



## Planning Services

# COMMITTEE REPORT

---

### **APPLICATION DETAILS**

---

Application No:	DM/20/01084/FPA
Full Application Description:	Extension to Chalet Park and two residential dwelling houses (amended description)
Name of Applicant:	Brancepeth Estates Limited
Address:	Brancepeth Manor Farm Brandon Lane West Brandon Crook DL15 9AS
Electoral Division:	Deerness
Case Officer:	Paul Hopper (Principal Planning Officer) Tel: 03000 263 946 Email: paul.hopper@durham.gov.uk

---

### **DESCRIPTION OF THE SITE AND PROPOSAL**

---

#### The Site

1. The application relates to a split site of approximately 5.4 hectares in total area comprising land to both the north and south of an existing pond at Brancepeth Manor Farm, which itself lies to the west of Brandon. The application site comprises a large area of agricultural land to the south of an existing pond, along with an area of existing tree planting immediately surrounding the pond itself. The site also includes a smaller parcel of land set within the former farm buildings at Brancepeth Manor Farm, many of which have now been converted to residential dwellings. Planning permission was granted at the site in March 2016 for the construction of 22 No. holiday lodges with associated infrastructure and landscaping. This permission has subsequently been implemented and whilst works have since ceased, the permission is nevertheless now capable of implementation in full.

2. The previous application site partially wrapped around the existing pond and in part, the current application continues this arrangement encompassing land immediately to the south-east of this.
3. The buildings associated with Brancepeth Manor Farm are located to the north-east of the application site and agricultural fields frame the site to the south-east and west. Two public rights of way are located to the north and west of the site, one positioned to the northern boundary of the wider site, with the other situated approximately 200 metres to the west. Presently, there are two points of access to the site, one taken to the north off Brandon Lane (which is also a byway) and a second from via Wolsingham Road/Sandy Lonnen to the south.

### The Proposal

4. Planning permission is sought for the construction of an additional 8 No. lodges at the site intended to form a southern extension to those lodges already granted planning permission in March 2016. In addition, two dwellings are proposed. The first would occupy a position within the cluster of farm buildings previously comprising the Brancepeth Manor Farm, and the second position to the south west of the proposed lodges, occupying the site of an existing barn which would be removed as part of the development. Both dwellings are presented as enabling development, required in order to support the extension to the lodge park, which the applicant advises is not viable without the financial contribution provided by these units. Enabling development means allowing development to take place that would not normally be granted planning permission, to enable the delivery of a development which provides significant public benefit.
5. The 8 No. additional lodges would occupy an inverted 'L' in terms of layout and take an access from the long private drive to the east which also serves those residential dwellings at Brancepeth Manor Farm and would link to the existing internal layout previously approved for the 22 lodges. Both of the residential dwellings proposed would utilise this access, as would the 8 lodges. And the 22 already benefitting from planning permission.
6. The proposals would result in the removal of much of the existing vegetation which already exists to the south of the pond and includes a number of existing trees. The application is supported by a landscape scheme and whilst full details are described elsewhere in this report, this fundamentally proposes structure planting to the south of the proposed lodges and the delivery of the development in 2 phases, with 4 of the lodges being installed initially, and once proposed structure landscaping has established the remaining 4 would be installed.
7. In terms of appearance the chalets would be a mix of 2 and 3 bed units with external surfaces finished in a mix of vertical larch timber cladding and natural stone, with graphite grey UPVC windows. All would be served by an access from Wolsingham Road/Sandy/Lonnen and an internal access road linking to the approved arrangement.
8. The southernmost dwelling proposes a 4 bedroom detached dwelling with a footprint of approximately 247sq metres set within a reasonable curtilage and

comprise a kitchen/dining room, utility, living room, bedroom and WC to the ground floor, with dressing room, family bathroom and remaining bedrooms to the first floor (two of them sharing en/suite facilities). External surfaces would be finished in natural stone, stone quoins and double-glazed hardwood timber sash windows with a slate roof.

9. The second dwelling (set within the cluster of buildings forming Brancepeth Manor Farm) proposes a 6 bedroom dwelling with a footprint of approximately 214sq metres set within a generous curtilage comprising kitchen, utility, dining room/snug, living room, guest bedroom and WC to the ground with the remaining bedrooms to the first floor served by a family bathroom. External surfaces would be finished in natural stone to the walls and slate to the roof. The property would also be served by a detached double width garage set to the rear of the building finished in materials to match the dwelling.
10. The application is reported to the Planning Committee as it constitutes major development.

---

## PLANNING HISTORY

---

11. The application site and surrounding area has been subject to a number of previous planning permissions relating to both the area surrounding the existing pond and also land comprising the collection of former agricultural buildings at Brancepeth Manor Farm. A brief summary of the relevant planning history is included below.
12. In March 2016 planning permission was granted for the construction of 22 No. holiday lodges on land to the south of Brancepeth Manor Farm and this related specifically to land surrounding the existing pond. In that instance the development was to be accessed via the existing lane to the north which was noted as being a byway and remains so. That permission was granted subject to conditions, including that passing places be installed prior to the commencement of development. These passing places have been installed to the satisfaction of the Local Planning Authority in accordance with the condition but are the subject of a civil dispute with regard to landownership.
13. Prior to submission of the lodge application a number of planning permissions were granted relating to the conversion of the former agricultural buildings at Brancepeth Manor Farm to use as residential accommodation. Most of these are now complete, although some remain under construction/conversion. In all cases means of access to these units are taken via the existing arrangement from Wolsingham Road/Sandy Lonnen to the south, which is secured via large, automated access gates.
14. A total of 3 planning applications proposing the erection of a single dwelling with detached garage set within the cluster of former farm dwellings on land now forming the location for one of the 2 dwellings proposed as part of the current application were submitted and subsequently withdrawn in 2017 and 2018.

**NATIONAL POLICY**

15. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social, and environmental, each mutually dependent.
16. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’. The following elements of the NPPF are considered relevant to this proposal;
17. 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.
18. 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.
19. NPPF Part 6 Building a Strong Competitive Economy - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
20. NPPF Part 8 Promoting Healthy and Safe Communities - 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.
21. NPPF Part 9 Promoting Sustainable Transport - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce

congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.

22. NPPF Part 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. Historic England: Enabling Development and Heritage Assets Good Practice Advice in Planning Note 4 which also relating to heritage assets provides a useful methodology. It states that to meet the policy in NPPF Paragraphs 202, an enabling development proposal can only be considered for approval if it provides benefits that outweigh the disbenefits, and where the decision-maker is confident that the scheme would secure the conservation of the heritage asset(s).

## **LOCAL PLAN POLICY:**

28. The following policies within the County Durham Local Plan are considered relevant in terms of this proposal:
29. Policy 1 (Quantity of Development) outlines the levels of employment land and housing delivery considered to be required across the plan period.
30. Policy 6 (Development on Unallocated Sites) supports development on sites not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.
31. Policy 8 (Visitor Accommodation) supports new and extensions to visitor accommodation provided it is appropriate to the scale and character of the area and not used for permanent residential occupation. In the countryside such accommodation would also need to meet an identified need, support business viability (if an extension) or involve conversion and should respect the character of the countryside and demonstrate how the location can be made sustainable. For chalets, camping and caravanning development and infrastructure, in addition to the above criteria the development would need to provide flood risk details, not be unduly prominent, have appropriate layouts and have sensitive materials, colours and scale.
32. Policy 10 states that development in the countryside will not be permitted unless the proposal relates to one or more exceptions.
33. Policy 21 (Delivering Sustainable Transport) requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
34. Policy 25 (Developer Contributions) advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.

35. Policy 26 (Green Infrastructure) states that development will be expected to maintain and protect, and where appropriate improve, the County's green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
36. Policy 27 (Utilities, Telecommunications and Other Broadcast Infrastructure) supports such proposals provided that it can be demonstrated that there will be no significant adverse impacts or that the benefits outweigh the negative effects; it is located at an existing site, where it is technically and operationally feasible and does not result in visual clutter. If at a new site then existing site must be explored and demonstrated as not feasible. Equipment must be sympathetically designed and camouflaged and must not result in visual clutter; and where applicable it proposal must not cause significant or irreparable interference with other electrical equipment, air traffic services or other instrumentation in the national interest.
37. Policy 29 (Sustainable Design) requires all development proposals to achieve well designed buildings and places having regard to SPD and sets out 18 elements for development to be considered acceptable, including: positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape proposals. Provision for all new residential development to comply with Nationally Described Space Standards, subject to transition period.

