodplain and will include a suite of resistance resilience measures (confirmed within the addendum to FRA).

#### **INTERNAL CONSULTEE RESPONSES:**

35. *Design and Conservation*– Advise that the proposed extension to the listed building would result in an improvement on the current situation and have a positive impact on the asset's significance. The new dwelling would be concealed to the rear of the development lining Moor Road whilst there may be the potential for slight visibility of the roofline and chimney from the A688, it is advised that the new dwelling would not appear to be excessively prominent when viewed from the south and thus would not dominate the listed buildings. It is also advised that the proposed roof of the new dwelling is also to be natural slate, a traditional material in keeping with the majority of buildings in the conservation area whilst the more contemporary features of the design such as the dormers would not be visible from the south. As such there is not considered to be any detrimental impact on the setting of the listed properties comprising West Terrace, nor on the surrounding listed buildings. The listed buildings in the vicinity are all viewed within the context of the wider settlement rather than in isolation. The countryside beyond West Terrace is not an integral element of the asset's setting and glimpsed views of this will still be visible to the northwest. Similarly, it is advised that there would be no detrimental impact on the character and appearance of the conservation area, the boundary of which is drawn along the boundary between West Terrace to the south and the site of the proposed new dwelling to the north.
36. *Archaeology*– Advise the proposed development is on the edge of the historic core of Staindrop and there is potential for archaeological remains to have survived in this area. Accordingly, it is advised that a watching brief should be carried out on any ground disturbing works. This should be secured by condition.
37. *Ecology*– Offer no objections to the proposals on Ecological grounds, advising that the submitted reports and subsequent conclusions are sound.
38. *Landscape*– Advise that the site is located within an area of High Landscape Value and is part within the Conservation Area. Subject to the acceptability of the design, materials and massing of the buildings no landscape issues with the proposal are raised, providing that the trees and hedges are protected.
39. *Arboricultural Officer* – Advise that no arboricultural objection providing the measures within the submitted tree report are followed in full.

#### **PUBLIC RESPONSES:**

40. The application has been publicised by way of site notice, advertised in the local press and individual notification letters to neighbouring residents. In Total 8 no. objections, including an objection have been received from in relation to the proposals, relating to the following issues:

#### Principle of development

- The proposal doesn't meet the criteria of the Staindrop Parish Plan of 2008 for any additional housing to be for the purposes of the elderly or affordable housing. Recent housing approvals have been approved in the area.
- Development of the site would conflict with relevant Local Plan policies, resulting in development beyond settlement limits.
- The proposed site was considered and discounted by the Councils SHLAA as unsuitable for housing due to a substandard vehicle access.

#### Impact on Heritage Assets/Landscape

- The proposal will demolish a significant proportion of the listed building purely for purposes of vehicle access, there is a presumption against demolition of listed buildings/structures as set out in planning policy.
- The wall to the front is a unique feature and the demolition and rebuilding of it will impact on the conservation area and setting of the listed building.
- The development would have a substantial impact on the surrounding listed buildings and conservation area. There are no overriding public benefits which would outweigh this harm.
- The ridge height of the property will be higher than the existing bungalows, thus detrimental to the setting of the listed buildings and the Conservation Area.
- The site is designated an area of high landscape value and therefore development should be resisted.
- A significant number of trees to the rear of the cottages have been removed and have not been referred to in the submitted Arboricultural report.
- The development would impact on views from the PROW to the north of the site.

#### Highway safety

- The proposal details the widening of an existing vehicle access which is on an extremely busy junction, with considerable amount of traffic, including farm tractors and heavy lorries travelling at high speeds.
- The congested car parking compounds the problem of sight visibility and overall concerns of highway safety.

#### Other issues

- The proposal is located in a flood risk area; there are concerns that it will lead to flooding of the adjacent Moor Beck.
- The western boundary of the site is incorrect and should be amended.
- Errors are highlighted in the supporting information.
- The scale of the proposal will result in an overshadowing impact, loss of privacy and adverse effect on the outlook of the neighbouring properties.
- The extension includes a window to the side which will offer direct views in adjacent gardens, causing a loss of privacy.
- The proposed development should be accompanied by a full bat and bird survey. Further, due to the adjacent watercourse an assessment of the stream ecology should also be undertaken.

- Concerns raised that the development site is agricultural rather than domestic garden land and not suitable for residential development and should be protected.

