



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

Application No:	DM/22/01836/FPA
Full Application Description:	Construction of 2no. dwellings
Name of Applicant:	Mr Simon Carson
Address:	Land North of Hill Top Cottage, Eggleston, DL12 0AU
Electoral Division:	Barnard Castle West
Case Officer:	Gemma Heron (Senior Planning Officer) Tel: 03000 263 944 Email: gemma.heron@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The Site

1. The application site is located to the northwest of the village of Eggleston in an area known as Hill Top, in upper Teesdale. The site relates to a rectangular parcel of agricultural land measuring approximately 0.16 hectares, sat within a larger agricultural field. A dry-stone boundary wall is located along the north-eastern boundary of the site, adjacent the B6278 / Roman Road. The wider site boundaries predominantly consist of dry-stone walls and post and rail fencing. The residential property of 'Cloud High' lies beyond the north western site boundary, beyond the south eastern boundary of the site lies the property of 'Hill Top Cottage'. The Moorcock Inn lies to the east of the site across the highway. The application site itself is level, but the level of the wider field falls away sharply to the southeast.
2. In terms of planning constraints, the site lies immediately adjacent to the boundary of North Pennines Area of Outstanding Natural Beauty. The site itself located within a designated Area of Higher Landscape Value (AHLV) with Public Rights of Way approximately 100 metres to the north (Footpath no.14), approximately 175 metres to the south west (Footpath no.15) and approximately 70 metres to the south east (Footpath no.38). The site also lies within the Teesmouth and Cleveland Nutrient Neutrality constraint Area

The Proposal

3. Full planning permission is sought for the erection of 2no. detached dwellings on the site. The dwellings would be constructed from local stone under a slate roof with timber windows and doors in Anthracite grey. Each dwelling would measure approximately 14.4 metres by 10.9 metres, standing to 7.6 metres to the highest ridge and 5 metres to the highest eaves point. Living accommodation would be provided across two levels with a total of 4 no. bedrooms. Each of the dwellings would have their own access from the B6278 with parking provision to the front of the properties.
4. The dwellings would be compliant with the Nationally Described Space Standards (NDSS) which requires 4-bedroom, 8 person dwellings to have a 124m² gross internal floor area. Each of the dwellings would have a gross internal floor area of 272m².
5. The application is being reported to Planning Committee upon the request of Councillor Savory to allow full consideration of potential landscape harm and potential issues around the sustainable location of the dwellings.

PLANNING HISTORY

6. No relevant planning history.

PLANNING POLICY

National Policy

7. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
8. *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.
9. *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.

10. *NPPF Part 5 Delivering a Sufficient Supply of Homes* - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
11. *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.
12. *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.
13. *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.
14. *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.
15. *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.
16. *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 Page 73 pollution and land stability and remediating contaminated or other degraded land where appropriate.

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

National Planning Practice Guidance:

17. 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; design process and tools; determining a planning application; flood risk; healthy and safe communities; land affected by contamination; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; noise; public rights of way and local green space; planning obligations; use of planning conditions; and; water supply, wastewater and water quality.

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

Local Plan Policy:

The County Durham Plan (CDP)

18. *Policy 1 (Quantity of Development)* outlines the levels of employment land and housing delivery considered to be required across the plan period.
19. *Policy 6 (Development on Unallocated Sites)* states the development on sites not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.
20. *Policy 10 (Development in the Countryside)* states the development will not be permitted unless allowed for by specific policies in the Plan or Neighbourhood Plan or unless it relates to exceptions for development necessary to support economic development, infrastructure development or development of existing buildings. The policy further sets out 9 General Design Principles for all development in the Countryside.

Provision for economic development includes: agricultural or rural land based enterprise; undertaking of non-commercial agricultural activity adjacent to applicant's residential curtilage. All development to be of a design and scale suitable for intended use and well related to existing settlement.

Provision for infrastructure development includes; essential infrastructure, provision or enhancement of community facilities or other countryside based recreation or leisure activity.

Provision for development of existing buildings includes; changes of use of existing buildings, intensification of existing use through subdivision; replacement of existing dwelling; or householder related development.

21. *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.
22. *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.
23. *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.
24. *Policy 27 (Utilities, Telecommunications and Other Broadcast Infrastructure)* States amongst its advice that new residential and commercial development should be served by a high speed broadband connection or appropriate infrastructure for future installation if direct connection is not appropriate, practical or economically viable.
25. *Policy 29 (Sustainable Design)* requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable, including: making 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.
26. *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 they 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 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.

