### Planning Services

### COMMITTEE REPORT

### AGENDA ITEM NUMBER:

### APPLICATION DETAILS

<table>
<thead>
<tr>
<th>APPLICATION NO:</th>
<th>CMA/5/39</th>
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<tbody>
<tr>
<td>FULL APPLICATION DESCRIPTION</td>
<td>Static Caravan Park including associated access works, children’s play area and landscaping (Outline – All Matters Reserved) (Resubmission)</td>
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<tr>
<td>NAME OF APPLICANT</td>
<td>Mr J Noble, Noble Promotions Ltd</td>
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<tr>
<td>SITE ADDRESS</td>
<td>Land adjacent B1287 (east) to the north of Seaham</td>
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<td>ELECTORAL DIVISION</td>
<td>Seaham</td>
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### DESCRIPTION OF THE SITE AND PROPOSAL

The Site

1. The site is located north of Seaham Hall, outside of the settlement boundary of Seaham and in the countryside. It comprises open areas of grassland lying to the east and west of the B1287 Coast Road, that links Seaham with Ryhope and Sunderland to the north. The site subject to the application is 2.88 Ha and currently comprises land in arable agricultural use. The site gently slopes from west to east, from the B1287 to the coastal cliff edge. To the east of the application site along the cliff edge is a permissive right of way; the previous coastal path has been lost in this location due to coastal erosion. The application site is bounded to the north, south and west by agricultural land. The closest residential properties are situated on Lord Byrons Walk adjacent to Seaham Hall to the south of the site, and on Stockton Road to the west of the site.

2. The site is within a designated Green Belt and Area of High Landscape Value, and is situated adjacent to the Durham Coast Site of Special Scientific Interest (SSSI), which forms part of the Northumbria Coast Special Protection Area (SPA) and Ramsar Site and Durham Coast Special Area of Conservation (SAC). The application site is also situated with the Durham Heritage Coast. The Heritage Coast
is a non-statutory planning definition and was formally agreed between Durham County Council and Natural England in April 2001, to manage the area to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.

The Proposal

3. Outline planning permission is sought for the use of the site as a caravan park. The application deals only with the principle of development. Indicative plans have been submitted which show how the site could be developed to accommodate up to 100 caravan pitches. However, the exact details of access, scale, massing, landscaping works will be subject of a subsequent reserved matters application, if outline planning permission were to be approved.

4. The application does not seek permission for any permanent structures, accommodation on site would be provided by chalets/static caravans which would be transported onto the site. The supporting information submitted with the application confirms that in preparing the site for use as a caravan park: site accesses would be created; site roads and footpaths created which would be illuminated at night; areas of hard-standing created for car parking; services would be provided to each caravan plot; communal water (clean + waste); bin stores; fire fighting equipment; and, appropriate landscaping works to screen the site.

5. The application has been supported by a Design and Access Statement and Ecology report.

6. This application is reported to the County Planning Committee as it constitutes a large scale major development.

PLANNING HISTORY

7. The following applications relate either directly to the application site, or to land directly adjacent.

8. A Sunday Market and car boot sale refused planning permission in July 2000 (Planning Application No. 00/239), on grounds of inappropriate commercial development in the countryside detracting from the character and appearance of the coast, Area of High Landscape Value and Green Belt. A subsequent appeal against this decision was dismissed. The planning inspector who dealt with the appeal considered that the proposal would represent inappropriate development in the Green Belt and would result in substantial harm to the Green Belt and the character and appearance of the countryside.

9. A Sunday Market and car boot sale was refused planning permission in July 2004 (Planning Application No. 04/475), on grounds of inappropriate commercial development in the countryside detracting from the character and appearance of the coast, Area of High Landscape Value and Green Belt.

10. An application made in 2006 for an outdoor market and car boot fair (Planning Application No. 2006/0529) was refused on grounds of inappropriate commercial development in the countryside which would detract from Area of High Landscape Value and Green Belt.

11. An application for the use of the site for an outdoor market and car boot fair on Sunday afternoons between 12 noon and 5pm from the beginning of March to the
end of September each year (Planning Application No. PLAN/2008/0086) was approved in 2008.

12. A proposal for a caravan park and associated buildings including administration block, washing and toilet facilities and a children’s play area (outline) was withdrawn in August 2011 (Planning Application No. PL/5/2010/0366).

13. An outdoor market and car boot fair was approved in January 2012 (Planning Permission No. PL/5/2011/0110) on Sundays between 12 noon and 5.00pm from last Sunday in March to third Sunday in October each year. This was a variation of operating dates approved under planning application ref. PLAN/2008/0086.

**PLANNING POLICY**

**NATIONAL POLICY**

14. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.

15. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’.

16. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.

17. The following elements are considered relevant to this proposal;

18. **NPPF Part 1 – Building a Strong and Competitive Economy.** The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

19. **NPPF Part 4 – 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.

20. **NPPF Part 7 – Requiring Good Design.** 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.