#### **APPLICANTS STATEMENT:**

41. My mam and her partner own the land and cottage. They are in their 60's and 70's respectively. They have a farm, abattoir and butcher shop, employing a dozen people and they work incredibly hard day in day out. This planning application is for a house for them to retire too. It is thought the existing cottage will be used as much needed holiday accommodation for tourists wishing to visit the area.
42. The land is in my family's home village of Staindrop; classified as a local service centre in the Durham County Settlement Study due to the wide and sustainable range of services and facilities it contains. The village has among other things primary and secondary schools, post office, butchers, pub, church, community halls, along with bus services to Barnard Castle, Bishop Auckland, Darlington and beyond.
43. The area of our land where the new home will be located sits on the edge of the village. The land is incredibly well screened and contained by housing on two sides, and mature trees and hedgerows which we will retain and enhance with additional native tree and hedgerow planting. In the context of the character of the village, the proposals represent a sensitive extension to the existing built form of the village in this location, much the same as the adjacent 2 story 'Orchard House' was when granted consent. Although interesting to note Orchard House also sits within the Conservation Area
44. This land sits outside of the Staindrop Conservation Area (SCA). It is clear that our land is contained and screened from the wider area and would not affect the setting of the SCA, a point of principal agreed with Durham County Councils (DCC's) Design and Conservation officer. The site is not referenced within the Conservation Area Character Appraisal
45. The design has been considered extremely carefully, with every detail discussed and agreed with DCC's internal officers. The quality of natural materials including stone walls, heads and cills; slate roof; provide for an attractive home, both modern and sympathetic to the range of the dwellings found within the Conservation Area and village as a whole. The scale of the proposed property has been considered in relation to the surrounding area and key views of it from the Conservation Area. Our proposed new home is lower in scale than both Orchard House to the east, and 8 West Terrace, as shown by the submitted sections (90-004-P1). The drawings (based on surveyed data) show the new home will not be visible from the main village to the south of the site.
46. Of the existing listed building, the CACA notes that it has been "stripped of character with concrete pantiles, painted solid stone surrounds to windows and doors". Furthermore, flat roofed 1950s extensions detract from both the historic character of the dwelling and the street scene. The sensitive alterations we propose to make will therefore make a highly positive contribution to the existing property as confirmed through dialogue with, and by consultee response from DCC's Design & Conservation officer
47. In terms of access, the existing cottage has an established vehicular access which connects onto West Terrace. There have been no accidents or incidents from this existing access and an additional single dwelling would not lead to a material change



in how this access functions, a point in principle not contested and agreed with DCC's Highways Officer

48. In Summary:
- Proposals accord with para's 77, 78, 83 of the NPPF, and all of the existing technical requirements in the Teesdale Local Plan (the council consider this document to be out of date)
  - The site sits in a sustainable and accessible location for new housing
  - The designs have been carefully and sensitively considered to ensure no material impact or harm on their surroundings
  - The proposed new home is well related to the existing village in terms of scale, location and character
  - Safe access can be achieved
  - The new house far exceeds minimum privacy distances
  - There are significant positive modifications to a listed building, and improving the historic character and appreciation by removing unsympathetic, poor quality 1970's extensions.
  - The proposals have been unanimously accepted by all statutory consultees, all offering a 'no objection' response
49. There are no policy or technical reasons at all to refuse the proposal and I respectfully requests that the applications are approved.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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50. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of development, housing land supply, locational sustainability of the site, impact on heritage assets and the character of the surrounding area, Landscape impacts, residential amenity, highway safety, ecology, highway safety, flood risk, archaeology and other matters.

### Principle of Development

51. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Teesdale District Local Plan (TDLP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF
52. The TDLP was adopted in 2002 and was intended to cover the period to 2010. 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).

53. In terms of policies most relevant to the principle of development of the site, TDLP Policy ENV1 sets out that in order to protect and enhance the countryside, development beyond the defined settlement limits will only be allowed for the purposes of agriculture, farm diversification, forestry or outdoor recreation. This approach is replicated in policy H4 of the TDLP, which sets out that new development will be directed to those towns and villages best able to support it, comprising previously developed land. TDLP Policy H6 sets out that beyond the settlement limits defined on the Local Plan Proposal Map, in the countryside, new housing will not be permitted unless it is necessary for the needs of an agricultural or forestry worker. The development would conflict with TDLP Policies ENV1, H4 and H6, representing the erection of a dwelling in the defined countryside that does not serve the essential need of a rural worker.
54. The NPPF does not prevent a local planning authority from defining settlement boundaries to control development, however these would need to be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Given the age of the evidence which informed them, policies in relation to establishing settlement boundaries and location of new housing are considered out of date. Furthermore, whilst the NPPF seeks to promote the use of previously development land it is not as prescriptive of Policy H4, instead requiring a rounded assessment of the suitability of the site. Whilst this does not mean that relevant policies should be disregarded, or be given no weight, the weight that can be afforded to them is reduced.
55. The approach of Policy H6 of the NPPF is considered consistent with the NPPF, which at paragraph 79 seeks to avoid the development of isolated homes in the countryside, unless there is an essential need for an agricultural worker to live permanently at their place of work.
56. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise):
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
    - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Policies in this Framework taken as a whole
57. As set out above the it is considered that there are policies within the TDLP, that are most important for determining the application, which are out of date (Policies ENV1 and H4), by virtue of the out of date evidence which informed them. Therefore, the acceptability of the development must, be considered in the context of Paragraph 11(d) of the NPPF as set out above.