Provision for alterations and extensions to residential property to be sympathetic to existing building and character and appearance of area

Provision for signage, adverts, street furniture and public art to be appropriate and sympathetic to users and local setting and not detrimental to visual amenity or public highway safety

Provision for major developments to appropriately consider the public realm in terms of roads, paths, open spaces, landscaping, access and connectivity, natural surveillance, suitable private and communal amenity space that is well defined, defensible and designed to the needs of its users.

All new development to achieve BREEAM minimum rating of 'very good'.

38. Policy 31 (Amenity and Pollution) sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for locating of sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.

39. Policy 32 (Despoiled, Degraded, Derelict, Contaminated and Unstable Land) requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
40. Policy 33 – (Renewable and Low Carbon Energy) – states that renewable and low carbon development energy development in appropriate locations will be supported. In determining planning applications for such projects significant weight will be given to the achievement of wider social, environmental and economic benefits. Proposals should include details of associated developments including access roads, transmission lines, pylons and other ancillary buildings. Where relevant, planning applications will also need to include a satisfactory scheme to restore the site to a quality of at least its original condition once operations have ceased. Where necessary, this will be secured by bond, legal agreement or condition.
41. Policy 35 (Water Management) requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.
42. Policy 39 (Landscape) states that proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts.
43. Policy 40 (Trees, Woodland and Hedges) - states that proposals will be expected to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate standoff distances between them and new landuses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential.
44. Policy 41 (Biodiversity and Geodiversity) restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as are biodiversity net gains. Development proposals where the primary objective is to conserve or enhance biodiversity or geodiversity will be permitted if they comply with other local plan policy. Development proposals which are likely to result in the loss or deterioration of irreplaceable habitats will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.



*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.cartoplus.co.uk/durham/text/00cont.htm>*

---

## **CONSULTATION AND PUBLICITY RESPONSES**

---

### **STATUTORY RESPONSES:**

45. The following comments were received following consultation with Statutory and Internal consultees.
46. Highway Authority - raises no objection to the application noting that the volume of traffic likely generated by the proposal would not result in any adverse impact with regard to highway safety.
47. Northumbrian Water Limited – offered no comments.
48. Natural England – offered no comments in response to the application.
49. Environment Agency – originally raised objection but this was withdrawn after the applicant provided additional information sufficient to satisfy their concerns.
50. Coal Authority – originally raised objection but this was later withdrawn after the applicant provided additional information to satisfy their concerns. They do advise that a scheme of intrusive site investigation be carried out and remediation undertaken where required, and that this be secured by planning condition.
51. SABIC – offered no objection but advised that should planning permission be granted SABIC be consulted to agree a method statement and ensure that their standard conditions for work close in close proximity to the pipeline are met. They also recommended that the HSE be consulted to review the proposed development.
52. Health and Safety Executive – responded and raised no objections noting specifically that it does not advise against the granting of planning permission in this case.
53. Durham County Council as Lead Local Flood Authority (LLFA) – raises no objection but notes that the surface water management scheme for the proposed development should be implemented in accordance with the Flood Risk and Drainage Assessment and that this be secured through planning condition.
54. Brancepeth Parish Council – raises objection noting that the development would affect a large percentage of residents of the Parish in that it would have an adverse impact upon highway safety. These concerns relate specifically to the poor quality of Wolsingham Road which includes poor road surface and several potholes and is completely impassable in places in winter, a lack of access to public transport, unsustainable volumes of traffic using the road, a lack of sufficient passing places given the road is used by large farm machinery and vehicles, likely conflict with

walkers, cyclists and horse riders and that the development would increase traffic travelling through the Brancepeth village.

55. Brandon and Byshottles Parish Council – raises objection as they consider the access onto the site is not satisfactory given that it is a single track road and as such will adversely impact highway safety and that drainage plans encroach onto land not under the control of the developer contrary to relevant local plan policies.

#### **INTERNAL RESPONSES:**

56. Spatial Policy Section – whilst deferring to colleagues within appropriate specialist services in relation to detailed matters of landscape, ecology, design etc etc, nevertheless notes concern regarding the significant loss of trees, visual amenity impact of the southern dwelling, a lack of justification for the two dwellings, whether SUDS and foul/wastewater treatment proposals are acceptable, access and highway safety and the position of the Ethylene Pipeline. However, in concluding they confirm that the principle of additional holiday lets in this location is not entirely contrary to policy and that if specialist colleagues state that all of the constraints detailed can be overcome or adequately mitigated, then there would be no objection to these elements of the proposal from a planning policy perspective.
57. Landscape – Raise objection to the impact of the dwelling proposed to the south of the pond.
58. With regard to the lodges, as previously discussed these appear acceptable in principle although a reduction in density is advised. They note that careful consideration needs to be given as to how this element of the proposal would be achieved given that the extension into open pasture would require substantial advance structure planting to create year-round screening. They note that in order to comply with Policy 8, this structure planting would need to be suitably established prior to the introduction of lodges in order for them to be visually acceptable. The phased approach would need to be agreed in advance and the timing of the introduction of the lodges dependent on the design, quality and performance of the planting. This would need to be achieved via a performance based planning condition. A full landscape maintenance plan will also be required to include the initial 5 year establishment and further long-term management (for a period of 20 years).
59. A revised landscape plan was submitted which introduced structure planting to the south of the proposed lodges and to the front and rear of the southern dwelling. However, the precise species mix for the latter is not identified but could be secured through planning condition.
60. Trees – raise no objection noting that the submitted tree report complies with current standards.
61. Ecology – raises no objection to the application subject to the mitigation listed in the Ecological Appraisal being secured through planning condition.

62. Nuisance Action Team – Raise no objection to the application subject to the inclusion of a planning condition requiring the submission, agreement and subsequent implementation of a site management plan.
63. Contaminated Land Section – Raises no objection to the application subject to the inclusion of a planning condition requiring the submission and agreement of a preliminary contaminated land risk assessment, intrusive investigations, remediation and verification where requirement is identified.
64. Design and Conservation – Raise no objection to the application but note their comments relate principally to the two proposed dwellings which they consider reflect an acceptable design approach, despite the overall height of the southern dwelling being of note. However, they do defer to colleagues from the Council's Landscape Section to comment on the landscape and visual amenity impacts of the development. Should planning permission be granted the control of external materials is advised by way of planning conditions.
65. Public Rights of Way Section – raises no objection to the application subject to the proposed access to the site from the north byway to the north being made permanently unavailable for vehicular access. The submission and agreement of precise detail in that regard to be secured through planning condition, along with its implementation prior to the first occupation of any of the lodges.

#### **NON-STATUTORY RESPONSES**

66. The following comments were received following consultation with non-statutory consultees:
67. Campaign for the Protection of Rural England (CPRE) – Objects citing concern regarding the loss of trees which will screen the previously approved development, the impact upon the residential amenity of adjacent occupiers, the impact of the southern dwelling upon landscape and visual amenity of the AHLV and the infill dwelling in that it would conflict with appropriate national and local planning policy. Concern is also raised at the impact of the development upon highway safety noting that Wolsingham Road to the south is not suitable to accommodate the increase in vehicle movements.
68. The North East Chamber of Commerce – support the application noting that as evidenced by independent research, there is a real need for new visitor accommodation of this type in the county to support the further development of the tourist economy. They note that County Durham has significant potential to grow its visitor economy and to capitalise on the investment in major attractions and that the proposed development would further enhance the quality and diversity of visitor accommodation; attracting overnight stays and supporting jobs in the crucial hospitality sector.
69. Visit County Durham – supports the application noting that independent research indicates that the County lacks the type of visitor accommodation in and around the city.