21. **NPPF Part 9 – Protecting the Green Belt.** 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.

22. NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change. Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.

23. NPPF Part 11 – Conserving and Enhancing the Natural Environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

24. NPPF Part 12 – Conserving and enhancing the historic environment. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

LOCAL PLAN POLICY:

District of Easington Local Plan 2001 (Saved Policies)

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

26. Policy 3 – Protection of the Countryside – Development limits are defined on the proposal and the inset maps. Development outside ‘settlement limits’ will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other polices.

27. Policy 4 – Green Belt Extension in County Durham – This defines the extent of the Tyne and Wear Green Belt that lies within County Durham.

28. Policy 7 – Protection of Areas of High Landscape Value (AHLV) – Development which adversely affects the character, quality or appearance of Areas of High Landscape Value (AHLV) will only be allowed if the need outweighs the value of the landscape and there is no alternative location within the County.

29. Policy 9 – Protection of the Coastal Zone – Development within the defined coastal zone will only be allowed if the requirement for the project cannot be met outside of it and the need for or benefit from the scheme outweighs any adverse impact.

30. Policy 15 – Protection of Sites of Special Scientific Interest and National Nature Reserves – Development which adversely affects a designated Site of Special
Scientific Interest will only be approved where there is no alternative solution and it is in the national interest.

31. **Policy 16 – Protection of Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodlands** – Development which adversely affects designated Sites of Nature Conservation Importance/Local Nature Reserve/ancient woodland will only be approved where there is no alternative solution and it is in the national interest.

32. **Policy 18 – Species and Habitat Protection** – Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.

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

34. **Policy 36 – Design for Access and the Means of Travel** – The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

35. **Policy 84 – Coastal Zone** – Recreation, art, sport and/or tourism development in the coastal zone will only be approved where it is for the quiet enjoyment of the coast and the scale and intensity of the proposal is compatible with the character and nature of the coast, or where it is in accord with other policies in the plan.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at


**CONSULTATION AND PUBLICITY RESPONSES**

**Statutory Responses:**

36. **Seaham Town Council** – The Town Council strongly objects to the application on the following three grounds:

- The proposed caravan park is to be situated in the middle of a significant stretch of the Durham Heritage Coast and as such will, therefore, have a significant detrimental impact upon the amenity of the area causing an unacceptable reduction in the quality of the coast and reducing the natural beauty of an area, which in 2010 won a UK landscape award.

- The proposed caravan park would also be located within Green Belt which lies between Seaham and Ryhope which should be protected in order that there is not a gradual erosion of this area resulting in the merging of the two communities. The Greenbelt is specifically protected from development in the relevant Development Plan for the area.

- The proposed caravan park would have a significant impact on local wildlife, including a number of protected species of birds and that this will have a negative effect on nature conservation in this area. The site is on an actively
eroding coastline and located next to a shoreline which is a conservation area of significant interest and as such it remote character will be severely affected by this proposed development.

37. **Highway Authority** – Notes that the application is in outlined form with all matters reserved therefore, comments relate to the principle of the development. The proposed scheme is considered to be acceptable subject to suitable planning conditions being attached to any grant of planning permission to require agreement of a suitable site access with appropriate visibility splay and the agreement of suitable delivery routes for the proposed caravans.

38. **Natural England** – Objects to the application, Natural England considers that the application site is likely to affect Durham Coast Site of Special Scientific Interest (SSSI). This SSSI is part of the Northumbria Coast Special Protection Area/Ramsar and Durham Coast Special Area of Conservation. Natural England is of the view that the proposal as submitted is likely to have a significant effect on the interest features for which the Northumbria Coast SPA/RAMSAR site has been classified. Natural England advises that the authority undertakes an Appropriate Assessment to assess the implications of the proposal on the designated sites conservation objectives. Natural England also states that it objects on the grounds that the application as submitted is likely to damage or destroy the interest features for which the Durham Coast SSSI has been notified. Natural England considers that insufficient information has been provided to support the conclusion in the submitted Ecology Report that impacts on the SSSI would be ‘minor negative only’. Furthermore, the application site falls fully within the Durham Heritage Coast and Natural England considers that the character of the Heritage Coast would be affected by the proposals.

39. **RSPB** – Objects to the application on grounds of insufficient information and assessment in the Ecology Report. It is not considered that the applicant has adequately identified the likely environmental impacts of the proposal on the Northumbria Coast SPA and RAMSAR site and Durham Coast SSSI, or identified appropriate mitigation measures to address these impacts.

40. **Durham Bird Club** – The Bird Club requests that the comments of the RSPB are noted. The Bird Club consider that the potential impact on birds from any development of this site needs careful examination. The Bird Club consider that the ecology report submitted in support of the application underplays the importance of the application site for winter foraging.

41. **Environment Agency** – Has no objections subject to a condition being attached to any grant of planning permission to ensure the implementation of the mitigation measures included in the submitted Flood Risk Assessment and that surface water drainage from the site should be drained naturally into the porous ground as at present.