58. Paragraph 73 of the NPPF maintains the requirement for Local Planning Authorities (LPAs) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
59. Within County Durham all the extant development plans are more than five years old and their housing figures need revising so the starting point for calculating land supply will be local housing need using the Government's standard methodology. The County Durham Plan (CDP) is aligned with the standardised methodology and identifies a housing need figure of 1,368 dwellings per annum (dpa). At this time, the Council is able to demonstrate 6.37 years supply of deliverable housing land against this figure.
60. The Government has also recently published its Housing Delivery Test (HDT) results alongside the publication of the update NPPF in February 2019. The HDT outcome for the Council indicates that housing delivery has been above the requirement over the last three years, which is evidence that delivery of housing on the ground is on track and exceeding our housing targets.
61. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is clearly less than in instances where such a healthy land supply position could not be demonstrated. This will need to be factored into the planning balance.

#### Locational Sustainability of the Site

62. Policies GD1 and H3 of the TDLP jointly seeks to ensure that developments achieve adequate links and have access to public transport to access facilities and services to help reduce the need for additional car journeys. This policy is considered consistent with the NPPF in this respect, with paragraph 103 of the NPPF setting out that the planning system should actively manage patterns of growth including to promote walking, cycling and public transport use. Paragraph 110 of the NPPF also sets out that applications for development should give priority of priority to pedestrian and cycle movements, facilitate access to high quality public transport, address the connections between people and places and the integration of new development into the natural and built environment. Policy GD1 of the TDLP should therefore be afforded full weight in the decision-making process. Although consistent with the NPPF in this respect Policy H4 should be afforded reduced weight, as due to the age of the information which informed it.
63. In assessing the development against the above policy context, the site on the western fringe of Staindrop, amongst residential dwellings to the east and south and is approximately 220m from the central core of the village. Staindrop, although limited in size does contain a number of services and amenities, including a primary school, a secondary school, a news agent, hairdressers, Post Office, a public house and medical centre all of which are easily accessible for future occupiers of the dwelling. Furthermore, the site is served by a bus stop just opposite the site which provides a regular bus service to larger settlements including Barnard Castle, Bishop Auckland and Darlington.
64. Overall, the local amenities within Staindrop are considered sufficient to serve a development of this scale and are accessible for future residents by foot. Also noting the sites close proximity to an established bus route, residents would also not be wholly reliant on private car travel. The development is therefore considered to

comply with policies GD1 and H4 of the TDLP and Paragraphs 103 and 110 of the NPPF in this respect.

#### Impact on heritage assets and the character of the surrounding area

65. Policies GD1, BENV 1, BENV3 and BENV4 of the TDLP seek to ensure that developments protect the character of a Listed Building and are in keeping with the character and appearance of the area, including Conservation Areas. This approach is in general is considered in accordance with the Part 16 of the NPPF which seeks to conserve and enhance the historic environment in a manner appropriate to its significance, whilst recognising that some harm may be appropriate when weighed against the public benefits of a scheme.
66. Furthermore Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990 sets out the duty as respects listed buildings and conservation areas in the exercise of planning functions. In considering whether to grant permission for development which affects a listed building or its setting and a conservation area, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and the character or appearance of the conservation area.
67. The Heritage Assets in this instance are identified as the Staindrop Conservation Area, and the adjacent Grade II listed buildings of 7 and 8 West Terrace, 11, 12 and 13 West Terrace (which includes the host property). The applicant has submitted a heritage statement which appraises the impact of the development on the significance on relevant heritage assets. A number of concerns from local residents, including the Parish Council have been received stating that the proposed dwelling is disproportionality large and will be visible above the roof line of the cottages of West terrace, thus impacting on the Listed Building and character and appearance of the Conservation Area.
68. The development proposal effectively comprises of two main elements; the extension and alterations to the host property, 13 West Terrace, and the erection of a dwelling on the land to the rear.
69. In relation to the extension and alterations to the host property, it is noted that the existing dwelling at present features twentieth century flat roof extensions to both the side and rear of the property. These extensions are considered of no architectural or historical merit and are proposed to be demolished. The Council's Design and Conservation Officer advises that they relate poorly to the existing form of the property and their loss is acceptable. The demolition of the extension, to the side in particular, will reveal the gable end of the block of terraces, this is considered positive in preserving the historic asset. The proposed new extension is of a modest scale and will be contained to the rear of the property; it will feature a pitched roof, lower in height than the host ridgeline of the property and will be constructed of materials to match 13 West Terrace, namely coursed stonework and a pantile roof. In addition to the extension it is proposed to replace a rear window with a feature bay window. Again, this is contained to the rear of the property and on the advice of the Council's Design and Conservation Officer would not have a negative impact on the Listed Building.
70. The proposed dwelling would be located on land to the north of the host property. Although outside of the Conservation Area boundary, regard must still have regard in terms of its visual impact on the setting of the adjacent heritage assets, including listed building and conservation area. The site is also visible from the public footpath

which runs parallel with the northern boundary, however these views are less sensitive than those from the Conservation Area. The dwelling is proposed to be centrally located on the plot and will feature a relatively low ridge height of 6.6m in total, following amendments. Whilst the main form of the building utilises a traditional palette of materials (stone faces and slate roof), the dwelling does details relatively extensive glazing and incorporates modern flat roof dormers.