27. *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.
28. *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.
29. *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 wastewater 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.
30. *Policy 38 (North Pennines Area of Outstanding Natural Beauty)* states that the North Pennines Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty. Major developments will only be permitted in the AONB in exceptional circumstances and where it can be demonstrated to be in the public interest, in accordance with national policy. Any other development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes. Any development should be designed and managed to the highest environmental standards and have regard to the conservation priorities and desired outcomes of the North Pennines AONB Management Plan and to the guidance given in the North Pennines AONB Planning Guidelines, the North Pennines AONB Building Design Guide and the North Pennines AONB Moorland Tracks and Access Roads Planning Guidance Note as material considerations.
31. *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

32. *Policy 40 (Trees, Woodlands and Hedges)* states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
33. *Policy 41 (Biodiversity and Geodiversity)* states that proposal for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or as a last resort, compensated for.
34. *Policy 42 (Internally Designated Sites)* states that development that has the potential to have an effect on internationally designated sites, either individually or cumulatively with other plans or projects, will need to be screened in the first instance to determine whether significant effects on the site are likely, and, if so, will be subject to an Appropriate Assessment.
35. *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.
36. Residential Amenity Standards SPD (January 2023) – Provides guidance on the space/amenity standards that would normally be expected where new dwellings are proposed.

<https://www.durham.gov.uk/cdp>

Neighbourhood Plan:

37. The application site is not located within an area where there is a Neighbourhood Plan to which regard is to be had.

CONSULTATION AND PUBLICITY RESPONSES

Statutory Consultee Responses:

38. *Eggleston Parish Council* – No objection raised, however clarification was sought on whether the land has been a Black Grouse area and if the piece of land has been used as agricultural land over the past year with animals on it.

39. *Highways Authority* – Offer no objections following the removal the proposed garages resulting in adequate in curtilage car parking and access/egress arrangements. The applicant has satisfactorily demonstrated that the required visibility splays of 2.4m x 120m can be achieved from both proposed accesses for the 40mph speed limit along that stretch of the B6278 road.

It is noted that relevant guidance sets out that journeys on foot to public transport links should be easily safe and accessible and within a short 400m walking distance of the site. The nearest bus stops to the site are located approximately 770m away to the southeast. This would result in substantial walking along the footway of the partially street lit B6278 Road resulting on the reliance of journeys by means of private motorised vehicle.

Non-Statutory Responses:

40. *Spatial Policy* – Advise that the area of Hill Top forms a sporadic hamlet set within the open countryside. It is noted that Hill Top is not recognised as a settlement within its own right within the Settlement Study and it is physically separated from Eggleston settlement. Due to the location of the application site being of an open and rural nature, the proposal should be assessed against Policy 10 of the CDP. Policy 10 states that development in the countryside will not be permitted unless allowed by specific policies in the Plan. There has been no information submitted to satisfy any of the exceptions within Policy 10.
41. *North Pennines Area of Outstanding Natural Beauty Partnership* – Advise that the development would fall outside the boundary of the AONB. Concerns are however raised regarding the appropriateness of the scale of the proposed dwellings within the linear village setting and whether this type of infill is acceptable in principle.
42. *Ecology* – Advise that the site is within the Nutrient Neutrality area and taking land out of the existing agricultural use as reflected in the Nutrient Neutrality Calculator is a sound approach to mitigate the developments impact in this respect. It is also advised that the conclusions of the submitted ecological appraisal are sound and the development would not impact on protected species or habitats. Bat and bird boxes to meet biodiversity net gain on the site should be provided.
43. *Natural England* – Highlight their standing advice in relation to Nutrient Neutrality as the associated effects on downstream ecological sites.
44. *Landscape Section* – Advise that the site is located in the open countryside and lies within an Area of Higher Landscape Value (AHLV). The North Pennines AONB lies directly to the north. The surrounding landscape at Hill Top is characterised by scattered pattern of development with small clusters of single or small terraced houses, with development separated by agricultural fields which gives the area a strong sense of both visual unity and cultural continuity.

The fields between the existing built form to the west of the B6278 and in particular the application site makes an important contribution to the character of the settlement and provides framed, panoramic views out across the

attractive countryside. The proposal would erode this character and contribute to ribbon development.

Although there may be some diversity in the street scene, the location, scale and design of the properties is not reflective of the existing pattern of traditional residential development. They would be seen as an incongruous feature that would neither relate to nor reflect the local context within which they would be situated.

The proposals would not conserve or enhance these special qualities of the AHLV. It is unlikely that this harm could be reduced through design changes or additional mitigation.