42. **Northumbrian Water Ltd** – Has no objections to the scheme and notes there is no water main or public sewer near to the site.

43. **Campaign for the Protection of Rural England** – Objects to the scheme as it would be contrary to the CPRE Coast and Estuaries national policy guidance note which seeks to protect area of undeveloped coast. The Coast in this location is very attractive and a development of this type would detract from the stunning nature of the cliffs. The site is considered to be poorly located, in an undeveloped coastal area, has the potential to impact on the use/enjoyment of the proposed coastal footpath and has
the potential to impact on wildlife. It is also noted that the site lies within Green Belt – relevant National Policy seeks to protect the greenbelt form inappropriate development. The proposed development would severely damage the landscape designations, and it is suggested that the application should be refused.

44. **Seaham Environmental Association** – Objects to the proposed scheme on the following grounds:

- The proposed development would represent the development of a greenfield site within the designated Green Belt which separates Seaham to the south and from Ryhope to the north to the detriment of the openeness of this area, which is recognised by local residents as being fragile and under constant threat.
- The proposed development would have a detrimental effect on the setting of Seaham Hall and St. Marys Church situated to the south of the application site.
- The proposed caravan site would have a permanent, constant effect on the wider locality relating to noise, traffic and litter as well as potential outflow of surface water to the beaches situated below the site.
- Seaham Town Council has worked with the local businesses and organisation to have Seaham recognised as a visitor destination. However, the visitor destination plan is as much about protecting what is valued locally and promoting and encouraging the image and ethos of the town so that local people have a real say in what will effect their lives and community rather than having the town developed unsympathetically. A caravan site does not meet the needs that the town has identified for itself. For decades the landscape was black from coal and waster was dumped on the beaches. Now, through partnerships, million of pounds of investments and the work of nature itself the same coastline has now been recognised nationally and internationally as important.
- The proposed development is to be located close to, and is therefore likely to impact upon significant international and national wildlife designations.
- Concerns have been raised that due to the location of the site on the cliff top, that the proposed landscape works will be unsuccessful, the idea that trees might be planted to screen the development is considered to be an offence to the Associations intelligence.
- On a National scale this is a relatively short stretch of coastline, but then, so are some of the country’s most famous and iconic stretches; the White Cliffs of Dover; in particular the Seven Sisters and Cuckmere Haven. The nation would be “up in arms” at the suggestions of a =caravan sites on them, Why would we, with our nationally unique coastline settle for less? Awards already received, in recognition of the natural beauty of this coastline, would probably be lots, if this development were allowed to proceed. It must not be allowed to proceed.

**INTERNAL CONSULTEE RESPONSES:**

45. **Spatial Policy** – Given the broad range of policy constraints relating to this area of Durham and also the aspirations and vision for the future of the Heritage Coast area, officers are unable to support this proposal and therefore recommend the application for refusal.

46. **Access and Rights of Way** – No objections are raised to the scheme and it is noted that there are no recorded PROW within the proposed site. Officers’ note and
welcome comments in the submitted Design and Access Statement about public access to land parallel and adjacent to the cliff edge as a footpath.

47. **Landscape** – The Landscape Officer is unable to support the application and recommends that it is refused. The proposed change of use from open countryside to a caravan park is not considered acceptable on landscape grounds, and it would significantly and detrimentally affect the recognised visual amenity and landscape character of this part of the Durham coastline. The application is considered to be in conflict with saved policies of the District of Easington Local Plan 1, 3, 4, 7, 9, and 84. The NPPF makes it clear that there is a need to protecting Green Belt, also protecting valued landscapes and in particular maintaining the character of the defined Heritage Coast.

48. **Ecology** – Ecology officers object to the scheme as insufficient information has been provided in relation to the potential impacts on the Special Area of Conservation and Special protection Area. It is considered that much more work needs to be done particularly with regard to bird use etc, as it stands this is not a suitable place for a caravan park.

49. **Visit County Durham** – Have not commented on the application. Relevant officer met with the applicant to discuss the proposed scheme in order to ascertain whether the proposed development would meet an identified need for visitor accommodation in this part of Durham. Information was requested from the applicant, which was not provided. As a result the relevant Tourism Management Committee has not been able to comment on the planning application.

50. **Durham Heritage Coast Partnership** – Strongly objects to the application based on the highly intrusive nature of such a development within a defined Heritage Coast. The Partnership considers any development permitted would ensure that Heritage Coast status would be removed from this area, and there would be implications with regard to coastal change management and Durham County Council’s responsibilities. The Development as proposed fundamentally conflicts with Heritage Coast objectives, policies and purpose of the Heritage Coast Partnership.

