

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PL/5/2011/0034
FULL APPLICATION DESCRIPTION	8 NO. DWELLINGS (RESUBMISSION)
NAME OF APPLICANT	MR M CONVERY
SITE ADDRESS	SITE OF FORMER AGED MINERS HOSTEL SALTERS LANE, SHOTTON COLLIERY DN6 2JQ
ELECTORAL DIVISION	SHOTTON
CASE OFFICER	Grant Folley 0191 5274322 grant.folley@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

- 1 The application site consists of the site of the former Aged Miners Hostel and associated grounds. The total site area is 0.25 hectares. The Former Miners Hostel was on the site as recently as 2006 when the dilapidated building was demolished. The site had originally been surrounded by post-war pre-fabricated dwellings, however these have all since been demolished. The site is now largely devoid of any buildings, other than a small roofless shed-like structure and an occupied static caravan, and is now grassed over although some remains of the former Aged Miners Hostel buildings foundations are still visible.
- 2 The application site is bounded to the west by the B1280 Salter's Lane across which lie agricultural fields, to the north is an area of tree planting beyond which lies North Moor Farm and Moorside Farm, to the east is a further area of tree planting beyond which agricultural fields are found, and to the south the site abuts a former Council depot which is now used as a builders yard with associated residential accommodation.
- 3 The application site is situated approximately 130 metres to the north of Shotton Village as outlined on the District of Easington Council's Local Plan Proposals Map. Due to the location of the site away from the established settlement boundaries, the proposed development is considered to represent a departure from the relevant Local Plan.

Proposal:

- 4 Planning permission is sought for the erection of 8 no. dwellings on the site. The proposed layout is to incorporate a linear development, which will be serviced through a single archway leading into a service courtyard to the rear of the properties. Each proposed dwelling is to have a private vehicular hard-standing accessed from the rear courtyard as well as a private rear garden and space provided for bin storage.
- 5 The dwellings are to be constructed from facing brick, broken up with rendered elements. The window and door openings will have a mixture of brick soldier course heads and traditional cast stone heads and cills. The roofline will be reconstituted slate, grey in colour. The roofline will vary to each of the dwellings to help reduce the apparent bulk of the proposed building. The dwellings have been designed to appear as a traditional farm steading.
- 6 This application is being presented to Committee at the request of Councillor Robin Todd, Shotton Electoral Division Member.

PLANNING HISTORY

PL/5/2010/0312 – 8 no. Dwellings – Withdrawn
99/530 – Caravan - Approved

PLANNING POLICY

7 NATIONAL POLICY:

Planning Policy Statement 1 (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 3: Housing (PPS3) underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Statement 7 (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

8 REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. Of particular relevance are the following policies:

Policy 4 (The Sequential Approach to Development) provides that a sequential approach to the identification of land for development should be adopted to give priority to previously developed land and buildings in the most sustainable locations.

Policy 7 (Connectivity and Accessibility) seeks to promote the need to reduce the impact of travel demand particularly by promoting public transport, travel plans, cycling and walking, as well as the need to reduce long distance travel, particularly by private car, by focusing development in urban areas with good access to public transport.

Policy 8 (Protecting and Enhancing the Environment) seeks to promote measures such as high quality design in all development and redevelopment and promoting development that is sympathetic to its surroundings.

Policy 24 (Delivering Sustainable Communities) refers to the need to concentrate the majority of the Region's new development within the defined urban areas, and the need to utilise previously developed land wherever possible.

Policy 38 (Sustainable Construction) sets out that in advance of locally set targets, major developments should secure at least 10% of their energy supply from decentralised or low-carbon sources.

In July 2010 the Local Government Secretary signaled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when the forthcoming Local Government Bill becomes law, and it is a matter for each Planning Authority to decide how much weight can now be attached to this intention.

9 LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 17 - Development which adversely affects a wildlife corridor/link will only be approved where compensatory features are provided.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 67 - Housing development will be approved on previously developed land within settlement boundaries of established towns or villages provided the proposal is of appropriate scale and character and does not conflict with other policies in the plan.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

10 STATUTORY RESPONSES:

Northumbrian Water Ltd – No objections.

Shotton Parish Council – No comments received.

11 INTERNAL CONSULTEE RESPONSES:

Planning Policy Officer - The site of the proposed development is located off the B1280 Salters Lane road. The site is approximately 130 metres north west of the Shotton Colliery settlement boundary and is therefore contrary to Policy 1 of the local plan. Though the site is classed as PDL (previously developed land), land which is a priority for future development, national planning guidance now places an onus on securing development which is sustainable in line with efforts to address climate change. National policy guidance note PPS3, paragraph 36 highlights the importance of providing housing in suitable locations in terms of access to a good range of local services and facilities. The location of this proposal is not viewed to be sustainable in this regard. Further it is apparent when looking at this part of the Shotton settlement that ribbon development is occurring along Salters Lane, this is a highly unsustainable form of development which the policy unit would not wish a precedent set for. Consequently, for this application to be considered favourably there will need to be other material considerations which override the normal presumption against development outside of the settlement envelope.