45. *Design and Conservation* – Advise that the design of the dwellings would be on an executive style, that is not in keeping with the scale and size of surrounding developments.
46. *Environmental Health Nuisance* – Advise that the proposal is likely to comply with the thresholds set out within the TANS. This would indicate that the development would not lead to an adverse impact. Noise from the road may give rise to concern and recommend a condition in relation to noise levels is imposed.
47. *Lead Local Flood Authority* – Offer no comments on the suitability of the development.
48. *Environmental Health Contamination* – No adverse comments to make and no requirement for a contaminated land condition.
49. *Archaeology* – The amended drawing has moved the two buildings right up to the border of the suggested Roman road, a Watching Brief for any ground works should be secured via condition.

Public Responses:

50. The application has been advertised by way individual notification letters being sent to 27 neighbouring properties.
51. Seven letters of objection have been received with the following concerns summarised below:
 - Impact upon the local wildlife.
 - Houses should not be built in an Area of Outstanding Natural Beauty.
 - Concerns are raised regarding the level of consultation undertaken.
 - Inaccuracies in the submitted planning statement.

- There are no services in Eggleston; there has been no school for 25 years, no shop for 15 years and no public house for two years.
- Impact of the development upon the landscape, AONB and character of the area as the roadside frontages and open landscape are characteristic of the area.
- Scale of the development leading to expensive and unaffordable houses for local young people.
- Precedence of other development in the area.
- Impact of the development in terms of the residential amenity with a request for obscure glazing to the side elevation windows.
- The location of the hedgerow planning for the boundaries of the gardens.
- The location of the existing dog litter bin and its possible re-location.
- Contribute to ribbon development.
- Applicant has not engaged with the residents or the community on the application.
- Other more appropriate locations for development such as the vacant plot at the site of the former school and within a few miles of Hill Top and Eggleston there are multiple semi-derelict buildings.
- Impact upon the daylight, sunlight and views of the landscape from the Moorcock Inn.
- Proposal does not comply with Policy 6 of the CDP as it would be prejudicial to the existing use of the public house; would be ribbon development; would result in the loss of open land which contributes to the character of the locality; not appropriate to the setting of the settlement; will reduce highway safety; and there are limited services in Eggleston.
- The proposal does not comply with Policy 10 of the CDP. The proposal neither protects the countryside, nor helps the rural economy and the proposal will damage agriculture and tourism.

Applicants Statement:

52. The proposal is to provide 2no detached dwellings located in the settlement known as Hill Top which is identified as part of Eggleston. The road side sign on public highway B6278 identifying Eggleston is located 200m to the north west of the proposed site. The highway from this point limits speed to 40mph acknowledging the built up nature of the area.

53. Hill Top consists of approximately 30 dwellings of various styles and ages, although mainly traditional in appearance. A mixture of small terraced dwellings up to large detached houses. Approximately half of the properties are detached. All in the main are built adjacent to and on either side of the B6278.
54. There is no predominant building line. Some properties are built tight to the public footpath others set back at various distances. The character of the area is traditional single and two storey dwellings with stone walling and slate roofs.
55. The proposed site the overall plot frontage is approximately 70m with the two plots taking up only 34m of this length. The plots are grouped centrally leaving substantial open space to the northwest and south east thus maintaining views to the open countryside. These open spaces also comply with DCC privacy standards in relation to adjacent dwellings.
56. The proposed designs are very traditional detached two storey houses formed in stone and slate. The mass is fragmented to provide a series of blocks thus avoiding a single monolithic unit and reflects the organic character of the area. Considerable amendments have been made in liaison with the planning department to produce an acceptable design and location on site. The amendments include removing garages, adjusting window design and relocating the units closer to the main road.
57. Taking the above into account we would strongly argue that the application should be considered under Policy 6 of the DCP "Development of Unallocated Sites". As set out in our supporting statement the proposal is fully compliant with all aspects of the policy. The planning department have assessed the scheme under Policy 10 of the DCP "Development in the Countryside". The site sits within the Hill Top settlement.
58. Taking the points made earlier in this statement particularly the number of properties within the Hill Top settlement and the identification as being part of Eggleston we believe the proposal sits within the body of Hill Top and can be justified as infilling within an established settlement. Thus having no adverse impact on the countryside.

PLANNING CONSIDERATION AND ASSESSMENT

59. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to the principle of the development; locational sustainability; landscape and visual impact; scale and design; highway safety; ecology; nutrient neutrality; residential amenity; ground conditions; sustainable construction and other matters.

