



## Planning Services

# COMMITTEE REPORT

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### APPLICATION DETAILS

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Application No:	DM/23/01721/FPA
Full Application Description:	Erection of a single story dwelling and associated access and landscaping works
Name of Applicant:	Mr Alan Bell
Address:	Land North Of Fenton Well Lane, Great Lumley
Electoral Division:	Lumley
Case Officer:	George Spurgeon (Senior Planning Officer) Tel: 03000 261 959 Email: george.spurgeon@durham.gov.uk

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### DESCRIPTION OF THE SITE AND PROPOSAL

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#### The Site

1. The application site comprises approximately 0.17ha of land located to the south western edge of the settlement of Great Lumley. The site was formerly occupied by the Lumley Boys School which is thought to have been demolished in the 1960's and now has an undeveloped grassed over appearance, with the remnants of the sites former use limited to areas of hardstanding and foundations which are obscured by the vegetation on the site and have blended into the landscape over time. The site lies within the Green Belt and an Area of Higher Landscape Value.
2. The land comprises an existing engineered platform that accommodated the former school building, framed by a stone wall along its southern boundary. A bank of earth forms the eastern boundary of the site which appears to contain short sections of an old retaining stone wall, whilst the northern and western perimeters are delineated by vegetation which obscures a stone wall to the north west corner. Access is taken through a gap within the eastern section of the southern stone wall leading from an unadopted section of Fenton Well Lane, part of which is the designated route of public footpath no.22, via timber gates

which are in poor condition. The adopted highway begins at the edge of the village approximately 50m to the east.

3. Agricultural land and the wider open countryside lie immediately to the north, south and west of the site. A grassed field also owned by the applicant lies in between the site and the closest existing dwelling to the east, 157 Front Street 35m away. The boundary of the dwelling known as 4 High Farm Rise is located 47m to the south east, forming one of three more modern two storey detached dwellings clustered at the end of a cul-de-sac. The site is physically separate from the built-up area of Great Lumley and so is regarded as being in the open countryside. The land levels at the site fall from the east towards the west.

### The Proposal

4. The application seeks full planning permission for the erection of a single dwelling. The dwelling would be sited towards the centre of the plot and consist of a 'U' shaped form with a footprint of 165m<sup>2</sup> over a single storey. Materials are proposed to consist of a combination of red brick, mocha coloured render and larch cladding for the external walls, with a flat living vegetation roof measuring 3.7m in height above. Solar panels are also proposed to be installed to the roof. Windows and doors would consist of grey aluminium.
5. Internally, the dwelling would comprise 3 bedrooms, an open plan lounge / dining room, kitchen, utility, and bathroom. Entrance to the dwelling would be taken via a small porch to its east elevation.
6. The existing access point would be utilised, with new gates proposed to be installed to mark the entrance to the site, leading to an approximate 230m<sup>2</sup> gravel driveway area. Approximately 77m<sup>2</sup> of paving is proposed, including a patio area to the west of the dwelling, with footpaths along the north and south elevations connecting to the gravel driveway area to the east. The remaining curtilage would accommodate a lawn.
7. A fence is proposed to be installed to the top of the existing stone wall along the southern site boundary with a new 1.2m high fence erected along the northern and western perimeters. A retaining wall would be constructed along the eastern boundary.
8. The proposals are identical to those submitted under applications DM/22/02804/FPA and DM/23/00378/FPA which were withdrawn by the applicant after having been advised that they would have been recommended for refusal.
9. The application is being reported to planning committee at the request of Councillor Heaviside to consider the impact of the proposed development on the Green Belt.

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## PLANNING HISTORY

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10. This is the 7<sup>th</sup> application submitted by the applicant seeking permission to erect a dwelling on this site. The first application was submitted in 2003 (2/03/00558/OUT) and was refused by the planning committee and the subsequent appeal dismissed, with a second application (2/06/00208/OUT) withdrawn in 2006. Applications submitted in 2017 (DM/17/03144/FPA) and 2022 (DM/22/00199/FPA) respectively were refused by the planning committee as the proposals represented inappropriate development in the Green Belt thereby harming its openness. The proposed development was re-submitted for consideration under a further two applications which were withdrawn (DM/22/02804/FPA and DM/23/00378/FPA) with the applicant having been advised that they would also have been recommended for refusal.
11. Prior to the above applications, two outline applications (2/75/00441/CM and 2/75/462/CM) similarly seeking consent for the erection of one dwelling were also refused.

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## **PLANNING POLICY**

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### **National Policy**

12. 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.
13. *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.
14. *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.
15. *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.

16. *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.
17. *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.
18. *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.
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 13 Protecting Green Belt Land* - The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
21. *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.
22. *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:**

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; historic environment; 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)**

24. *Policy 1 (Quantity of Development)* outlines the levels of employment land and housing delivery considered to be required across the plan period.
25. *Policy 10 (Development in the Countryside)* states that 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.
26. *Policy 19 (Type and Mix of Housing)* advises that on new housing developments the council will seek to secure an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations and the opportunity to facilitate self build or custom build schemes.
27. *Policy 20 (Green Belt)* states that development within the Green Belt will be determined in accordance with national planning policy.
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 27 (Utilities, Telecommunications and Other Broadcast Infrastructure)* requires all residential and commercial development to 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

30. *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.
31. *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.
32. *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.
33. *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.
34. *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.
35. *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

36. *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.
37. *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.
38. Residential Amenity Standards SPD (2023 Adopted version) – 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:**

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

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **Statutory Consultee Responses:**

40. *Lumley Parish Council* – No response received.
41. *Highways Authority* – Raise no objections to the application.
42. *The Coal Authority* – Confirm that the application site lies within the defined Coalfield Development High Risk Area and recommend conditions to secure further site investigations prior to the commencement of development.

