

## COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/21/01633/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Construction of 24 no. luxury Holiday Lodges, Reception Building and Associated Landscaping
<b>NAME OF APPLICANT:</b>	Mr Peter Conroy
<b>ADDRESS:</b>	Land North West Of Beamish Hall Hotel Beamish DH9 0YB
<b>ELECTORAL DIVISION:</b>	Tanfield
<b>CASE OFFICER:</b>	Graham Blakey Principal Planning Officer Telephone: 03000 264865 <a href="mailto:graham.blakey@durham.gov.uk">graham.blakey@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application relates to a site of approximately 3.68 hectares in total area comprising of land to the north of Beamish Hall Hotel. The application site comprises a large area of open land which is historically associated with Beamish Hall although is now visually detached by distance, vegetation and enclosures.
2. The application site is enclosed by woodland to the east and west, with pockets of ancient woodland situated within these areas. The site is located within the Beamish Burn Conservation Area. There are Listed Buildings nearby at Beamish Hall, which include: Stables to the North of Beamish Hall; Beamish Hall; Sundial on the Lawn to the East of Beamish Hall; and, a Fountain 100 metres east of Beamish Hall Gardens. The application site is situated within an Area of High Landscape Value (AHLV).
3. The application site is accessed via the BOAT (By-way Open to All Traffic) to the south which serves Beamish Hall and Beamish Burn Road. The road provides access to the A6076.

#### The Proposal

4. Planning permission is sought for the construction of 24no. luxury holiday lodges, reception building and associated landscaping at the site. The lodge types comprise of the following: 6no. 2-bedroom lodges, 14no. 3-bedroom lodges; and 4no. 4-bedroom lodges.

5. In terms of appearance, each lodge includes an aluminium A-Frame design, with fully glazed front elevations reaching an overall height of approximately 6 metres at the ridge. Each unit will be rectangular in shape and would feature a decked area to the front elevation. Each lodge would be orientated in a westerly or southerly direction and be constructed from vertical cladding, coloured black.
6. The reception building would be of a similar design to the lodges and contain a waiting area, staff bathroom, office and storage space. A service area containing waste collection is situated adjacent to the proposed reception building. Structural landscaping is proposed to surround the reception building.
7. The proposed development would be served by the existing access BOAT on the southern boundary and utilise the existing field access. The proposal includes improvements to the existing access. The internal road is proposed to head north, providing parking facilities adjacent to each lodge. 10no. visitor parking spaces are provided adjacent to the site entrance.
8. The application is being referred to committee at the request of Cllr Binnie.

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## **PLANNING HISTORY**

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9. The application site has no relevant planning history.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

10. A revised National Planning Policy Framework (NPPF) was published in July 2021. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
11. In accordance with Paragraph 219 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
12. *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.
13. *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.

14. *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.
15. *NPPF Part 7 - Ensuring the Vitality of Town Centres.* Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
16. *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.
17. *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.
18. *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.
19. *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.
20. *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.
21. *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.

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

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

23. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to: air quality; before submitting an application; consultation and pre-decision matters; flood risk and coastal change; health and well-being; travel plans, transport assessments and statements.

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

<http://planningguidance.planningportal.gov.uk/>

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

The County Durham Plan (October 2020)

24. *Policy 7 (Visitor Attractions)* states the visitor sector is an important and resilient part of the County's economy. In order to raise the quality of the visitor experience, the provision of new visitor attractions, or the expansion of existing attractions will be permitted provided they are located in sustainable and accessible locations; appropriate to the site's location in terms of scale, design, layout and materials; it can demonstrate the viability of the new attraction or, where appropriate, helps support the viability of an existing attraction; and it enhances and complements existing visitor attractions or priorities in the County and supports the development of a year-round visitor economy and/or extends visitor stays. Where a countryside location is necessary the development should meet identified visitor needs; support local employment and community services; ensure adequate infrastructure; and respect the character of the countryside.
25. *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.
26. *Policy 10 (Development in the Countryside)* states that development in the countryside will not be permitted unless allowed for by specific policies within an adopted neighbourhood plan relating to the application site or where the proposal relates to one or more exceptions.
27. *Policy 14 Best and Most Versatile Agricultural Land and Soil Resources.* Development of the best and most versatile agricultural land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into

account economic and other benefits. Soil on previously undeveloped land should be properly managed.

28. *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.
29. *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.
30. *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.
31. *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.
32. *Policy 31 (Amenity and Pollution)* sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that 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.
33. *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.
34. *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.

35. *Policy 36 Water Infrastructure.* Advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and waste water infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
36. *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.
37. *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.
38. *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.
39. *Policy 43 Protected Species and Nationally and Locally Protected Sites.* Development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.
40. *Policy 44 (Historic Environment)* expects development to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate. In determining application within conservation areas particular regard must be given to: the demonstration of

understanding of the significance, character, appearance and setting of the conservation area and how this has informed proposals to achieve high quality sustainable development; the manner in which the proposal responds positively to the findings and recommendations of conservation area character appraisals and management proposals; and respect for the established, positive characteristics of the area in terms of appropriate design.

41. *Policy 56 Safeguarding Mineral Resources*. Sets out that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area unless certain exception criteria apply.

