

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/23/02925/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Creation of a new spa complex and wellness facility
<b>NAME OF APPLICANT:</b>	Mr John Adamson, Ramside Estates Ltd
<b>ADDRESS:</b>	Hardwick Hall Hotel Sedgefield Stockton On Tees TS21 2EH
<b>ELECTORAL DIVISION:</b>	Sedgefield
<b>CASE OFFICER:</b>	Steve France Planning Officer Telephone: 03000 264871 <a href="mailto:steve.france@durham.gov.uk">steve.france@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. Hardwick Hall, its estates, and the adjacent Country Park lie immediately west of the A177, with the settlement of Sedgefield beyond. Durham City lies nearly 10 miles to the north-west.
2. The application is formed around a group of ancillary buildings, car parking and informal storage areas to the rear of the Grade II listed Hardwick Hall, The Hall sits within the Hardwick Park Conservation Area, in grade II\* designated parkland, and within an Area of High Landscape Value. Since the 1960s, following use as a maternity home the Hall has been as a hotel with events and conferencing facilities, enabled by an extensive range of modern additions to the historic building. These have been focussed on the side and rear elevations.
3. The buildings subject to this application are physically separated from the Hall by an estate road that includes a public footpath designation. The Hall physically and visually separates the building group from the public Country Park to the south. A mature tree belt separates the group from a private golf course to the east and north.
4. The building group sits within a car park serving the Hall, within which to the east there is an extant consent for an additional hotel accommodation building. There is a walled garden on higher ground visible in winter months some +150m to the east.

## The Proposal

5. The application proposes a new leisure development, complementary to the offer of the hotel and the proposed additional hotel accommodation mentioned above. The proposals will see a revised version of the extant spa consent which exists for this site. The proposal does not include any accommodation.
6. Elements of the existing coaching house, north of the Hall, will be retained, including the two principal elevations. The remainder of the development would be new build, respecting the existing features immediately adjacent to the proposed building. Design revisions have been undertaken throughout the process to retain fabric which can add to the development and minimise the impact of new development within the site context. The facility would be standalone, albeit complementary to the existing hotel use, maintaining the existing separation between the two buildings within which a public footpath passes.
7. The application is presented to Committee as a 'major' development proposal.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

8. The following elements of the National Planning Policy Framework (NPPF) are considered relevant proposal:
9. *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.
10. *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.
11. *NPPF Part 6 – Building a strong, competitive economy:* The Government is committed to ensuring the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.
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 11 Making Effective Use of Land.* Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
15. *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.
16. *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.
17. *NPPF Part 15 - Conserving and enhancing the natural environment.* Planning policies and decisions should contribute to and enhance the natural and local environment.
18. *NPPF Part 16 - Conserving and Enhancing the Historic Environment.* Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

#### **NATIONAL PLANNING PRACTICE GUIDANCE:**

19. 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; neighbourhood planning; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; 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

20. *Policy 6 (Development on Unallocated Sites)* supports development on sites not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.
21. *Policy 7 (Visitor Attractions)* supports the provision of new, or the expansion of existing attractions, provided they are: in sustainable and accessible locations or can be made so; are appropriate to the site's location in terms of scale, design, layout and materials; can demonstrate viability of new attraction or helps support viability of existing attraction; enhances existing attractions and supports the visitor economy. Where a countryside location is required, development should: meet identified visitor needs; support local employment and community services; ensure adequate infrastructure; and respect the character of the countryside.
22. *Policy 10 (Development in the Countryside)*. Development in the countryside will not be permitted unless allowed for by specific policies in the Plan, relevant policies within an adopted neighbourhood plan relating to the application site or where the proposal relates to one or more of the following exceptions; economic development, infrastructure development or the development of existing buildings. New development in the countryside must accord with all other relevant development plan policies and general design principles.
23. *Policy 21 Delivering Sustainable Transport* states that all development shall deliver sustainable transport by (in part) ensuring that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestions or air pollution and that severe congestion can be overcome by appropriate transport improvements.
24. *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.
25. *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.
26. *Policy 29 Sustainable Design* Requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out detailed

criteria which sets out that where relevant development is required to meet including; making a positive contribution to an areas character and identity; provide adaptable buildings; minimise greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; providing suitable landscape proposals; provide convenient access for all users; adhere to the Nationally Described Space Standards (subject to transition period).

27. *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.
28. *Policy 32 Despoiled, Degraded, Derelict, Contaminated and Unstable Land* states [in part] that development will not be permitted unless the developer can demonstrate that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities.
29. *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.
30. *Policy 36 Water Infrastructure*. Advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and waste water infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
31. *Policy 39 Landscape* states that 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 and that development affecting valued landscapes will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of the development in that location clearly outweigh the harm. 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.
32. *Policy 40 Trees, Woodlands and Hedges* states that proposals will be expected to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate standoff distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and

integrate them fully into the design having regard to their future management requirements and growth potential.

