

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/00349/OUT
FULL APPLICATION DESCRIPTION:	Outline Residential Development (Access to be considered)
NAME OF APPLICANT:	DBS Steel Build
ADDRESS:	Land to the west of Elemore View and south of Front Street, South Hetton
ELECTORAL DIVISION:	Shotton and South Hetton
CASE OFFICER:	Chris Baxter Senior Planning Officer 03000 263944 chris.baxter@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site is a parcel of agricultural land measuring approximately 1.7 hectares on land to the south of Front Street in South Hetton. The A182 borders the site to the north with the residential terraced properties of Logan Terrace situated beyond. There is a watercourse running along the east boundary of the site with the residential properties of Elemore View, Plantation Walk, Coldwell Close and Pinedale Drive beyond. To the south of the site there is a densely wooded plantation and to the west are the land and buildings which form Whitesgate Equestrian Centre, and the B1280 highway which runs from South Hetton to Haswell.

The Proposal

2. Outline planning permission is sought for residential development with all matters reserved for future consideration with the exception of access, which is to be considered under this application. Access is proposed to be taken directly from the A182 to the north of the site.
3. The application is supported by various documents and assessments including an indicative masterplan which shows how the general layout of the site can be mapped out to accommodate approximately 58 properties.
4. The application is reported to the Planning Committee as it constitutes a major development.

PLANNING HISTORY

5. No planning history in relation to the application site.

6. Although not related to this site, Members may recall that outline planning permission was granted at a planning committee in 2013 for 80 houses on land to the north of Windsor Drive in South Hetton, approximately 200 metres to the north east of the site in this application.

PLANNING POLICY

NATIONAL POLICY:

7. 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.
8. 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’.
9. The following elements are considered relevant to this proposal;
10. *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.
11. *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.
12. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* The Government advises Local Planning Authority’s to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
13. *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.
14. *NPPF Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
15. *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.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at:

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

District of Easington Local Plan

16. *Policy 1*- 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 benefiting 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.
17. *Policy 3* - 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 policies.
18. *Policy 18* - 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.
19. *Policy 19* - Areas of nature conservation interest, particularly those of national importance will be protected and enhanced.
20. *Policy 35* - 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.
21. *Policy 36* - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
22. *Policy 37* - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).
23. *Policy 66* - Developers will be required to make adequate provision for children's play space and outdoor recreation in relation to housing development of 10 or more dwellings. Provision may be secured elsewhere if it is inappropriate to make provision at the development site.
24. *Policy 67* – Housing development will be approved on previously developed sites within settlement boundaries of established towns and villages provided the proposal is appropriate in scale and character and does not conflict with specific policies relating to the settlement or the general policies of the plan.
25. *Policy 74* - Public Rights of Way will be improved, maintained and protected from development. Where development is considered acceptable, an appropriate landscaped alternative shall be provided.

26. *Policy 75* - Provision for cyclists and pedestrians will be reviewed to provide safe and convenient networks.

27. *Policy 77* - The Council will seek to encourage the improvement of the public transport service and the rail transport of freight in the district.

EMERGING POLICY:

28. The emerging County Durham Plan was submitted in April 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. Further, the Planning Practice Guidance explains that in limited circumstances permission can be justifiably refused on prematurity grounds: when considering substantial developments that may prejudice the plan-making process and when the plan is at an advanced stage of preparation (i.e. it has been Submitted). To this end, the following policies contained in the Submission Draft are considered relevant to the determination of the application:

29. *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.

30. *Policy 15 (Development on Unallocated Sites)* - states that all development on sites that are not allocated in the County Durham Plan will be permitted provided the development is appropriate in scale, design and location; does not result in the loss of a settlement last community building or facility; is compatible with and does not prejudice any intended use of adjacent sites; and would not involve development in the countryside that does not meet the criteria defined in Policy 35.

31. *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.

32. *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.

33. *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.

34. *Policy 47 (Contaminated and Unstable Land)* – Sets out that development will not be permitted unless the developer can demonstrate that any contaminated or unstable land issues will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health, and the built and natural environment.