#### **NEIGHBOURHOOD PLAN:**

42. There is no Neighbourhood Plan for the area in which the application site is located.

*The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham> (Adopted County Durham Plan)*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **STATUTORY RESPONSES:**

43. *Lead Local Flood Authority* – No objection to the proposed surface water drainage proposed, in principle, subject to full details being secured by condition. Foul water drainage would require a package treatment plant which is sufficient for the likely discharge from the site. The system would connect to a nearby culvert or watercourse, which is acceptable subject an assessment of the condition of the watercourse or culvert being secured by condition.
44. *Environment Agency* – Both planning permission from the local authority and an environmental permit consent from the Environment Agency will need to be in place prior to commencing construction works and the operation of the non-mains drainage system.
45. *Highway Authority* – Raise no objection to the proposals owing to their nature as visitor accommodation, subject to a planning condition to maintain the proposed visibility splays.
46. *Historic England* – advised that they did not wish to offer any comments and that the views of the Council’s specialist conservation and archaeological advisers should be sought. It is not necessary for them to be consulted on this application again.
47. *Urpeth Parish Council* – objects to the application and question the identified need for visitor accommodation in this area, the suitability and safety of the proposed access and impact upon neighbouring properties.

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

48. *Archaeology* – Further evaluation is needed in the form of trial trenching which can be conditioned.
49. *Design and Conservation* – advised that the proposal will cause less than substantial harm to the significance of Beamish Burn Conservation Area and as such, if a positive determination of this application is to be reached then the public benefits

presented should be considered to outweigh the harm in accordance with paragraph 202 of the NPPF and Policy 40 of the CDP.

50. *Ecology* – the issues detailed in previous comments have been addressed (ancient woodland buffer zone / impact risk assessment of adjoining sites and breeding birds). A low-level lighting scheme can be conditioned.
51. *Environmental Health (Air Quality)* – concur with the findings of the assessment and agree that, with adequate dust mitigation in place, the development will have no significant effect upon air quality in the area.
52. *Environmental Health (Contaminated Land)* – raises no objection to the application subject to the inclusion of a planning condition requiring the submission of a land contamination scheme, Phase 2 Site Investigation and remediation strategy.
53. *Landscape* – A Landscape Appraisal has been provided and a viewpoint has been located at the proposed site entrance. While previous comments remain with regard to the impacts upon the AHLV from new development in this location, and some amendments have been made to the site entrance, there will still be harm to the special qualities of the landscape. The benefits of the development would be required to clearly outweigh the harm in the planning balance in order for the proposals to be acceptable in Landscape impacts terms.
54. *Nuisance Action Team* – reviewed the additional information provided in relation to site management and control of guests' behaviour, that is the 'Lodge Management Plan'. Previous advice remains pertinent in relation to lighting and construction controls.
55. *Public Rights of Way Section* – have no objections although sought clarity on connection to footpath 65.
56. *Spatial Policy* – confirmed relevant policies, in particular CDP policy 8 (Visitor Accommodation). Key determining factors will be the economic and tourism benefits of the proposals balanced against the potential impact upon landscape, ancient woodland, historic environment and safeguarded area.
57. *Trees* – note the submitted report is satisfactory and complies with current standards.

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

58. *Campaign for the Protection of Rural England (CPRE) Durham* – noted the number of public responses both objecting and in support and the proximity of the application site to major attractions such as Beamish Museum and Tanfield Railway. Concerns are raised about development in an Area of High Landscape Value and Conservation Area and they support the Woodland Trust's representations and that these must be considered.
59. *Durham Wildlife Trust* – initially responded requesting an additional breeding bird survey, as suggested by the submitted Preliminary Ecological Appraisal. They also requested an impact assessment on adjoining priority habitats. No further comment have been made following submission of the aforementioned information.



60. *Forestry Commission* – provide no opinion supporting or objecting to the application. Rather, they include information on the potential impact that the proposed development would have on the ancient woodland.
61. *Visit County Durham* – supports application. There is an undersupply of visitor accommodation to meet market demand and the application site is ideally placed to benefit from the considerable investment going into Beamish.
62. *Woodland Trust* – had initial concerns towards impacts upon the adjacent Peacock Wood and requested the development should allow for a buffer zone to avoid root damage and to allow for the effect of pollution from the development.

**PUBLIC RESPONSES:**

63. The application has been publicised by way of site notice, press advert and notification letters were sent to neighbouring properties. Since the original publicity of the application, two re-consultation exercises have been undertaken.
64. In response, 222no. letters of objection were received from the Beamish/Stanley area and beyond. A further 47no. letters of support were received, again from the Beamish/Stanley area and beyond. A single neutral response was also received.
65. A summary of the points of objection are as follows:
66. *Principle of Development / Need* – There are plenty of options within the area of visitors to stay, there is no need for anymore and no demand; it would destroy an area people regularly visit. Many disagreed with Visit County Durham's findings.
67. *Ecology* – Harm and disruption to local wildlife, including: deer, owls, voles, birds, squirrels and foxes. Lack of surveys undertaken.
68. *Highways* – The roads at present are unsuitable, too small and dangerous. There is no public transport serving the area and no footpaths or streetlighting. The development would increase congestion and the risk of traffic collisions, whilst polluting the area.
69. *Conservation Area* – Conservation Area should be maintained. Development would be out of character, not in keeping with the style of Beamish and destroy parkland. Site should be preserved.
70. *Residential Amenity* – Development would cause increase in the amount of litter/fly tipping and air/noise/light pollution. The site is utilised by walker, cyclists and families who will be impacted. Development is too close to residential properties. Fear of crime. Area will suffer from additional footfall.
71. *Landscape* - Proposal will be an eyesore and result in urbanisation to beautiful countryside. The removal of trees and destruction of ancient woodland is negative. Development will result in a loss of visual amenity and natural beauty, whilst destroying a natural walking spot.
72. *Design* - Proposal is too compact and the architecture/glass is not in keeping with the surrounding area
73. *Drainage* – lead to problems in the rest of the valley