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 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.
35. *Policy 44 Historic Environment*. Seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.
36. *Policy 56 Safeguarding Mineral Resources*. Sets out that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area unless certain exception criteria apply.

#### The Sedgefield Neighbourhood Plan 2019

37. *Policy G1b. Development outside the Built-up Area Boundary* requires development to be in scale and keeping with the form and character of the neighbourhood area and the local landscape.
38. *Policy E1 Visual & Spatial Impact* Development should enhance the visual and spatial characteristics of the plan area. In particular development should respect significant views of designated and non-designated heritage assets.
39. *Policy E4 Listed Buildings, Scheduled Monuments and Heritage Assets* Proposals which affect designated and non-designated heritage assets will be considered in relation to the National Planning Policy Framework.
40. *Policy R1 Recreational Facilities*, development of indoor recreation and sports facilities (which this proposal would constitute) is permissible provided the development is of an appropriate scale and in keeping with the form and character of Sedgefield and the local landscape.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

41. *Highways* – Officers confirm that this application raises no concerns over road safety.
42. *Historic England* - advise that development on this site should start with a presumption in favour of the retention of the former stable block and its conversion, as envisaged in earlier permissions. This approach has the potential to avoid or minimise harm, and they would recommend these are explored by the applicant.
43. This consultee refers to their advice on a withdrawn predecessor application in which they advised that the proposal would result in modest harm to this Park, a grade II\* Registered Park and Garden and Hardwick Park conservation area. The harm was advised to emanate from the elevated ground on which the Hall site sits, and the increased height of the new roofscape created by this proposal, which would increase to a degree the visual prominence of the service elements to the rear of the Hall which were meant to be discrete and largely hidden from the Park from within and in views through the Park. The Park represents a good example of a provincial interpretation of fashionable mid-18th century garden design, and is well worthy of its protection as a Grade II\* Registered Park and Garden and as a Conservation Area.
44. Hardwick Hall and its immediate surroundings have been much altered and extended as part of repurposing the original building. However, it remains a significant structure in its own right, as well as contributing to the significance of the Park as an important focal point within the 18th century landscape.
45. Granting planning permission for the current development requires the LPA to be convinced that there is a clear and convincing justification for the harm it would cause. The harm arising to the designated and non-designated heritage assets on the site is a material consideration and would therefore also require the Authority to be convinced of a public benefit which outweighs this harm.
46. Historic England has concerns regarding the application on heritage grounds. They consider that the issues and safeguards outlined in their advice need to be addressed in order for the application to meet the requirements of the NPPF.
47. *Georgian Society* - The Group registers significant concerns with the extent of the demolition and rebuilding proposed, and with the dominant and assertive character of the proposed new build elements. They echo the advice and comments offered by Historic England. The Group advises that the proposed scheme of works would cause significant and irreversible harm to the stable range as a curtilage listed building and would thereby erode the wide special architectural and historic significance of Hardwick Hall as a grade II listed heritage asset.
48. *The Gardens Trust* – do not wish to comment on the application, noting this does not signify approval or disapproval of the scheme.
49. *Natural England* – raise no objection to the proposals in respect of the likely Nutrient Neutrality effects on the Teesmouth and Cleveland Coast Special Protection Area and Ramsar Site, as ‘based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection’.
50. *Northumbrian Water* – no response