71. In reviewing this element of the proposal, the Council's Design and Conservation Officer, advise that although there is potential for views of the roofline from the A688, the new dwelling would not appear to be excessively prominent when viewed from the south and thus would not dominate the listed buildings. The proposed roof of the new dwelling is proposed to be natural slate, a traditional material in keeping with the majority of buildings in the conservation area, whilst the more contemporary features of the design such as the dormers would not be visible from the south. The Design and Conservation Officer advises that, as result there would not be any detrimental impact on the setting of the listed properties comprising West Terrace, nor other surrounding listed buildings. This is principally because the he listed buildings in the vicinity are all viewed within the context of the wider settlement rather than in isolation; the countryside beyond West Terrace is not an integral element of the asset's setting glimpsed views of which will still be visible to the northwest. Similarly, it is advised that there would be no detrimental impact on the character and appearance of the conservation area.
72. To facilitate access to the rear of the site, a section of stone walling to the front of 13 West View is proposed to be dismantled and rebuilt slightly further east. Concerns from local residents have been received, stating that this wall is a feature of the Conservation Area and should not be allowed to be removed just to permit access for the development. The Council's Design and Conservation Officer advises that that although stone boundary walling is a noted feature of the Conservation Area, this section of wall in particular being set at an angle from the road to provide access, it is unlikely to be original to the property and its slight relocation for the purposes of providing a wider access would therefore cause no harm.
73. In addition to the works describe above, it is proposed to provide detached garages to serve both the new dwelling and to replace the demolished garage of the host property. These garages are to be constructed of suitable matching materials and are of a reasonable size and proportion, appropriately located on the site and would not negatively affect heritage assets.
74. Accordingly, subject to appropriate conditions controlling the finished appearance and materials of the development, based on the advice of the Council's Design and Conservation Officer, the proposed development as a whole is considered to be acceptable, representing a neutral impact upon the significance of adjacent listed buildings and on the character and appearance of Staindrop Conservation Area. The proposal is therefore considered to accord with policies GD1, BENV1, BENV2 and BENV4 of the TDLP and Parts 15 and 16 of the NPPF.

#### Landscape Impact

75. Policy TDLP Policy GD1 seeks to protect and enhance the countryside, requiring that developments do not have a detrimental impact on the landscape quality of the surrounding area. TDLP Policy ENV1 seeks to protect and enhance the countryside from inappropriate development. Policy ENV4 sets out that development will only be permitted where it does not detract from the areas special character and pays attention to the landscape qualities of Areas of High Landscape Value (AHLV). These policies are considered consistent with the NPPF in this respect which at

paragraph 170 recognises the intrinsic character and beauty of the countryside, whilst paragraph 127 (c) requires that development is sympathetic to its landscape setting. However, it is recognised that the strategy of Policy ENV1 of the TDLP in restricting development proposals for agricultural or compatible uses is only partially consistent with the NPPF which takes a more permissive attitude towards a wider range of development types in the countryside and therefore this policy can only be afforded moderate weight. Due to their consistency Policies GD1 and EV3 can be afforded full weight in the decision-making process.

76. The application site lies beyond the established development Limits of Staindrop, however as set out above settlement boundaries are out of date, as they are based on time limited information. The site is also included in a wider area of High Landscape Value (AHLV).
77. In assessing the development against the above policy context, it is considered that in this instance, the boundary of the Public Right of Way to the north of the site now provides for the perceived edge of the settlement and the start of the open countryside. When viewed from the beyond the site boundaries, to the west and east, the proposed development would be viewed against the existing development of Staindrop and would not be read as an incursion into the open countryside. It is due to the location of the perceived settlement limit it is considered that there would be no impact on the special landscape quality and character of the wider AHLV. This view is shared by the Council's Landscape Officer who raises no objections in relation to the landscape impact of the development.
78. Concerns have been received from neighbouring properties that trees were previously cut down on the site and have not been identified on any supporting information. The loss of these trees is certainly regrettable; however, no protection was afforded to these trees. New planting has been proposed on the submitted plans with a view of mitigating their loss and softening the appearance of the development. An Arboricultural Method Statement has also been submitted in support of the proposals, highlighting the method of protection to existing trees on the site. The Tree Officer has advised that there are no objections to the application providing that the methods in the Tree Report are adhered to in full which can be secured by condition.
79. Overall whilst recognising the development of a greenfield site, it is considered that the development would not be read as an encroachment into the open countryside and would not impact on the wider AHLV. The development is considered to accord with Policies GD1 and ENV3 of the TDLP in this respect.