Principle of Development

60. 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 and is therefore considered up to date.
61. NPPF Paragraph 11c requires applications for development proposals that accord with an up-to-date development plan to be approved without delay. NPPF Paragraph 12 states that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
62. The application site relates to an undeveloped parcel of land between two residential properties known as 'Cloud High' and 'Hill Top Cottage' within the Hill Top area located to the northwest of Eggleston. The area of Hill Top is not identified in the County Durham Settlement Study as a settlement, as the area is considered to form a sporadic hamlet within the open countryside. The application site is divorced from the identified settlement of Eggleston, being sited over 650 metres in distance from the main hub of Eggleston. The character and nature of the application site is open and rural in nature, marked by stone walls for the boundaries and appearing to be a purposeful gap in between the two residential properties and wider sporadic developments. Therefore, the application site is located within the countryside.
63. Policy 10 of the CDP sets out that that development in the countryside will not be permitted unless it relates to exceptions linked to economic development infrastructure development or the re-development of existing buildings or specifically allowed by other policies in the Plan. The application does not comply with any of the specific development exceptions policies outlined in CDP Policy 10.
64. However, the applicant and the agent for the application argue that the proposal should be considered against Policy 6 of the County Durham Plan. Policy 6 seeks to support the development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are either (i) within the built-up area; or (ii) outside the built-up area (except where a settlement boundary has been defined in a neighbourhood plan) but well-related to a settlement and where the proposal complies with all the criteria of Policy 6 which includes:
 - a. are compatible with, and not prejudicial to, any existing, allocated or permitted use of adjacent land;
 - b. do not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;

- c. do not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
- d. are appropriate in terms of scale, design, layout, and location to the character, function, form and setting of the settlement;
- e. would not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;
- f. have good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;
- g. do not result in the loss of a settlement's or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;
- h. minimise vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;
- i. where relevant, make as much use as possible of previously developed (brownfield) land; and
- j. where appropriate, reflect priorities for urban regeneration.

65. In considering the first requirement of Policy 6, the site is not located within 'a built-up area' which is defined as land contained within the main body of a settlement. As set out above, given the sporadic cluster of dwellings and development in the area of Hill Top is also not considered a settlement, and not identified as such in the County Durham Settlement Study 2018. Furthermore, it is considered that there is clear separation from Eggleston itself. The application therefore fails to comply with the first requirement of Policy 6; as it is not within a built-up area. It also fails to comply with the second requirement of Policy 6 as it is not well-related to a settlement by virtue of its location and characteristics.
66. As the site is located within the open countryside and not well related to a settlement, in principle the proposal gains no support from Policy 6 and is contrary to Policy 10 of the CDP. Although not strictly necessary in such circumstances, further consideration of the remaining criteria of Policy 6 is given below.

Locational Sustainability of the Site

67. Criteria p of Policy 10 sets out that development must not be solely reliant upon unsustainable modes of transport. New development in countryside locations that is not well served by public transport must exploit any opportunities to make a location more sustainable including improving the scope for access on foot, by cycle or by public transport.

68. Criteria f of Policy 6 sets out that development must have good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and level of service provision within that settlement.
69. Policy 21 of the CDP requires all developments to deliver sustainable transport by providing appropriate, well designed, permeable and direct routes for walking, cycling and bus access, so that new developments clearly link to existing services and facilities together with existing routes for the convenience of all users. At paragraph 110 the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken whilst paragraph 112 amongst its advice seeks to facilitate access to high quality public transport.
70. It is recognised that the NPPF at para. 80 sets out that development within one village may support services within a village nearby.
71. The County Durham Settlement Study 2018 is an evidence-based document which seeks to provide an understanding of the number and range of services available within the settlements of County Durham. In assessing this, the cluster of sporadic residential properties at Hill Top is not identified as a settlement, unlike Eggleston which is identified within the settlement study.
72. In considering the services and facilities within the area, it is recognised that the Moor Cock Inn is located in close proximity to the site, which could provide some amenities and services for future residents. However larger settlements provide more the widely used services and amenities such as schools, doctors and employment opportunities. The nearest bus stop to the application site is over approximately 730 metres to the southeast of the application site within Eggleston itself. As advised by the Council's Highways team, relevant guidance sets that bus stops should be within safe and accessible routes within a short 400m walking distance. This is not the case on the site and it would mean substantial walking along the footway of the partially lit B6278 where there is a substantial level change.
73. Whilst there is not a bus stop within Hill Top, it is recognised that a bus service passes the site extending up to Middleton-in Teesdale and down to Barnard Castle. However, this service only runs on a Wednesday. The practice of sustainable transport options would therefore not be fulfilled with a sole reliance of journeys by means of private motorised vehicle.
74. In conclusion, the application site is considered to be within the open countryside with evidence from the County Durham Settlement Study failing to identify Hill Top as a settlement. In addition, there are limited services and facilities within 400 metres of the application site which will inevitably lead to reliance upon the private motorised vehicle. Whilst recognising the limited contribution that the proposed dwellings could make to sustaining services within Hill Top, the site is not considered to be located in a sustainable location and fails to comply with Policies 6, 10 and 21 of the County Durham Plan and paras 110 and 112 of the NPPF. This policy conflict and harm is required to be considered in the planning balance below.