## PUBLIC RESPONSES

70. The application has been publicised by way of site notice, press advert and notification letters were sent to neighbouring properties. Since original submission of the application 3 re-consultation exercises have been undertaken. In response, 38 no. letters of objection were received from 26 properties. A summary of the points of objection are as follows:
71. **Highway Safety** - likely increase of traffic along Wolsingham Road/Sandy Lonnen which is unclassified highway of poor quality and the adverse impact of this upon road safety. Road too narrow, unlit with sharp, blind bends. There have been many accidents and two fatalities along these roads and any increase of traffic will increase the unacceptable risk of further incidents. Increased amount of traffic through Brancepeth village along the Wolsingham Road and the frequent speeding of such traffic. Inability to give pedestrians, cyclists and horses priority and safe distancing along this road. Agricultural vehicles and escort have to use wrong side of road to negotiate bends. No passing places. Change of access from Brandon Lane to Wolsingham Road not a good change.
72. **Impact on Residential Amenity** – (Noise) each lodge will produce in the region of 65dB of noise (a conservative estimate assuming that small gatherings will be outside the lodges at varying times). With these levels, the original 150m would have been sufficient to dampen the noise pollution and prevent major disturbances to the residents. 25m is insufficient to reduce any form of noise pollution, and will demonstrably cause nuisance to the residents of Brancepeth Manor.
73. **Light pollution** - including car lights at night continually shining into residential properties.
74. **Privacy** - will make us feel overlooked and that our current level of privacy has been entirely eliminated, security and privacy affected due to proximity of new lodges.
75. **Landscape / Trees** – site lies in AHLV and does not conserve nor enhance the special qualities of the landscape. Tree loss should be mitigated by planting to offset the loss. Remove further trees, undergrowth and the drywalling would further expose the 8 lodges elevating them further making them even more visible from the surrounding areas.
76. **Character Of Area** - change the setting of the local area, and will result in a quiet, remote and rural settlement of a few houses being turned into a large holiday park with over 5 times the number of properties, destroy the privacy and tranquillity of the place
77. **Ecology** – dozens of nesting birds within the footprint of the new development and their habitat will be decimated. Several of these species are rare and /or protected such as lapwings, curlews, owls, bats, Great Crested Newts, evidence of a water vole.

78. **Drainage/ sewage** - Surface water from the proposed new development will create additional pressures on the Brancepeth Beck which struggles with the volume of water in times of high rainfall now. The drainage proposal and the locations suggested are a none starter due to the applicant using land not in his ownership.
79. **5 bed infill barn to enable development** - area of land is required for emergency vehicles to be able to turn. This dwelling does not run alongside the commercial development and so needs to be looked at as a separate proposal
80. **Two proposed dwellings** - would be new builds not conversions so are new building in the countryside and also fall outside of farming diversification as not been a working farm for many years
81. **Manager's house** - existing barn is not officially classed as a barn, only a field shelter, therefore should not be a conversion. It is not essential to have a full time permanent worker on site 24 hours a day. The business is not operational, not proven to be a success. The proposed house is excessive in size at 2,250 sq. m with 4 bedrooms and 4 car parking spaces.
82. Objections were also received in relation to the **Farm Shop/ Cafe** which objectors considered must be significant predicted number of visitors/customers to justify the capital expenditure. Not solely for the benefit of residents on the site and therefore it may attract many more visitors thus increasing traffic. There is no farm onsite so all produce would need to be brought in from outside. There is no requirement in the application for the shop to purchase any minimum amount of produce from local farms or primary producers and so support the local food economy. Similarly, concern was raised in relation to **Employment** - 25 FTE jobs. A shop and cafe alone cannot generate such a high level of employment. If building jobs are included these are only temporary and not necessarily local. However, it is noted that this element was removed from the proposal.
83. Councillor Marion Wilson offers support for the proposal which she considers would bring employment and additional revenue to the area.
84. Councillor Fraser Tinsley advises that both himself and Cllr Gunn have received a number of representations from residents of their ward (Willington and Hunwick including Brancepeth) regarding this application, which raise material considerations that they feel are relevant to the determination of this application.

#### **APPLICANTS STATEMENT:**

85. The application proposes an extension to the already permitted holiday lodge scheme at Brancepeth Manor Farm and delivers a range of tourism and economic benefits to the County. The Phase 1 lodge development already benefits from planning permission and has been implemented in accordance with the approved plans. The proposed development seeks permission for only 8 additional lodges and two residential dwellings to fund delivery of the lodges. Without the dwellings

the lodge development and associated economic and tourism benefits will not be realised.

86. Through extensive discussion with planning officers, the scheme has changed significantly since its original submission, responding comprehensively to landscape, visual, design, ecology and other comments. Working closely with officers, this has resulted in a high quality tourism development capable of creating a range of benefits.
87. The applicant recognises the value and importance of sustainable energy sources and protecting the environment. As such, we confirm that all lodges and houses will be powered by a combination of air source and ground source heat pumps. There is no mains gas connection and the possibility of maximising renewable energies is an increasingly important consideration for UK holiday makers.
88. The applicant has committed to a variety of conditions requiring phased planting of the landscaping proposals, ensuring the lodges sit comfortably within their setting from the outset. The landscaping also secures a variety of biodiversity benefits.
89. Beyond the site boundaries, the scheme enjoys high levels of accessibility to the surrounding countryside and public rights of way, ensuring visitors can make the most of the County Durham countryside.
90. Access for the proposed development is proposed via Wolsingham Road where a series of new and improved passing places are proposed. Whilst the permitted lodges currently take access from Brandon Lane, the highways assessment for the current scheme is based on all lodges being accessed from Wolsingham Road and a condition is proposed to ensure the Brandon Lane access is closed for visitors to the entire lodge park.
91. Overall the proposed development represents a high quality tourism development, responding positively to the Council's tourism priorities and increasing the number of overnight stays in the County. It represents a high quality design response with good landscaping and biodiversity benefits, as well as taking a positive approach to the effects of climate change. The scheme is consistent with the relevant policies of the Durham Local Plan and officers have recommended approval on this basis.

*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**

---

92. 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 Paragraph 47 of 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 (including the viability of the scheme and the requirement for enabling development), impact upon the character and appearance of the surrounding area and AHLV, the impact on residential amenity, highway safety, ecology, drainage and all other material planning considerations.

### Principle of Development

93. The proposal comprises the construction of 8 holiday lodges to provide an extension to the scheme previously granted planning permission in 2016. That planning permission has been implemented and as such is now capable of completion in full. The current application also includes the construction of 2 No. dwellings which the applicant advises are required in order to deliver the development as without the associated capital receipt the development would be unviable. The proposals originally included provision of a farm shop and café, although the application has since been amended and these elements removed from the scheme.
94. With regard to the proposed lodges, policy 6 of the County Durham Plan (CDP) is relevant and supports development on sites which are not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement, stating that such development will be permitted provided it is compatible with uses on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.
95. However, as the site is not located within or adjacent to any existing settlement for planning purposes it is considered to be located within the open countryside and as such policy 6 does not apply.
96. Consequently, policy 10 of the CDP is relevant and relates to development within the countryside. It states that development in such locations will not be permitted unless allowed for by specific policies in the Plan (such as policy 8 relating to visitor accommodation), relevant policies within an adopted neighbourhood plan relating to the application site, or where the proposal relates to stated exceptions.
97. The approach contained within policy 8 is considered to display a broad level of accordance with paragraph 84 of the NPPF which states that 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 business; and sustainable rural tourism and leisure developments which respect the character of the countryside. In particular, policy 8 notes that development for visitor accommodation in the countryside will be supported where it is appropriate to the scale and character of the area, and it is not used for permanent residential occupation. Whilst the scale and character of the proposal

is considered in more detail elsewhere in this report, it is noted that the applicant has confirmed that the lodges would not be used for permanent accommodation as a person's sole place of residence, and this can be secured through planning condition should the committee resolve to grant planning permission.

98. In addition, policy 8 also states that development will be supported where it is necessary to meet identified visitor needs or it is an extension to existing visitor accommodation and helps to support future business viability and it respects the character of the countryside, demonstrating clear opportunities to make its location more sustainable.
99. In relation to need, it is noted that whilst the previously approved lodges are not complete, (and as such the proposal cannot be considered an extension to an existing visitor accommodation), the permission is nevertheless capable of implementation, and Visit County Durham and the North East Chamber of Commerce offer support for the proposals noting that the development is consistent with current market and visitor intelligence which identifies a need for overnight accommodation in the County. In supporting the scheme, they note in detail the associated benefits that this would have on the County's tourist economy. Therefore, it is considered there is an identified need for this type of visitor accommodation in accordance with policy 8.
100. The application site is not considered to be a sustainable location as it is located within open countryside in an area with no services and is not well served by public transport. Criterion f) of policy 8 requires proposals to demonstrate clear opportunities to make its location more sustainable. The supporting text to this policy further advises that in locations that are not served by public transport or that are not close to existing services and facilities, applicants will need to demonstrate that development is sensitive to its surroundings and does not have an unacceptable impact on local roads, and that any opportunities to improve the scope for access by foot, by cycling and/or by public transport are made the most of, thereby making the development more sustainable. In this regard the proposals are well situated to make use of existing public rights of way to the north and west and also includes provision for secure cycle storage to be secured through planning condition. Given this, the future occupants would have a sustainable travel alternative to the private car and this is considered sufficient to comply with criterion f) in this instance.
101. Policy 8 also requires new development should not be unduly prominent in the landscape from either long or short range views and this is considered in more detail elsewhere in this report.
102. In light of the above, the principle of the additional 8 lodges at the site is considered acceptable subject to the inclusion of a planning condition which prohibits occupation of the units as a person's sole, permanent place of residence.
103. The proposal also includes the erection of 2 No. new dwellings comprising a 4 bedroom detached property occupying the position of an existing barn to the south of the chalets and a 6 bedroom dwelling to the north east, set within the existing cluster of converted farm buildings at Brancepeth Manor Farm.