## INTERNAL CONSULTEE RESPONSES:

51. *Spatial Policy* - This proposal which seeks to develop a spa complex and wellness facility at Hardwick Hall Hotel which dates from the mid-18th Century and is a Grade II listed building. The structure is Grade II for its historic value and architectural detail. It has been subject to alterations in the early 20th Century. It sits within the Hardwick Park Conservation Area and is also an Historic Parks and Gardens of National Importance (Grade II\*). The proposal should be assessed against policies 7, 8, 10, 39 and 44 of the CDP, and policies R1, E1 & E4 of the SNP, with the NPPF a significant material consideration. A key issue with this proposal will be the impact of the proposed new build development on the heritage asset, but it is recognised that the CDP strives to enhance both visitor attractions and accommodation in the County.
52. With proposals of this nature the character and appearance of the built environment should be enhanced and where appropriate protected. In particular listed buildings should be protected from demolition, inappropriate alteration or other adverse change to their character or setting. Conservation areas and their settings should be protected from change which damages their character. New development which enhances their character should be encouraged. Development proposals must not detract from the character or appearance of the conservation area or its settings. Relevant policies of the County Durham Plan covering visitor attractions and accommodation (7 & 8) are applicable to the scheme alongside those to protect the historic and natural environment (within the County Durham Plan and the Sedgefield Neighbourhood Plan).
53. *Design and Conservation* - This application would see the construction of a new spa and wellness facility supporting the current operation of the hotel and events on site. It would see the partial demolition of an existing stable block situated to the rear of the main hotel in what is currently presented as service space and extensive hard surfaced car parking. The character and setting of the application site are degraded in comparison to the quality of other buildings and structures and the wider historic landscape. The heritage context of the application site and impact on significance is set out in detail below.
54. Whilst the loss of the fabric of the stable block is regrettable and will see the loss of a historic visual cue to the operation of the estate as a private residence in times gone by, the site represents the optimum location for the proposed use to minimise impact on the historic environment and provide functional links to the existing and proposed hotel accommodation. Design evolution with support from the applicant has reduced the impact of the proposal and ensured the retention of some fabric for context which by virtue of the design solution will be clear for users to understand. The proposed building will appear in the setting of numerous assets both at close range and in distant views, it is considered that subject to careful control of external materials, colours, finishes and external lighting this impact can be mitigated to a degree where no harm will occur in the round. In relation to the impact on the wider conservation area this will be minimal and when considered in association with hard and soft landscaping improvements will be positive.
55. Through a long process of design review to maximise quality and minimise impact, it is now considered that subject to robust conditioning of detail, a scheme has been secured which meets the tests of policies 29 and 44 of the adopted County Durham Plan, on this basis no objection is raised.



56. *Visit County Durham* confirm that Hardwick Hall Hotel is one of County Durham's more established and successful visitor accommodation, conference and event businesses.
57. County Durham has an under supply of visitor accommodation and this is limiting the economic impacts of tourism for the county. The creation of a new spa complex and wellness facility will add to the overall viability of the business. The proposal also taps into an increasing trend towards a need for wellness and wellbeing fuelled by the impacts of the pandemic. Our visitor research indicates that there is an increasing interest in this area.
58. The hotel is a significant employer in the area and contributes to the viability of local businesses and suppliers.
59. A wide range of research and economic impact data can be found in the 'Resource Hub' of our corporate website [www.visitcountydurham.org](http://www.visitcountydurham.org).
60. *Footpaths* - Public Right of Way Sedgefield Footpath 2 runs to the South of the site. This PRow is mentioned in the supporting documentation supplied with the application and seems unaffected by the proposal. Given access to the site will be via the footpath Footpaths Officers offer general advice to ensuring the path remains usable and safe during the construction phase.
61. *Ecology* – After an extended exchange and updates, all the ecological reports required have been received, with previous concerns regarding the use of plans within the Biodiversity Net Gain (BNG) Assessment resolved.
62. The development delivers BNG and previous comments have noted the need for Great Crested Newts and bat licences prior to commencement of any development that might impact those protected species.
63. *Trees* - The site, within an Area of Higher Landscape Value (AHLV), is occupied by a number of large, mature trees, identified as being of moderate quality. The area is protected by a Tree Preservation Order which comprises ten Limes and one Beech. Several smaller trees of lower quality also occupy the north-west border of the site. The mature trees overall are considered as being in a fair-good condition. Seven of the nine trees to be removed are dominant, mature, moderate quality trees. The project arboriculturalist has identified the loss of these trees as significant, because it involves the removal of mature established trees.
64. Proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Proposals for new development will be expected to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate stand-off distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential. Where trees are lost, suitable replacement planting, including appropriate provision for maintenance and management, will be required within the site or the locality.
65. The loss of the trees identified in the AIA would be significant due to their age, size and the visual amenity they provide. The proposal is therefore classed as being in direct conflict with policy 39 and 40. As the tree loss would be significant in the

landscape, Tree Officers object to the proposal in its current form. The applicant has provided additional justification in response to these comments, however the objection is maintained.

66. *Landscape* - Should any development proceed, full hard and soft landscape details should be provided as part of the application.
67. *Drainage* – Officers raise no objection advising the hydraulic calculations should be a full system analysis for all storm events up to and including the 1 in 100 year event with allowance for 45% climate change, the submitted calculations still include 40%. The design should restrict flows to the QBAR Rural rate for the area drained. 'The pollution mitigation levels should be provided for the Interceptor device'. Drainage Officers have advised against conditioning the drainage calculations.
68. *Archaeology* – raise no concerns.
69. *Environmental Health (Contamination)* - have assessed the available information and historical maps with respect to land contamination along with the submitted Phase 1 Environmental Assessment which identified the need for further site investigation. Given this, and due to the fact that this development constitutes a change of use to a more sensitive receptor, standard contaminated land conditions and an informative should be applied to any approval.