74. *Covenant on land* – Do not lift the agricultural covenant on the land.
75. Objections were also received from the *Beamish Burn Conservation Area Residents Group*, along with three separate petitions organised by the Residents Group. The following matters were raised within the letter: Procedural Matters and lack of Public Engagement; Landscape Harm; Design; Highway Safety; Heritage; Ecology; and Principle of Development
76. *County Durham Green Party* – application fails or is unclear with respect to a number of County Durham Plan Policies in regard to ‘need’ for the development, not addressing the modal shift away from internal combustion engine transport, not protecting or enhancing the nearby green infrastructure, does not address harm to biodiversity or tranquillity among other concerns.
77. *Councillor Jonathan Elmer (Brandon)* endorses the comments made by County Durham Green Party, Beamish Burn Conservation Areas Residents’ Group and Woodland Trust.
78. *Kevan Jones, MP for North Durham*, commented on behalf of his constituents who contacted him to object to the proposal. Representations made regarded residents’ serious concerns of the impact upon the local area, in particular amenity and highways.
79. A summary of the points of support are as follows:
80. *Inward investment* - Many comments supported the proposal due to the positive effects it would have not only within County Durham but specifically Stanely and Beamish. This investment would certainly result in more amenity and job creation
81. *Attract more visitors* – Comments stated how people had visited Beamish for many years and need places to stay within the area, and from searching there are no available places which offer a similar type of accommodation within the area.
82. *Quality Design* – Support was given to the design of the lodges, indicating it would raise the profile of the area and proposals are sympathetic to the surrounding area.
83. *Development on Pasture Land* – Comments expressed how the proposal is to be developed on pasture/agricultural land and, therefore, is not accessible to the public and would result in little ecological harm.
84. *Landscape* – Support was given to the landscape proposals and the well thought out nature of plans and documents submitted by the applicant. Residents commented how the site will not be visible from surrounding areas.
85. *Highways* – Some comments mentioned how there would be minimal increase in traffic generation.

**APPLICANTS STATEMENT:**

86. The application proposes the construction of 24no. luxury holiday lodges, reception building and proposed landscape planting on land north west of Beamish Hall Hotel, Beamish, DH9 0RQ.

87. Through extensive discussions with planning officers, the scheme has been amended since its original submission, comprehensively responding to both consultee and public comments. Working closely with officers has resulted in a high-quality tourism development capable of addressing the significant need identified by Visit County Durham, within close proximity to several major visitor attractions within the North East.
88. The applicant recognises the importance and value of the natural landscape and the associated features adjacent to the proposed site. As such, significant work has been undertaken to address this for the betterment of all parties. A 15m buffer zone has been created from the proposed lodges and ancient woodland, previous internal footpaths have been removed, upon request, and woodland edge landscape planting proposed along the western edge to restrict public access into the woodland. No trees will be removed as a result of the proposal.
89. This buffer zone, along with the 'Park Rules and Management' document submitted by the applicant has addressed all concerns on residential amenity. The applicant seeks to create a holiday park suitable for families and the enjoyment of all guests, as such, the applicant will not tolerate, and thus enforce appropriate measures on those who cause inappropriate disruption and do not comply with the park rules.
90. Significant work has been undertaken to ensure a safe and suitable site access. The assessments carried out have been undertaken in accordance with relevant guidance. The applicant welcomes the comments of Durham County Council Highways Authority, concluding the development would not cause any unacceptable impact on highway safety, or severe impact on the local highway network.
91. Overall, the proposed development represents a high-quality tourism development, responding positively to the Council's tourism priorities. The site is ideally placed to benefit from the considerable investment going into Beamish. Beamish has a high proportion of visitors from outside the region, therefore from an economic point of view, it is most appropriate for these visitors to stay within County Durham. The development site is additionally ideally placed to benefit from one of six relatively new themed Northern Saints walking routes (The Angel's Way) which passes nearby to the development. The scheme is consistent with the relevant policies of the Durham Local Plan.

*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:*

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

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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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 considered in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues relate to the principle of development, design and heritage, impact upon the

character and landscape of the surrounding area (including Beamish Burn Conservation Area), highway safety, residential amenity, ecology, drainage and other issues.

## The Principle of the Development

### *The Development Plan*

93. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035.
94. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:
  - c) approving development proposals that accord with an up-to-date development plan without delay;
95. Policy 10 of the County Durham Plan (CDP) is relevant and relates to development within the countryside. It states that development in such locations will not be permitted unless allowed for within specific policies in the Plan (such as Policy 8 relating to visitor accommodation), relevant policies within adopted neighbourhood plan relating to the application site, or where the proposal relates to stated exceptions.
96. The approach contained within Policy 8 reflects the aims of the NPPF with specific regard to 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. 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 later within the report, it is noted that the Applicant has confirmed that the lodges would not be used for permanent accommodation as a person's sole residence, and this can be secured through planning condition should members resolve to grant planning permission.
97. 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.
98. Visit County Durham have advised that they are supportive of the proposals. They have confirmed there is an undersupply of visitor accommodation to meet market demand and it is considered there is an identified need for this type of visitor accommodation in accordance with Policy 8. Specifically, they have identified the benefit to the economy of overnight stays and 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. The essential need is demonstrated above and there are significant benefits to the tourist economy by ensuring that there is sufficient supply of overnight accommodation available.

