

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	CE/12/01628/FPA
FULL APPLICATION DESCRIPTION	13 no. dwellings with associated garaging and landscaping
NAME OF APPLICANT	Dere Street Homes
SITE ADDRESS	Land at Hilltop Farm, Ramside Hall Hotel, Carville, Durham, DH1 1TD
ELECTORAL DIVISION	Belmont
CASE OFFICER	Barry Gavillet 03000261958 dmcentraleast@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

1. This application site is located outside of any settlement boundary in the countryside and is on the site of a former farmstead known as Hilltop Farm within the electoral division of Belmont. The site is also located within the Durham City Greenbelt in an Area of High Landscape Value. The farmstead included a range of derelict agricultural buildings, some of traditional stone construction and some of modern steel frame construction, together with a derelict farmhouse.
2. The farmstead has recently been demolished and is surrounded by a golf course which is currently under construction and which forms part of the Ramside Hall Estate. Access to the site is off Pitlington Lane to the north west of the site. The nearest residential properties are approximately 300 metres to the west in Belmont.

Proposal:

3. This application seeks planning permission for the erection of 13 dwellings with associated garaging and landscaping.
4. Outline planning permission has previously been granted in July 2012 with all matters reserved, save for access (which has also now been approved), for the erection of a total of 34 dwellings, 21 on the site of the existing Ramside golf course, and a further 13 on this application site at HillTop Farm. These housing proposals formed part of an enabling development scheme, designed to raise the necessary funds to enable the improvement and expansion of Ramside Hall Hotel, to ensure that it could compete with the larger national hotel chains and secure its long term future.

5. This approved enabling development scheme has established the principle of the development at Hilltop Farm for 13 dwellings along with the means of access to the development site. A 'design code' was also established as part of this approved scheme which required any future development to reflect a group of converted farm buildings. Full details of the appearance, scale, landscaping and layout would be subject to further applications for reserved matters.
6. Given the unique nature and location of the site at Hill Top Farm it was the intention of the owner to sell the site to a single developer to ensure a co-ordinated, consistent development could be delivered. The fact that a detailed development scheme was not agreed as part of the outline scheme was key element of the original planning application as it gave sufficient flexibility to a potential purchaser and developer of the site.
7. Rather than submit an application for reserved matters pursuant to the approved outline planning permission, this new full application has been required as it includes a slightly different site boundary than what was approved with the outline permission. This is due to a change in the garden areas of the proposed dwellings and due to the implications of 'golf safety zones' which surround the site.
8. While the overall development site area is now slightly larger than that approved through the outline application, it should be noted that the development currently proposed remains at 13 units and the value of the site, has not increased from that outlined in the financial case supporting the previous outline planning application which has enabled the improvement and expansion of Ramside Hall Hotel. The applicant has agreed to enter into a Deed of Variation which would tie any new planning permission granted for this development into the original Section 106 legal agreement.
9. This application is being reported to committee as it is classed as a major development.

PLANNING HISTORY

10. There are three strands to the relevant planning history, which relate firstly, to the land at Hill Top Farm, secondly, the site of the existing golf course and finally, Ramside Hall Hotel itself.
11. In terms of Hill Top Farm, planning permission (89/00997) was granted in November 1990 for the conversion of redundant farm buildings to form holiday accommodation together with a manager's house. The permission was the subject of a Section 106 legal agreement. The permission was renewed in January 1996. However, an application for the cessation of this Section 106 legal agreement has recently been approved.
12. The site of the existing golf course benefits from a planning permission (89/00517) from October 1989 which permitted the use of the site together with other land adjacent and surrounding Ramside Hall Hotel for use as a golf course.
13. Finally, as described above, outline planning permission (04/00836/OUT) for the extended golf course, ballroom redevelopment, and bedroom/leisure facility extension was granted in March 2005. A subsequent reserved matters application for the golf course (06/00494/RM) was approved in March 2008, while reserved