Landscaping and Visual Impact

75. CDP Policy 6 sets out that development must not result in the loss of open land that recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for.
76. CDP Policy 10 under the general design principles states that development in the countryside must not give rise to unacceptable harm to the heritage, biodiversity, geodiversity, intrinsic character, beauty or tranquillity of the countryside either individually or cumulatively, which cannot be adequately mitigated or compensated for;
77. CDP Policy 38 states that the North Pennines Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced. In making decisions great weight will be given to conserving landscape and scenic beauty. Any other development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes.
78. CDP Policy 39 states proposals for new development will 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 would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. 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 development in that location clearly outweigh the harm.
79. Parts 12 and 15 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment by (amongst other things) recognising the intrinsic character and beauty of the countryside and optimise the potential use of the site.
80. The application site is within the Area of Higher Landscape Value with the North Pennines Area of Outstanding Natural Beauty lying directly to the north.
81. The landscape at Hill Top is characterised by scattered pattern of development with small clusters or a string of wayside dwellings of single or small terraced houses, in the most part, of distinctive local vernacular and of a modest scale, with development separated by agricultural fields. The pastoral fields between the existing built form to the west of the B6278 and in particular the proposed application site makes an important contribution to the character of the settlement and provides framed, panoramic views out across the attractive countryside of Teesdale and into Lunedale towards Mickle Fell.
82. The Council's Landscape Team have been consulted on the application. They comment that the proposal would harm key views out of the hamlet affecting a number of sensitive recreational and road receptors, most notably, the users of the footpath along the B6287 that forms the northern boundary of the site, customers of the Moor Cock Inn and travellers. Although there may be some diversity in the street scene, the location, scale and design of the properties is not reflective of the existing pattern of traditional residential development and

they would be seen as an incongruous feature that would neither relate to nor reflect the local context within which they would be situated.

83. The proposal would cause harm to the character, quality and distinctiveness of the local landscape. It is considered that the effects of the development would be significant at local level. In respect of the AHLV, its special qualities relate primarily to its representativeness and condition interests on account of individual elements and the overall landscape structure being generally intact and in good condition leading to its high scenic qualities. It is considered that the proposal would not conserve or enhance these special qualities, contrary to Policy 39. It is unlikely this harm could be reduced through design changes or additional mitigation. The proposal would also cause harm to the intrinsic character, beauty and tranquillity of the countryside which would fail Policy 10 (l) and would result in the loss of open space which contributes to the character of the locality which cannot be adequately mitigated or compensated for and therefore would fail Policy 6 (c) in this regard.
84. Overall, it is considered that the proposal would conflict with Policy 6, 10, 29 and 39 and Parts 12 and 15 of the NPPF. This policy conflict and associated harm needs to be weighed in the planning balance.

Scale/Design

85. CDP Policy 6 requires development to be appropriate in terms of scale, design, layout and location to the character, function, form and setting of, the settlement.
86. CDP Policy 10 under criteria o requires new development in the countryside, by virtue of their siting, scale, design and operation to not impact adversely upon the setting, townscape qualities, including important vistas, or form of a settlement which cannot be adequately mitigated or compensated for.
87. CDP Policy 29 outlines that development proposals should contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities. In total, Policy 29 sets out 18 elements for development to be considered acceptable, including: buildings being adaptable; 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.
88. CDP Policy 39 states proposals for new development will 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 would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects.
89. Parts 12 and 15 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 127 of the NPPF also states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using

streetscapes and buildings to create attractive and comfortable places to live, work and visit.

90. The site is not located within a conservation area and contains no designated heritage assets, however as set out above, the site is located within and AHLV and also adjacent the boundaries of the North Pennines AONB.
91. The surrounding area is characterised by modest, rural vernacular style houses that are simplistic and traditional in their size, form, proportions, fenestration and detailing. The surrounding dwellings have an active street frontage, being built tight up to the pavement edge or roadside, or where this is not the case, there is a front garden or undeveloped paddocks enclosed by stone walls. This generates a consistent building line to the street and reinforces a sense of linear enclosure that contributes to part of the rural character to the area.
92. In assessing the development against the above context, officers are of the opinion that the development would be out of keeping with the traditional modest dwellings found in the surrounding area. The proposed properties would be disproportionate being overly large in size and scale in comparison to surrounding development. The form and chosen fenestration, particularly to the front elevations of the dwellings is considered too complex given the rural nature and character of the wider site resulting in two executive style dwellings which do not contribute positively to the area's character, identity or landscape features. Whilst amended plans have been submitted altering the design, it is considered that this does not fully address the concerns on the design of the proposal.
93. Overall, the proposal fails to create and reinforce the local distinctiveness of the rural area which causes harm. Therefore, the proposal fails to comply with Policy 6, 10 and 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