#### Residential Amenity

80. Local Plan Policy GD1 (E) permits development providing it would not disturb or conflict with adjoining uses. This policy is considered consistent with Part 12 of the NPPF which seeks to ensure a good level of amenity is achievable for existing and future residents.
81. In this respect, the main issue of the proposal in terms of amenity relates to window placements; potential loss of privacy and overshadowing impact. The proposed extension to the property will result in the formation of a small window to the eastern side and set of bi-fold doors to the rear, further to this a new bay window would be positioned adjacent to the rear boundary of the property. Following amendments both side elevations of the rear elevation would contain no windows and would therefore not lead to a loss of privacy. A window is proposed in the side elevation of the existing dwelling which would face back towards the adjacent property of no. 2

Rose Cottage. However, this is not considered to result in a significant loss of amenity given the current positions of windows and access doors on this elevation

82. In terms of the new dwelling, concerns have been raised in relation to the separation distances proposed. resulting in overlooking and overshadowing of the neighbouring properties. However, in this respect, the proposal would result in a separation distance of approximately 20.0m, from the side elevation of the of the property to the property frontage of Orchard House (to the east of the site). This would exceed the generally accepted minimum separation distance of 13m for gable to primary elevations. Furthermore, the side gable facing east is blank and therefore no direct overlooking into the habitable room windows of Orchard House would occur. A distance of approximately 30 would be evident to the dwellings of West View, well in excess of the minimum 21m facing separation distances.
83. Overall based on the height of the new dwelling and when taking into account the orientation and relationship of the surrounding properties, it is considered that the proposals would not have an overbearing impact or result in significant loss of amenity on any of the surrounding properties. The development is therefore considered accord with Policy GD1 and H11 of the TDLP and the aims of Part 12 of the NPPF in this respect.

#### Highway Safety

84. Local Plan Policy GD1 (Q) requires development proposals achieve a satisfactory means of access onto the wider highway network in order to protect highway safety. This policy is considered consistent with the NPPF in this respect, where paragraphs 108 and 110 seek to ensure that a safe and suitable access to the site can be achieved whilst seeking to maintain highway safety.
85. Significant local concern has been raised with respect to Highway Safety, highlighting the substandard sight visibility when egressing the site, which is compounded by a substantial number of parked vehicles adjacent to the site entrance. Furthermore, concerns are raised that the site is adjacent to a busy junction used by both farm machinery and lorries travelling at high speed.
86. The access is proposed to be utilised to serve the proposed and existing dwelling. In order to facilitate a wider driveway, a stone boundary wall is proposed to be relocated further east, while the demolition of the existing site garage and garage would allow access to the rear.
87. In assessing the suitability of the access arrangements, taking into account representations received, the Highways Authority advise that due to the alterations the proposed access arrangements would be suitable to serve the existing and proposed dwelling while not adversely impacting on highway safety. It is also advised that sufficient parking would be available to serve the existing and proposed dwelling.
88. Overall, based on the advice of the Highway Authority views into account, the proposed development will not have an adverse impact on highway safety, and would therefore accord to Policy GD1 of the TDLP and Part 9 of the NPPF in this respect.

#### Ecology

89. Policies GD1 and ENV8 of the TDLP seek to ensure that developments do not endanger or damage important national or wildlife site or that of the ecology of the

wider area. These policies are considered consistent with Part 15 of the NPPF which seeks to ensure that developments protect and mitigate harm to biodiversity interests, providing net biodiversity gains.

90. In this respect a Preliminary Ecological Appraisal (as updated) has been submitted in support of the application. The report concludes that there are no designated ecology sites within the immediate area and the site itself concludes that the site is of low ecological value and no major ecological constraints were identified. However, basic mitigation measures have been recommended to protect local wildlife during development, including controlling the timing of the works.
91. The Council's Ecology Officer advises that the submitted Ecological Assessment is acceptable, and the results and conclusions of the report are sound. On this basis, no objections are raised on ecological grounds.
92. Accordingly, it is considered that the proposal does not conflict with policies GD1 and ENV8 of the TDLP and Part 15 of the NPPF. The council can satisfy its obligations under the requirements of the Conservation of Habitats & Species Regulations 2017 (as amended) in this respect.