51. **Archaeology** – Raise no objection, subject to conditions. The proposed development relates to a Greenfield site that exceeds 1 Ha in area. Officers note that as no previous assessment of the archaeological potential of this site has been made, there is difficulty in deciding upon an adequate level of archaeological intervention, in accordance with the terms of the NPPF. It is therefore recommended that a condition be attached to any grant of planning permission requiring the developer to provide the results of a geophysical survey in support of the any subsequent reserved matters/detailed application. Such a requirement is in line with paragraph 128 of the NPPF, which states that ‘where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation’.

**PUBLIC RESPONSES:**

52. The application has been advertised in the local press and through the erection of site notices. Neighbour consultation letters have also been sent to neighbouring residential and commercial properties.
53. One letter of representation has been received in relation to this scheme. Although no objections have been raised to the application in principle, the resident would like assurance that the landscaping will be an important consideration in the determination of the application.

APPLICANTS STATEMENT:

54. *We are applying for planning for a prestigious caravan park, and are applying for one hundred spaces.*

55. *For static caravans all are movable and of a very high quality. There would be no permanent buildings on the development.*

56. *This is a two million pounds investment and will be to a very high standard. We will use the services of a specialist landscaping company, and have access to over one hundred mature trees. Full detail would be submitted if the development goes to the full planning stage.*

57. *We expect to create approximately sixty jobs in the development stage and after the construction we expect to employ between fourteen and twenty in full and part time employment, as well as creating employment this development will also bring large amount of tourist to Seaham which has got to be beneficial to the local economy.*

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at the office of the Strategic Team Development Management, County Hall, Durham

PLANNING CONSIDERATION AND ASSESSMENT

58. 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 considerations including representations received it is considered that the main planning issues in this instance relate to the principle of development, impact on the landscape, impact on nature conservation, layout, design and visual amenity, highway safety and access, flood risk and drainage, and other issues.

Principle of development

59. The NPPF seeks to support a prosperous rural economy; paragraph 28 confirms that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It recommends that local plans should promote a strong rural economy. In doing so plans should, amongst other things;

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- Promote the development and diversification of agricultural and other land-based rural businesses;
- Support sustainable rural tourism and leisure development that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
Promote the retention and development of local services and community facilities in villagers, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

60. It is clear from the above that there is a presumption in favour of economic growth in rural areas. However, this would need to be balanced against other policy criteria given within the NPPF. The key consideration in determining this application is whether or not the site subject of the application represents a sustainable location for the type of development proposed, and whether the development will benefit businesses, communities and visitors, whilst respecting the character of the countryside.

61. Policy 3 of the District of Easington Local Plan seeks to control the location of development and sets a presumption against development in the countryside away from existing settlements. The site subject of this application is located outside the established settlement boundary for Seaham, and as such, the proposed scheme is considered to represent development in the countryside. Policy 3 states that development will not be allowed in the countryside unless it is specifically allowed for by other policies. The District of Easington Local Plan contained policies relating to the development of caravan parks; however, the relevant policies were not saved, and as such, the plan contains no policies that would specifically allow for the type of development proposed being located outside of the established settlement. Therefore, in considering the location of the development, consideration will need to be given to the relevant sections of the NPPF.

**Green Belt**

62. The site lies within the Tyne and Wear Green Belt. Paragraph 80 of the NPPF confirms that Green Belts serve five purposes:
   - To check the unrestricted sprawl of large built-up areas;
   - To prevent neighbouring towns merging into one another;
   - To assist in safeguarding the countryside from encroachment;
   - To preserve the setting and special character of historic towns and other urban land.

63. Paragraph 81 of the NPPF states that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt. Measures proposed to reach this aim include retaining and enhancing landscapes, visual amenity, and biodiversity.

64. Paragraph 87 of the NPPF, as with previous Green Belt Policy, states that inappropriate development is, by definition, harmful to the greenbelt and should not be approved except in very special circumstances. Paragraph 88 advises that 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, is clearly outweighed by other considerations.

65. Paragraphs 89 and 90 of the NPPF list the range of developments and uses that are not inappropriate development in Green Belt; the development of caravan or holiday parks are not listed as types of development that are not inappropriate.
66. Notwithstanding this, in relation to the Green Belt designation, Policy 4 of the District of Easington Local Plan relates to the reasoning behind the extension of the Tyne & Wear Green Belt in County Durham and sets the context for development in this location. Paragraph 3.22i of the supporting text accompanying the policy, refers to the area of open coastal land between Seaham and Ryhope in which the application site lies, it notes that any development here would threaten the robustness and effectiveness of the Green Belt. Paragraph 3.22ii refers to the countryside quality and character of that area of the Seaham settlement and notes that development in this location would likely detract from the attractive character and setting.

67. It is considered that the siting of the caravans on land that is currently open would inevitably have an adverse impact on the overall openness of the Green Belt. It is noted that no permanent structures are currently proposed, the supporting information submitted with the application confirms that in preparing the site for use as a caravan park various groundwork’s are proposed, including the creation of access roads and car parking, and the provision of services to serve each of the prosed pitches. It is considered that the works as described would significantly undermine the visual amenities of the Green Belt by materially increasing the urban appearance of the site and detracting from the wider rural landscape character of the area. Therefore the siting of caravans and associated works would cause unacceptable encroachment into the openness of the Green Belt.