matters and listed building consent for the leisure facility (08/00196/RM and 08/00197/LB) were approved in April 2008, reserved matters and listed building consent for the bedroom extension (06/00186/RM and 08/00375/LB) were approved in May 2006, and finally, reserved matters and listed building consent for the redevelopment of the ballroom (08/00198/RM and 08/00199/LB) were approved in July 2007. Following the agreement of all pre-commencement planning conditions pursuant to the outline planning permission, reserved matters approval and listed building consents, the applicants sought to implement and therefore keep alive the permission by constructing foundations in June 2010 relating to the bedroom extension/leisure facility and the ballroom. Further to this, an outline application for 34 dwellings on the golf course site and at Hilltop Farm has been approved which serves as an enabling development for the extensions to the hotel and there have been applications to vary conditions associated with this consent.

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’

The following elements are considered relevant to this proposal:

16. *Part 1* - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
17. *Part 4* - Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
18. *Part 6* - To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
19. *Part 7* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.

20. *Part 8* - 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.
21. *Part 9* – The Government attaches great importance to Green Belts and development in the Green Belt should only be approved in very special circumstances.
22. *Part 10* - Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
23. *Part 11* - The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

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

LOCAL PLAN POLICY:

City of Durham Local Plan

24. Policy E1 (Durham City Green Belt) reflects national advice in PPG2 and outlines the presumption against inappropriate development in the Green Belt in order to preserve its intrinsic openness.
25. Policy E7 (Development in the Countryside) advises that new development outside existing settlement boundaries will not normally be allowed. However, there are a number of exceptional circumstances where development outside existing settlement boundaries may be considered acceptable.
26. Policy E10 (Areas of Landscape Value) is aimed at protecting the landscape value of the district's designated Areas of Landscape Value.
27. Policy E14 (Trees and Hedgerows) sets out the Council's requirements for considering proposals that would affect trees and hedgerows. The loss of ancient woodland will not be permitted. Tree preservation orders will be designated as necessary. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost.

28. Policy E15 (Provision of New Trees and Hedgerows) states that the Council will encourage tree and hedgerow planting.
29. Policy EMP16 (Employment in the Countryside) sets out the circumstances in which the Council will support proposals that create employment in the countryside.
30. Policy H5 (New Housing the Countryside) sets out criteria outlining the limited circumstances in which new housing in the countryside will be permitted, this being where it is required for occupation by persons employed solely or mainly in agriculture or forestry.
31. Policy H13 (Residential Areas – Impact upon Character and Amenity) states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.
32. Policy T1 (Traffic – General) states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.
33. Policy T10 (Parking – General Provision) states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.
34. Policy R10 (Recreation and Leisure in the Countryside) is concerned with new recreation or leisure development in the countryside. Developments should not be detrimental to the character and appearance of the countryside, areas of high landscape value or the openness of the Green Belt; adversely affect the natural or historic environment; adversely affect existing public rights of way or established recreational routes; adversely affect existing flora and fauna, wildlife habitats and wildlife corridors; have a detrimental effect on the amenity of residents or people using the area for other recreational activities; result in congestion on the local road network and be inaccessible by public transport, cyclists and pedestrians.
35. Policy V3 (Tourist Attractions) seeks to ensure that new attractions or extensions to existing attractions are developed sympathetically without compromising amenity, character and accessibility for all.
36. Policy V4 (Tourist Facilities and Attractions Outside Settlement Boundaries) advises that such facilities should not adversely affect the Green Belt, nature conservation, is adequately served by the existing road network and is without adverse impacts upon the amenity of nearby residents.
37. Policies Q1 and Q2 (General Principles Designing for People and Accessibility) state that the layout and design of all new development should take into account the requirements of all users.
38. Policy Q3 (External Parking Areas) requires all external parking areas to be adequately landscaped, surfaced, demarcated, lit and signed. Large surface car parks should be subdivided into small units. Large exposed area of surface, street and rooftop parking are not considered appropriate.