35. *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:

36. *South Hetton Parish Council* has objected to the proposed scheme indicating they have concerns with regards to highway issues and capacity of local schools.
37. *Environment Agency* has no objections subject to a condition ensuring the development is carried out in accordance with the submitted Flood Risk Assessment.
38. *Natural England* have not commented on the proposals.
39. *Northumbrian Water* has not raised any objections.
40. *The Coal Authority* has not raised any objections.
41. *Durham County Highways Authority* has indicated that subject to the proposed junction radii on the new road junction onto the A182 Front Street being increased to 10 metres the proposals would be deemed to be acceptable from a highways point of view.

INTERNAL CONSULTEE RESPONSES:

42. *County Spatial Policy Team* has stated that the principle of developing the site as a residential extension to the existing settlement would not be supported by the existing or emerging development plan.
43. *County Landscape Team* are unable to support the application given the negative visual impact on the attractive landscape on approaching South Hetton and the loss of green space.
44. *County Tree Officer* has not raised any objections.
45. *County Public Rights of Way Section* has confirmed that there are no recorded public rights of way found on the development site.
46. *Drainage Officer* considers the application acceptable in principle.
47. *County Environmental Health (Noise, dust and light)* has not raised any objections but does advise that conditions are applied in relation noise, dust and light mitigation.
48. *County Environmental Health (Contaminated land)* has not raised objections however conditions are recommended to ensure site investigations are undertaken of the site prior to development commencing.
49. *County Archaeology Section* has not raised any objections to this outline application. A condition is however recommended for further investigation works to be undertaken prior to development commencing on site.
50. *County Ecology Section* has raised concerns with the proposed development.
51. *County Housing Development and Delivery Team* has not commented on the proposals.

52. *County Education Team* has confirmed that school places would be required should this scheme be approved.

53. Design and Conservation has not commented on the application.

PUBLIC RESPONSES:

54. The application has been advertised in the local press and a site notice was posted. Neighbouring residents have also been notified in writing. 32 letters of objection have been received.

55. Concerns have been raised with regards to highway issues, including traffic congestion and the increase in vehicles would compromise highway safety, including the introduction of a dangerous access onto the A182. The loss of view is raised as a concern and the adverse impact the proposal would create on residential amenity, including noise, disturbance, overlooking and loss of privacy. Concerns are raised that the proposed development would create further drainage and flooding issues which could lead to subsidence to existing properties, which has occurred in the past. It has been raised by residents that South Hetton has sufficient houses and the proposed scheme is not required. The services and amenities in South Hetton are also not sufficient to accommodate additional properties as well as the local schools being at capacity. Objections have been raised with regards to the loss of trees which would take place as a result of this development as well as the adverse impact on ecology in the area. Some residents have also recognised that this site is greenfield land and has questioned whether brownfield land in the village should be developed first. Finally concerns have been raised that the proposed development would result in the devaluation of existing properties.

APPLICANTS STATEMENT:

56. It is maintained that the level of weight to be given to adopted and emerging development plan policy is limited at best. The policies are either out-of-date, in conflict with the NPPF or subject to significant objection. The NPPF should therefore be given substantial weight and the presumption in favour of sustainable development should apply. The SPT's comments fail to provide any justified reasoning as to why the proposals do not constitute sustainable development. Our submission clearly demonstrates that there are no facets of sustainable development which would be negatively impacted by the development. The SPT's comments are unable to support the proposals on a unsubstantiated notion that the recent development at Windsor Drive which has only been minded to approve, takes South Hetton beyond its capacity to sustain further housing. This is a view taken without evidence to support it. The proposals constitute sustainable development, in accordance with the NPPF, and in accordance with the NPPF planning permission should be granted.

PLANNING CONSIDERATIONS AND ASSESSMENT

57. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of residential development of the site; highway and access issues; impact on surrounding area; and other issues.