#### **Non-Statutory Responses:**

43. *Spatial Policy Team* – Advise that the proposals represent inappropriate development in the Green Belt and so very special circumstances must exist to clearly outweigh the harmful impact on its openness.
44. *Landscape Section* – Consider the proposed development to represent an encroachment into open countryside and to impact on the openness of the Green Belt.
45. *Ecology* – Advise that the submitted biodiversity metric calculations were undertaken prior to the submitted Detailed Landscaping Proposals drawing being produced and so the Defra Biodiversity metric should be updated to reflect the latest details. However, given the scale of the development and the nature of the habitats on site, the landscaping proposed is considered sufficient to provide biodiversity net gains.
46. *Environmental Health Nuisance* – Raise no objections.
47. *Environmental Health Contamination* – Advise a conditional approach in relation to land contamination to secure further testing and monitoring.
48. *Public Rights Of Way Section* – Advise that vehicle access to the application site is in part via public footpath no. 22 Great Lumley Parish, with the affected section also being recorded as adopted highway serving a number of other properties. Confirm they have no concerns over the proposed access arrangements.

#### **Public Responses:**

49. The application has been advertised by way of a site notice, press notice and individual notification letters sent to neighbouring properties.
50. Two letters of objection have been received raising concerns that the proposed development is located outside the settlement of the village, would adversely impact upon the Green Belt and wildlife, and would not provide any notable benefits to the village or delivering housing need.
51. Four letters of support have been received considering that developing the site with a well-designed bungalow does not represent urban sprawl and would not have any harmful impact, and citing the occurrence of anti-social behaviour on, and the benefits of re-developing, the site.

#### **Applicants Statement:**

52. The site is a brownfield site in a sustainable location. The last developed use was as a boys school that was on site for over 100 years. Site has been in our ownership for over 20 years and due to constraining policy it has remained derelict all these years.



53. The development of this site to provide a low impact dwelling will have a wide benefit for all in the neighbourhood and will rid site of its ASB uses whilst having a net gain for the environment.
54. The site does not perform well at all with the five purposes of being in the greenbelt (GB) and was the reasoning DCC planning policy put site forward for the GB deletion in the Draft County Durham Plan. The application complies with section 149 (g) of the NPPF and limited infilling on a previously developed site (infilling can be on edge of settlements, this was accepted with application DM/21/01278/FPA Tiana Lane Rainton Gate). DCC planning policy team have previously accepted "WOULD NOT BE VISUALLY INTRUSIVE NOR WOULD IT IMPACT ON OPENNESS". Therefore the application is fully compliant with national policy.

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## **PLANNING CONSIDERATION AND ASSESSMENT**

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55. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues relate to the Principle of Development, Impact upon the Green Belt, Locational Sustainability, Design and Visual Impact, Highway Safety, Residential Amenity, Flooding/Drainage, Ecology, Ground Conditions, Carbon Emissions, and Other Matters.

### **Principle of Development**

56. 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 NPPF Paragraph 12. 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.
57. 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.
58. The application site is considered to lie within the open countryside. The applicant is of the view that the site is located within the settlement of Great Lumley which in their view is demarcated by the hedgerow which separates the site from the surrounding agricultural fields to the north, south and west. The

CDP does not define settlement boundaries nor is there a neighbourhood plan covering Great Lumley to define a boundary to the village. Therefore, each site must be judged on its own merits with regards to whether it is located within a settlement or not. In this instance, the site is physically separate from the built-up area of the village, with the closest building 157 Front Street located 35m away with an undeveloped grassed field in between, and with this property and the dwellings at the High Farm Rise cul-de-sac considered to form the western edge of the village. Therefore, it is concluded that the application site is not physically or visually well related to the settlement of Great Lumley, due to its separation from the existing built form of the village, and therefore in planning terms lies within the open countryside.

59. CDP Policy 10 relates to development in the countryside and aims to direct new development to the built up area in the first instance. However, the policy acknowledges that there are instances where development in the countryside may be appropriate and includes a list of such circumstances and other policies where such development may be permissible.
60. Such circumstances relate to development necessary to support existing or to establish new agricultural or rural land based enterprises; to expand existing businesses where it can be demonstrated that they are viable; the undertaking of non-commercial agricultural activity within existing residential curtilage; to provide essential infrastructure, community facilities, or countryside based recreation or leisure activities; the conversion or subdivision of existing buildings, replacement dwellings of comparable volume; and extensions to existing dwellings. This application proposes the erection of a new dwelling and so does not fall under any of these listed circumstances. There are no other policies within the CDP which are permissible towards the erection of open market housing in the countryside.
61. Therefore, the principle of the erection of a dwelling in this countryside location is unacceptable and in conflict with CDP Policy 10. The general principles of development in the countryside set out by this policy will be discussed in greater detail under the relevant headings below.