39. Policy Q5 (Landscaping – General Provision) sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.
40. Policy Q8 (Layout and Design – Residential Development) sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.
41. Policy U8a (Disposal of Foul and Surface Water) requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
42. Policy U14 (Energy Conservation) states that the Council will encourage the effective use of passive solar energy and the reduction of wind-chill in the layout, design and orientation of buildings.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at
(<http://www.cartoplus.co.uk/durham/text/00cont.htm>)

EMERGING POLICY:

43. The emerging County Durham Plan is now in Pre-Submission Draft form, having been the subject of a recent 8 week public consultation, and is due for submission in Spring 2014, ahead of Examination in Public. In accordance with paragraph 216 of the NPPF, decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. To this end, the following policies contained in the Pre-Submission Draft are considered relevant to the determination of the application:
44. *Policy 1 (Sustainable Development)* – States that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
45. *Policy 14 (Green Belt)* – Within the Green Belt, the construction of new buildings will normally be regarded as inappropriate and will not be permitted.
46. *Policy 35 (Development in the Countryside)* – Sets out that new development will be directed to sites within built up areas, or sites allocated for development, whilst the countryside will be protected from inappropriate development.
47. *Policy 39 (Landscape Character)* – States that proposals for new development will only be permitted where they would not cause significant harm to the character, quality or distinctiveness of the landscape, or to important features or views, unless the benefits of the development clearly outweigh its impacts.
48. *Policy 41 (Biodiversity and Geodiversity)* – States that proposals for new development will not be permitted if significant harm to biodiversity and geodiversity,

resulting from the development, cannot be avoided, or adequately mitigated, or as a last resort, compensated for.

49. *Policy 48 (Delivering Sustainable Transport)* – All development shall deliver sustainable travel by delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; and ensuring that any vehicular traffic generated by new development can be safely accommodated.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

50. Northumbrian Water have no objections to the proposals.
51. The Environment Agency initially objected to the proposals as the applicant indicated that non-mains drainage would be used rather than connecting to mains sewage. The applicant have provided information to the Environment Agency which shows that connecting to the mains would not be a viable option given the distance from the site to the nearest sewers. The Environment Agency have accepted this reasoning and have withdrawn their objection.

INTERNAL CONSULTEE RESPONSES:

52. The Landscape Officer initially raised concerns with the density of the tree planting within the site. However, landscape plans have been amended and are now satisfactory.
53. The Tree Officer has no objections to the proposals subject to protective fencing being erected around nearby hedges and trees before development commences.
54. Design and Conservation Officers initially had concerns regarding the height of the proposed dwellings and the landscaping scheme. Plans have since been amended to show lower ridge heights and an appropriate change to the landscaping scheme. The Design and Conservation Officer is now satisfied with the proposed scheme.
55. Contaminated Land Officers have no objections subject to a contaminated land desktop study being carried out and followed up by any required remediation work and a validation report.
56. The Sustainability Officer raises no objections subject to a condition requiring renewable energy provision or carbon reduction measures.
57. Ecology Officers have no objections to the proposals given the farm buildings are now demolished and the site is more than 500 metres from known Great Crested Newt ponds.
58. Highways Officers have confirmed that the access to the site has already been approved and established. However a turning head must be provided at the entrance to the site in order to ensure safe turning for refuse vehicles. Plans have been amended to show this.

59. Archaeology Officers raise no objections subject to archaeology investigation and recording being carried out before the commencement of development.

PUBLIC RESPONSES:

60. The proposals have been advertised by way of a press notice, site notice and letters to individual residents. No responses have been received as a result of this consultation exercise.

APPLICANTS STATEMENT:

61. The design team has undertaken a rigorous multi-layered approach to the design development process. The proposed scheme has been revised multiple times in response to feedback from both our client, Dere Street Homes, and from Durham County Council Officers with whom we have worked closely.
62. Each dwelling has been individually designed for the site and with consideration for the neighbouring context and existing typologies in the rural vicinity. The designs are modern with crisp simple detailing which reflects the historical agricultural use of the site. The layout of the proposed built form resembles that of a traditional farmstead and sits in the approximate location of the previous farm. Both the masterplan and dwelling designs take into account and respond to the criteria set out in the Design Code document.