68. Having regard to the above it is considered that the proposed development would constitute inappropriate development in the Green Belt, which is harmful by definition. It is considered that the proposed use would have a detrimental impact on the openness of the Green Belt. On this basis the onus is on the applicant to demonstrate whether or not very special circumstances exist that would be sufficient to clearly outweigh the harm generated through inappropriateness any other harm to the Green Belt.

69. Submitted in support of the application is Design and Access Statement. Within this document a number of material considerations have been advanced, which the applicant argues would outweigh harm by inappropriateness and other harm to the Green Belt. The material considerations relate to the economy boost and regeneration within the Seaham area and the additional revenue the proposed development would bring to many local businesses. The applicant contends that there are acceptable circumstances to provide a caravan park in this location.

Coastal Zone

70. The NPPF paragraph 104 states that local planning authorities should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to enjoyment of the coast.

71. The application site is situated within the Coastal Zone as defined in the District of Easington Local Plan. Policy 9 of the Plan states that except as specifically allowed for under other polices in the Plan, development in the coastal zone will only be permitted if the requirement for the project cannot be met outside the coastal zone and the need for, or benefit from, the scheme outweighs any adverse impact. The Policy qualifies that other relevant policies in the Local Plan will be used to quantify the “need” for proposals, and to assess the “adverse impact” associated with any proposal.
Policy 84 of the Local Plan states that recreation, art, sport and/or tourism development in the coastal zone will only be approved where it is for the quiet enjoyment of the coast and the scale and intensity of the proposal is compatible with the character and nature of the coast, or where it accords with other policies in the Plan.

The proposed development cannot be considered to accord with Policies 9 or 84 of the Local Plan. The proposed development by its nature and scale would have a significant impact on the openness of the site and therefore the character of the area, nor are there any relevant policies in the Plan which demonstrate a need for the proposed development in the location put forward. Further consideration of the landscape impact of the scheme is considered in the relevant section of this report.

Summary of Principle of Development

The proposal constitutes inappropriate development in the Green Belt and Coastal Zone, and therefore would be contrary to policy guidance given in the NPPF and Policies 4, 9 and 84 of the Local Plan. The applicant has sought to demonstrate that very special circumstances exist that would outweigh the harm by inappropriateness and any other harm. However, it is considered that the applicant has not been successful in demonstrating that there are very special circumstances that would justify departing from the above policy guidance. On this basis it is not considered that the principle of the development would be acceptable.

Landscape

The site is located within the North Seaham & Ryhope Dene Area of High Landscape Value, and the defined Green Belt. The site lies immediately adjacent the defined area of Heritage Coast.

In landscape terms the key considerations are principally the site's location within the Durham Heritage Coast and secondly the fact that it is also within a designated Area of High Landscape Value (AHLV).

In terms of landscape, the NPPF in Paragraph 81, advises that local authorities should retain and enhance landscapes and visual amenity within defined Green Belts; and in Paragraph 87, that inappropriate development is by definition harmful to the Green Belt and should not be approved, except in very special circumstances; and in Paragraph 109, that the planning system should protect and enhance valued landscapes; and most importantly in Paragraph 114, that local planning authorities should maintain the character of undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast.

Reference is made by the applicant in the Design and Access statement to the NPPF and the environmental role that the caravan park would provide. In particular the applicant refers to the protection and enhancement of the natural environment by prudent use of resources etc. However, the issue of the impact on the landscape and visual amenity of a site with recognised value is not considered. The applicant has referenced the support provided for schemes in rural areas that would provide economic benefits for the local area; however it should also be noted that the NPPF requires, that sustainable rural tourism and leisure developments should respect the character of the countryside.
In relation to the development plan for the area, the Easington saved Local Plan Policies: 4 (Green Belt); 7 (Area of High Landscape Value); 9 (Protection of the Coastal Zone Environment) and 84 (Coastal Zone) are considered relevant. The applicant has referenced these policies in their submission. In respect to the applicant’s arguments: in Policy 4, these do not constitute essential facilities and therefore would be inappropriate in the Green Belt; in Policy 7, the applicant implies that the needs of the development outweighs the value of the landscape though acknowledging the openness of the site and the impact that development would have on the appearance of the landscape; in Policy 9, failing to present an argument that the proposals cannot be met outside the coastal zone or that the needs for, or benefits, outweigh any adverse impacts; whilst in Policy 84, fails to understand that this type of tourism development in the coastal zone is incompatible, in terms of scale and intensity with the character and nature of the coast.

The County Durham Landscape Spatial Strategy describes the farmland as a location to restore. As a result, the site is located within a Landscape Improvement Area.