#### Impact upon the Green Belt

62. The application seeks to develop the site for one detached dwelling. The site is located within the Green Belt and is regarded as an Area of Higher Landscape Value.
63. There is relevant planning history on this site, as it is noted that five previous planning applications seeking to erect a dwelling in this location have been refused in the past, with one of these also dismissed by an Inspector at appeal. Three other planning applications seeking to erect a dwelling have been withdrawn by the applicant after having been advised they would have been recommended for refusal. Six of these applications were submitted by the current applicant, with the later applications effectively representing re-submissions of their initial application. In all instances the concerns raised

centred around Green Belt implications, including the adverse impact on its openness.

64. Consideration to remove this site from the Green Belt took place through the plan making process, and the evolution and development of the CDP. The version of the CDP which was submitted for examination contained a Policy relating to 'non-strategic Green Belt amendments' which earmarked the former Lumley Boys School site for removal from the Green Belt (it was Policy 21 within the submission version). The Examination in Public (EiP) of the CDP commenced in November 2019 and the programmed hearing sessions closed on the 6th of February 2020. The Inspector issued his post hearing advice on the 20th of February 2020, and an amended CDP was prepared to take account of the specific instructions from the Inspector, and also to take account of all the minor/main modifications which the Council proposed following the hearing sessions and in response to the action points issued by the Inspector. This updated Plan was subject to consultation (26th May until 21st July 2020), with all comments sent to the Inspector to inform his final report, which was issued on the 17th of September 2020. The report confirmed that the CDP was sound and could progress to adoption.
65. The report dealt with the proposed removal of this site from the Green Belt at Paragraph 333, which is set out below:
66. *333. The site of the former Lumley Boys School is in the countryside to the west of Great Lumley. It is physically separate from the village and whilst development may offer the opportunity to remove the last remnants of the former school, these are not visually prominent. On the other hand, new buildings on the site, even if well designed and landscaped, would represent a significant encroachment into the countryside and reduce the openness of the area.*
67. The Inspector concluded that the site was not required to meet identified development needs and was not persuaded that there were exceptional circumstances to justify its removal from the Green Belt. In line with the Inspectors recommendation, Policy 21 was deleted from the CDP and the policies map amended to retain the former Lumley Boys School site in the Green Belt. The finalised CDP was subsequently adopted by the Council on the 21st of October 2020 and is the development plan which covers the whole of County Durham. Within the CDP, the application site remains within the Green Belt.
68. The proposed development must be assessed against the relevant local planning policies from the CDP, as well as national planning policy. As the application site remains within the Green Belt, CDP Policy 20 is applicable. This states that development proposals within the Green Belt will be determined in accordance with national planning policy. The supporting text confirms that there is a presumption against inappropriate development in the Green Belt unless very special circumstances can be demonstrated.

69. The NPPF should therefore be used to assess this proposal. The NPPF attaches great importance to Green Belts, and identifies, at Paragraph 138 that the Green Belt serves five purposes. NPPF Paragraph 147 under proposals affecting the Green Belt states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
70. NPPF Paragraph 149 advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a. buildings for agriculture and forestry;
  - b. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport or recreation, cemeteries and burial grounds and allotments; provided the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
  - c. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - d. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  - e. limited infilling in villages;
  - f. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
  - g. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
    - not have a greater impact on the openness of the Green Belt than the existing development; or
    - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
71. The starting point for determination of this application in terms of the principle of development is that the construction of new buildings in the Green Belt should be considered as inappropriate development. However, it is necessary to consider whether any of the exceptions set out above and in Paragraph 149 of the NPPF are applicable to the proposed development.

72. The application proposes the erection of a new dwelling and so is not permitted by any of the exceptions set out at a) to d). In terms of exception e), infill development would be considered to comprise the development of a site within a village with existing built form on both sides, rather than a site on the edge or outside of it. In this instance, the site is located outside of the settlement of Great Lumley and so its development would not represent infill development. In terms of exception f), the proposal would not contribute to meeting an identified affordable housing need.
73. In relation to g), it is noted that Annexe 2 of the NPPF defines previously developed land as: *'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.'* It goes on to specifically exclude *'land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape'* from this definition.
74. The application site comprises the site of the former Lumley Boys School which is thought to have been demolished at some point in the 1960's. The site comprises some remnants of the former building in the form of areas of hardstanding and foundations, but this has since become overgrown with vegetation and there are no built structures visible on the site. As a result, the remnants of the former building have blended into the landscape and so accordingly the site is not previously developed land as set out by the definition within the NPPF. Notwithstanding this, even if the site were to be considered previously developed land, the erection of any new buildings on the site would be considered to have a greater impact on the openness of the Green Belt than the existing hardstanding and foundations. Therefore, the proposed development does not qualify for the exception under NPPF Paragraph 149 g).
75. Therefore, the erection of a dwelling on this site represents inappropriate development in the Green Belt which is by definition harmful to its openness. Consequently, the proposal is contrary to Part 13 of the NPPF and CDP Policy 20.
76. The applicant puts forward some arguments as to what 'very special circumstances' exist in their view that support the proposals and are intended to outweigh the conflicts with the planning policies identified above. Reference is made to the proposed development providing biodiversity net gains and utilising solar panels to maximise sustainability. However, providing biodiversity net gains and measures to minimise carbon emissions are required to comply with CDP Policies 41 and 29 respectively and so would be insufficient to amount to very special circumstances to justify the erection of a new dwelling within the Green Belt.
77. The applicant also cites issues regarding anti-social behaviour occurring on the site. Four letters of support have been received in which one respondent refers to the site attracting youths who park cars and play music and an occasion where bricks were thrown into the garden of 4 High Farm Rise. Another makes