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

PLANNING CONSIDERATION AND ASSESSMENT

63. Local planning authorities (LPA's) must determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise. If the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision.
64. Although outline planning permission has already been approved for an almost identical scheme, as this is a new full application the main relevant considerations are the principle of the development, visual impact, the layout and design of the development and highways issues.

Principle of the development

65. As noted above, outline planning permission has already been approved on an almost identical site for 13 dwellings. However, given that the site boundary is slightly larger due to amendments to garden sizes and the surrounding 'golf safety zones', a new full application has been submitted as it is technically required.
66. The application site is designated as Green Belt in the City of Durham Local Plan 2004. Part 9 of the National Planning Policy Framework sets out that new development in the Green Belt is inappropriate and requires very special circumstances to justify it, unless it is for a number of specific circumstances, relating to, for example, new agricultural buildings. New housing, as proposed in this case, is

not included and therefore amounts to inappropriate in Green Belt terms. Inappropriate development is, by definition, harmful to the Green Belt, and it is for the applicant to justify why planning permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Policy E1 of the Local Plan is reflective of the aims of the NPPF, outlining that development will not be permitted unless it falls within a specific range of developments or land uses or unless there are very special circumstances.

67. The term 'very special circumstances' is not defined in planning legislation or guidance, and there are no set criteria, for example, which a scheme must meet to be considered as one where very special circumstances would exist. The term 'very special circumstances' is therefore a label which attaches to the situation where there are matters which, on balance, are considered to outweigh the identified greenbelt harm.
68. The applicants have contended that the wider economic benefits which would be realised as a result of the redevelopment and expansion of the Hotel, facilitated by the proposed housing, amounts to the very special circumstances required to justify the otherwise inappropriate development proposed.
69. The application must be assessed in the context of the wider enabling development scheme as, in reality, it merely represents a substitution of one permission for another (detailed permission in place of the existing outline permission). As identified earlier, the proposed housing development would provide a shortfall in the funding required to facilitate the redevelopment and expansion of the Hotel and with that, comes a number of benefits. These include that the development will enable the safeguarding of existing jobs as the business seeks to maintain and consolidate its position in the market. These very special circumstances were accepted when the outline planning permission was granted and there has been no change in circumstances. It is therefore considered that very special circumstances exist in order to outweigh the identified greenbelt harm by reason of conflict with relevant policy. A variation to the existing S106 Agreement will operate to tie any permission granted pursuant to this application to the leisure development at Ramside Hall, effectively achieving a substitution of one permission for another.
70. In the alternative, it is of note that the principle of this proposed development has already been established through the existing outline permission and this is a material planning consideration sufficient to outweigh any conflict with greenbelt policy.

Visual Impact

70. The proposals constitute inappropriate development and are therefore, by definition, harmful to the openness of the Green Belt. However, the existence of any other harm must be considered, particularly given the sites designation as an Area of High Landscape Value (AHLV). To this end, the application is supported by a Visual Impact Assessment (VIA), which has been considered in detail by the Landscape Section.
71. The Hill Top Farm the site occupies a relatively prominent location in views from the south, however, subject to the appearance of the development being that of a traditional farm building cluster, as shown on the layout, the proposals would not adversely affect the character and quality of the landscape.

72. The appearance of the development together with further tree planting to both screen and assimilate the buildings further in views from the south-west, and also, but to a lesser degree from the north-west of the site would be such that this element of the proposals would be consistent with the requirements of Local Plan Policy E10 in respect of the impacts on the sites designation as an AHLV. In addition, insofar as the proposals would be developed roughly on the same footprint as the demolished farmstead, the proposals would not adversely affect the visual openness or visual amenity of the Green Belt, and as such no other harm in visual terms is identified in respect of Local Plan Policy E1. Furthermore, Landscape Officers have assessed the proposals and have raised no objections to the proposals in terms of visual impact.