99. Visit County Durham also advise that, as a destination, the County urgently needs to increase its visitor accommodation capacity to achieve higher spending levels that would, 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-19. It is considered that the proposed development would meet this aim and would assist in increasing visitor levels into overnight visitors, higher spend and visitor economy development. It is, therefore considered, that the proposal accords with criterion (c) of Policy 8.
100. Criterion (e) of Policy 8 requires proposals to respect the character of the Countryside and this is considered in more detail later within this report.
101. The application site is not considered to be a wholly sustainable location, as it is located within open countryside, in an area with limited services and, it is not well served by public transport. It is, however, considered that the proposed use is befitting of the location. 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.
102. In this regard the proposals are situated to allow for access to the existing public rights of way network, which can provide off-road access to the Black Horse some 500m to the north, while there are other establishments such as the Beamish Hall Hotel to the south of the application site (accessed via Byway 62 (Stanley) to the south of the site). These facilities can be accessed without the need for reliance on private car for future users; however, the physical characteristics of the Byway and its unlit status limit this to a degree. There is limited opportunity to access public transport to the site, however, accounting for the intended holiday use, it is likely that future occupants would most likely utilise travel via private car, whether public transport is readily available or not, and this is not uncommon for this type of accommodation in rural areas. The applicant has demonstrated, however, efforts to increase short-term connectivity to local amenities and attractions, such as public rights of way adjacent to the site, and cycle ways, thus resulting in an alternative option for travel over shorter distances. The Highway Authority have not objected on sustainable travel grounds. On balance, the proposal is considered to accord with criterion (f) in this instance.
103. It is noted by officers that a current on-going planning application for a single dwelling close to the site has received an objection from highways on grounds of sustainability. The site, located west of Beamishburn Road has been viewed by the

Highway Authority as an isolated residential dwelling in the countryside, whereby planning policy takes a different route in addressing the matter of locational sustainability. The prescribed requirements of Policy 8 are of relevance in this case for visitor accommodation and directs decision makers differently to that of private residential development subject to meeting set criteria.

104. Policy 8 also requires that new development should not be unduly prominent in the landscape from either long- or short-range views and this is considered in more detail later in this report.
105. In summary, the proposals are located on land which is situated within the open countryside, yet reasonably well-related to built development within the immediate vicinity. While the proposed use is befitting of the open countryside nature, the location is considered to not be accessible via public transport and access would most likely be via private car. The proposal is considered to meet an identified need for overnight visitor accommodation in the county and in relation to the adjacent, well-renowned visitor attractions. In light of the above, the principle of the proposed development accords with Policy 8 of the Local Plan. A condition is recommended which prohibits occupation of the units as a person's sole, permanent residence.

## Design and Heritage

106. The application site lies within Beamish Burn Conservation Area and within the setting of several designated assets around Beamish Hall, items in and around its grounds and Beamish Burn which are all listed. The impact of the development on the significance of such assets should be an important consideration in the determination of this application.
107. In assessing the proposed development regard must be had to the statutory duty imposed on the Local Planning Authority under the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area. Any harm to a designated heritage asset must be given considerable importance and weight by the decision-maker. In addition, the Planning (Listed Buildings and Conservation Areas) Act 1990 also imposes a statutory duty that, when considering whether to grant planning permission for a development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. If harm is found this gives rise to a strong (but rebuttable) statutory presumption against the grant of planning permission. Any such harm must be given considerable importance and weight by the decision-maker.
108. This application should be determined in accordance with the guidance offered in Section 16 of the NPPF. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
109. Planning Practice Guidance (2019) gives advice on public benefits. It states 'public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. It is a matter of the decision makers judgement as to whether the suggested benefits meet these tests'.

110. Policy 44 of the adopted County Durham Plan seeks to protect the Historic Environment. It states that development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate
111. Design and Conservation Officers have commented on proposals. The submitted heritage statement suggests that design and materials have been utilised to mitigate harm, the proposed lodges are a bespoke design specifically for this site. Officer comments state the harm does not particularly derive from the design of the lodges but far more from the transformational change in appearance associated with the loss of historic openness; whilst this cannot be mitigated satisfactorily, should the application be approved then the bespoke design is welcome as is the reduced quantum of development following pre-application advice and the landscape strategy adopted within the site.
112. Officers consider that the impacts upon the listed buildings in the locality are extremely limited owing to the intervening vegetation, woodland and wider landscape character and as such would not result in a conflict with CDP Policy 44 and would cause no harm to these heritage assets which would be preserved in accordance with Part 16 of the NPPF and Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
113. The impact on the Beamish Burn Conservation Area is however assessed as harmful and quantified as being less than substantial harm. The harm is reduced to some degree by the concealed nature of the development which assists in localising the harm. As such, the public benefits that would derive from the proposals are considered to include the following,

Economic:

- Boosting visitor numbers
- Inward investment into Stanley, Beamish and County Durham
- Job creation during construction and operational development

Social:

- Increase access to educational facilities on offer at Beamish Museum
- Enhance character of the locality through quality design
- Provision of lodges suitable for accessibility requirements
- Contribute to County Durham's social and cultural footprint
- Introduction of new accommodation for public enjoyment

Environmental:

- Enhanced accessibility into countryside locations
- Effective use of under-utilised land within countryside location
- Additional landscape planting
- Ancient woodland buffer zone ensures protection of asset for now and future generations
- Deliver net, of biodiversity net gain (14.7%)

114. In light of the above identified public benefits, it is considered the considerable public benefits outweigh the less than substantial harm caused in accordance with

paragraph 202 of the NPPF, Policy 44 of the CDP and having regard to Sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## Landscape Impacts

115. The application site is situated within the Beamish Burn Conservation Area and within an Area of High Landscape Value (AHLV), so whilst criteria (a), (e) and (h i-ii) of Policy 8 are relevant, Policy 39 must also be considered. 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. Impacts from the development upon the conservation area as a designated heritage asset will be addressed separately later in this report.
116. Several comments raised objection to the application as they consider the lodges would have a significant detrimental impact upon the AHLV resulting in the loss of visual amenity.
117. The site lies within an area identified in the County Durham Landscape Strategy (2008) as a *Landscape Conservation Priority Area with a strategy of conserve and restore*.
118. The application site is currently agricultural land, not accessible to the wider public. The proposal includes 15 metre buffer zone from the ancient woodland along the eastern edge and a fence/hedge line planted to restrict public access into the woodland. No trees contained within the ancient woodland will be removed. The proposal allows for both screening of the development from outside the site boundary and providing privacy between the lodges, whilst maintaining the degree of openness and views. Planting groups, individual trees and specimen shrubs are proposed to provide filtered views whilst offering a degree of enclosure to visitors of the holiday chalets.
119. The planting concept is to provide native species in-keeping with the setting, to draw the existing adjacent woodlands into the site whilst taking care in the planning arrangement not to dilute the open character and to maintain and frame the views. This will enhance the ecological connectivity both within and adjacent to the site by providing habitat linkages between the existing woodland areas.
120. The Council's Landscape Officer has reviewed the landscape scheme submitted in support of the application which was subsequently revised following initial comments. In relation to Policy 8(h) a landscape visual appraisal was submitted, with four separate viewpoints selected.
121. The proposed changes to the entrance and removal of existing vegetation will result in a partial view of the reception building in the foreground and lodges in the middle distances; these views of built form will be screened by the proposed tree and hedge planting around the reception building, the play space and the lodges within the site. The 2-metre removal of trees and shrubs on the existing stone wall is proposed to be replaced by a new wall which will result in a partial view of the reception building middle ground and the lodge in the foreground; these views of built form will be