reference to drinking, drug taking and fires being lit, although no evidence of this has been provided.

78. No information has been provided to demonstrate that this is anything other than a low-key issue, and indeed whether it relates to the actual site or the conjunction of lanes on the approach to it. The Case Officer has visited the site for the current application and the applicant has previously provided photographs of evidence of litter and low-level fly tipping in support of the proposals. In addition, the Neighbourhood Warden Team Leader for the area has confirmed that no reports of anti-social behaviour have been received so far this year. This would suggest that there is not a significant problem regarding anti-social behaviour on the site. The applicant has not provided any Neighbourhood Warden or Police reports to evidence the extent of any anti-social behaviour occurring on the site.
79. Where proposed development in the Green Belt has been permitted, material weight has only been attributed where overwhelming formally evidenced information has been submitted. For example, a scheme at Beamish presented an extensive dossier of Police reports of damage and vandalism extending over a number of years. This formed one component of a series of tangible high level benefits, including employment generation. The apparent issue appears to relate as much to 'gatherings' in Fenton Well Lane, rather than specifically or exclusively on the application site, and this issue falls far below the level where it can be afforded significant weight.
80. The opportunity to remediate an untidy site in itself is insufficient to amount to a very special circumstance or a material consideration that could outweigh the significant encroachment into the countryside and reduction in the openness of the area caused by the erection of a dwelling in this location. Therefore, no very special circumstances exist to outweigh the policy conflict and harm to the openness of the Green Belt identified above.

#### Locational Sustainability

81. Criterion p) of Policy 10 does not permit development in the countryside where it would be solely reliant upon unsustainable modes of transport, with new development in countryside locations not well served by public transport expected to exploit any opportunities to make a location more sustainable including improving the scope for access on foot, by cycle or by public transport.
82. In addition, CDP Policy 21 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.
83. NPPF Paragraph 105 advises that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. NPPF Paragraph 110 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.

84. In terms of distances to services and amenities, in general, a walking distance of around 800m or 10 minutes' walk is considered to represent an appropriate range, with a walking distance of 1650-2000m or a 20-minute walk at the upper end of what future residents could be expected to walk, taking into account topography and desirability of routes. These distances are based on good practice guidance set out in the Chartered Institute of Highways and Transportation (CIHT) documents including 'Guidelines for Providing for Journeys on Foot' and 'Planning for Walking', The Department for Transport's 'Manual for Streets'.
85. 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. Great Lumley is a suburban area located in between Chester-Le-Street to the north and Durham City to the south and is rated as having a settlement score of 36.3 (45<sup>th</sup> out of 230), reflecting its status as a medium sized village. Services within the village comprise a Co-op food store, convenience store, community centre, gym, nursery, primary school, two public houses, and various hot food takeaways, all of which are within 900m of the application site and connected by lit footpaths.
86. In addition, there is a bus stop within 150m of the site which is served by the no.78 bus connecting Consett to Sunderland via Great Lumley that runs at approximately half hourly intervals. The no.71 bus also stops here connecting Chester-Le-Street to Seaham via Great Lumley that also runs at approximately half hourly intervals from Monday to Saturday.
87. Therefore, the site is considered to have reasonably good sustainability credentials that would prevent the future occupants from being reliant upon the private car, according with CDP Policy 10 p) and 21 and Part 9 of the NPPF.

#### Design and Visual Impact

88. CDP Policy 39 seeks to protect the character, quality or distinctiveness of the landscape and expects new development to incorporate appropriate measures to mitigate adverse landscape and visual effect. The policy makes clear that development affecting Areas of Higher Landscape Value (as in this case) 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.
89. CDP Policy 29 also 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.
90. In addition, CDP Policy 10 is not permissible towards development in the countryside where it would give rise to unacceptable harm to the intrinsic

character, beauty or tranquillity of the countryside which cannot be adequately mitigated or compensated for.