Principle of residential development

58. This scheme proposes housing development on Greenfield land that is located outside of the existing settlement boundary for South Hetton. Sites located outside of boundaries are treated against 'countryside' policies and objectives, and there is a general presumption against allowing development beyond a settlement boundary in line with Policy 3 of the local plan. Policy 3 creates a presumption against development outside of settlement boundaries unless allowed by other policies in the local. There are no other policies in the local plan which provides support for this development in principle. Consequently, in strict planning policy terms the development of the site for housing (in whole or in part) would be in conflict with the local plan.
59. As a consequence of the conflict with the local plan there would need to be other 'material considerations' to justify a departure from that policy. In this respect the NPPF is far less restrictive than the local plan, as Policy 67 of the local plan specifies that only previously developed land can come forward for housing development on sites which are located within defined settlement boundaries. The NPPF seeks to boost significantly the supply of housing and expects local planning authorities to help deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Therefore the key matter relates to directing development to suitable and sustainable locations.
60. South Hetton is recognised as a 3rd tier settlement, a Local Service Centre, within the County Durham Settlement Study, in recognition that the village has reasonable access to a limited range of facilities, services, retail provision and employment opportunities. The settlement is not a focus for growth in the County Durham Plan (CDP), with Policy 4 directing the majority of growth to the main towns and secondary settlement within the County. Within South Hetton planning permission has recently been approved on land north of Windsor Drive for 80 houses. This is a site which was assessed as suitable (green) within the SHLAA.
61. The site subject to this application has been assessed as part of the development of the CDP and has an unsuitable (amber) classification within the SHLAA. Consequently it has been discounted for housing, and it is not identified in the list of Housing Land Allocations under Policy 30 in the "Submission Draft" of the CDP. The principal reasons why the site is considered to be unsuitable for housing relates to the fact that the site is on the edge of the settlement and development would constitute a large extension into the countryside resulting in some adverse landscape and visual impact.
62. To ensure that the CDP is flexible over its intended timeframe and resilient to changes which take place within that period, the CDP contains policies to enable proposed development on unallocated sites to be assessed on their merits and individual circumstances (Policies 15 and 35). These are criteria based policies which are permissive of development provided that it is appropriate in scale, design and location to the character and function of the settlement; and it would not involve development in the countryside. To aid clarity in applying these policies, the submission version of the CDP contains a definition of the built up area. This is definition states:
63. *"The built up area is land contained within the main body of existing built development of a settlement identified in the Settlement Study. This can include open land within a settlement but this does not mean that all open space within the built up area is suitable for development. Land on the edge of a settlement can be considered to be part of the built up area where it is physically very well contained by existing built development and its development would not result in coalescence with*

neighbouring settlements or encroachment into the countryside such that it would cause significant adverse landscape or townscape impact. In the case of smaller linear settlements it could also include small gaps in a built up frontage that have no recreational, historical or amenity value. Not all areas on the edge of a settlement that could be considered well contained or to be part of the settlement in a historical or community sense would be considered part of the built up area, for example, recreation land, land comprising the curtilage of a house or business set in large grounds, farm yards, or cemeteries”.

64. In applying this description against this proposal, it is clear that the site cannot be classified as forming part of the built up area of South Hetton. This is on account that development would encroach into the countryside. The development is therefore in conflict with the policies of the emerging CDP.
65. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Having established that this proposal is in conflict with both the existing and emerging development plan, there would need to be other material considerations to justify reaching a favourable decision for this proposal. One such material consideration which is relevant to this planning application is the NPPF. In instances where it is accepted that the development plan is absent, silent or relevant policies are out of date, the NPPF stipulates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
66. As previously mentioned, South Hetton is a local service centre (3rd tier) containing limited services and employment opportunities. Consequently, residents of the settlement are likely to be reliant upon accessing employment and main shopping requirements in higher order settlements such as Peterlee and Sunderland (outside the County), and these trips are more likely to be made using the private car. For these reasons, the site is not considered to be as accessible to shops, services and facilities as other SHLAA sites, as well as the raft of housing allocation identified within the emerging CDP. The NPPF advocates a plan-led system, and the most sustainable settlements (and sites within them) are identified in the CDP. Any development which does take place in local service centres needs to be commensurate with the role and function of the settlement. It is considered that the housing development recently permitted on a better site is sufficient to meet the housing needs for South Hetton.
67. The NPPF requires LPAs to maintain a five-year supply of deliverable sites to ensure choice and competition in the market. The SHLAA report for 2013 concluded that a five-year supply could be demonstrated in County Durham, particularly as a result the number of schemes which are currently on-site and under construction, or which have received planning consent over the past 12-18 months, thus bolstering the supply of sites. In this respect, there are no deficiencies in the supply of housing which need to be addressed by the release of more housing land. However, it is not the intention to resist schemes solely on oversupply grounds, but instead recognise that it enables the LPA to be more selective over which sites it does release, to ensure that the most sustainable and appropriate sites are brought forward for development.
68. The applicant disputes the local planning authorities stance on this matter, and asserts that the Council can only demonstrate at best, a 3.5 year housing land supply. In reaching this conclusion, the applicant argues in the submitted planning statement that only sites with extant planning permissions or up to date allocations deliverable within 5 years should be included within the 5 year supply. In light of this