screened by the proposed tree and hedge planting around the reception building. Longer-views towards the site are currently glimpse views and will be screened by proposed tree and hedge planting. Critical to ensure the above is achieved is the finished levels of buildings on site and as such a condition to agree this detail. The materials proposed for the reception building and lodges in such a location would be crucial to limiting the visual impacts further. Vertically aligned sheet cladding coloured black would lessen the impact of the structures sufficiently while also remaining distinct from modern materials used in agricultural settings. Distinction would also then follow from the traditional material palette of stone/brick and slate to nearby residential dwellings allowing for the structures to be seen as separate from those uses.

122. The proposals would have a transformational impact upon the landscape within the AHLV through the introduction of built development. This impact has been lessened through the use of materials and distinct design of the proposed lodges which are read as such in the landscape and, in the round, help to lessen the impact upon the AHLV. Nevertheless, the impact remains and, as such, the development can only be considered appropriate if the benefits of the scheme clearly outweigh this harm, as required by Policy 39 of the Local Plan.
123. Policy 39 of the CDP 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 the development in that location clearly outweigh the harm. In this instance, it is considered the proposals, through the benefits outlined earlier in this report at Paragraphs 96-98 and 112 would outweigh the reduced harm from the appropriately designed and considered accommodation proposed, being accordance with the aims of policy 39 of the CDP and paragraph 174(a) of the NPPF.

## Highways

124. 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 onto 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.
125. The Highway Authority have reviewed both assessments along with all additional information presented and have raised no objection subject to planning conditions stipulating the construction of an access to DCC standards.
126. Whilst assessing all the information provided the trip generation figures assumptions using the TRICS data base within the Transport Assessment. The trip rates are robust for the holiday lets at around 2 trips per unit which is realistic and they have been applied to other areas of the County.
127. The Transport note submitted by the Beamish Burn Residents Group stated there could be up to 5 movements per holiday unit which, when compared to other schemes, is considered unrealistic for holiday customers for leisure type trips. Objections made by local residents have been acknowledged and considered within the highway's authority response.

128. The applicant's TA indicates that there would be around 21 inbound movements and around 18 outbound movements in a typical 24hour weekday period. Such movements would not generally have the same peak hour focus as journeys to work or school that would be associated with residential properties as they would be more associated with leisure trips.
129. Site visibility splays from the proposed access have been plotted at 2.4m back from the carriageway edge x 90m which are available in both east and west directions for safe means of access. The site lines of which have been checked on site by the Highway Authority and is deemed suitable and safe for the proposed development traffic.
130. To summarise, whilst there would be additional vehicular movements along the road as a result of the proposed development, it is considered such movements would be low and not lead to any additional harm to the users of that access road or surrounding highway network.
131. The site's sustainability credentials, which earlier in this report, officers consider to be accepted based upon the proposed use as visitor accommodation, are also a material consideration.
132. For the reasons set out above, it is considered that the proposal would not cause harm to the safety of pedestrians, cyclists and horse riders on the local highway and public rights of way network and would accord with NPPF paragraphs 110 and 111 and CDP Policy 21.

#### Residential Amenity

133. Whilst occupying a countryside location, the site is nevertheless situated to the west, beyond the woodland, of a cluster of residential dwellings. At the closest point the proposed lodge development would be approximately 90m from the existing neighbouring residents.
134. Policy 31 of the County Durham Plan 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 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
135. Local residents have raised objection to the application citing fundamental concerns that the development would lead to an unacceptable increase in noise disturbance, air and light pollution, litter/fly tipping and privacy matters. Comments cite that the use of the site would have a significant adverse impact upon their quality of life.
136. The lodges would be available for private let and, as such, it is anticipated that the development would see the introduction of additional noise generating activities into the area, albeit on a temporary and transient basis, and there are other

recreational/commercial activities/businesses within the locale; however, the applicants' Noise Screening Assessment has determined that noise impact upon any future occupants of the site would be unlikely to be significant.

137. The Nuisance Action Team commented on the development proposals and did not consider that the operational use of the development would have a significant impact upon the amenity use of the nearest noise sensitive receptors (residential dwellings). A Lodge Management Plan was also submitted by the applicant alongside the noise assessment which set out 'park rules' restricting certain practices in order to reduce the impact on residential amenity. It is recommended this document is controlled by a suitably worded condition attached if planning permission is granted.
138. Environmental Health Officers (EHO) concur with the findings within the applicants' air quality screening assessment that the development will not have any significant effect upon air quality in the vicinity of the area.
139. The lodges are heavily screened by the existing woodland along the eastern boundary and at the closest point is c.90m away from the nearest dwelling. The Council's SPD requires new development to achieve a minimum of 21 metres between facing elevations containing windows to habitable rooms. Furthermore, the site plan for the development shows external areas and primary elevations of the lodges to be orientated away from existing residential properties, further reducing the risk of impacts from overlooking. It is considered that the development would not cause adverse impacts upon privacy in accordance with the aims of the SPD.
140. Therefore, subject to the imposition of a planning condition requiring further information on land contamination and adherence to the Lodge Management Plan, the development is considered to accord with the requirements of Policies 8, 29, 31 of the County Durham Plan and Part 15 of the NPPF, in that they would not be considered to have an adverse impact upon the residential amenity of surrounding occupiers.