91. Parts 12 and 15 of the NPPF also seek to promote good design, while contributing to and enhancing 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. Specifically, NPPF Paragraph 130 states that planning decisions should aim to ensure developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and the surrounding built environment and landscape setting, and establish or maintain a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
92. NPPF Paragraph 174 also advises that planning decisions should enhance the natural and local environment by protecting and enhancing valued landscapes in a manner commensurate with their identified quality in the development plan and recognising the intrinsic character and beauty of the countryside.
93. In terms of the design of the dwelling, the modern approach taken is considered to be appropriate and no concerns are raised in this regard.
94. However, the application site occupies a position outside of and not well related to a settlement and so lies within the open countryside as well as the Green Belt. The site is not previously developed land as defined by the NPPF as the remnants of the former Lumley Boys School have blended into the landscape. Therefore, the baseline for the landscape assessment must be the current character of the site.
95. The applicant contends that the land is 'unsightly'. Whilst the site could be considered unsightly when viewed from within the site, this is not the case when viewed from the public domain. When viewed from nearby footpaths, the mown public land around the art feature at the edge of the village, or in longer views from the west across the Area of Higher Landscape Value, the site is only apparent by its formed nature and the flora that has grown up around its boundaries.
96. In its current context, Landscape Officers have advised that the proposed dwelling would appear as an incongruous feature that would read as a small but sprawling incursion into countryside that would not be well related to the current form of the settlement. The incongruity of residential development in this location would result in a degree of localised harm to the special qualities of the Area of Higher Landscape Value. Whilst the character of the site already has an urban fringe quality due to the presence of the field to the east, also owned by the applicant, and its existing engineered platform and walls from its previous use, it nevertheless forms part of wider views of high scenic quality, especially when viewed from the Weardale Way. Although views would be reduced to some degree by the existing vegetation along the boundaries of the site and



the proposed landscaping, the development would still represent an encroachment into open countryside.

97. In this regard it is noted that the Inspector when considering whether the site should be removed from the Green Belt considered that *'any new buildings on the site, even if well designed and landscaped, would represent a significant encroachment into the countryside and reduce the openness of the area.'* Openness is commonly understood to mean the 'absence of built development' and to have both a spatial and a visual dimension. Despite being single storey, the proposed dwelling would inevitably impact on openness by virtue of introducing built development onto the site, although views would be tempered somewhat by the mature vegetation along the western boundary and the proposed landscaping.
98. It is acknowledged that the landscaping now proposed in this application is greater than that proposed by the most recently refused application (DM/22/00199/FPA), although identical to that proposed under the most recently withdrawn applications (DM/22/02804/FPA and DM/23/00378/FPA) which would have nevertheless been recommended for refusal. The landscaping scheme now proposes the planting of 30no. trees (increased from 16), 1138no. shrubs (increased from 768), 222no. hedges (the same as previously), and 27no. herbaceous plants (increased from 0). These additional measures would help to mitigate visual impacts on the landscape and enhance the site level landscape qualities, albeit in a specific and limited way.
99. However, whilst the improvements to and benefits of the landscaping scheme are acknowledged, ultimately these are considered to be insufficient to overcome the principle of proposing inappropriate development in the open countryside and the Green Belt. By virtue of its location physically separate from the main built up area of the village, the development of this site, even with the enhanced landscaping proposed, would represent encroachment into the open countryside thereby causing harm to the special qualities of the Area of Higher Landscape Value, contrary to CDP Policy 10 and 39, and Part 15 of the NPPF.

#### Highway Safety/Access

100. 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. Criteria e) and q) of Policy 6 and 10 do not permit development where it would be prejudicial to highway safety.
101. The NPPF sets out at Paragraph 110 that safe and suitable access should be achieved for all users. In addition, NPPF Paragraph 111 states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe.

102. The application proposes access to the site to be taken from Fenton Well Lane. The adopted highway ends 50m to the east of the site and so the site would be accessed from a private track. The Highways Authority consider the new access to be safe and suitable for the proposed development and the introduction of a single dwelling is not considered to generate a tangible increase in traffic or to adversely affect highway safety. The dwelling would be served by an ample amount of in-curtilage car parking space.
103. As the part of Fenton Well Lane connecting to the site is unadopted, bins serving the dwelling would need to be taken to the nearest adopted highway on the day of collection, and then taken back to the dwelling post collection. This would require the occupant to drag their bins over 50m to the closest part of the adopted highway if they are to be collected by the Council's refuse vehicle. This would be undesirable due to the incline to the east. A suitably worded condition could be imposed to secure details of a scheme for refuse collection, potentially involving a private company.
104. Overall, a safe and suitable access can be achieved, and the proposed development would not adversely affect highway safety, according with CDP Policies 6, 10, and 21, and Part 9 of the NPPF.

#### Residential Amenity

105. 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.
106. CDP Policy 31 states that all new development that has the potential to have an unacceptable impact through overlooking, visual intrusion, visual dominance or loss of light, noise or privacy will not be permitted.
107. Criterion r) of Policy 10 is not permissible towards development in the countryside that would impact adversely upon residential or general amenity.
108. In addition, CDP Policy 29 states that all new residential development will be required to comply with the Nationally Described Space Standards (NDSS). The proposed dwelling would comply with the NDSS.
109. A Residential Amenity Standards Supplementary Planning Document (SPD) has been adopted by the Council, which recommends that dwellings benefit from gardens which are at least 9m long. The rear garden of the dwelling would exceed this requirement.
110. The SPD also advocates minimum separation distances of 21m between primary habitable room windows which are adjacent to each other where either building exceeds a single storey, and a minimum of 18m between primary habitable room windows which are adjacent to each other and both buildings are single storey. Where a main facing elevation containing a primary habitable room window is adjacent to a gable wall which does not contain a primary

habitable room window, a minimum distance of 13m shall be provided where either building exceeds a single storey or 10m where both buildings are single storey. There are no buildings within 21m of the site so the above separation distances would be achieved.