Design and Layout of the Development

73. Design Officers have commented that the submitted plans are for a larger site area than was approved previously, occupying more of the greenbelt, however in mitigation the additional areas would be residential gardens for the new dwellings which in turn would create a more positive form of development in this isolated location. It is considered that the removal of permitted development rights would be appropriate in order to prevent further intrusion into these spaces by ancillary outbuildings or more substantial boundary treatments.
74. The site layout has retained the courtyard elements to the shared areas which is welcomed, however it is suggested that the amount of hard surfacing is not in keeping with the rural agricultural nature of the site and therefore plans have been amended to show a softer greener approach.
75. The proposed built form would be similar in footprint and architectural concept to the design code principles established as part of the previous outline consent. The elevation plans and streetscene views submitted demonstrate the overall ambience for the development, and an agricultural design concept which complements the context of the site. Design and Conservation Officers are broadly supportive of the proposed building types and interrelationship between the units, however some of the properties are higher than the 8.5m maximum ridge height specified in the previous outline scheme and this has resulted in parts of some units having very dominant roofslopes and a poor height to width ratio. This increased height would make the buildings more dominant across the wider greenbelt and more overbearing to each other, particularly as in some places the shared spaces narrow to less than 7m. Therefore amended plans have been received which show the reduction the height of the buildings.
76. Overall it is felt that the development is of very high quality and has the qualities of a group of agricultural barn conversions, a concept which was set out in the outline consent. Conditions should be attached in order to control materials used for the external elevations along with roofing materials and hard surfacing.

Access and Highway Safety

77. Access to Hill Top Farm would be provided by way of a new access road taken from Pittington Lane, further east than the existing access, and which has been approved as part of the redevelopment of the land surrounding the farm as part of the golf course extension. The Highway Authority raises no objection to the proposed housing at Hill Top Farm making use of the approved new site access, and in view of the countryside location of the site and since the access would be bound on both

sides by a golf course, they would not require that the road was of a fully adoptable standard. This would enable the construction of a more informal carriageway of a single track width with passing places, and without the need for lighting. Highways Officers have requested a turning head near the entrance to the proposed development in order to ensure safe turning for refuse vehicles, plans have been amended to incorporate this requirement. On this basis it is considered that the proposals are acceptable in highway terms and accord with part 4 of the NPPF and saved policies T1 and T10 of the City of Durham Local Plan.

- 78 In terms of visual impact therefore, there is not considered to be any additional harm to that which is deemed to arise by reason of inappropriateness and this is considered to be outweighed by the very special circumstances identified.

Other issues

78. The land around Hilltop Farm was subject to archaeological investigation under the outline planning consent for an extension to the Ramside Hall golf course. This revealed a significant later prehistoric site and field systems located immediately northwest of Hilltop Farm itself. The original red line boundary for the residential development of the farm site did not encroach into the area of archaeological sensitivity, however, the larger red line boundary, and in particular the water treatment area to the northwest is very close to the area of the Iron Age settlement, in a location where the nearest two evaluation trenches contained features of prehistoric date, probably linked to the main enclosure. In light of this Archaeology Officers recommend a planning condition be applied to any permission granted requiring the developer to have the groundworks in this area monitored by an archaeologist in accordance with Policy E24 of the City of Durham Local Plan and part 12 of the NPPF.
79. In terms of ecology, previous planning applications in relation to the conversion of existing buildings at Hill Top Farm and the expansion of the golf course into the farmland surrounding Hill Top Farm have been supported with the appropriate ecological reports.
80. The buildings at Hill Top farm were previously subject to bat and barn owl surveys in the autumn of 2006 and more recently in 2009. The summary to the most recent bat and barn owl report found that the surrounding woodland area does provide for some good feeding habitat for bats although the former buildings had minimal conservation value with no bats using the buildings for roosting purposes during the survey. The former farm buildings have now been demolished.
81. As the previous bat surveys have suggested that the surrounding woodland areas are suitable habitat for bats, and that some potential roosting sites are available, the surveys have recommended bat mitigation measures in the form of new roost creation. It should be noted that this development would have no adverse impact on bat habitat and the mitigation measures would be purely beneficial, such measures should be ensured by a planning condition.
- 82 As the application is for inappropriate development in the greenbelt, there is a government Direction which requires the Secretary of State to be consulted before any decision is made (the Town and Country Planning (Consultation) (England) Direction 2009. It is therefore not possible for a final decision to be made upon the application until after it has been referred to the Secretary of State.