## Ecology

141. Policy 40 addresses trees, woodlands and hedges and ensures that proposals for new development will not be permitted that would result in the loss of, or damage to, trees (or hedges or woodlands) of high landscaping, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm.
142. Policy 41 is concerned with biodiversity and states that proposals for new development will not be permitted if significant harm to biodiversity resulting from the development cannot be avoided, or appropriately mitigated or compensated for. Proposals for new development will be expected to minimise impacts in biodiversity by retaining existing assets and providing net gains for biodiversity.
143. The public comments have been acknowledged and considered by the Officers whilst reviewing all technical information available. The applicant initially provided ecological and biodiversity net gain reports, and subsequently provided additional surveys (breeding birds and bats) and clarifications upon request by the County Ecologists.
144. The County Ecologist, upon reviewing all work raised no objection to the proposal. The 15m buffer to the ancient woodland is acceptable, along-with proposed landscaping measures. The final package of information confirms that there would be no direct impacts upon Protected Species and, therefore, consideration of the derogation tests is not required in this case.

145. The scheme also proposes a net biodiversity gain of 14.7% across the site, linked mostly to the retention of the 15 metre buffer to the woodland to the eastern boundary of the site, according with the requirements of Policy 40 of the Local Plan and Part 15 of the NPPF.
146. It is considered that the proposal therefore accords with Policy 40 and 41 of the Local Plan with regard to trees and ecology.

## Drainage

147. 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 (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.
148. 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.
149. The application has been supported by a preliminary drainage strategy covering both foul and surface water drainage. With regard to surface water drainage, each proposed lodge would utilise a soakaway to dispose of its surface water, the viability of which has been tested and confirmed as possible. The soakaways will be designed to accommodate a 1 in 100 year plus 40% storm event.
150. For foul water drainage, an on-site water treatment plant is proposed owing to the location of the site at some distance from mains drainage. The overall treatment is likely to be made up of a water treatment plant. Treated flows from the system, considered 'clean' water requiring little further treatment from the natural water cycle, is proposed to be disposed of via the adjacent watercourse and a connection to southern boundary of the site located within the adjacent Byway. This would then ultimately connect to an adjacent culverted water course that runs to the east of the application site, under the Byway and into the grounds of Beamish Hall and on to the Beamish Burn to the South. Concerns have been raised by residents and the management of Beamish Hall with regard to this drainage channel and culvert being unsuitable, with surface flooding occurring regularly to surrounding land buildings. A condition requiring the assessment of the nearby culvert/watercourse would be proposed with any recommendation for approval.
151. 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. Concerns over the impact from the development upon ground water conditions had been raised by the Environment Agency in the infancy of the application, however following clarification of the proposed drainage strategy and test results of infiltration levels of the subsoil of the site, the Agency have removed their objection. They confirm that regardless of the outcome of this planning application, a permit for

discharging foul water into the environment will be required and would be issued by the Environment Agency.

152. The Lead Local Flood Authority (LLFA) in the Council have reviewed the drainage scheme and raise no objections to the principle of the strategy proposed, however, they confirm that full detailed design of the scheme would be required, as would a condition assessment of the watercourse and culvert. These details are to be secured by way of condition. Northumbrian Water raise no objections to the application in terms of surface water drainage.
153. In summary, the application is supported by a Flood Risk and Drainage Assessment which concludes the site is not at risk from flooding from rivers, surface water, sea or reservoir flooding. The site is therefore deemed to be acceptable in terms of flood risk and in accordance with part 14 of the NPPF and policy 35 of the CDP. The proposed drainage strategy for the site is considered acceptable in principle, drawing no objections from consultees subject to the detailed design and condition of adjacent watercourses being provided by way of condition, again in accordance with part 14 of the NPPF and policy 36 of the CDP.

#### Other Issues

154. In terms of the public responses, it is considered that all issues including ecology, highways, drainage, conservation, landscape and residential amenity have been addressed by officers as detailed in the report.
155. Environmental Health Officers agree with the findings within the Phase 1 Geo-Environmental Risk Assessment in respect to potential land contamination and the risk to future occupiers on site, raising no objection subject to a suitable planning condition relating to Phase 2-3 work.
156. As a previously undeveloped site, recording of any archaeological interest under the site is required (Policy 44). The application is supported by a geophysical survey which has identified some potential areas of interest within the site. Therefore the Council's Archaeology Officer has requested that trial trenching of these areas be undertaken prior to commencement of the development and can be suitably secured by condition.
157. Another issue has been raised in relation to a covenant on the land and over which the County Council has control. This is, however, not a matter which can be addressed through the planning system and would need to be resolved in a separate process by the Council's Corporate Property and Land team.
158. Provision of utilities to the site, such as electricity, heating and water, is primarily a matter for the applicant to secure and fund any necessary infrastructure improvements by the providers. Any infrastructure required on site which is not part of the remit of the Statutory Undertakers (utilities companies) would require planning permission.

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## **CONCLUSION**

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159. A high number of visitors come from outside of the North East, reflecting Beamish's destination as a tourist attraction. An increase in 'staycations', both nationally and locally, combined with demand for multiple-occupancy family accommodation, means that the proposals would support and enhance the local economy. Beamish and the surrounding area make a significant contribution to the local economy by attracting

leisure tourism to the area, raising the profile and awareness of other tourism assets and creating a range of employment opportunities. The proposed holiday lodges would help to sustain the Beamish tourism offer by increasing the capacity for accommodation in the area whilst helping to fund future investment. Visit County Durham have also lodged their support to businesses within the local and the wider area in regard to developments of this nature. The proposals are, therefore, considered to meet an established need for visitor accommodation in the area.