111. Given the relatively isolated position of the site away from nearby dwellings, the proposed development is not considered to adversely affect the amenity of surrounding residents, either in terms of overlooking, visual dominance, or overshadowing. Additional vehicular movements associated with the new dwelling would not be significant in terms of noise or light pollution.
112. Overall, the proposed development is considered to provide a good standard of amenity for existing and future residents, according with CDP Policy 10 r), 29 e) and 31 and Parts 12 and 15 of the NPPF.

### Drainage

113. 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.
114. 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. Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water.
115. The site is not located within a flood zone or an area identified as being at high risk of surface water flooding. Foul and surface water is proposed to be disposed to the main sewer. Hard surfaces are proposed to consist of permeable patio and gravel driveway areas. There are no watercourses on or near the site, with the River Wear located 675m away to the north west, and so in line with the hierarchy of preference surface water is proposed to be discharged to the nearest public sewer.
116. Overall, these details are considered to be sufficient to accord with CDP Policies 35 and 36 and Part 14 of the NPPF, with the proposal not considered to increase the risk of flooding on or off site.

### Ecology

117. 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 secure net gains for biodiversity and coherent ecological networks. Policy 43 relates to protected species and nationally and locally protected sites. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them.

118. A Local Wildlife Site (LWS), Brough's Gill Wood, is located approximately 835m to the north of the site, with Chester Dene LWS located 1.25km to the west. The application is supported by a Preliminary Ecological Appraisal (PEA) which identifies that the proposed development may result in the disturbance of commuting and/or foraging bats due to light spillage should external lighting be erected; the destruction of an active birds' nest; and the loss of a small mosaic of common habitats, containing an assemblage of common birds and common invertebrates. To avoid these impacts, the report recommends that the timing of works avoid the bird nesting season, the development of a sensitive lighting scheme to avoid light spillage, the use of insect friendly plants and native trees of local provenance in the landscaping of the site, and the installation of integrated bat and bird boxes to provide biodiversity enhancements in the form of roosting and nesting opportunities. A condition could be imposed to secure adherence to these recommendations.
119. The PEA concludes that the proposals will result in a net habitat loss of 0.32 biodiversity units (-62.9%). However, the report was originally undertaken to support application DM/22/00199/FPA where it was considered that given the scale of the development and the nature of the habitats on site, the landscaping proposed at that time was sufficient to provide biodiversity net gains. The landscaping proposed in this application has since been increased and whilst no updated biodiversity metric has been provided to establish the impact of these revisions it is still considered that the proposed development is capable of achieving net gains in biodiversity, in line with the requirements of CDP Policy 41 and NPPF Paragraph 180 d).
120. Therefore, the proposed development is considered to accord with CDP Policies 41 and 43, and Part 15 of the NPPF.

#### Ground Conditions

121. CDP Policy 32 requires sites to be suitable for use taking into account contamination and unstable land issues. NPPF Paragraph 183 requires sites to be suitable for their proposed use taking account of ground conditions and any risks arising from land instability and contamination.
122. The application site lies within the defined Coalfield Development High Risk Area. The application is accompanied by a Phase I Geo-Environmental Site Assessment. Based on a review of relevant sources of coal mining and geological information, the submitted report concludes that there is a moderate risk to residential development at this site due to historic unrecorded shallow coal mine workings that may have taken place beneath this site. Therefore, in order to mitigate any risk of ground subsidence or mitigation measures that may be required to ensure that the development will be safe and stable, intrusive

ground investigations are required to take place prior to the commencement of the development.

123. The Coal Authority, as a statutory consultee, has reviewed the submitted information and concurs with the recommendation for the undertaking of intrusive site investigations. They advise that these should be designed and carried out by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development.
124. Given the above, the Coal Authority recommend two conditions to secure the implementation of remediation works and mitigation measures prior to the commencement of development, and the receipt of a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the development prior to its first occupation. These conditions would be necessary to address land instability arising from coal mining legacy to ensure that the site is made safe and stable for the development proposed.
125. The Contaminated Land Officer has indicated their satisfaction with the information provided in the submitted Phase 1 report which identifies that further investigation is required. Therefore, they recommend conditions to secure the submission of a Phase 2 site investigation and, if the Phase 2 report identifies any unacceptable risks, a Phase 3 remediation strategy.
126. Subject to these conditions, the proposal is considered to comply with CDP Policy 32 and NPPF Paragraph 183.

#### Carbon Emissions

127. Criterion c) of Policy 29 requires all development to minimise greenhouse gas emissions, by seeking to achieve zero carbon buildings and providing renewable and low carbon energy generation. Where connection to the gas network is not viable, development should utilise renewable and low carbon technologies as the main heating source.
128. Criterion d) of Policy 29 requires all 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 waste and prioritising the use of local materials.
129. The application proposes the installation of solar panels to the roof of the dwelling which is considered to meet the requirements of CDP Policy 29. A condition could be imposed to secure their installation prior to the first occupation of the dwelling.
130. Given the above, the proposal is considered to accord with the sustainability aims of CDP Policy 29 and Part 2 of the NPPF.