Highway Safety/Access

94. CDP Policy 21 outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity, expecting developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. Similarly, Policy 29 advocates that convenient access is made for all users of the development together with connections to existing cycle and pedestrian routes. Criterion e) of Policy 6 requires development to not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity. Criterion q) of Policy 10 does not permit development in the countryside where it would be prejudicial to highway safety.
95. Specifically, the NPPF sets out at Paragraph 110 that safe and suitable access should be achieved for all users. In addition, Paragraph 111 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe.
96. The development proposes two access points to serve the development separately from the B6278. An in-curtilage driveway/parking area would be provided in front of the properties, with space for up to 4 vehicles each.

97. The Highway Authority have reviewed the application and advise that amended plans omitting the garages from the proposals address their previous concerns in regard to the potential conflict of vehicles turning into either dwelling. They also confirm that the required visibility splays of 2.4m x 120m are achievable from both accesses to the dwellings. Therefore, in terms of highway safety, no objections to the application are raised.
98. Overall, subject to conditions, the proposals are not considered to adversely affect highway safety and would accord with CDP Policies 6, 10, 21 and Part 9 of the NPPF.

Ecology

99. NPPF Paragraph 180 d) advises that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate. In line with this, CDP Policy 41 seeks to ensure new development minimises impacts on biodiversity by retaining and enhancing existing diversity assets and features. Proposals for new development should not be supported where it would result in significant harm to biodiversity or geodiversity.
100. Policy 43 sets out that development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts while 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.
101. In this respect the application is supported by a Preliminary Ecological Appraisal which assessed the likely presence of protected species or habitats on the site, the report concludes that the development would have a low risk to protected species and their habitats on the site. The Councils Ecology Officer has reviewed this information and has advised that the methodology and conclusions of the report are sound. Accordingly, as an EPS licence is not required, there is no need to consider the derogation tests/licensing criteria. It is however noted that net gains to achieve biodiversity have not been specified, although this matter could be controlled by condition to require the installation of integrated bat and bird boxes.
102. Therefore, using planning conditions, a biodiversity net gain can be achieved on the site and the to comply with Policy 41 and 43 of the County Durham Plan.

Nutrient Neutrality

103. Under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitat Regs), the Local Planning Authority must consider the

nutrient impacts of any development proposals on habitat sites and whether those impacts may have an adverse effect on the integrity of a habitats site that requires mitigation, including through nutrient neutrality. In this respect Natural England have identified that the designated sites of the Teesmouth & Cleveland Coast Special Protection Area/Ramsar (SPA) is in unfavourable status due to excess Nitrogen levels within the River Tees.

104. In this instance the development proposes the formation of 2 additional dwellings, which although would be served by means of a package treatment plant, would ultimately give rise to additional loading of Nitrogen into the Tees catchment. Given the advice provided by Natural England, it is likely that in combination with other developments, the scheme would have a significant effect on the designated SPA/RAMSAR sites downstream both alone and in-combination. The Habitat regulations therefore require the Authority to make an 'Appropriate Assessment' of the implications of the development on the designated sites in view of the sites conservation objectives. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest (IROPI) and the necessary compensatory measures can be secured.
105. Nutrient Neutrality advice is provided by Natural England, including the provision of a Neutrality Methodology. This requires a nutrient budget to be calculated for all types of development that would result in a net increase in population served by a wastewater system including residential development that would give rise to new overnight accommodation. In utilising the nutrient budget calculator produced by Natural England, even when using a package treatment plant with a high level of efficiency in removing Nitrogen, mitigation is identified as being required in order to achieve Nutrient Neutrality. In this instance it is proposed to take approximately 0.45ha of agricultural land out of productive use through the planting of additional hedgerows along the margins of the site alongside the creation of wildlife meadow. The delivery and retention of this hedgerow and the wildlife meadow, along with ensuring the efficient operation of the proposed package treatment plant could be secured by planning conditions and/or legal agreement for the lifetime of the development.
106. In reviewing the proposed strategy, the Councils Ecology section consider the approach sound, and subject to conditions securing the mitigation, prior to occupation of the development the development would not adversely affect the integrity of the designated site. There is therefore no requirement apply the imperative reasons over-riding public interest (IROPI) tests.
107. Subject to the above, the proposal will be acceptable in accordance with Policies 41 and 43 of the CDP and Paragraph 180 of the NPPF. The Authority can also satisfy itself under its obligations under the Conservation of Habitats and Species Regulations (2017).