#### Flood Risk

93. TDLP Policy ENV15 states that development (including the intensification of existing development) which may be at an unacceptable risk of flooding or may increase the risk of flooding elsewhere will not be permitted, whilst adopting a sequential approach to site selection. This policy is considered broadly consistent with national advice within the NPPF and NPPG with regard to flood risk and management of surface water and can be afforded significant weight in the decision-making process, while promoting a sequential criteria-based approach to site selection.
94. Concerns have been raised from local residents that the site is located adjacent to Moor Beck watercourse which is prone to flooding.
95. Part of the site is located within Flood Zone 2 and partially within Zone 3 as defined by the Environment Agency Flood Map, however, this principally relates to the existing dwelling and the southern part of the development site. An overland flow route of surface water is also located in the southern portion of the site. Accordingly, the applicant has submitted a Flood Risk Assessment (as amended) in support of the proposals, which concludes that the proposed new dwelling would be located within flood zone 1, with the lowest risk of flooding. Mitigation measures are however proposed, including the setting of floor levels above 113m AOD.
96. In considering the submitted information, The Environment Agency raise no objections to the development, advising that, the revisions to the existing dwelling in Flood Zone 3 will reduce the overall footprint within the floodplain and will include a suite of resistance / resilience measures in relation to its construction. Accordingly, the development is in accordance with Policy ENV15 of the TDLP and Part 14 of the NPPF.

#### Archaeology

97. Local Plan policy BENV11 relates to sites of Archaeological interest and states that developments which affect sites of regional or local importance will only be approved where the applicant has secured a scheme of works which will in the first instance preserve archaeological remains in situ or where this is not possible by excavation and record.



98. Durham Councils Archaeological section have been consulted on the application and notes that the site is on the edge of the historic core of Staindrop and there is potential for archaeological remains to have survived in this area. Accordingly, it is advised that a watching brief should be carried out on any ground disturbing works which can be secured by condition. On this basis, and subject to the condition the proposal is considered to accord with policy BENV11 which is considered consistent with section 16 of the NPPF.

#### Other Matters

99. A conditional approach to land contamination is recommended given the previously undeveloped nature of the site.
100. An objection has been received stating that the submitted OS boundary is incorrect. Land Registry details have been provided and the plan has been amended accordingly.
101. Issues over land ownership, loss in value of properties, loss of view and impact on the efficiency of solar panels are not material planning considerations.

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### **Conclusion**

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102. The development would conflict with Policies ENV1, H4 and H6 of the TDLP representing development beyond the development limits of Staindrop, within the open countryside, while not meeting the essential needs of a rural worker.
103. However, it is concluded that application site would represent a sustainable location for new residential development, allowing future residents to access services and amenities without relying on the private motor car, in accordance with Policies GD1 and H4 of the TDLP in this respect. It is also concluded that the development would not have a negative impact on the Staindrop Conservation Area, relevant Listed Buildings and the wider landscape, including the AHLV, while representing good design. The development would therefore accord with the provisions of the policies GD1, ENV3, BENV1, BENV2, BENV4, H11 and H12 of the TDLP in this respect. It is also concluded that the development would not have an adverse impact on highway safety, ecological interests and would not be subject to or increase the risk of flooding in accordance with Policies GD1, ENV8 and ENV12 of the TDLP.
104. The NPPF is a material planning consideration capable of outweighing conflict with the development plan. It is identified that the most important policies for determining the application (Policies ENV1 and H4) are considered out of date and as there are no policies within the framework that protect assets of importance, consideration should therefore be given to Paragraph 11 d) (ii.) of the NPPF. This sets out that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
105. The development provides some limited benefit in terms of a boost to housing supply and delivery, although it is noted that one additional dwelling would be provided in the context that the Council's ability to demonstrate 6.37 years supply of housing land. Less weight should therefore be afforded to the benefits of delivering new housing in this regard as such than would otherwise be the case if any shortfall in supply existed.

- 137 No adverse impacts are identified that would significantly and demonstrably outweigh the benefits associated with the development. In this instance after applying the planning balance test is considered the NPPF is sufficient to outweigh the development's conflict with local plan policies.
- 138 The proposal has generated some public interest, with letters of objection and support having been received. Concerns expressed regarding the proposal have been taken into account, and carefully balanced against the scheme's wider social, economic and community benefits.

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## RECOMMENDATION

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That the application DM/19/01389/FPA be **APPROVED** subject to the following conditions;

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

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

2. The development hereby approved shall be carried out in strict accordance with the following approved plans unless otherwise agreed in writing with the local planning authority.

Plan Reference Number	Date received
738-DUC-SD20.05 - Proposed Garages - Plans and Elevations	01.05.19
B1718-D-90-002 rev D – Proposed Site Plan	21.07.19
B1718-D-20-0012 – New Dwelling Plans and Elevations	31.07.19
90-003 S2 rev P2 – Site Sections 40 Degree Pitch	31.07.19
90-004 S2 rev P1 – Site Sections 35 Degree Roof Pitch	31.07.19
B1718-D-20-004 rev D – Existing Dwelling Proposed Plans and Elevations	09.09.19

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy GD1, ENV1, ENV3, ENV10, ENV15, BENV1, BENV3, BENV4, H6, H11 and H12*

3. Notwithstanding the details of materials submitted with the application, the external walls shall be formed using natural stone and the roofs from natural slates and pantiles. There shall be no development above base course level until a sample panel of the roof materials and proposed stone and pointing to be used in the construction of the main walls of the buildings have been erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be retained for reference on site throughout construction and the development shall be constructed in accordance with the approved details.