## Other Matters

131. CDP Policy 27 requires all new residential development to be served by a high speed broadband connection. This will need to be directly accessed from the nearest exchange and threaded through resistant tubing to enable easy access to the cable for future repair, replacement and upgrading. Where it can be demonstrated that this is not appropriate, practical or economically viable, developers will be encouraged to provide appropriate infrastructure to enable future installation. No details of how the dwellings will be served by a high speed broadband connection have been submitted with the application, but the Ofgem website confirms that the settlement of Great Lumley is served by multiple broadband suppliers offering ultrafast broadband connection and so it is considered appropriate to secure these details via a suitably worded condition.
132. The Council's PRoW Section have advised that they have received a Definitive Map Modification Order application to upgrade the status of footpath no. 22 to a public bridleway which is pending consideration. Public footpath no. 1 Great Lumley Parish passes close to the northeast corner of the development site but would not be affected by the proposed development. Consequently, there is no conflict with CDP Policy 26.
133. The applicant has previously referenced two planning applications which have previously been approved at Planning Committee. The first relates to the erection of a dwelling in Rainton Gate (DM/21/01278/FPA) which was located within the Green Belt and immediately adjacent to a rear garden. However, this site is not comparable as it occupies a position that is physically separate from the nearest garden. The second was a proposal for holiday accommodation associated with an established garden centre, so is not comparable to this application. Each case must be determined on its own merits and Green Belt policy has in its intent and application been consistent for some years. Therefore, the previous refused planning applications for the erection of a dwelling on this site, along with the withdrawal of similar applications having been advised they were contrary to planning policy and could not be supported, as well as the conclusions of the Inspector when considering the adoption of the CDP, represent a clear consistency of approach that it would be inappropriate to deviate from.

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## CONCLUSION

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134. 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.
135. In this instance, it is concluded that the application site is physically and visually separate from the settlement of Great Lumley, due to the distance between the

site and the closest built form which comprises properties 157 Front Street and 4 High Farm Rise which form the western edge of the village. Consequently, from a planning perspective the site lies within the open countryside. CDP Policy 10 does not permit development in the countryside unless it is allowed by one or more listed exceptions or by another policy within the Plan. Policy 10 is not permissible towards the erection of a dwelling in the countryside and there are no other relevant policies within the Plan from which this proposal in this location could draw support. Therefore, the proposed development is contrary to CDP Policy 10 and unacceptable in principle.

136. The site is also located within the Green Belt. The erection of a dwelling does not fall under any of the exceptions specified by NPPF Paragraph 149 and so represents inappropriate development in the Green Belt, which by definition is harmful to its openness. Therefore, the proposed development is contrary to Part 13 of the NPPF and CDP Policy 20.
137. In addition, the site lies within an area designated as an Area of Higher Landscape Value. The erection of a dwelling in this location outside of the village would represent significant encroachment into the open countryside and would appear as an incongruous feature in this respect. Therefore, the proposed development would harm the intrinsic character of the countryside and the special qualities of the Area of Higher Landscape Value. Whilst the improvements to the landscaping scheme are acknowledged, ultimately these are considered to be insufficient to overcome the sites position outside of the settlement and within the Green Belt. Therefore, the proposed development is contrary to CDP Policies 10 and 39, as well as NPPF Paragraph 174.
138. No concerns are raised regarding the locational sustainability of the site, the impact upon highway safety, residential amenity, flood risk, ecology, or carbon emissions.
139. In terms of other material considerations, the applicant contends that the dwelling would of a design that would make a positive contribution to the character and appearance of the area by improving the current appearance of the site; would be within easy reach of services and facilities in Great Lumley; provide biodiversity net gains; and utilise solar panels as a renewable energy source.
140. Whilst no concerns are raised in relation to the design and appearance of the dwelling itself, officers are of the view that the erection of a dwelling on this site would represent and appear as encroachment into the countryside and so the opportunity to remediate an untidy site is insufficient to amount to a very special circumstance or a material consideration that could outweigh the significant encroachment into the countryside and reduction in the openness of the Green Belt caused by the erection of a dwelling in this location. Although it is accepted that the future occupants of the proposed dwelling would not be solely reliant upon the private car for access to services and facilities, and employment and education opportunities, again this does not outweigh the harm and policy conflict identified above.

141. CDP Policies 29 and 41 require all development to provide biodiversity net gains and to minimise carbon emissions and so complying with these requirements is insufficient to demonstrate very special circumstances.
142. The Neighbourhood Warden Team Leader has confirmed that no reports of anti-social behaviour relating to the application site have been received during the period January 2023 to August 2023. The applicant has not provided any formal evidence to demonstrate a significant problem with anti-social behaviour occurring on the application site, at a level above relatively low key gatherings. Therefore, the benefits of developing of the site to address anti-social behaviour cannot be afforded significant weight.
143. The provision of a single dwelling does not justify an alternative approach being taken in the context that the Council can demonstrate a five year supply of deliverable housing sites, as required by NPPF Paragraph 75. Whilst the proposed development would employ skilled tradespeople during the construction phase, this is likely to be relatively brief and any economic benefits brought about relatively limited.
144. Overall, the proposed development is considered to be contrary to CDP Policies 10, 20, and 39, as well as and Part 13 and 15 of the NPPF, with no material considerations to outweigh this policy conflict and associated harm. Therefore, the application is recommended for refusal.