#### **PUBLIC RESPONSES:**

70. In response to a consultation exercise of a press notice, site notices posted along the public footpath and 5 direct letters, there have been no representations received.

#### **APPLICANT'S STATEMENT:**

71. There has been extensive planning history at Hardwick Hall. This reflects the owner's commitment to continually improve the facilities and high quality service provided at the hotels in the Ramside Estates portfolio.
72. At the present time there is an existing planning consent relating to the land to the rear of the hotel. This provides a large health spa within converted and extended stable blocks and coach house, and the erection of a three storey bedroom wing and 90 space car park.
73. The current planning application replaces the converted and extended stables and coach house. The existing consent for the three storey bedroom wing would be built out under the commenced planning permission from 2003.
74. The exciting plans now propose a wide range of new facilities and in the spa. The very significant upgrade from 2003 includes a 25m pool, gym, studio, treatment rooms, swim out pool and restaurant.
75. The design follows on from extensive discussions with your planning and historic building officers. The theme matches that of the original coach house and reflects the setting of the important listed Hardwick Hall.

76. Combined with the new hotel rooms the development represents a further private investment in County Durham from Ramside Estates of £11.2m which will mean creation of 71 direct new jobs and over 128 in total including indirect jobs.
77. As with their flagship site at Ramside and their boutique hotel at Bowburn, Ramside Estates remains committed to County Durham and continues to invest over and over in improving the facilities they offer to visitors to the County. They are now one of the largest employers in Durham and it is hoped they will continue to enjoy the support of the County Council with this exciting new project at Hardwick.

*The above is not intended to list every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S1R933GDMA300>*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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78. 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 this instance the development plan and the relevant policies are set out within the Durham County Plan 2020 and The Sedgefield Neighbourhood Plan 2019.
79. 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. Likewise, advice set out in the Planning Practice Guidance notes, such as for Historic environment are material considerations.
80. 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, heritage considerations, highway safety and access, layout and design, landscape and visual impact, ecology, flooding and drainage, nutrient neutrality, and other matters.

### Principle of the Development

#### The Development Plan

81. 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) and Sedgefield Neighbourhood Plan (SNP) form 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. The SNP predates the CDP by a year.
82. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

83. In basic principle terms the development is on an unallocated site in the Countryside, with CDP Policies 6 and 10 relevant. The proposals are considered for CDP Policy 6 appropriate in terms of scale, design, layout, and location to the character, function, form and setting, also meeting the other relevant criteria, and for CDP Policy 10 represent 'the expansion of an existing business falling beyond the scope of a rural land based enterprise, where it can be clearly demonstrated that it is, or has the prospect of being, financially sound and will remain so'.
84. There is specific Policy for expansion of Visitor Attractions, CDP Policy 7 noting that, 'The visitor sector is an important and resilient part of the county's economy. In order to raise the quality of the visitor experience, the provision of new visitor attractions, or the expansion of existing attractions will be permitted provided they meet a range of criteria including that they are in sustainable locations, appropriate to the site's location in terms of scale, design, layout and materials, helps support the viability of an existing attraction, it enhances and complements existing visitor attractions or priorities in the county and supports the development of a year-round visitor economy and/or extends visitor stays, meet identified visitor needs, support local employment and community services, ensure adequate infrastructure and respect the character of the countryside.
85. The proposal is considered compliant with this Policy. The operation of the Hall is a short distance from the village of Sedgefield – 600m direct, or 800m by surfaced path. Whilst there is no direct bus service available along the A177, there is a range of footpaths in the area, and an expansion of a countryside business sited close to a settlement is concluded to be in a reasonably sustainable location.
86. In the Neighbourhood Plan, Policy R1 Recreational Facilities, development of indoor recreation and sports facilities is considered relevant, being permissible provided the development is of an appropriate scale and in keeping with the form and character of Sedgefield and the local landscape. This requirement is considered met.

#### Highways Safety and Access

87. Policy 21 of the CDP outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity. It also expects developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. Similarly, CDP Policy 29 advocates that convenient access is made for all users of the development together with connections to existing cycle and pedestrian routes. Specifically, the NPPF sets out at Paragraph 110 that safe and suitable access should be achieved for all people. 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.
88. There are no concerns raised in relation to this topic. The site is served by an established access from the A177 that features a protected turn consisting of white diagonal painted chevrons designed to protect traffic turning right. Access to the rear of the building is via a metalled track with passing places that accesses the main car parks. The public footpath follows the line of this access. The site features large, formally laid out car parks.
89. Highways Officers raise no objections in terms of highway safety or proposed parking provision. The proposals are considered to be in accordance with the requirements of

Policy 21 of the County Durham Plan, and Part 9 of the National Planning Policy Framework.