The County Durham guidelines for management of farmland on the Limestone coast states that this should include:
I. Revert cliff-top arable to species-rich grassland. Use seed or hay crops from local sources.
II. Avoid permanent fencing - maintain visual openness;
III. Allow areas of open scrub to develop in coastal grasslands - and particularly in and around shallow cliff-top denes - to create visual and ecological diversity and a more `natural character.

Whilst for tourism and recreation the guidelines state: Keep the undeveloped coastline free from further development. Ensure that any essential facilities are carefully sited and designed to minimise their impact.

The County Durham Landscape Strategy for the East Durham Limestone Plateau includes the following aims: restoring those local landscapes which contribute most to its quality and distinctiveness, including the coast, whilst: a key component of the strategy for this settled landscape is the improvement of the countryside around towns and villages. Relevant objectives from this strategy include:
- ED2: To maintain and strengthen the rural character of the landscape between towns and villages.
- ED4: To conserve, enhance and restore characteristic features of the landscape - old species rich limestone and neutral grasslands
- ED6: To restore and manage the coastal landscape, creating new maritime grasslands and scrub.

As noted previously the proposal lies within the defined area of Heritage Coast. Heritage Coast is a non-statutory planning definition and was formally agreed between Durham County Council and Natural England in April 2001, to manage the area to conserve their natural beauty and, where appropriate, to improve accessibility for visitors. The Durham Heritage Coast Partnership consists of fourteen separate bodies concerned with the management of the defined area of Heritage Coast in County Durham and Sunderland.

One of the key objectives of the Heritage Coast Management Plan is to facilitate and enhance the enjoyment, understanding and appreciation of the public by improving and extending opportunities for recreational, educational and tourist activities,
including sport and art, that draw on, and are consistent with the conservation of its (the heritage coast’s) natural beauty and the protection of its heritage features.

85. The NPPF section 11 paragraph 104 states clearly that local planning authorities should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as heritage Coast, and improve public access to the employment of the coast.

86. Heritage Coast status acknowledges that this coast landscape is amongst the best in the County, one that is increasingly under threat from inappropriate development. Not only is this a locally valued landscape but the adjacent shoreline is also of high nature conservation interest and is protected under EU legislation as a Special Area of Conservation. Durham Heritage Coast won the first ever UK Landscape Award in 2010 and a Council of Europe ‘Special Mention’ Award, recognising the leading role of the Durham heritage Coast in delivering on the UK’s commitment to the European landscape Convention.

Landscape Summary

87. The site is very prominent within the coastal landscape. The site is highly visible from immediate adjacent public receptors within the countryside. There are uninterrupted views of the arable field and sea along the B1287 and railway line from Ryhope Dean to north Seaham (in both directions), as well as clear views from North Road Picnic Park across North Seaham Dene. The site is not visible from the beach near the cliff, however may be visible from the foreshore at low tide and certainly from the adjacent sea.

88. The site forms part of an uninterrupted open coastal landscape between Seaham and Grangetown, and there are no buildings or structures in the vicinity, and only the roadside fence and occasional highway signage. Whilst the car-boot site to the immediate south of the site subject of this application, does have an impact on the visual amenity, this is mitigated by the fact that it is an occasional use and only during summer months, with the main impact being the formation of tracks and compacted ground.

89. The Council’s Landscape Officer has confirmed that he is unable to support this application and recommends on landscape grounds that the application should be refused. It is not considered that the change of use from open countryside to a caravan park is acceptable on landscape grounds, and it would significantly and detrimentally affect the recognised visual amenity and landscape character of this part of the Durham coastline. The application is in conflict with saved Local Plan Policies 4, 7, 9, 84, also 1.i. and 3. The NPPF makes it clear that there is a need to protecting Green Belt, also protecting valued landscapes and in particular maintaining the character of the defined Heritage Coast.

90. Natural England has also objected to the scheme on landscape grounds. It is noted that the application falls fully within the Durham Heritage Coast and Natural England considers that the character of the Heritage Coast would be affected by the proposals. Natural England considers that a full landscape and visual assessment should have been submitted in support of the application, to allow a thorough assessment of the impact the development would have on the designated landscapes.
Impact on Nature Conservation

91. Chapter 11 of the NPPF ‘Conserving and enhancing the natural environment’ sets out the Government’s policies on biodiversity, landscape and geological conservation. In summary, with regards to ecology and biodiversity, the NPPF requires that the planning system and planning policies should:

- minimise impacts on biodiversity and provide net gains in biodiversity where possible;
- recognise the wider benefits of ecosystem services;
- explore and encourage opportunities to incorporate biodiversity in and around developments;
- refuse planning permission if significant harm cannot be avoided, adequately mitigated, or, as a last resort, compensated for;
- not normally lead to a consent where proposed development on land within or outside a Site of Special Scientific Interest (SSSI) would likely to have an adverse effect on the SSSI (either individually or in combination with other developments), and
- lead to a refusal of planning permission if development will result in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

92. The presumption in favour of sustainable development, included within the NPPF (Paragraph 14), does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined. This is relevant to developments that could have a significant effect on European sites i.e. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). The following wildlife sites should be given the same protection as European sites:

- potential SPAs and possible SACs;
- listed or proposed Ramsar sites, and
- sites identified, or required, as compensatory measures for adverse effects on European sites, potential SPAs, possible SACs, and listed or proposed Ramsar sites.