#### Public Sector Equality Duty

145. 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.
146. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

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### RECOMMENDATION

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

1. The proposals constitute inappropriate development within the Green Belt that would reduce the openness of the area. It has not been demonstrated that there are any very special circumstances that exist and are capable of outweighing this harm. Therefore, the proposed development is contrary to Policy 20 of the County Durham Plan and Part 13 of the National Planning Policy Framework.
2. The proposed development would represent significant encroachment into the countryside and would appear as an incongruous feature that would not



conserve the special qualities of the surrounding Area of Higher Landscape Value. It has not been demonstrated that there are any quantified or evidenced benefits to a degree that would outweigh this harm. Therefore, the proposed development is contrary to Policies 10 and 39 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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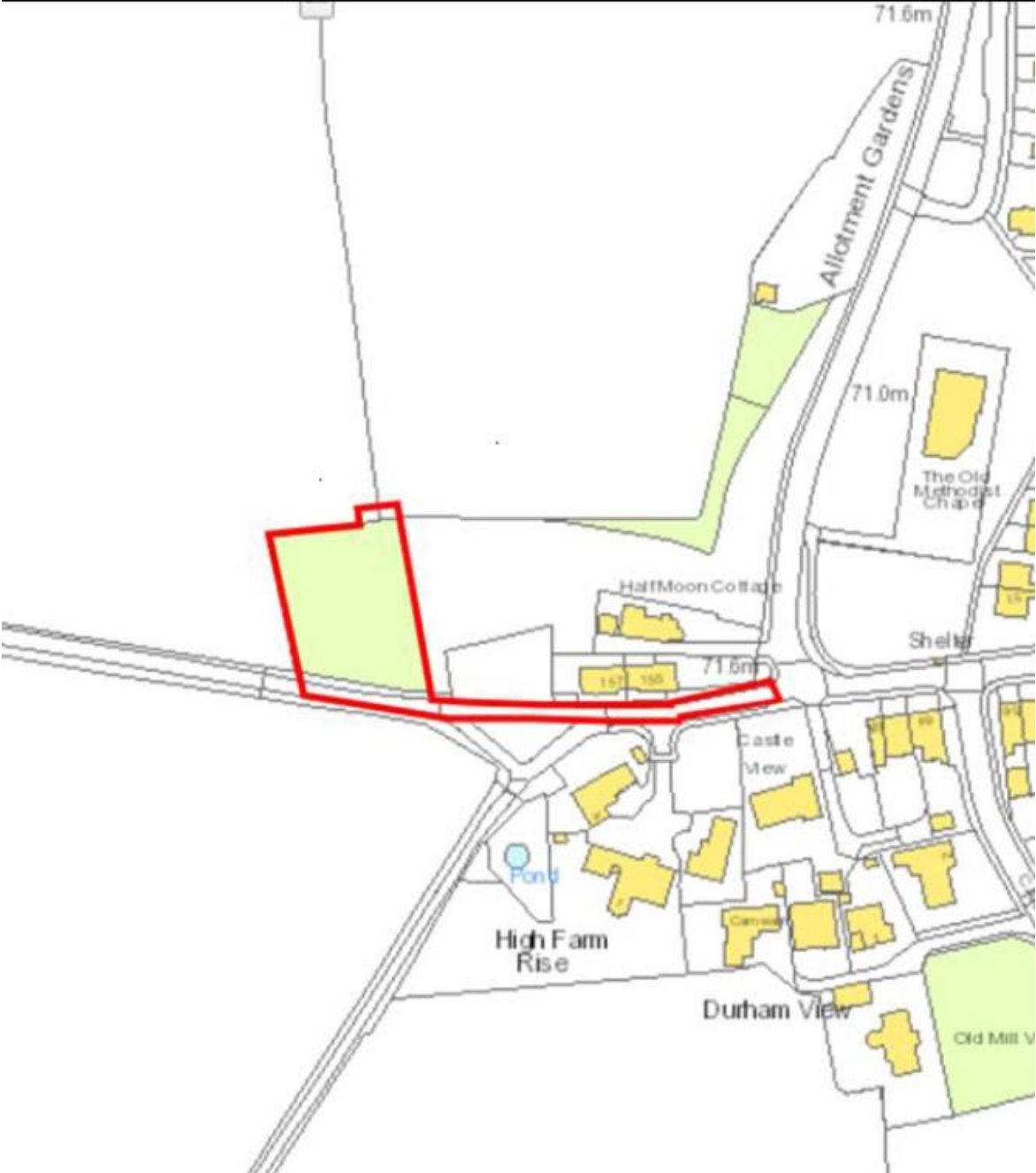
In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant 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)  
County Durham Plan Settlement Study 2018  
Residential Amenity Standards Supplementary Planning Document 2023  
Statutory consultation responses  
Internal consultation responses  
External consultation responses

		<b>Planning Services</b>		Erection of a single story dwelling and associated access and landscaping works	
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		Date: 11 <sup>th</sup> September 2023			