Residential Amenity

108. Parts 12 and 15 of the NPPF require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing

development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.

109. CDP Policy 31 states that all new development that has the potential to lead to, or be affected by, unacceptable levels of air quality, inappropriate odours and vibration or other sources of pollution, either individually or cumulatively, will not be permitted including where any identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level.
110. A Residential Amenity Standards Supplementary Planning Document (SPD) has been adopted by the Council, which recommends that dwellings should benefit from private, usable garden space of at least 9 metres long. In considering this, each of the dwellings have a private amenity space which complies with the required 9 metres distance set out in the Residential Amenity Standards SPD.
111. The Residential Amenity Standards SPD also sets out the following separation distances for new development to comply with:-
 - 'A minimum distance of 21.0m between habitable room windows, where either dwelling exceeds single storey, and a minimum of 18.0m between habitable room windows and both dwellings are single storey.
 - Where a main facing elevation containing a habitable room windows is adjacent to a gable wall which does not contain a habitable room window, a minimum distance of 13.0m shall be provided where either dwelling exceed single storey or 10.0m where both dwellings are single storey.'
112. In regard to this, to the northeast and southwest of the application site are open fields. Predominantly the windows for each of the dwellings are sited on the northeast and southwest elevation. Given this existing relationship, the windows to the front and rear elevations will have an outlook over the open fields and would not cause any issues in terms of overlooking.
113. The nearest residential properties to the development are 'Cloud High' to the northwest and 'Hill Top Cottage' to the southeast. The nearest dwelling to 'Cloud High' will be approximately 21 metres away from this residential property. It is recognised that 'Cloud High' has several windows which face towards the application site. However, these would face the side elevation of the dwelling where en-suite bathroom windows are present. Obscure glazing could be secured by condition. Given this, and the separation distance to existing dwellings the proposal would be acceptable in terms of amenity upon 'Cloud High' to the northwest of the application site.
114. In considering the impact upon 'Hill Top Cottage' to the southwest, there would be a separation distance of approximately 24 metres between the side gable of the closest dwelling and Hill Top Cottage. This separation distance would exceed the separation distances required by the Residential Amenity SPD and would be acceptable in terms of the residential amenity. In addition, the gable of the proposed dwelling would have two first floor windows serving en-suite bathrooms which could be conditioned to be obscurely glazed and there would be a ground floor window to serve the living room as a secondary window.

Given this relationship, the proposal would be acceptable in terms of amenity upon 'Hill Top Cottage'.

115. Concerns have been raised about the impact of the proposal upon the 'Moorcock Inn' to the east of the application site, especially in regard to the impact of the development upon its patio and its light. In considering this, the Moorcock Inn is located across the road from the application site and the proposal for another residential dwelling in this setting is not considered to cause amenity concerns in relation the Moorcock Inn. It is accepted by Officers that the views of the application site from the Moorcock Inn will change, but maintaining a view is not a material planning consideration.
116. In terms of the amenity of future occupiers, the dwellings would provide four bedrooms and would be compliant with the Nationally Described Space Standards (NDSS) which requires a 4-bedroom 8 person dwelling to have a 124ms gross internal floor area. Each of the dwellings would have a gross internal floor area of 272m².
117. Overall, the proposals are considered to provide a good standard of amenity for existing and future residents, according with CDP Policy 31 and Part 12 and 15 of the NPPF.

Drainage

118. 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. Paragraph 167 advises that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and that where appropriate applications should be supported by a site-specific flood-risk assessment. Paragraph 169 goes on to advise that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
119. CDP Policies 35 and 36 relate to flood water management and infrastructure. Policy 35 requires development proposals to consider the effects of the scheme on flood risk and ensure that it incorporates a Sustainable Drainage System (SUDs) to manage surface water drainage. Development should not have an adverse impact on water quality. Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water.
120. The site is not located within a flood zone. Information has been submitted to show that the foul water will be dealt with via a package treatment plant. No details have been submitted in relation to surface water. However, the details of the drainage for both foul and surface water can be controlled by a planning condition which would be reasonable in this case to request additional information and detail to be submitted to demonstrate compliance with Policies 35 and 36 of the CDP, it considered likely that surface water could be adequately attenuated before being discharged.

121. Therefore, the application through the use of planning conditions, can ensure that acceptable foul water and surface water drainage is secured on the site to comply with Policies 35 and 36 of the CDP.

Ground Conditions

122. CDP Policy 32 requires sites to be suitable for use taking into account contamination and unstable land issues. Paragraph 183 of the NPPF requires sites to be suitable for their proposed use taking account of ground conditions and any risks arising from land instability and contamination.
123. In this regard, the Council's Contaminated Land Team have been consulted and they confirm there is no requirement for a land contamination condition on the scheme.
124. Therefore, based on the comments from the Contaminated Land Team, the proposal is considered to comply with CDP Policies 32, 56 and NPPF Paragraph 183.