104. Relevant national and local plan policies seek to restrict unacceptable development within the countryside, particularly in unsustainable locations. The Local Planning Authority consider that both dwellings would fail to accord with the aims of policy 10 which states that development will not be permitted unless allowed for by specific policies in the plan or where the proposal relates to one or more of the exceptions stated. In this regard the dwellings are not considered to meet any of the exceptions outlined in policy 10 in that they do not relate to an existing building, they are not replacement dwellings, they do not involve an extension to an existing dwelling and do not facilitate or support an existing agricultural or rural-land based enterprise or associated farm. As noted in the planning history 3 applications were submitted for a single dwelling in the position of one of the dwellings proposed as part of the current application and that these were withdrawn due to concerns raised by the LPA that the principle of development could not be supported.
105. The applicant considers that the dwellings are required as enabling development to support the previously approved scheme for 22 lodges and the additional 8. In this regard a full Financial Viability Assessment completed by Knight Frank has been submitted in support of the scheme which concludes that it is not viable principally due to high build costs, and that in order to deliver the development, the capital investment delivered through the enabling development is required.
106. The submitted assessment has been reviewed by the Council's Valuation Officers and Spatial Policy Section and has, where appropriate, been subject to the submission of additional information upon request from officers to ensure that revenues from sales prices and the costs associated with the development appear to officers as accurate as is practicable. Having scrutinised the assessment officers do not dispute that the development is unviable and that additional investment is required in order to deliver the scheme.
107. Visit County Durham supports the application as does the North-East Chamber of Commerce, with the former providing detailed information demonstrating that there is a need for overnight accommodation of the type proposed within the County. Specifically, they have identified the benefit to the economy of overnight stays. Particularly, that at present 94% of all visits to the County are for the day and that average day spend for visits of this nature is £20.71, accounting for 69% of total expenditure and that only 6% of visitors at present stay overnight and the average spend per trip in those instances is £144.55, accounting for 31% of total expenditure. With this in mind, there are significant benefits to the tourist economy of ensuring that there is sufficient supply of overnight accommodation available. The delivery of the development in this context would therefore deliver notable economic benefits both locally and across the County as a whole.
108. Visit County Durham advise that as a destination the County urgently needs to increase its visitor accommodation capacity to achieve higher visitor spending levels and that this will in turn, allow the County to sustain more visitor economy businesses and direct and indirect employment. The current Durham Tourism Management Plan notes that it is important that the County grows its visitor accommodation stock quickly in order to exploit Durham's greater UK profile and

capitalise on the growth in UK based holidays following Covid. Development such as that proposed will help convert increased visitor levels into overnight visitors, higher spend and visitor economy employment.

109. The site currently benefits from planning permission for 22 lodges, the additional 8 lodges proposed as part of this application would add to that offer and, as noted above, the scheme would help meet an identified need for this type of overnight accommodation within the County. Following from this, and noting the research undertaken by Visit County Durham, this would in turn translate to a boost the local tourist economy and help deliver some of the key aims of the current Durham Tourism Management Plan. The enabling development would provide the capital investment required to make the scheme viable.
110. The applicant has advised that whilst the use of other funding sources to finance the development have been explored these all have very low risk profiles for this type of development, and have not been able to make the scheme work and more widely it is noted that many lenders have pulled out of the sector entirely. Those lenders approached have included large mainstream banks and investment vehicles. An application for grant funding was also made with the RDPE Growth Programme which has now expired due to the passage of time and the development was concluded to not fulfil all of the relevant criteria at that time. There are no other live grant schemes which would be suitable for this scheme.
111. Accepting that other streams of securing the shortfall in funding are not available to the application the LPA must be satisfied that the minimum amount of development is proposed to meet that shortfall. The viability assessment has been scrutinised in this regard and relies on up-to-date valuation information to assess the likely land values associated with each dwelling in the event of planning permission being granted and taking account of the development costs including associated infrastructure. Whilst land values are always subject to market fluctuations, it is considered that the figures provided represent an accurate appraisal of the market position, and that the capital receipt would directly relate to the shortfall in the development cost. As such, it is considered that the 2 dwellings proposed represent the minimum necessary in these circumstances.
112. It is of paramount importance therefore that the lodge development takes place in order to ensure that the wider economic benefits of the scheme as identified are delivered. Whilst it is noted that the development does not relate to the conservation of a heritage asset, guidance cited in Historic England's Policy Note 4 nevertheless provides a useful methodology when considering the balance of advantage. This states that in order to meet the requirements of the NPPF an enabling proposal can only be considered for approval if it provides benefits that outweigh the disbenefits, and where the decision-maker is confident that the scheme would secure the conservation of the heritage asset. It also advises that good practice to take the decision in the light of a realistic view of the consequences of refusal. Equally, a proven conservation deficit may not automatically lead to grant of consent, where the disbenefits of failing to comply with other planning policies are considered to outweigh the benefits of conserving the asset.

113. In terms of the benefits of the scheme, the applicant has presented evidence that the delivery of the lodges would add to the range and variety of visitor accommodation in the County, and that the scheme is supported by Visit Durham and the North-East Chamber of commerce as a consequence, with the latter noting the associated economic benefits. Whilst the two proposed dwellings would be harmful in as much as they would result in development which would fail to conserve the landscape character of the surrounding AHLV the benefits of the scheme would outweigh the harm sufficient to justify the granting of planning permission in this instance.
114. Equally, it is critical that there are appropriate mechanisms in place to ensure that the proposed housing, is built only in direct association with the lodges. A Section 106 Agreement will therefore be required to secure that the two come forward together and heads of terms have been agreed with the applicant in this regard.

Impact upon the Character and Appearance of the surrounding area and Area of Higher Landscape Value (AHLV)

115. In assessing the previous application relating to the construction of 22 lodges it was noted that the site occupied a position in an isolated location but would form part of the extended Brancepeth Manor Farm complex which is settled around the existing pond to the north. At the time of the previous application the site was not subject to any formal landscape designation. However, with the adoption of the County Durham Plan in October 2020, the site now falls within an Area identified as being of Higher Landscape Value and as such policy 39 of the CDP is relevant. This states that development affecting Areas of Higher Landscape Value will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of the development in that location clearly outweigh the harm. This approach is considered to accord with the aims of paragraph 174(a) of the NPPF which requires planning decisions to contribute to the and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.
116. The northern dwelling would be well contained within the existing cluster of buildings and as such would not be readily visible in the wider locality and the impact of this element of the proposals are considered to accord with policy 39 in this regard.
117. However, the impact of the 8 lodges and the southern dwelling require greater consideration in this regard. As noted, the site was not designated as AHLV at the time the previous application for the 22 lodges was granted and it remains that this permission is capable of implementation. The development would have some level of impact on the special landscape qualities of the area as a result. Whilst this is noted, it is also the case that at present land to the south of the pond is well established with vegetations including a number of mature trees and that this would screen the development to the north. This was a notable consideration in determination of the previous application.