Highways Authority – Following the submission of amended plans through the application process, no objections raised to the proposed development.

Environmental Health – The application should be supported through the submission of a Land Contamination Report.

Tree Officer – Council owned trees are sited adjacent to the northern and western boundaries of the site; the impact of development on these trees has not been considered. An Arboricultural Implications Assessment and Tree Constraints Plan should have been submitted in support of the application.

12 PUBLIC RESPONSES:

The application has been advertised in the local press and through the erection of a site notice. Neighbour consultation letters have also been sent. One letter of representation has been received in support of the application. It is considered that the proposed development will enhance the area and will remove the existing eyesore.

13 COUNCILLOR RESPONSES:

Although no formal comments have been received in relation to the current re-submitted application, Shotton Electoral Division Members Robin Todd and Eunice Huntington have offered support to the previously withdrawn planning application, which proposed the redevelopment of the site. The previously withdrawn application and current proposal relate to the same development of 8 no. houses.

14 APPLICANTS STATEMENT:

We were aware, when we started this process in 2007, as was the former planning authority, that this site was marginally outside the line drawn by planners as the village boundary. In former years the actual boundary to the village in terms of settlement had extended much beyond this artificial line, accommodating former terraced housing, and prefabricated units. Such past housing on this site was demolished and cleared under slum clearance programmes, subsequent to the village of Shotton being listed as category "D"

The site is, therefore, previously developed land and a priority for redevelopment. A walkover of the site shows previous house foundations following slum clearance. The area is currently an eyesore, at the entrance to Shotton, which badly needs an injection of new housing.

At the time we secured the demolition of what was considered to be a dangerous building it was accepted by the relevant officers we were working with at the time that in planning terms "***the justification for acceptance of new housing on this area would be based on resolving a problem site***" following securing the removal of the derelict building. Since day one we have pursued this application on that understanding and we have never, until late 2010, been advised to the contrary, that the scheme would not receive support.

Never at any time during dealing with the layout of the scheme or in past considerations has it been put to us that the application would be refused purely on policy grounds. Previously issues of extent of development, suitable scheme, aesthetic relevancies have been raised and dealt with but never the policy issues being of paramount consideration.

This scheme will bring about a change to the gateway to Shotton and signify there is interest in making better of what exists at present.

The benefits to Shotton will be 8 new houses in an area starved of new property development, improving the visual gateway to the village, removing a longstanding area of dereliction, as well as making available to the local community new low cost housing to retain local people in a village they want to remain in. Which in turn will give local people an opportunity to invest in their local community supporting local services and local labour involved in the building process.

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://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=112398> Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below

PLANNING CONSIDERATION AND ASSESSMENT

The main issues to consider in assessing this proposal are:

- National Planning Policy
- District of Easington Local Plan Policy
- Regional Spatial Strategy
- Responses to the Applicants submission

15 National Planning Policy

Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) is the national planning guidance relating to development in the countryside. PPS7 states that Local Planning Authorities should strictly control new house building in the countryside, outside established settlements or areas allocated for housing in development plans. It continues by making it clear that new houses in the countryside will require special justification for planning permission to be granted. Special justification could, for example, relate to the essential need for a worker to live permanently at or near their place of work in the countryside, or to the exceptional quality and innovative nature of the design of a proposed dwelling. One of the main aims of PPS7 is to promote sustainable patterns of development within rural areas. The document identifies the need to strictly control new house building in the countryside, away from established settlements. The proposal is not considered to accord with the advice contained within Planning Policy Statement 7: Sustainable Development in Rural Areas as a possible exception to policy.

Planning Policy Statement Note 3: Housing (PPS3) is the national planning guidance relating to housing development. Government policy in PPS3 is to maximise the re-use of previously developed land, and requires a sequential approach to the identification of housing sites, which prioritises the development of previously developed land in urban areas. As the proposal relates to a site outside the settlement limits as outlined in the Local Plan it is not considered to accord with the advice contained within Planning Policy Statement Note 3: Housing. PPS3 also requires Local Planning Authorities to have an up to date five-year supply of deliverable sites. It has been found that the Council does indeed have this 5-year supply. Any residential development could therefore not be justified on this site through a lack of housing land supply.