160. As visitor accommodation, the locational sustainability of the proposed development has to be regarded differently to that of private residential development, as required by Policy 8 of the CDP, in that development of visitor accommodation in rural, less sustainable locations can be achieved where regard is had to the requirements of the Local Plan. Access to adjacent Rights of Way, leading to nearby facilities is possible from the site, is a positive; however, use of the private motor vehicle would remain the dominant mode of transport to the site.
161. Access to the site by vehicles is cited as a key concern for local residents, however, the volume of traffic forecast to be generated by the development is considered by the Highway Authority to not have a material impact upon the adjacent highway network. The requirements of CDP Policy 21 are therefore considered to have been met.
162. It is accepted that the proposals would lead to some harm to Beamish Burn Conservation Area. Notwithstanding this, the harm must be outweighed by public benefit in order for the proposals to be justified in this location. Officers consider in this case those public benefits of the proposals do outweigh this harm with respect to CDP Policy 44.
163. Located within an Area of High Landscape Value (AHLV), the proposals sit within a sensitive landscape area in the County. Officers have had regard to the sites location, surrounding landform and woodland screening, however, the proposals would still result in residual harm to the AHLV. CDP Policy 39 requires developments to conserve or enhance AHLVs unless the benefits of the proposals clearly outweigh any harm. The identified public benefits are considered to be significant and, as such, would clearly outweigh the landscape harm from the proposals, meeting the test set out in Policy 39 of the CDP.
164. Residential properties surround the application site. The proposed site layout takes into account the nearest properties and factors those into the orientation of the lodges as well as where those lodges sit in the landform against those adjacent properties. The development also proposes to operate in accordance with a 'Lodges Management Plan' in order to control potential noise impacts that could arise from occupiers that, when combined with the proposed layout and noise screening assessment, is considered to meet the requirements of Policy 31 of the CDP.
165. Surface flooding and drainage issues have been reported by local residents to have affected the immediate area. The site proposes a drainage strategy for both foul and surface water drainage at the site in the form of a package sewerage treatment works and ground infiltration. The discharge of the treatment works is proposed via an existing drain in the bridleway, nearby culvert and into the Beamish Burn. Officers are satisfied that the levels and frequency of discharge from the system would not be likely to cause issues with the surrounding water courses and so compliance with CDP Policies 35 and 36 is achieved.

166. All other issues including ecology, contaminated land, restrictive covenants and utility provision issues have been addressed in this report and subject to conditions the proposals are therefore recommended for approval.

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## **RECOMMENDATION**

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

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

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

2. The development hereby approved shall be carried out in strict accordance with the approved plans listed below:

Plan	Reference
2-bed Cabin Elevations	H107A - (SK) 005B - 2 Bed Cabin GA Elevations
2-bed Cabin Floor Plans	H107A - (SK) 004B - 2 Bed Cabin GA Plans
3-bed Cabin Elevations	H107A - (SK) 007B - 3 Bed Cabin GA Elevations
3-bed Cabin Floor Plans	H107A - (SK) 006B - 3 Bed Cabin GA Plans
4-bed Cabin Elevations	H107A - (SK) 009B - 4 Bed Cabin GA Elevations
4-bed Cabin Floor Plans	H107A - (SK) 008B - 4 Bed Cabin GA Plans
Arboricultural Impact Assessment Existing Trees	AIA Exi Beamish, 06.10.20-AIA Exi 1.500 A0
Arboricultural Impact Assessment Tree Protection Plan	AIA TPP Beamish, 28.04.21-AIA TPP 1.500 A0
Arboricultural Method Statement Existing Trees	AMS Exi 06.10.20-AMS Exi 1.500 A0
Arboricultural Method Statement Tree Protection Plan	AMS TPP 28.04.21-AMS TPP 1.500 A0
Arboricultural Tree Constraints Plan Existing Trees	ATCP 06.10.20
Access Arrangements	19141-003 RevC
Buffer Zone and Re-Alignment Sketch	N906-ONE-ZZ-XX-SK-L-0001-P01
Landscape General Arrangement Plan	N906-ONE-ZZ-XX-DR-L-0001-P03
Location Plan	H107A - (90) 001 - Location Plan
Illustrative Landscape Masterplan	N906-ONE-ZZ-XX-DR-L-0801-P03
Planting Strategy	N906-ONE-ZZ-XX-DR-L-0002-P03
Preliminary Drainage Strategy	MD1560/0100. Rev E
Proposed Site Plan	H107A - (00) 001G

Reception Cabin Elevations	H107A - (SK) 011A - Reception Cabin GA Elevations
Reception Cabin Floor Plans	H107A - (SK) 010A - Reception Cabin GA Plans

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy(ies) 7, 8, 10, 21, 25, 29, 31, 32, 35, 39, 40, 41 and 44 of the County Durham Plan and Parts 2, 4, 6, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework.*

3. The scheme shall be operated in accordance with the 'Lodge Management Plan' as outlined by the Applicant and received by the Local Planning Authority on 10<sup>th</sup> March 2022.

*Reason: In the interests of residential amenity and to accord with Policy 31 of the County Durham Plan*

4. Any caravan or lodge on the development site shall be occupied for holiday purposes only and no caravan or lodge on the development site shall be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all owners and occupiers of individual caravans and lodges and of their main home addresses, and shall make such information available at all reasonable times to the Local Planning Authority, upon request.