90. In achieving Policy compliance, this aspect of the proposals is considered neutral in the planning balance.

#### Heritage and Archaeology

91. In the development Plan, Policy 44 of the CDP sets out development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate. Policy E4 of the SNP states that proposals which affect designated and non-designated heritage assets will be considered in relation to the National Planning Policy Framework.
92. The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
93. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty that, when considering whether to grant planning permission for a development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Any such harm must be given considerable importance and weight by the decision-maker. The Act further requires special attention to the desirability of preserving or enhancing the character and appearance of a conservation area must be equally considered.
94. Officers have approached the development proposals in line with the advice from Historic England, with a presumption in favour of the retention of the former stable block and its conversion, The scheme has evolved significantly from one that proposed a replacement development, to one that reuses the more characterful elements of the existing structures. There has been extended discussion, with all options considered that have led to the scheme as presented. A pure conversion scheme would not deliver the scale and form of development requested by the applicant.
95. With the proposed scheme including partial demolition of the heritage assets there is harm. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm: any harm, regardless of level to have clear and convincing justification.
96. Historic England and The Georgian Society have set out an opinion on harm from the increased roofscape of the proposals which would increase the visual prominence of the service elements of the Hall which were intended to be hidden from across and

within the Park on raised ground. It is acknowledged that the Hall has been much extended, but it remains the focal point of the heritage landscape.

97. Officers do not agree with the level of harm set out by the consultees. The extended Hall is significantly affected in both immediate and distant setting by the extensive and not wholly subservient large modern extensions to its sides and rear. These extensions are a significant visual intervening feature in the designed principal views of the Hall across the restored formal parkland – the lake fronting the Hall and the modern Country Park beyond. When viewed from what could be the second principal public view – that from the public footpath that runs beside the site and the rear of the hotel, the relationship between the two is significantly compromised by the modern extensions which mask most views of the Hall. From this aspect, the buildings are a characterful but underutilised and tired set of structures with some interesting features and proportions. The revised scheme incorporates the best of these.
98. The Conservation Officer comments offer that the loss of historic fabric will see the loss of a historic visual cue from the operation of the estate as a private residence. This visual relationship has already been to a large degree compromised by the extensive modern extensions that dominate the setting of this building and the relationship with the Hall. The potential presence of the unimplemented, but recently amended and updated additional hotel accommodation that is intended to operate in parallel with the proposed Spa is relevant in assessing the context and relationships of the proposal and the Hall. The two new buildings will be in scale with each other and still subservient in massing to the main Hall buildings complex. Design evolution with support from the applicant has reduced the impact of the proposal and ensured the retention of some fabric for context which by virtue of the design solution will therefore be clear for users to understand. The proposed building will appear in the setting of numerous assets both at close range and in distant views, it is considered that subject to careful control of external materials, colours, finishes and external lighting this impact can be mitigated to a degree where no harm will occur in the round. This can be achieved through the use of appropriate conditions.
99. The level of harm as initially proposed has been reduced. The significance of the asset as curtilage listed structures has already been significantly affected by existing extensions and unimplemented consents that are of material weight in the planning assessment. Officers have worked to ensure the most characterful elements of the existing structures can be interpreted in the proposed development to reduce the level of harm. The Hall, by definition, sits in the centre of and justifies a hierarchy of heritage designations, including Conservation Area and designated Parkland. The intrinsic interrelationship between these assets means that the above assessments are applicable to each.
100. Concern has been raised by the Conservation Officer and the Tree Officer for the tree loss implicit in the scheme as presented, and this represents additional harms both in association with the harm to the heritage assets and their settings, and in their own right as conflict with CDP Policy 40 which sets out that proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm.
101. There is therefore in principle harm to the built structures from loss of fabric, scale and context by degrees, to the parkland from tree loss and to the Conservation Area by both. The benefits of approving a scheme that outweighs these identified harm must be clear if a positive recommendation is to be made.