Sustainable Construction

125. CDP Policy 29 requires new development to minimise the use of non-renewable and unsustainable resources, including energy, water and materials during both construction and use by encouraging waste reduction and appropriate reuse and recycling of materials, including appropriate storage space and segregation facilities for recyclable and non-recyclable water and prioritising the use of local materials.
126. No information in relation to this has been provided. However, it is understood that the site is within the gas network and in the event of an approval of the application, a conditional approach can be adopted to secure the submission of this information to show how the proposal would comply with this policy requirement, including the use of renewable energy and carbon reduction measures.
127. Policy 27 of the CDP states that any residential and commercial development should be served by a high-speed broadband connection, where this is not appropriate, practical or economically viable, developers should provide appropriate infrastructure to enable future installation.
128. According to the OFCOM availability checker, the site has access to broadband in accordance with Policy 27 of the CDP.

Other Issues

129. CDP Policy 14 states that the development of the best and most versatile agricultural land, will be permitted where it can be demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. NPPF Paragraph 174 states that LPAs should recognise the economic and other benefits of the best and most versatile agricultural land and where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality

land in preference to that of a higher quality. Best and most versatile agricultural land is classified by the NPPF as grades 1, 2 or 3a.

130. A site-specific agricultural land classification has not been submitted in support of the application. However, the application site is identified as 'Grade 4' in the Agricultural Land Classification which identifies the land as 'Poor' under the standards. Therefore, there would be no loss of best or most versatile agricultural land.
131. To the immediate northeast of the application site there is a Roman Road with the Council's Archaeology Team requesting a condition be imposed for a watching brief.

CONCLUSION

132. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. NPPF Paragraph 12 states that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate the plan should not be followed.
133. In this instance the area of Hill Top has not been identified in the County Durham Settlement Study as a settlement and is more considered a sporadic grouping of dwellings in the countryside and therefore development is not supported by Policy 6. The development does not comply with any of the exceptions set out under Policy 10 of the CDP for development within the countryside, nor does it comply with any other specific policy in the plan which would allow for development in a rural location.
134. It is identified that there are limited services and facilities within proximity of the application site with a reliance upon private means of motorised to access services and amenities further afield, transport due to limited bus routes and connections, The site is therefore not considered a sustainable location for development contrary to Policies 6, 10 and 21 of the County Durham Plan.
135. In terms of design, the proposal would result in the formation of two executive style dwellings which do not contribute positively to the area's character, identity or landscape features. The proposal fails to create and reinforce the local distinctiveness of the rural area and would involve the development of an open site which would cause harm to the local area. Therefore, the proposal fails to comply with Policies, 6, 10 29 and 39 of the County Durham Plan and Part 12 of the National Planning Policy Framework.
136. The application would also cause harm to the character, quality and distinctiveness of the local landscape and would not conserve or enhance the special qualities of the Area of Higher Landscape Value which would fail to comply with Policies 6, 10 and 39 of the County Durham Plan.

137. The development would mitigate its ecological impacts, would not impact on highway safety or residential amenity.
138. It is recognised housing in villages can support services in other nearby villages, particularly in rural areas. The development would also result in a temporary economic uplift during construction and provide housing choices in the locality. However, these benefits are not considered sufficient to outweigh the policy conflict and harm identified above and therefore the application is recommended for refusal.

Public Sector Equality Duty

139. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

RECOMMENDATION

That the application be **REFUSED** for the following reasons:

1. The application site is located within the countryside away from any established settlement and does not comply with any of the exceptions set out in Policy 10 of the County Durham Plan for development on such a location and is not permitted by any other specific policy in the County Durham Plan. In addition, the site is in unsustainable location with a reliance upon private motor vehicles to access of services and facilities. The development is therefore considered to conflict with Policies 6, 10 and 21 of the County Durham Plan and Parts 5 and 9 of the National Planning Policy Framework.
2. The development is considered to represent poor design that does not relate well to the local vernacular of the surrounding area in terms of its scale, mass and appearance resulting in the loss of a site which positively contributes to the character of the local area and wider landscape. The development does not conserve or enhance the special qualities of the Area of Higher Landscape Value and is considered contrary to Policies 6, 10, 29 and 39 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

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

to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents

National Planning Policy Framework

The County Durham Plan (CDP)

Residential Amenity Standards Supplementary Planning Document January 2023

Statutory consultation responses

Internal consultation responses

External consultation responses



Planning Services

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Construction of 2no. dwellings

Comments

Date: 20th April 2023