118. Several residents raise objection to the application as they consider the lodges and southern dwelling would have a significant detrimental impact upon the AHLV resulting in the loss of existing planting, which was an important consideration in the determination of the 22 lodges, and the loss of part of the existing stone wall boundary wall, and that the density of the lodges would be too concentrated.
119. The current proposal would remove much of the existing tree cover and thereby expose views into the site from the south. This is acknowledged by the applicant who proposes replacement structure planting to offset that loss. However, it is noted that replacement planting in this regard, particularly structure planting, would take considerable time to become fully establish, and any associated screening benefits would not be delivered instantaneously. Policy 8 recognises this and at criteria h) requires new development to not be unduly prominent in the landscape from either long or short range views by ensuring adequate year-round screening through existing topography, vegetation or other features which are compatible with the landscape and where new or additional screening is required this must be suitably established before development can take place. Therefore, a phased approach to the delivery of the 8 additional lodges is proposed to be secured by planning condition.
120. The Council's Landscape Section has reviewed the landscape scheme submitted in support of the application which has been revised in consultation with the Council's Landscape Architect, and includes proposed phasing which identifies that 4 of the 8 lodges would be delivered in phase 1, and the remaining lodges following in phase 2, and only at such time as the structure planting has sufficiently established.
121. In terms of policy 39 of the CDP this states that new development affecting the AHLV will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm. In this instance, subject to the inclusion of planning conditions as identified above, it is considered the lodge element of the proposal would accord with the aims of policy 39 of the CDP and paragraph 174(a) of the NPPF in that it would conserve landscape quality.
122. With regard to the proposed dwelling to the south of the pond, it is noted that this would be detached from the main cluster of buildings at Brancepeth Manor Farm by some distance and would sit beyond the lodges themselves. In addition, it is noted that the dwelling would replace an existing pole barn which is presently in a poor state of repair being constructed from a variety of corrugated sheeting and cladding. Whilst the Council's Design and Conservation Section note the design approach to the dwelling is broadly acceptable and would use materials typical of the locality, the Council's Landscape Section raise concerns that the dwelling would appear as an incongruent addition to the landscape, to the detriment of landscape and visual amenity.
123. Policy 39 makes provision for new development that does not conserve the special landscape qualities of the AHLVs but only where the benefits of the development in that location outweighs the harm. Text supporting the policy notes that whether harm is considered unacceptable will depend partly on the significance of the

effects of development on those attributes, and partly on the extent to which the benefits of the development outweigh that harm in the balance of considerations and that these are matters that need to be assessed on a case-by-case basis.

124. Whilst the southernmost dwelling would result in harm as identified by the Council's Landscape Section text supporting the policy advises that not all harm is unacceptable, and in this instance the dwelling is required as enabling development to support the delivery of the wider lodge development. That development has considerable economic benefits attached to it and already benefits from planning permission. Detailed consideration of the economic benefits of the scheme have been discussed elsewhere in this report and are considered considerable, and as such sufficient to outweigh the harm identified in accordance with the aims of policy 39 of the CDP.

#### Impact upon Residential Amenity

125. Whilst occupying a rural location the site is nevertheless situated to the south of a cluster of residential properties which previously formed part of the Brancepeth Manor Farm complex. In the main, the residential occupation of these properties is a direct result of a variety of previously granted planning permissions relating to the conversion of former farm buildings which were no longer required for agriculture. It is noted these are not occupied in association with any ongoing farm enterprise and that any meaningful agricultural activity ceased at the farm some time ago.
126. At its closest point the proposed lodge development would be approximately 52 metres from the existing dwellings which compares to the previously approved arrangement that granted planning permission for lodges approximately 76 metres from the nearest dwellings at their closest point.
127. With regard to the two proposed dwellings, it is noted that the southernmost property would be positioned approximately 76 metres from the lodges to the north, with the northern dwelling situated at greater distance. Notwithstanding this, it is noted that the northern dwelling would be situated within close proximity to existing dwellings forming part of the Brancepeth Manor complex and present a principal elevation to the south, immediately opposite an existing dwelling.
128. Policy 31 of the County Durham Plan is relevant and states that new development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and should be integrated effectively with any existing business and community facilities. Policy 29(e) requires new development to provide high standards of amenity and privacy, and minimise the impact of development upon the occupants of existing adjacent and nearby properties. Both display a broad level of accordance with the aims of paragraph 174 of the NPPF which requires planning decisions to enhance the local environment by preventing new and existing development from contributing to unacceptable levels of noise pollution, with paragraph 184 requiring planning decisions to ensure new development is appropriate to for its location and in doing so mitigate and reduce to a minimum potential adverse impacts resulting from noise from new

development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

129. Local residents have raised objection to the application citing fundamental concerns that the development would lead to an unacceptable increase in noise disturbance as a result of the additional 8 lodges proposed, which they consider to be an impact that cannot be adequately mitigated against through site management. They believe that the use of the site would have a significant adverse impact upon their quality of life in what is currently a tranquil, rural area.
130. It is noted that a previous planning permission for the construction of 22 lodges across the wider site has been implemented and as such is capable of completion in full. Any increase in noise and disturbance as a result of the 8 additional lodges therefore needs to be considered in this context. The two additional dwellings are not considered to result in any unacceptable increase in disturbance in terms of noise.
131. The lodges would be available for private let and as such it is anticipated that the development would give rise to noise levels over that which would normally be expected in a residential area. This was considered to be the case in determination of the previous application. In that instance it was considered that any impact could be appropriately mitigated against via appropriate and effective site management using methods well established at holiday sites through a clearly defined set of site rules and supervision, including requirement for visitors to report to the site office upon arrival. The applicant has confirmed intention that the 8 additional lodges would be incorporated into this wider site management plan.
132. Notwithstanding the above, it is noted that the proposal would increase the total number of lodges to 30 and introduce lodges in closer proximity to existing dwelling than those already approved, closer by approximately 24 metres. The cumulative impact of the development must therefore be carefully considered.
133. The Council's Environmental Health Section (Noise Action Team) originally raised no objection to the application but subsequently sought further clarification in relation to the management of the lodges (particularly how the preservation of low night-time noise would be achieved and sought confirmation of the applicant's intention to implement a noise policy for the site as a whole). The applicant has confirmed that the site would be subject to a management plan, the requirements of which would be enforced by the site manager. In addition, it is noted that the submission and agreement of any proposed lighting could be controlled via planning condition.
134. Therefore, subject to the imposition of a planning condition requiring a detailed site plan for all 30 lodges, the development is considered to accord with the requirements of policies 8, 29 and 31 of the County Durham Plan and Part 15 of the NPPF in that it would not have any adverse impact upon the residential amenity of surrounding occupiers.

135. In relation to the two proposed dwellings, the southern unit is positioned sufficient distance from the nearest existing dwellings to adequately ensure that there would be no adverse impact as a result of overbearing or overshadowing.
136. With regard to the northern dwelling this would be set to the northern edge of the existing cluster of buildings at Brancepeth Manor Farm and as such would be framed by existing dwellings to the south and east. The dwelling to the south (Marauder Lodge) has been subject to conversion and is occupied as a residential dwelling, as is the building to the east. The southern elevation of the proposed dwelling would be 13 metres from the northern elevation of Marauder Lodge which contains windows to habitable rooms, including a master bedroom, study and kitchen, and also a large area of floor to ceiling glazing serving a lounge. Given the position of the Marauder Lodge offset from the proposed dwelling to the north it is noted that only those windows serving the kitchen and potentially a study would face the corresponding elevation. Other windows of Marauder Lodge positioned further west serve a lobby, WC and car port which are not considered habitable rooms and as such there would be no adverse impact in terms of intervisibility or loss of privacy.
137. Whilst the Council's SPD requires new development to achieve a minimum of 21 metres between facing elevations containing windows to habitable rooms. With regard to the kitchen and study windows the development would not meet this requirement. However, boundary treatment is proposed in the form of a 1.1 metre stone wall with metal gates. Details of precise means of enclosure have been secured through planning permission which would help reduce any intervisibility in this regard. It is also noted that other existing arrangements within the cluster of converted buildings do not meet this requirement (most notably to the property to the east which has facing elevations 13 metre from Marauder Lodge and that this is often typical of residential redevelopment of former farm buildings.
138. Whilst at first floor the facing elevation of the proposed infill dwelling would include windows serving habitable rooms these would be delivered through the use of roof lights and as such there would not be any adverse impact in terms of intervisibility or loss of privacy. Given the limited height of the building it is not considered there would be any adverse impact in terms of overbearing or overshadowing the property to the south.
139. In light of the above, and given the development would mirror a pre-existing arrangement, it is considered that the proposed dwelling would not have any unacceptable impact upon the residential amenity of nearby occupiers from overbearing, overshadowing or loss of privacy in accordance with policies 29 and 31 of the CDP.
140. Whilst the lodges are not required to meet NDSS standards given their occupation as holiday accommodation it is noted that the two proposed dwellings do meet the stated minimum standards and sufficient private amenity space is provided to serve each dwelling. This element of the proposal is therefore considered to accord with the aims of policy 29 of the CDP and the Council's Residential Design SPD.