102. Trees are lost on the footprint of the building but are retained as existing features with the car parking areas that will form the setting the proposed spa, the relationship to the proposed hotel to be built opposite, the rear service areas of the existing Hall extensions, and be a clear feature in the functional areas to the benefit of the passing footpath. In addition to the 220 smaller trees that are proposed as part of the BNG offer, the applicant has proposed an additional 19 semi-mature trees to be planted to mitigate the loss. Tree surveys have been submitted, but a Tree Protection Plan and Arboricultural Method Statement will have to be provided as part of any consent to protect the trees during construction works to a standard set out in BS 5837:2012.
103. Hardwick Hall is an established and successful venue that sits as an important economic and tourist asset in its own right and in complement with the adjacent Country Park. The applicant has set out an economic case for the development in its own right, and as part of a planned extension that includes and compliments the existant consent (7/2005/0766/DM) for a 45 bed hotel building facing the proposal, quantified in the Applicant's Statement as a 'private investment in County Durham from Ramside Estates of £11.2m which will mean creation of over 128 new jobs'. Further jobs and further positive material weight is accrued from the benefits to employment and the local economy during the construction process.
104. The proposals have the support of Visit County Durham with the creation of a new spa complex and wellness facility will adding to the overall viability of the business addressing an increasing trend towards a need for wellness and wellbeing facilities which visitor research indicates is an area of increasing demand.
105. It is Officers view that the amended scheme in retaining elements of the existing building reflects the advice in paragraph 203 of the Framework in sustaining the significance of heritage assets and putting them to viable uses consistent with their conservation. It preserves elements of the building and its setting and retains its position in the hierarchy of structures around the Hall. Notwithstanding this, in the planning assessment harm has been given considerable importance and weight for the effects on the built heritage assets, the parkland and the desirability of preserving or enhancing the character and appearance of the Conservation Area.
106. Officers are convinced that there is clear and convincing justification for the harm the development would cause to the heritage assets, and that clear efforts have been made to minimise this harm, and that in addition to the benefits to the private business, the benefits to the local economy and the tourist offer of the County represents the public benefit which outweighs this harm.
107. The Neighbourhood Plan contains Conservation Policies and it is further concluded that the proposals meet the requirement to enhance the visual and spatial characteristics of the plan area and respect significant views of designated and non-designated heritage assets, reflecting the requirements of Policies E1 and E4.
108. Policy E4 Listed Buildings, Scheduled Monuments and Heritage Assets Proposals which affect designated and non-designated heritage assets will be considered in relation to the National Planning Policy Framework.
109. There are no archaeological implications from the proposals, as confirmed by Archaeology Officers.

## Layout and Design

110. CDP Policy 29 outlines that development proposals should contribute positively to an area's character, identity, heritage significance, and landscape features, helping to create and reinforce locally distinctive and sustainable communities. Parts 12 and 15 of the NPPF also seek to promote good design, while protecting and enhancing local environments. The evolved design proposed is considered a high-quality response to the requirements of this Policy subject to, as reflecting the Conservation Officer's advice in the Heritage Assessment section of this report, a condition ensuring the use of materials of appropriate colour and texture.
111. CDP Policy 29 sets out that major new build residential development should achieve CO2 reductions. Part 14 of the NPPF advises that the planning system should support the transition to a low carbon future. To ensure that this essential Policy element is satisfied, the approval is proposed to be made subject to a condition for the submission of a Sustainability Statement to demonstrate compliance.
112. Subject to the above planning conditions, the proposals are considered to comply with Policy 29 of the County Durham Plan in this regard, attracting neutral weight in the planning balance.

## Ecology

113. CDP Policies 26, 35, 41 and 43 seek to secure net gains for biodiversity and coherent ecological networks. CDP 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.
114. The applicant has an extensive site within which to implement a scheme that achieves the required net-bio-diversity gain (BNG). There has been extended discussion over the detail of the scheme and the supporting documentation, but latterly agreement that the scheme will provide the necessary net-biodiversity gain. It is noted that this is a long-running application that pre-dates the requirement to achieve 10% BNG.
115. The scheme is concluded Policy compliant in its Ecology offer, and weighted neutral in the planning balance as a result.

## Flooding and Drainage

116. Policies 35 and 36 of the CDP relate to flood water management and infrastructure. CDP 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. CDP Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where a sequential test and some instances exception test are passed, informed by a site-specific flood risk assessment.



117. Drainage Officers raise no objection advising the hydraulic calculations should be a full system analysis for all storm events up to and including the 1 in 100 year event with allowance for 45% climate change, the submitted calculations still include 40%. The design should restrict flows to the QBAR Rural rate for the area drained. 'The pollution mitigation levels should be provided for the Interceptor device. Detail was still required for this aspect as this report is written, however could be secured by way of condition. Drainage calculations have not yet been agreed, and Drainage Officers advise against conditioning these as a matter of course – as in extreme circumstances this element could render an approval unimplementable. Whilst not ideal, given the extensive landholdings of the applicant around the Hall, this is not an issue in this instance that it is considered it could reasonably form a refusal reason, therefore, as outlined above, in this instance it is considered the matter may be addressed by condition. This is considered to bring compliance with CDP Policy 35.
118. Northumbrian Water have not responded to consultation. However, consistent with the conclusions for Nutrient Neutrality, the implications for foul water are considered proportionate to the nature of the use, and with no accommodation provided, and the development being an extension of a large existing operation, no issues are expected in this regard. Compliance with CDP Policy 36 is concluded.