*Reason: To ensure a high quality of development and to comply with policies GD1, BENV1, BENV3, BENV4, H11 and H12 of the Teesdale District Local Plan.*

4. Notwithstanding details submitted with the application, all external windows, doors and rooflights shall be installed in accordance with details, including cross sections at a scale of 1:20 and external colour finishes, which have first been submitted to and approved in writing by the local planning authority. The development shall be constructed and retained in accordance with the approved details.

*Reason: To ensure a high quality of development and to comply with policies GD1, BENV1, BENV3, BENV4, H11 and H12 of the Teesdale District Local Plan.*

5. No demolition works shall commence on site until the tree protection measures as detailed in the submitted 'Arboricultural Method Statement, Ref: ARB/AE/1345, dated May 2019' have been put in place. The protective measures shall be retained on site during the course of the construction works hereby approved.

*Reason: To ensure appropriate protection of the trees and to comply with policy GD1, ENV1, ENV3 and ENV10 of the Teesdale District Local Plan.*

6. The proposed planting as detailed on dwg 'B1718-D-90-002 rev D, dated 21.07.19' shall be carried out in the first available planting season following practical completion of the development hereby approved and any trees or plants which die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: To ensure a high quality of development and to comply with policies GD1, ENV1, ENV3 and ENV10 of the Teesdale District Local Plan.*

7. No development shall commence until a written scheme of investigation setting out a 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.*

8. The development shall not 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.*

9. The development shall be carried out in strict accordance with the recommendations outlined in 'Section 6' of the submitted 'Preliminary Ecological Appraisal, by Naturally Wild, dated March 2018'.

*Reason: To conserve protected species and their habitat in accordance with policies GD1 and ENV8 of the Teesdale District Local Plan and Part 15 of the National Planning Policy Framework.*

10. The development shall be carried out in strict accordance with the submitted 'Flood Risk Statement' produced by 'iD Civils Design Ltd', dated March 2018 and addendum contained in email dated 25.06.19.

*Reason: To ensure appropriate management of flood risk in accordance with policies GD1, ENV14 and ENV15 of the Teesdale District Local Plan and Part 14 of the National Planning Policy Framework.*

11. No development shall commence in relation to the erection of the dwelling hereby approved, until the widening of the driveway, as detailed on plan no. B1718-D-90-002 rev D – Proposed Site Plan and demolition of the detached garage has been completed.

*Reason: In the interests of highway safety in accordance with policy GD1 of the Teesdale District Local Plan and Part 9 of the National Planning Policy Framework.*

12. In undertaking the development that is hereby approved:  
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 0730 to 1400 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: To protect the residential amenity of existing and future residents from the development in accordance with policy GD1 and H11 of the Teesdale District Local Plan and Part 15 of the National Planning Policy Framework.*

13. No development of the dwelling hereby approved, 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 1 preliminary risk assessment (desk top study).

If the phase 1 assessment identifies that further investigation is required a Phase 2 site investigation shall be carried out, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.

*Reason: To ensure that the presence of contamination is identified, risk assessed and proposed remediation works are agreed in order to ensure the site 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.*

14. 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.*

15. Notwithstanding the submitted information, prior to the first occupation of the dwelling hereby approved, a detailed landscaping scheme 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 GD1, ENV1, ENV3 and ENV10 of the Teesdale District Local Plan and Parts 12 and 15 of the National Planning Policy Framework.*

16. No development of the dwelling hereby approved, shall commence until detailed drawings, including sections, showing the existing and proposed site levels, and the finished floor levels of the proposed development and those of existing neighbouring buildings (if any), has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details thereafter.

*Reason: In the interests of the amenity of the surrounding areas and neighbouring properties, in accordance with policy GD1 of the Teesdale District local plan and Parts 12 and 15 of the National Planning Policy Framework. Required as a pre-commencement condition to ensure that the implications of changes in level are properly considered and accounted for in the development.*

That the application DM/19/01390/LB be **APPROVED** subject to the following conditions;

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

*Reason: Required to be imposed pursuant to section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.*

2. The development hereby approved shall be carried out in strict accordance with the following approved plans unless otherwise agreed in writing with the local planning authority.

Plan Reference Number

Date received

738-DUC-SD20.05 - Proposed Garages - Plans and Elevations 01.05.19

B1718-D-90-002 rev D – Proposed Site Plan	21.07.19
B1718-D-20-0012 – New Dwelling Plans and Elevations	31.07.19
90-003 S2 rev P2 – Site Sections 40 Degree Pitch	31.07.19
90-004 S2 rev P1 – Site Sections 35 Degree Roof Pitch	31.07.19
B1718-D-20-004 rev D – Existing Dwelling Proposed Plans and Elevations	09.09.19

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy GD1, ENV1, ENV3, ENV10, ENV15, BENV1, BENV3, BENV4, H6, H11 and H12*

3. Notwithstanding the details of materials submitted with the application, the external walls shall be formed using natural stone and the roofs from natural slates and pantiles. There shall be no development above base course level until a sample panel of the roof materials and proposed stone and pointing to be used in the construction of the main walls of the buildings have been erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be retained for reference on site throughout construction and the development shall be constructed in accordance with the approved details.