## Parking, Access and Highway Safety

141. The current planning application relates to the construction of an additional 8 lodges at the site along with two new dwellings. Access would be taken for all elements via the private drive to the east. This drive is served by large, automated gates and accessed directly from Wolsingham Road/Sandy Lonnen to the south which connects the A690 at Brancepeth Village to the B299 at Crook.
142. The applicant has confirmed that along with the 8 lodges and two dwellings the new access would also serve the 22 lodges previously granted planning permission in 2016. That permission included provision for vehicular access to the north which required associated improvement works and in this regard a condition was included that required the submission and agreement of detailed specification for passing places along this route to be submitted to and agreed in writing by the LPA prior to the commencement of development, and that the agreed detail thereafter be implemented and retained for use. As noted elsewhere this detail was submitted and agreed by the LPA in consultation with the Highway Authority and it is understood that passing places have now been installed, although subject to an ongoing land ownership dispute.
143. It is noted that the previous application intended sole access to the 22 lodges to be taken via a byway to the north and that this arrangement was identified within the plans approved when that application was granted planning permission by the committee. The Council's Public Rights of Way Section in commenting on the current application has noted requirement for a physical barrier to restrict access from the byway to the north given the increase in lodges, and that this be installed prior to first occupation of any of the resulting 30 lodges. Whilst there would potentially be implications for the plans previously approved, should the current application be granted planning permission a Section 73 planning application could be submitted to amend the previously approved layout. Based on the information submitted there is no obvious reason as to why the previously approved plan could not be amended to amend the internal access road removing the connection to the byway to the north.
144. A Transport Statement supports the current application which was undertaken in relation to the proposed scheme at a time when the farm shop/café still formed part of the proposal. However, whilst it is noted that this element has since been removed from the scheme, the finding of the assessment remain fundamentally unaltered. Specifically, the assessment concluded that the development could be safely serviced from the access via Wolsingham Road/Sandy Lonnen, and that the anticipated vehicle movements could be satisfactorily accommodated on the wider road network subject to 10 of the passing places along Wolsingham Road to the east of the site being upgraded and a new space installed. This upgrade works would comprise the stoning up and underpinning by a 300mm sub-base and the installation of appropriately identified signage. The Highway Authority concurred with this assessment and offered no objection to the application subject to the submission and agreement of full engineering details for the upgraded passing places and their subsequent implementation, to be secured through planning condition.



145. The farm shop and café no longer form part of the application which reduces the vehicle movements originally anticipated to be generated by the development. However, the applicant has confirmed that it remains the intention to provide the upgraded passing places as described.
146. Several residents residing both adjacent to the site and to the east at Brancepeth Village have raised objection to the application citing concerns regarding the suitability of Wolsingham Road/Sandy Lonnen to accommodate the increased traffic generated by the proposals as have Brancepeth and Brandon and Byshottles Parish Council's. In addition, an adjacent landowner has commissioned a response to the applicant's transport statement by a Transport Consultant which disputes the applicant's position and considers that the development does not meet relevant national or local policy and that the applicant has been unable to prove anything other than an unacceptable impact on road safety, capacity and amenity, and as such planning permission should be refused.
147. The Highway Authority has reviewed both assessments along with all additional information presented by both transport consultants and considers that the increased vehicle movements generated by the development would have a negligible impact upon road safety and as such could not be considered severe for the purposes of paragraph 111 of the NPPF.
148. Paragraph 110 of the NPPF states [in part] that in assessing specific applications for development it should be ensured that safe and suitable access to the site can be achieved for all users and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. In addition, paragraph 111 goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
149. In this instance it is considered that the increase in vehicle movements as a result of the proposals, to include serving all 30 lodges, could be satisfactorily accommodated via the proposed access from Wolsingham Road/Sandy Lonnen and would not have any severe impact upon the road network.
150. The Council's Public Rights of Way Section raises no objection to the application but advises that measures be included to ensure that no vehicular access is provided to the site via the byway to the north which could be appropriately secured through planning condition. Officers advise the use of a lockable gate and appropriate signage in this regard.
151. With regard to the two proposed dwellings it is considered that safe and adequate access can be achieved for all users and each provide sufficient in curtilage parking to meet the Council's current parking standards.
152. In light of the above, and subject to the planning conditions stated the development is considered to accord with the aims of policy 21 of the CDP and paragraphs 110 and 111 of the NPPF.

## Ecology

153. Policy 41 (Biodiversity and Geodiversity) restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as are biodiversity net gains. Development proposals where the primary objective is to conserve or enhance biodiversity or geodiversity will be permitted if they comply with other local plan policy. Development proposals which are likely to result in the loss of deterioration of irreplaceable habitats will not be permitted unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Paragraph 174 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by minimising impacts and providing net gains for biodiversity. Paragraph 180 goes on to state that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
154. The application would result in the loss of some existing habitats around the lake/pond and an existing barn. As such the application is supported by an Ecological Appraisal completed by E3 Ecology which the Council's Ecologist has reviewed and considers is sufficient to inform the application. Whilst a breeding bird risk assessment was originally requested this requirement was withdrawn upon removal of the farm shop from the proposals.
155. Objections have been raised by existing residents who consider that the development would lead to an unacceptable loss of habitat and an adverse impact upon ecology, wildlife and biodiversity. They consider that visitor activity would introduce an unacceptable level of noise, lighting and other general disturbance associated with the proposed accommodation to the detriment of local wildlife. Residents also advise of the presence of water vole within the pond and dispute the findings of the submitted ecological appraisal in regard.
156. The presence of a European Protected Species (EPS) is a material planning consideration. The Conservation of Habitats and Species Regulations 2017 have established a regime for dealing with derogations which involved the setting up of a licensing regime administered by Natural England. Under the requirements of the Regulations it is an offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England.
157. Notwithstanding the licensing regime, the Local Planning Authority must discharge its duty under the regulations and where this is likely to be an interference with an EPS must consider these tests when deciding whether to grant permission for a development which could harm an EPS. A Local Planning Authority failing to do so would be in breach of the regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
158. In relation to protected species, the habitats on site are considered to have suitability for foraging and commuting bats. Most activity is likely to be associated with the large waterbody to the north of the site. There are no trees with potential roosting

features for bats within the site boundary and given the barn occupies an exposed location and its current state of repair, that more suitable roosting locations exist to the north of the site. As there would be no interference with an EPS, there is no need to apply the derogation tests in this case. The appraisal concludes that there is no historical records of otter, water vole or white clawed clayfish in the area. Assessment of the pond suggests that it is unsuitable for great crested newts.

159. The appraisal includes a mitigation strategy which includes requirement for the lodges to be 10 meters from the bank of pond, the use of low lux lighting positioned at low level with cowls fitted to reduce light spill, the use of close boarded fencing to allow hedgehogs to forage, works timed to be undertaken outside of the bird-nesting season unless a checking survey has been undertaken, adherence to a construction management plan to reduce the risk of pollution to the pond, and work to be carried out under a method statement for reptiles, common toad, brown hare and bat to address the low residual risk to these species being present. In addition, 2 bat boxes would be installed to retaining trees and tree and woodland management would be carried out to promote deadwood habitats and promote overall biodiversity.
160. The Council's Ecologist have reviewed the supporting information and raises no objection to the application but notes that conditions should be included to ensure the lodges are a minimum of 10m away from the pond (as per the recommendations of the appraisal) and that additional pond edge planting (using appropriate native species) be incorporated into the landscaping scheme to provide an enhanced buffer for wildlife. The former can be adequately ensured through planning condition, and it is noted that the submitted landscape plan has been amended to reflect the additional planting requested.
161. Therefore, subject to the conditions stated, the application is considered to accord with the requirements of paragraph 180 of the NPPF and policy 41 of the County Durham Plan.