#### Other Considerations

119. The site is inside the Tees catchment area for Nutrient Neutrality where specified forms of development must ensure that they do not result in increased levels of nutrients in habitats protected under the Habitats Regulations 2017 identified by Natural England. Nutrient neutrality information is required where Planning Application is within a catchment to which the Natural England nutrient neutrality advice applies and the scheme is for (including but not limited to): Agricultural development which will result in an increase in stock numbers; New overnight accommodation (including new dwellings, new camping, glamping or caravan pitches served by on-site toilet or washing facilities, or new hotel bedroom accommodation); or New tourism development which is likely to increase the number of day visitors to a premises; All other developments (excluding householder but including commercial developments) – where onsite overnight accommodation is provided, Anaerobic digesters and any other largescale major development.
120. The scheme as originally submitted included the 48 bed hotel development and therefore fell within the requirements. The two elements of the development were then divided, with the part-implemented approval for the hotel separated into a separate application that approved minor elevational changes.
121. The development of the spa does not involve any overnight accommodation and it is noted that it has previously been agreed that the older consent for the same is extant and capable of implementation, so there is also a fall-back consent that is relevant to this issue. It is concluded that the development sits without the requirement for mitigation as a result.
122. Public Right of Way Sedgfield Footpath 2 runs immediately to the South of the site between the proposed spa and the rear extensions of the listed Hall. This PRoW is mentioned in the supporting documentation supplied with the application and is advised by Footpaths Officers as unaffected by the proposal. Advice to protect the footpath and its users is proposed appended to any approval in an informative.

123. The area is within an Area of High Landscape Value. CDP Policy 39 states that Development affecting Areas of Higher Landscape Value defined on Map H, 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. The assessments carried out for the effects on the registered parkland and the Conservation Area are considered to be relevant and show that the justifications for the development and the replacement planting proposed meets the required tests. The proposals are concluded compliant with this Policy.
124. CDP Policy 32 (Despoiled, Degraded, Derelict, Contaminated and Unstable Land) requires developers can demonstrate that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities. Environmental Health (Contamination) advise that the submitted reports have appropriately identified the need for further site investigation. Given this, and suggest standard contaminated land conditions and an informative, should be applied to any approval.
125. This suggested mitigation can bring compliance with CDP Policy 32 and the relevant elements of Part 15 of the Framework. In achieving Policy compliance, this aspect of the proposals is considered neutral in the planning balance.
126. The proposed development site lies within a Mineral Safeguarding Area (Glacial Sand & Gravel) as designated in CDP Policy 56. All planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development. Criterion e. of CDP Policy 56 identifies that some development is exempt from this requirement and they are set out in appendix C. The list includes alterations and extension to buildings, and given what is proposed here, together with the sensitive location in which the development would take place, there is no requirement for a mineral assessment.
127. The proposal has generated no public interest. Remote from the settlement, direct consultation letters were sent to 5 dwellings, notices were posted on the Public Right of Way, and notices were posted in the press.

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## **CONCLUSION**

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128. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.
129. This proposal which seeks to develop a spa complex and wellness facility at Hardwick Hall Hotel to compliment and expand the existing hotel offer, and serve an extant but currently unimplemented new 48 bed hotel unit.
130. Hardwick Hall, behind which the site sits as a curtilage listed structure is Grade II for its historic value and architectural detail. It has been subject to extensive alterations in the late 20th Century. It sits within the Hardwick Park Conservation Area and is also an Historic Parks and Gardens of National Importance (Grade II\*). The proposal should be assessed against the Development Plan policies within the development

Plan which consists of the County Durham Plan and the Sedgefield neighbourhood Plan.

131. The significant determinant in the application has been that whilst there is acknowledged harm the range of heritage assets involved, these are mitigated by the clear economic benefits the proposal will bring to the local and County wide visitor economy.
132. Other significant requirements such as for Ecology and ensuring Nutrient Neutrality compliance have been assessed and concluded acceptable, subject to the imposition of appropriate conditions. Whilst there are still some outstanding objections from individual consultees, such as Trees, Heritage England and the Georgian Society, it is considered that the concerns are not such that they would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework and the Development Plan when taken as a whole.