CONCLUSION

82. In conclusion, this application is part of a wider enabling development scheme which would see the delivery of a new bedroom extension and leisure facility including a spa and swimming pool at Ramside Hall Hotel and it is considered that substantial wider economic benefits for Durham City and indeed the County would be brought about as a result of the redevelopment and expansion of Ramside Hall Hotel. This would be part funded by the sale of properties at Hilltop Farm, and would bring substantial benefits in terms of job creation and additional expenditure to the local economy together with enhancing the tourist offer and image of Durham as a visitor destination, all of which were considered to amount to the very special circumstances necessary to justify inappropriate development in the form of new housing in the Green Belt. In the alternative, outline planning permission has been previously granted and the principle of the development established following an assessment of the financial case put forward by the applicants in support of their scheme of enabling development.
83. In addition, it is considered that the proposed scheme reflects the principles set out in the 'design code' which was part of the outline approval and represents a very high quality residential development.
84. It should be noted that if members are minded to approve this application in line with the officer recommendation, it would need to be referred to the Secretary of State on a technical basis as a major departure from the development plan.

RECOMMENDATION

That Members resolve that they are minded to approve the application subject to referral to the Secretary of State and in the event that the application is not called in, the Head of Planning be authorised to grant planning permission subject to the following conditions and subject to a Deed of Variation which ties the application to the original Section 106 legal agreement.

Conditions:

1. 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.

2. The development hereby approved shall be carried out only in accordance with the approved plans and specifications contained within:

Proposed lighting plan 1303/P/0002, Conveyancing plan 1303/P/001 Rev B. Refuse Collection Turning Heads 1303/P/0010. Landscape Layout M2249.04E. Plot 1 Elevations 1303/P/0101 Rev A. Plot 1 Sections and Visualisations 1303/P/0102 Rev A. Plot 1 Plans 1303/P/0103. Plot 1 Roof Plan 1303/P/0104. Plot 2 + 3 Elevations 1303/P/0201A Rev A. Plot 2 + 3 Section, Roof Plan, Visualisations 1303/P/0202A Rev A. Plot 2 + 3 Section, Roof Plan, Visualisations 1303/P/0202B Rev A. Plot 2 + 3 Plans 1303/P/0203A. Plot 4 Elevations 1303/P/040. Plot 4 Sections and Visualisations 1303/P/0402. Plot 4 Plans 1303/P/0403. Plot 4 Roof Plan

1303/P/0404. Plot 5 + 6 Elevations 1303/P/0501. Plot 5 + 6 Section, Roof Plan, Visualisations 13/P/0502. Plot 5 + 6 Plans 1303/P/0503. Plot 7 Elevations 1303/P/0701. Plot 7 Plans and Visualisations 1303/P/0702. Plot 8 Elevations 1303/P/0801. Plot 8 Roof Plan and Visualisations 1303/P/0802. Plot 8 Plans 1303/P/0803. Plot 9 Elevations 1303/P/0901. Plot 9 Roof Plan and Visualisations 1303/P/0902. Plot 9 Plans 1303/P/0903. Plot 10 Elevations 1303/P/1001. Plot 10 Section and Visualisations 1303/P/1002. Plot 10 Plans 1303/P/1003. Plot 11 + 12 Elevations 1303/P/1101. Plot 11 + 12 Section, Roof Plan and Visualisations 1303/P/1102. Plot 11 + 12 Plans 1303/P/1103. Plot 11 + 12 Garage Plans and Elevations 1303/P/1104. Plot 13 Elevations 1303/P/1301 Rev A. Plot 13 Plans 1303/P/1303. Plot 13 Roof Plan 1303/P/1304 Rev A. Garage with Room Plans and Elevations 1303/P/1305.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policy Q8 of the City of Durham Local Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes A to H of Part 1, Class A of Part 2 and Classes A, B, H and I of Part 40 to of Schedule 2 of the said Order shall be carried out on the site without an application for planning permission having been first made to and approved in writing by the Local Planning Authority.