### Drainage

162. Part 14 of the NPPF seeks to resist inappropriate development in areas at risk of flooding, directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Policy 8.3(g) they provide a specific Flood Risk Warning and Evacuation Plan in accordance with Table 2 in the National Planning Policy Framework (NPPF) Technical Guidance.
163. Policy 35 of the CDP requires development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. Development in flood zones should not be permitted unless in exceptional circumstances. Regarding surface water flood risk, the management of water must be considered intrinsic to the overall development, with runoff rates carefully controlled. Policy 36 of the CDP requires proposals to the disposal of foul water, utilising the hierarchy of foul water.

164. Residents have raised objection to the application citing concerns regarding the means of securing appropriate drainage from the site which they note requires discharge to features not within the applicant's control. The submitted detail has identified that surface water can be collected and stored on site prior to being discharged into existing watercourses. In consideration of the above, the details submitted indicate that consideration of flood risk impacts have been assessed and are found to be satisfactory in accordance with policy 35.
165. The application site is not within Flood Zones 2 or 3 as identified by the Environment Agency who it is noted do not raise any objection to the application in this regard. Nevertheless, the application is supported by a Flood Risk and Drainage Assessment which in part (noting that the farm shop and café no longer form part of the development), concludes that the 8 additional lodges, barn and dwelling will not have an adverse impact in terms of flood risk providing suitable drainage systems are implemented. The Council Drainage and Coastal Protection Team as LLFA and NWL raise no objections to the application in terms of surface water drainage. Whilst residents have raised objection to the intention to discharge surface water to features outside of the site this arrangement is not considered unachievable no objections have been raised from statutory consultees in this regard. The submission, agreement and implementation of a flood risk warning and evacuation plan as required by policy 8.3(g) of the CDP could be appropriately secured through planning condition.

#### Connectivity, Sustainability and Energy Efficiency

166. Policy 27 of the CDP requires new residential development to be served by a high-speed broadband connection unless it can be demonstrated that this is not appropriate. The development would be located immediately adjacent to existing dwellings which are understood to benefit from broadband connectivity. As such it does not appear that there any significant constraints to delivering the connectivity in accordance with the requirements of policy 27 although the submission and agreement of precise detail in this regard could be secured through planning condition noting the outline nature of the application. Subject to the inclusion of a planning condition in this regard the development is considered to accord with the aims of policy 27 of the CDP.
167. Policy 29 of the County Durham Plan criteria c and d require that developments should seek to minimise greenhouse gas emission by seeking to achieve zero carbon buildings and provide renewable and low carbon energy generation and should minimise the use of non-renewable and unsustainable resources.
168. The applicants have confirmed that at this stage of the proposal they have not fully developed their sustainable energy strategy. However, the applicant has advised that Brancepeth Manor Farm does not benefit from a mains gas connection and, as such, it is the applicant's intention to employ renewable energy sources for the proposed dwellings irrespective of the Local Plan requirements and that subject to further feasibility assessment of the ground conditions, it is anticipated that the two dwellings would utilise a ground source heat pump and air source heat pump solutions and passive EV charging points. The latter employed in the lodges also. The intention is to use renewable energy sources in the lodges and that again whilst

the precise solution has yet to be formulated there are several possible options in this regard, the most likely being the use of air source heat pumps.

169. In light of the above it is considered that the proposal is acceptable in regard to the provision of Policy 29 c and d, subject to a planning condition requiring a detailed scheme to be submitted and agreed by the LPA in this regard.

---

## CONCLUSION

---

170. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

171. In summary, the 8 lodge extension to the chalet park is considered acceptable in principle and would accord with policies 8 and 10 of the County Durham Plan subject to the conditions listed in the report, specifically those relating to the phased approach to delivery and the requirement for landscape structure planting.

172. Following a rigorous assessment of the financial case put forward by the applicants in support of their scheme, it is considered that substantial wider economic benefits for Durham City and indeed the County would be brought about as a result of the delivery of the wider lodge development. This would be part funded by the proposed enabling development comprising of the 2 new dwellings and would bring substantial benefits in terms of job creation and additional expenditure to the local economy, together with enhancing the tourist offer and image of Durham as a visitor destination. These benefits are considered to outweigh the policy conflict of the two proposed dwellings.

173. The development is therefore considered to accord with policies 8, 10, 21, 25, 26, 27, 29, 31, 32, 35, 36, 39, 40 and 41 of the County Durham Plan and Parts 2, 4, 6, 8, 9, 11, 12, 14, 15 and 16 of the NPPF.

---

## RECOMMENDATION

---

174. That the application be **APPROVED** subject to a s106 agreement to secure the following;

- delivery of the enabled 30 lodge development on a phased basis with the enabling development.

And subject to the following conditions;

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

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

2. The development hereby approved shall be carried out in strict accordance with the approved plans listed in Part 3 - Approved Plans.

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy(ies) 1, 6, 16, 21, 25, 26, 27, 28, 29, 31, 32, 33, 35, 36 and 44 of the County Durham Plan and Parts 2, 4, 8, 9, 11, 12 and 16 of the National Planning Policy Framework.*

3. The development hereby approved shall be made available as commercial holiday lets for a minimum of 140 days per calendar year, with no single letting period exceeding 31 day.

*Reason: To ensure that the development is occupied as holiday accommodation only and to prevent future use of the units as potential second homes to comply with Policy 8 of the County Durham Plan and Part 6 of the National Planning Policy Framework.*

4. The development hereby approved shall be occupied solely for the purposes of holiday accommodation 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 telephone numbers and shall make this information available at all reasonable times to the Local Planning Authority.

*Reason: To ensure that the development is occupied as holiday accommodation only, in order to comply with Policy 8 of the County Durham Plan and Part 6 of the National Planning Policy Framework.*

5. Prior to the first occupation of any of the holiday accommodation units hereby approved, a detailed Site Management Plan relating to all 30 holiday lodges detailing means for to the prevention of noise disturbance arising from their use, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include, but not be limited to, the submission of specific details and measures including a quiet time between 11pm and 8am will be adhered to, measures for limiting the playing of amplified music, restrictions relating to the use of BBQs and open fires, restrictions upon any large gatherings within the wider site as well as providing a detailed procedure for investigating and resolving any complaints received. Thereafter, the development shall be managed in accordance with the agreed Site Management Plan.

*Reason: In the interests of the residential amenity of surrounding properties in accordance with Policies 8 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework*

6. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials of all lodges and dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

*Reason: In the interests of the appearance of the area and to comply with Policy 29 of the County Durham Plan and Part 12 and 16 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the suitable details are agreed prior to units being brought onto site given the sensitive location of the area.*

7. The development hereby approved shall be undertaken in a phased approach in accordance with that identified on Drawing No. 911\_100 entitled Landscape Strategy – Phase 2 Rev D. None of the lodges to the south of the dry stone wall as shown on the plan shall be installed within 10 years of the implementation of all structural landscaping as identified as edged orange on the plan. Thereafter, all landscaping will be maintained in accordance with a scheme of maintenance to be agreed through condition 8.

*Reason: To ensure adequate screen planting is provided and there are no resulting adverse visual or landscape impacts from the development, in accordance with Policies 39 and 40 of the County Durham Plan and Parts 12 and 15 of the NPPF.*

8. The scheme for the ongoing maintenance of all areas of structure landscaping edged orange on Drawing No. 911\_100 shall include, but not be limited to, irrigation systems to aid with successful establishment and life expectancy. This shall be submitted to and agreed in writing by the Local Planning Authority prior to implementation.

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

9. All planting, seeding or turfing and habitat creation shown on the approved landscaping scheme shall be carried out in the first available planting season following the practical completion of the development with the exception of the structure landscaping shown on Drawing No. 911\_100 covered by the maintenance plan required by condition 8.

- No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats.
- Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.
- Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.
- Replacements will be subject to the same conditions.

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

10. Prior to the first occupation of the development hereby approved a scheme for the ongoing maintenance of the areas of meadow grassland and other structural

landscaping within the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for details of an agreed maintenance schedule for the duration of this permission.

*Reason: In the interests of the visual amenity of the area and to comply with Policies 26 and 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.*

11. No development shall commence until details of the internal access track linking the development hereby approved to that approved under planning permission DM/15/03141/FPA, has been submitted to and approved in writing by the Local Planning Authority. The approved details will thereafter be completed in accordance with the approved plans prior to first occupation of the holiday lodges to be permitted and retained thereafter.

*Reason: In the interests of highway safety in accordance with the requirements of policy 21 of the County Durham Plan.*

12. No development shall be occupied until details of the surface treatment and parking areas have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to first occupation.