*Reason: To ensure a high quality of development and to comply with policies GD1, BENV1, BENV3, BENV4, H11 and H12 of the Teesdale District Local Plan.*

4. Notwithstanding details submitted with the application, all external windows, doors and rooflights shall be installed in accordance with details, including cross sections at a scale of 1:20 and external colour finishes, which have first been submitted to and approved in writing by the local planning authority. The development shall be constructed and retained in accordance with the approved details.

*Reason: To ensure a high quality of development and to comply with policies GD1, BENV1, BENV3, BENV4, H11 and H12 of the Teesdale District Local Plan.*

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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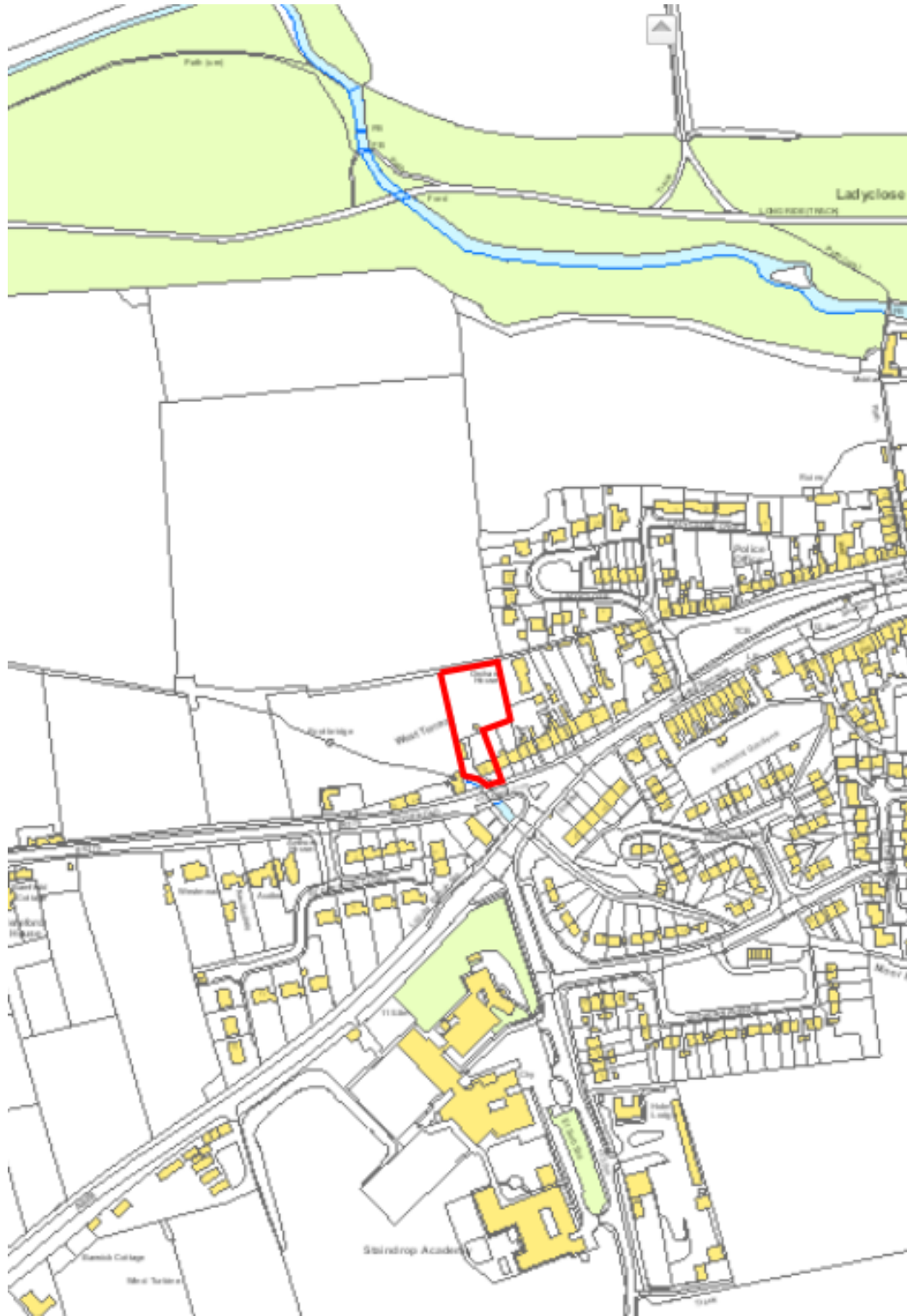
The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering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

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## **BACKGROUND PAPERS**

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



**Planning Services**

13 West Terrace  
Staindrop

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**Date**  
**September 2019**