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## RECOMMENDATION

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

- The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
*Reason:* Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- The development hereby approved shall be carried out in accordance with the approved plans listed:

Plan	Drawing No.	Date Received
Drainage Strategy	23477-DR-C-0100 P3	18/12/23
Proposed Bat Loft	646-09	18/12/23
Proposed Basement Plan and Ground Floor Plan	03	29/09/23
	04	29/09/23
Proposed First Floor Plan and Roof Plan	05	29/09/23
Proposed Site Plan	06	29/09/23
Proposed SE and SW Elevations	07	29/09/23
Proposed NE and NW Elevations, and Internal Elevations	08	29/09/23
Proposed Indicative Section	TLP-TCP02	29/09/23
Proposed Indicative Section	2404.01A	27/02/24
Tree Location and Constraints Plan	240507	08/05/24
Hardwick Hall Spa Planting Plan		
Hardwick Hall BMMP		

*Reason:* To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 6, 7, 10, 21, 25, 26, 29, 31, 32, 35, 36, 39, 40, 41, 43, 44, 5, the County Durham Plan, Policies G1b E1, E4 and R1 of the Sedgefield Neighbourhood Plan and Parts 2, 4, 6, 8, 9, 11, 12, 14, 15, 16 of the National Planning Policy Framework.

3. The before any building works are commenced, samples of all external materials, details of all external finishes including products and colours, details of all doors and windows including materials sections and finish, details of all means of enclosure, details of all hard and soft landscaping including landscape materials, colours and finishes, details of all external lighting proposals must be submitted to and approved in writing by the Local Planning Authority, with the development thereafter carried out in full accordance with said agreement.

*Reason:* to ensure that the approved development is of a quality appropriate for the historic environment within which it is sited, in accordance with Policy 44 of the County Plan and part 16 of the National Planning Policy Framework.

4. Before the demolition of any part of the existing buildings, a detailed recording of the buildings equivalent to HE level 2-3 (scope to be agreed by WSI) must undertaken and thereafter submitted to the Local Planning Authority before the approved development comes into operation.

*Reason:* To ensure that the historic asset is appropriately recorded in accordance with the requirements of Policy 44 of the County Plan and part 16 of the National Planning Policy Framework.

5. The development and planting must be undertaken wholly in accordance with the Delta Simons Biodiversity Management and Monitoring Plan (May 2024 n. 87086.622860), including full compliance with Appendix B.: Recommended Management and Monitoring Programme, and Appendix C.: Recommended 30 year Management Programme.

*Reason:* to ensure the scheme achieves the required Biodiversity Net Gain as required by Policy 41 of the County Durham Plan and part 15 of the National Planning Policy Framework.

6. All planting, seeding or turfing and habitat creation set out on Leeming Associates Planting Plan 2404.01a Feb. 2024 shall be carried out in the first available planting season following the practical completion of the development.

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

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

7. Before any demolition or development works commence on site a Tree Protection Plan and Arbor Method Statement must be submitted to and approved in writing by the Local Planning Authority to protect the trees during construction works to a standard set out in BS 5837:2012. The agreed protective measures must be retained in place at all times when external building works are being undertaken.

- No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated on the approved tree protection plan as to be retained, are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and

supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2010.

- No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree.
- No removal of limbs of trees or other tree work shall be carried out.
- No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.

*Reason:* In the interests of the visual amenity of the area and to comply with Policies 29 and 40 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

8. Before the development hereby approved is brought into operation the developer must submit a Sustainability Statement prepared by a competent person to the Local Planning Authority for approval in writing to show the scheme has been meets the standards set out in Policy 29 of the County Durham Plan to meet high levels of sustainability.

*Reason:* to ensure the development meets sustainability standards, in accordance with Policy 29 of the Durham County Plan.

9. Before any works other than demolition and clearance works are undertaken, the developer must submit and have approved in writing by the Local Planning Authority hydraulic calculations for a full network system of drains from head of system to outfall for all storm events up to and including the 1 in 100 year event with allowance for 45% climate change. The design should restrict flows to the QBAR Rural rate for the area drained. The pollution mitigation levels should be provided for the Interceptor device; they should meet the levels as set out for the land use in Table 26.2 CIRIA Guidance document.

*Reason:* To ensure surface water management is designed and controlled in accordance with the requirements of Policy 35 of the County Durham Plan and the requirements of parts 14 and 15 of the National Planning Policy Framework

- 10.No development shall commence until a land contamination scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and include a Phase 2 site investigation, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.

*Reason:* To ensure that the presence of contamination is identified, risk assessed and proposed remediation works are agreed in order to ensure the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

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

*Reason:* To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

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

Statutory, internal and public consultation responses

The National Planning Policy Framework

National Planning Practice Guidance Notes

County Durham Plan (2020)

Sedgefield Neighbourhood Plan (2019)

County Durham Landscape Strategy (2008)

[www.visitcountydurham.org](http://www.visitcountydurham.org)



<p><b>Planning Services</b></p>	<p>DM/23/02925/FPA          Hardwick Hall Hotel, Sedgefield, Stockton On Tees,          TS21 2EH</p>	
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	<p><b>Date</b> July 2024</p>	<p><b>Scale</b> NTS</p>