*Reason: In the interests of the visual amenity of the surrounding areas in accordance with Policy 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.*

13. No development shall commence until such time as a scheme detailing the means of disposal of all foul and surface water generated by the development has been submitted to and agreed in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the details and timetable agreed.

*Reason: To ensure that surface and foul water are adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.*

14. No development shall commence until a flood evacuation plan for the site has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

*Reason: In the interests of flood safety and to accord with the requirements of policy 8 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.*

15. 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



0800 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of;

0730 to 1800 on Monday to Friday

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 the privacy/amenities of neighbouring occupiers and to comply with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.*

16. Prior to the first occupation the development hereby approved, details of all means of enclosure of the site shall be 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 Policy 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.*

17. 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:

- A Dust Action Plan including measures to control the emission of dust and dirt during construction.
- Details of methods and means of noise reduction/suppression.
- Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
- Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
- Designation, layout and design of construction access and egress points.
- Details for the provision of directional signage (on and off site).

- Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.
- Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.
- Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.
- Routing agreements for construction traffic.
- Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
- Management measures for the control of pest species as a result of demolition and/or construction works.
- 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 and future residents from the development in accordance with Policy 31 of the County Durham 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.*

18. 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 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 Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.*

19. 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 Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.*

20. No development shall commence until such time as a scheme detailing the precise means of broadband connection to the site has been submitted to and agreed in writing by the local planning. Thereafter, the development shall be carried out in accordance with the agreed detail.

*Reason: To ensure a high quality of development is achieved and to comply with the requirements of policy 27 of the County Durham Plan.*

21. No lodge shall be occupied until full details of all external lighting, including details of design and appearance, luminosity and direction of light, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to first occupation.

*Reason: In the interests of the visual amenity of the open countryside and to protect the amenity of neighbouring residents in accordance with policy 10 and 29 of the County Durham Plan and Part 12 of the NPPF*

22. No development shall commence until a scheme to minimise greenhouse gas emissions, with the aim of achieving as close as possible a zero carbon building, shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, provision of renewable and low carbon energy generation and electric car charging points. The renewable and low carbon energy measures shall be installed in accordance with the approved details thereafter.

*Reason: To comply with requirements to minimise greenhouse gas emissions in line with details set out in policy 29 of the CDP*

23. No lodge shall be occupied until full details of all cycle storage has been submitted to and agreed in writing by the LPA. Thereafter the development shall be carried out in accordance with the agreed detail and retained and made available for the storage of cycles for the duration of the development.

*Reason: To ensure the development maximises opportunities to make its location more sustainable in accordance with policy 8 of the CDP.*

24. No development shall commence until such time as full details of the means for restricting access to the site from the northern byway as identified on Drawing No COM083-BHA-XX-ZZ-DR-A-1200 Rev P01.17 has been submitted to and agreed in writing by the Local Planning Authority. No lodge shall be occupied until such time as the agreed detail has been installed in full and thereafter shall be retained for the duration of the use hereby approved.

*Reason: To protect the users of existing public rights of way in accordance with policy 26 of the County Durham Plan.*

25. The development hereby approved shall be carried out wholly in accordance with the requirements of Section H of the report entitled Ecological Appraisal: Brancepeth Manor Farm.

*Reason: To conserve protected species and their habitat in accordance with the objectives of Part 15 of the NPPF and policies 41 and 42 of the County Durham Plan.*

26. No development shall commence until such time as a method statement detailing appropriate working practices for development within close proximity to the SABIC Wilton to Grangemouth Ethylene Pipeline has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed detail.

*Reason: To protect the safety of local residents in accordance with the aims of policy 29 of the County Durham Plan and Part 15 of the NPPF.*

27. No development shall commence until precise engineering detail of both the new passing place and the works to upgrade existing passing places along Wolsingham Road has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved detail.

*Reason: In the interests of highway safety in accordance with the aims of policies 8 and 21 of the County Durham Plan and Part 9 of the NPPF.*

---

## **STATEMENT OF PROACTIVE ENGAGEMENT**

---

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

---

## **BACKGROUND PAPERS**

---

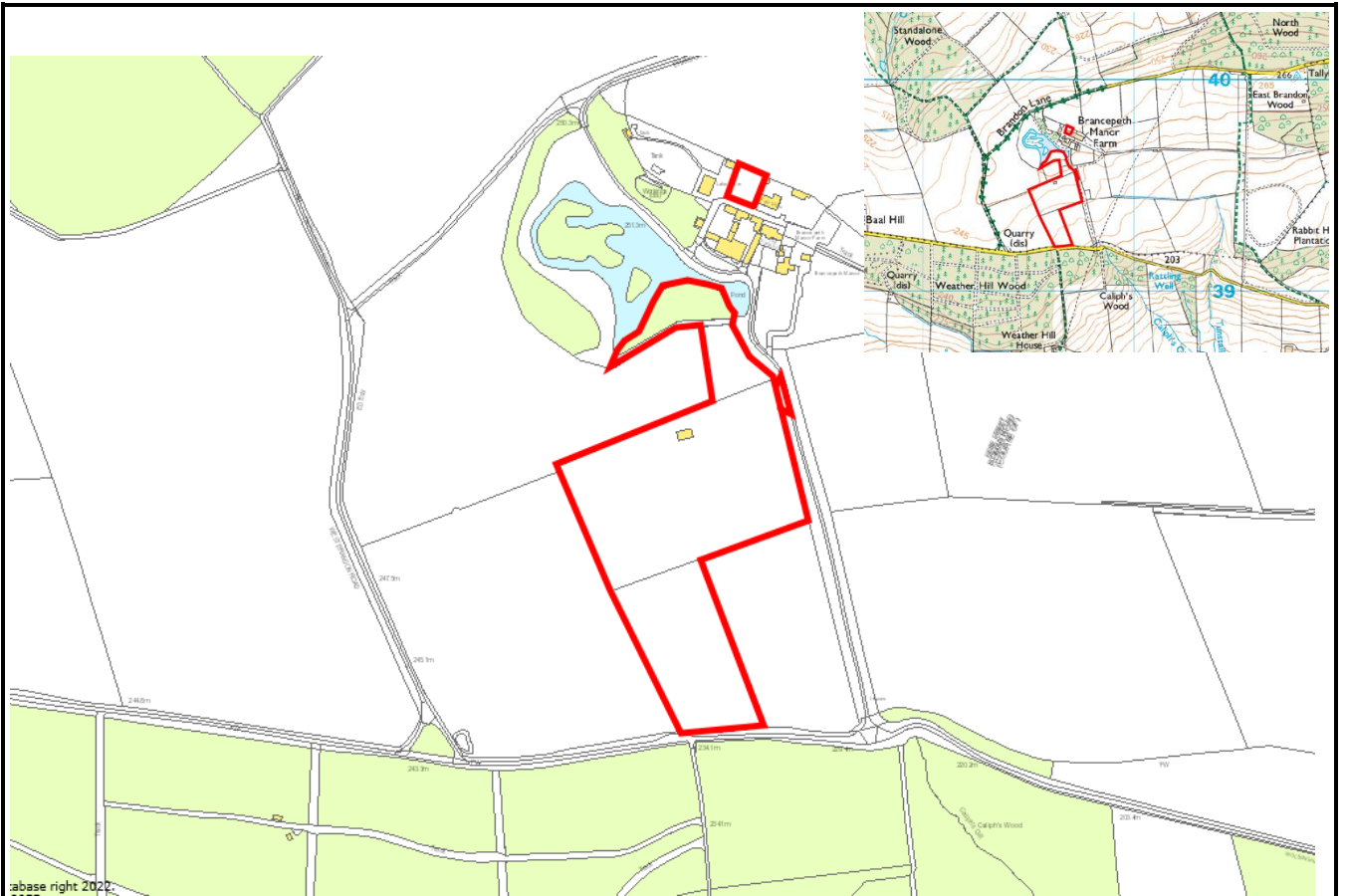
Submitted application form, plans supporting documents and subsequent information provided by the applicant.

The National Planning Policy Framework (2021)

National Planning Practice Guidance Notes

County Durham Plan (2020)

Statutory, internal and public consultation responses



<p><b>Planning Services</b></p>	<p>Extension to Chalet Park and two residential dwelling houses (amended description)</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005</p>	<p>Brancepeth Manor Farm Brandon Lane West Brandon Crook DL15 9AS</p>	
	<p><b>Date March 2022</b></p>	<p><b>Scale NTS</b></p>