16 District of Easington Local Plan

Under the terms of the time expired Local Plan, the former District Council considered that housing development should normally only be approved on sites within the towns and villages of the District. There were a number of reasons for this: firstly, new development within the settlements would help to maintain the compact and coherent village form, which is most appropriate for the support of shops and facilities. Redevelopment of "Brownfield" sites within settlement boundaries should take priority over sites that are outside the village boundary such as the current proposal. Indeed, development of sites outside of the settlement boundary could undermine the regeneration of the villages, as such developments could lead to sprawl and the inappropriate extension of the urban form.

Although the Local Plan is time expired, certain policies of the Local Plan have been saved by the Secretary of State and therefore remain valid. The proposal must be assessed against these saved local plan policies.

Saved Policy 67 of the Local Plan states that housing development will be approved on previously developed sites within settlement boundaries of established towns and villages. The application site is situated outside the village of Shotton and is considered to be contrary to saved policy 67 of the Local Plan.

Saved Local Plan Policy 3 severely restricts development in the countryside. Policy 3 deals with development in the countryside in general and states that it will not be approved. It is therefore considered that the proposal is contrary to the relevant development plan policies.

17 Regional Spatial Strategy

The Regional Spatial Strategy for the North East provides a sequential approach for development in Policy 4. Although this relates to the identification of land for development in Local Development Frameworks it can also be seen as relevant where there is insufficient land for development; indeed the applicant has referred to it in his supporting statement. The policy promotes previously developed sites within urban areas as being the most sequentially preferable locations for development. If such locations do not exist, the development plan should consider, in sequence; other suitable locations within urban areas; suitable sites and locations adjoining urban areas; and suitable sites in settlements outside urban areas.

The Council can clearly demonstrate an adequate supply of sustainable sites for development within the urban area and as such, consideration of new sites in the countryside is not required. The site would therefore fail the sequential approach for development, were it to be applied to this application.

Notwithstanding the Government's intention to abolish Regional Spatial Strategies, as identified in the Planning Policy section above, the sequential approach to development in the Regional Spatial Strategy for the North East echoes that of PPS3. In these circumstances, it is considered that the recommendation and decision on this application would not be affected by the current uncertainty over the RSS.

18 Responses to the Applicant's submission

The arguments put forward by the applicant in support of this proposal are not considered sufficient to outweigh the policy objections outlined previously.

The applicant has referred to previous discussions with Council Officers in relation to the potential development of the site. It is argued that agreement was reached with Council Officers in relation to the acceptance of new housing on the site on the basis of removing a dangerous unsightly building. There is no record of such an agreement, and whilst the resulting improvements to the site may have been suggested as a potential argument to help support the proposal, any pre-application advice is given on an informal basis and without prejudice to any future decision made by Officers or Members of the Authority. The fact that the site was unsightly, and that the former Aged Miners Hostel had fallen into such a state of disrepair as to represent a danger to the public would not have been considered a sufficient reason to justify a departure from the relevant local plan policies.

Although the majority of the former buildings from the site have since been removed, it is accepted that the site is still unsightly; however, such a reason in itself would also not be considered sufficient to warrant a departure from the Local Plan. If the site is considered to represent an eyesore to the detriment of the amenity of the area the Council have separate powers to resolve such an issue, without allowing the substantial residential development as currently proposed.

The applicant has also argued that the application should be approved due to housing need. This issue has been discussed previously in the report; the Council can clearly demonstrate a 5-year Housing Land Supply, and development could not be justified based upon a lack of housing land supply.

With regard to the letter of representation received by the Local Planning Authority, and Councilor interest in the scheme, it is clear that there is public support for the proposed development. However, public support for the proposal does not change the policy objection to the proposed housing development.

All other issues raised by the applicant have been discussed in the report, or are not considered sufficient to warrant a departure from the relevant development plan policies.

19 Other Considerations

The Highways Authority has been consulted in relation to this application; no highway objections are raised to the proposal.

Environmental Health Officers, have suggested that contaminated land and hours of construction should be a condition of any grant of planning permission if the application is approved.

The Tree Officer has raised concerns regarding the impact the development may have on trees sited on adjacent land. Although such concerns are not considered sufficient to warrant refusal of the application, suitable conditions would need to be attached to any grant of planning permission to ensure the adjacent trees are suitably protected during construction.

CONCLUSION

- 20 The proposed development of residential properties on the application site clearly contravenes relevant national, regional and local policies and in principle planning permission should be refused.
- 21 The applicant has submitted information in support of the proposals but this does not outweigh the fundamental objection to the development of an inappropriate site.
- 22 The Council's policy is to prioritise the development of previously developed land within existing settlements for residential development. The current proposal relates to an application outside the established settlement boundaries and therefore should not be supported.