Reason: In order to minimise the impacts of the development in terms of landscape value and the perceived openness of the Green Belt, in accordance with Policies E10 and E1 of the City of Durham Local Plan 2004.

4. No development shall take place until a programme of archaeological work has been carried out in accordance with a mitigation strategy that has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:
 - i) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
 - ii) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
 - iii) Post-fieldwork methodologies for assessment and analyses.
 - iv) Report content and arrangements for dissemination, and publication proposals.
 - v) Archive preparation and deposition with recognised repositories.
 - vi) A timetable of works for each phase in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
 - vii) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
 - viii) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.

Reason: To comply with paragraph 141 of the NPPF because the site is of Archaeological interest.

5. Prior to any part of the development being occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. Reporting and publication must be within one year of the date of completion of the development hereby approved.

Reason: to comply with paragraph 141 of the NPPF which ensures information gathered becomes publicly accessible.

6. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme 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 amenity of the area in accordance with saved policy Q8 of the City of Durham Local Plan.

7. No development shall take place until a site investigation and Desk top Study has been carried out in accordance with Part IIA of The Environmental Protection Act 1990. The results of the site investigation shall be submitted and approved in writing by the local planning authority.

As a minimum requirement, the Desk Top Study should include the following information in relation to the study site:

- Historic Land Use
- Former contaminative site uses
- Typical contaminants from former industrial uses
- Watercourses, major underground aquifers, water source protection zones, at or close to the site
- Ground water, perched ground water
- Adjacent land uses and their historical land use, and potential to affect the study site
- All former holes in the ground on or close to the study site

If the desk top study determines there is no historical land use which may cause contamination of the site, no further action is required in relation to the contaminated land risk assessment.

If any historical land use which may cause contamination of the site is found from the desk top study site investigation, a 'Phase 2 Report' will be required as detailed below.

Phase 2 Report

A further report shall be submitted to and approved in writing by the local planning authority. This report shall take into consideration the relevant aspects of the desk top study and discuss remediation measures in accordance with appropriate legislative guidance notes.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority

Phase 3 – Validation Report

After remediation measures are implemented at the site, a final validation statement shall be submitted in accordance with the remediation recommendations of the above 'Phase 2' report.

Reason: To ensure that the application site is safe for the approved development, as required by part 11 of the National Planning Policy Framework.

8. The approved development shall only be carried out in accordance with the submitted Surface Water Drainage scheme by bdn Ltd dated July 2013, revision 07-09-12.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and in accordance with part 10 of the NPPF.

9. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with saved policy Q8 of the City of Durham Local Plan.

10. Prior to the commencement of the development details of the surface treatment and construction of all hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies E1 and E10 of the City of Durham Local Plan 2004.

11. No development shall be commenced until the trees and hedges to be retained are protected as set out in the submitted Tree Survey by Elliot Environmental Surveyors dated 29th October 2013 and in accordance with the relevant British Standard. The protection shall remain in place until the completion of the development.

Reason: In the interests of the visual amenity of the area and to comply with saved Policy E14 of the City of Durham Local Plan.

12. The development hereby approved shall be carried out in full accordance with all ecological mitigation measures, advice and recommendations within section 2 of the submitted protected species report 'Bat and Barn Owl Report by Ruth Hadden' dated summer 2009.

Reason: To conserve protected species and their habitat in accordance with the objectives of part 11 of the National Planning Policy Framework.

13. Prior to the commencement of the development a scheme to embed sustainability and minimise Carbon from construction and in-use emissions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in complete accordance with the approved scheme.