93. The Government Circular 06/2005, which is referred to in the NPPF, provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system. This guidance remains relevant and applicable.

94. In determining the current application important material considerations are the close proximity and potential impacts of the proposal to nearby EU Designated and Internationally Designated Special area of Conservation and Ramsar sites on the coast at Seaham Beach to the north.

95. Natural England has been consulted on the proposal, and has advised that the application site is likely to affect Durham Coast Site of Special Scientific Interest (SSSI). This SSSI is part of the Northumbria Coast Special Protection Area/Ramsar and Durham Coast Special Area of Conservation. Natural England objects to this development on the grounds that the application, as submitted, is likely to damage or destroy the interest features for which the Durham Coast SSSI has been notified. The application would result in the introduction of a new caravan park on a previously undeveloped site within approximately 100m of the Durham Coast SSSI.
Although the submitted Ecology Report indicates that impacts on the SSSI would be ‘minor negative only’ it is considered that insufficient information has been provided in support of this conclusion. In order to assess the impact on the ecological designations significant additional information should have been provided by the applicant, which would have informed an Appropriate Assessment of the impacts on the adjacent designations to be completed by the Council.

96. The RSPB has also confirmed that it also objects to the proposal on grounds of insufficient information and assessment in the Ecology Report. The RSPB considers that the applicant has not adequately identified the likely environmental impacts of the proposal, or identified appropriate mitigation measures to address these impacts.

97. It is considered that the applicant needs to carry out a more detailed assessment of the impacts of the proposal on the interest features of the Northumbria Coast Special Protection Area (SPA) and Ramsar site, and the Durham Coast Shore Site of Special Scientific Interest (SSSI), which lies within 100 m of the proposed development. The key issue of concern is the likely increase in recreational disturbance and the potential effects on the interest features of these designated sites. Although RSPB acknowledge that the development site is on the cliff top it believes the beach and shore area to be accessible at points along the coast and the development would therefore result in an increased level of visitor pressure in this area of the coast. The applicant appears to believe that the site will not be used heavily during the winter. However the RSPB does not consider it adequate to assess the impacts on international designated sites with such assumptions, quantified survey date should have been providedand the actual impacts assessed. The SPA and SSSI are important wintering and passage areas between the end of August/September and the end of March.

98. Ecological impacts have been assessed in the Ecology Report on the basis of one visit to the site in April 2012. The RSPB believe this to be inadequate survey effort with which to assess impacts. Whilst the RSPB welcomes the consideration of breeding species on the beach, no survey data is presented to assess impacts. Winter surveys are also required to establish whether the arable field proposed for development are used by SPA and other priority species for example at high tide. In addition, the application needs to consider cumulative impacts. All proposed and existing development and other relevant proposals potentially impacting on the SPA and SSSI should be considered within the Ecology report. As submitted the Ecology Report is insufficient to allow a thorough assessment of the Ecological impacts of the scheme.

99. The Council’s Ecologist has also commented on the application, advising that insufficient information on the potential impacts on the ecological designations have been submitted by the applicant. Based on the information currently available it is not possible to adequately assess the impact of the proposed development in terms of ecology. As such the Ecologist does not consider this site to represent a suitable location for a caravan park.

100. The proposed development as submitted is not considered to comply with Policy 15 of the District of Easington Local Plan, and advice contained within section 11 of NPPF. It is considered that insufficient information has been provided to allow the adequate assessment of the impact of the proposal, and to ascertain whether or not significant harm would result from the development in accordance with relevant regulations and guidance. Natural England, the RSPB and the Councils’ Ecologist all
object to the scheme as it is considered that the development would be likely to impact on the adjacent Site of Scientific Interest.

Layout, design and visual amenity

101. The planning application is only in outline form, as such only indicative details have been provided in relation to the layout and appearance of the development. Specific details would need to be considered through a subsequent reserved matters application, if outline planning permission were to be granted.

102. The impact that the proposed development would have on the visual amenity and character of the area has been considered in the previous landscape section of this report, whereby it was concluded that the proposed development would not comply with relevant local plan policy and national guidance due to the have a detrimental impact it would have on the character of the area.

Highway safety and access

103. The current application is for outline permission with all matters reserved, although indicative details suggest that an access would be provided from the adjacent B1287. In principle Highways Authority Officers have confirmed that a suitable access could be provided to the development from this road. Officers have advised that suitable planning conditions could be attached to any grant of planning permission to require agreement of a suitable site access with appropriate visibility splay and the agreement of suitable delivery routes for the proposed caravans.