*Reason: In order to prevent permanent residential occupancy and sustainability in accordance with policy 10 of the CDP and part 2 of the NPPF.*

5. No development other than ground clearance or remediation works shall commence until a scheme for the provision of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be developed in accordance with the Councils Sustainable Drainage Systems (SuDS) Adoption Guide. A full condition survey of the watercourse proposed for discharge of any foul/surface water shall be provided together with any programme of works to improve the watercourse to allow safe and suitable drainage from the site.

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.*

6. 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 is suitable for use, in accordance with Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.*

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

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

8. Before the development hereby approved is brought into operation a detailed scheme for the operation of lighting proposed on the site including hours of use must be submitted to and approved in writing by the Local planning authority and thereafter operated in full accordance with said written agreement.

*Reason: In the interest of residential amenity to ensure compliance with Policy 31 of the Durham County plan 2020 and part 15 of the Framework.*

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

*Reason: To safeguard any Archaeological Interest in the site, and to comply with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.*

10. No development other than ground clearance or remediation works shall commence until final details of the proposed site levels are submitted to and agreed in writing by the Local Planning Authority. Details shall include the finished floor levels of each building and lodge on site, gradients of landscaped areas across the site and internal road network, and details of any cut and fill required. Once agreed, the scheme shall be carried out in strict accordance with the approved details.

*Reason: To ensure that visual impacts of the development are managed in accordance with Policy 39 of the County Durham Plan.*

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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

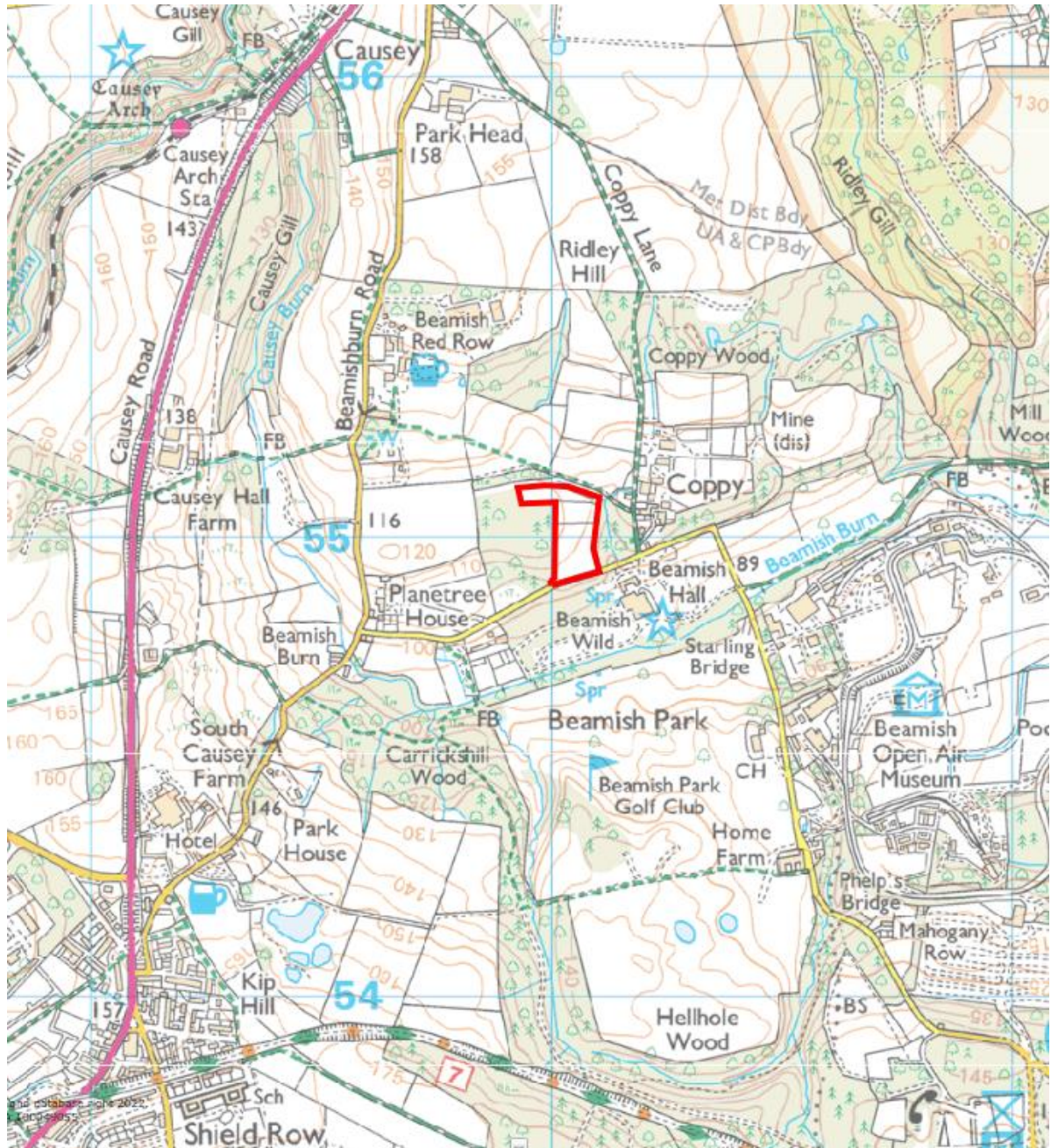
manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

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## **BACKGROUND PAPERS**

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Submitted Application Forms  
Plans and supporting documents  
National Planning Policy Framework  
The County Durham Plan (CDP)  
Durham Tourism Management Plan 2016-2020  
Statutory consultation responses  
Internal consultation responses  
External consultation responses



**Planning Services**

Construction of 24 no. luxury Holiday Lodges, Reception Building and Associated Landscaping

Land North West Of Beamish Hall Hotel  
Beamish  
DH9 0YB

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**Comments**

**Date**

November 2022

**Scale** Not to scale