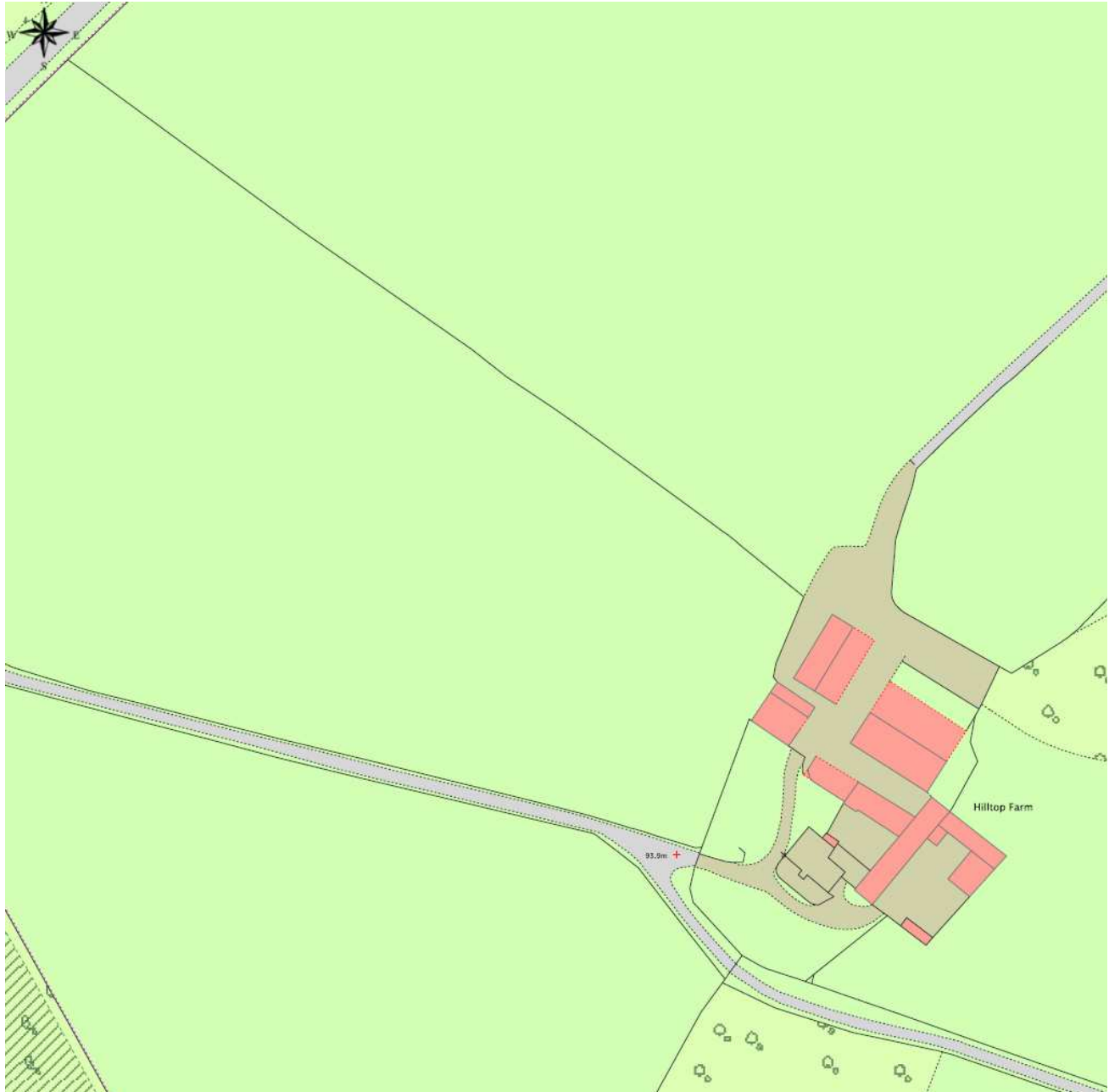
Reason: In the interests of sustainable construction and energy generation in accordance with the aims of Part 10 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within target provided to the applicant on submission and in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- District of Easington Local Plan 2001
- National Planning Policy Framework
- County Durham Plan Pre-Submission Draft
- Consultation Responses



Planning Services

**PROPOSED: RESIDENTIAL
DEVELOPMENT OF 13 DWELLINGS AT
HILLTOP FARM, RAMSIDE HALL
HOTEL, CARVILLE**

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Comments

Date April 2014