104. Due to the outline nature of the application Highways Officers have not been able to comment on specific access arrangements, the proposed internal road layout or parking provision. These issues would be considered in more detail at the reserved matters stage.

105. In principle it is accepted that a suitable access could be provided, and that the development as described would be unlikely to impact on the safe operation of the local highway network, The proposed scheme can therefore be considered to comply with policies 35 and 36 of the District of Easington Local Plan.

Flood risk and drainage

106. The application site lies within flood zone 1, having a low probability of flooding. However, the proposed scale of development may present risks of flooding onsite, and off site if surface water run-off is not effectively managed.

107. The Environment Agency (EA) originally objected to the scheme as a Flood Risk Assessment (FRA) had not been provided. An FRA was later provided and the EA removed its initial objection subject to a condition being attached to any grant of planning permission to ensure the implementation of the mitigation measures included in the FRA. The EA comments are based on the understanding that foul drainage would be connected to the mains, if this was not the case the Agency would object to the scheme.
108. Northumbrian Water Ltd has also been consulted on the application and have provided no objections in relation to the scheme.

109. Therefore it is accepted that the proposed development is not at risk of flooding, nor does it pose a risk to flooding elsewhere. In principle suitable drainage, in terms of both foul and surface, can be provided on site. The proposed scheme can therefore be considered to comply with Policies 1 and 35 of the District of Easington Local Plan, and advice contained within part 10 of the NPPF.

CONCLUSION

110. The proposal constitutes inappropriate development in the Green Belt and Coast Zone, and is therefore contrary to policy guidance given in the NPPF and Policies 9 and 84 of the Local Plan. The applicant has not been successful in demonstrating that there are very special circumstances that would outweigh the harm by inappropriateness and any other harm that would justify departing from the above policy guidance. On this basis it is not considered that the principle of the development would be acceptable.

111. The application site is situated within the designated Durham Heritage Coast and it is also within a designated Area of High Landscape Value (AHLV). It is not considered that the change of use from open countryside to a caravan park is acceptable on landscape grounds, and would significantly and detrimentally affect the recognised visual amenity and landscape character of this part of the Durham coastline. It is therefore considered that the proposal is in conflict with saved planning Policies 1, 3, 4, 7, 9, 15, 84 of the District of Easington Local Plan.

112. The proposed development as submitted is not considered to comply with section 11 of NPPF. It is considered that insufficient information has been provided to allow the adequate assessment of the impact of the proposal, and to ascertain whether or not significant harm would result from the development. The site is particularly sensitive as it lies to the Durham Coast Site of Special Scientific Interest (SSSI), which forms part of the Northumbria Coast Special Protection Area/Ramsar and Durham Coast Special Area of Conservation. Natural England, the RSPB and the Councils’ Ecologist have objected to the scheme as it is considered that the development would be likely to impact on the adjacent Site of Scientific Interest.

RECOMMENDATION

That the application be REFUSED for the following reasons;

Reasons:

1. The proposed development by virtue of its type, location and scale is considered to be inappropriate development that would cause harm to the openness of the Green Belt. Very special circumstances have not been demonstrated which would outweigh the significant harm caused. The proposal is therefore contrary to guidance contained within paragraphs 88, 89, 90 and 91 of the National Planning Policy Framework.

2. The visual impacts of the proposal would be harmful to the landscape quality of the area and would fail to maintain and enhance the landscape character and local
distinctiveness of the area. The proposal would therefore be contrary to the requirements of Policies 1, 3, 7, 9 and 84 of the District of Easington Local Plan and advice contained within paragraphs 109 and 114 the National Planning Policy Framework.

3. Insufficient information has been submitted to demonstrate that the proposal would not have an adverse impact upon the nature conservation value of the site, or the adjacent international and nationally designated sites of ecological importance. The site is particularly sensitive as it is directly adjacent to the Durham Coast Site of Special Scientific Interest (SSSI), which forms part of the Northumbria Coast Special Protection Area/Ramsar and Durham Coast Special Area of Conservation. The development is therefore contrary to Policy 15 of the District of Easington Local Plan, and the guidance contained within section 11 of the the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at the decision to refuse the application has sought to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. This is evidenced by advising the applicant of objections to the proposal and encouraging discussions with the relevant parties. However, given the nature of the objections, the issues of concern could not be overcome and a positive outcome delivering high quality sustainable development which would improve the economic, social and environmental conditions of the area in accordance with the NPPF could not be achieved. (Statement in accordance with Article 31(1)(CC) of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.)

BACKGROUND PAPERS

- Submitted application forms and plans and subsequent information provided by the applicant.
- District of Easington Local Plan
- Statutory, internal and public consultation responses
Planning Services

Static Caravan including associated access works, children’s play area and landscaping (outline, all matters reserved) at Land adjacent to B1287 (east) to the north of Seaham

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Comments

Date June 2013  1:10,000(approx)