they argue that 1,445 units from sites with no planning status should be removed from the Council's 5-year supply.

69. The planning statement discusses two appeal decisions (Dawlish and Chapel-en-le-Firth) as evidence to validate their position that sites which are not up to date allocations or do not have planning permission (i.e. commitments) cannot form part of the 5 year supply. The Spatial Policy Team has reviewed both of these appeal decisions, and considers that firstly it should clarify that it is only the Chapel-en-le-Frith decision which discounts sites without planning permission from the 'deliverable' classification. A further appeal decision has also been identified by the Spatial Policy Team, where the Inspector held that *'footnote 11 of the NPPF advises that to be considered deliverable, sites should be available now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. This does not mean that sites without planning permission should be excluded from a calculation of supply figures.'* The Spatial Policy Team have stated that their view is that the Council's approach to calculating its 5 year housing supply is consistent with recent Inspector decisions and consistent with the NPPF, and in particular the recently published National Planning Policy Guidance (NPPG). On the matter of the 5-year supply, the Spatial Policy Team disagrees with the applicant and maintains its position that a 5-year supply can be demonstrated. As a 5 year supply can be demonstrated then the presumption in favour of sustainable development is not considered to be an outweighing factor which would allow support for this proposed development.

70. Given the above, it is considered that the principle of developing the site as a residential extension to the existing settlement would not be supported by the existing local plan or the emerging County Durham Plan. The site has not been identified as a housing allocation within the 'Submission Draft' of the CDP and the proposal therefore conflicts with both the Policy 3 of the local plan and Policies 15, 30 and 35 of the emerging County Durham Plan. It is accepted that the site is within a sustainable location however as a 5 year housing supply can be demonstrated then the presumption in favour of sustainable development is not considered to be an outweighing factor which would allow support for this proposed development. Whilst the NPPF seeks to boost significantly the supply of housing, this land is not a key site which is critical to the delivery of the housing strategy over the Plan period.

Highway and access issues

71. This application has been made in outline with access to the site to be determined at this stage. The proposed access is to be taken from the north of the site onto main A182 highway which runs through South Hetton. The County Highways Officer has been consulted on the application and the proposed access. Although the Highways Officer has indicated that the proposed junction radii would have to be increased, it is considered that this can be adequately achieved and therefore a suitable junction can be provided. No objections are raised from the Highways Officer and it is considered that the proposed development would not compromise highway safety. The proposal is therefore considered to be in accordance with 36 and 37 of the local plan.

Impact on surrounding area

72. This development would reasonably be considered beyond the built up area of the village, as described in Policy 15 of the emerging County Plan. The built up area, as previously discussed in paragraph 63 can include land on the edge of a settlement where it is physically very well contained by existing built development and its development would not result in coalescence with neighbouring settlements or

encroaching into the countryside, such that it would cause significant adverse landscape or townscape impact. This is not the case with this site, being separated by the watercourse, within a visibly green space and having the potential to coalesce with the expanding residential development at Whitegates.

73. On arrival in South Hetton, coming from the west on the A182, the view towards this farmland is apparent, and it provides an attractive setting to the edge of this settlement. The SHLAA describes the topography of the application site as undulating with slight dip to the middle, and rises on the southern edge where there is woodland. This woodland on the southern edge of the site forms a pleasing backdrop to the view southeast on approaching South Hetton from the A182. The land is bound to the west side by a continuous mature hedgerow that runs into a smaller area of scrub woodland on slightly higher ground, located on the eastern edge. To the east of the paddock is an intermittent Hawthorn hedgerow that provides an attractive though partially open boundary to the adjoining countryside. This follows the course of a stream that becomes the Coldwell Burn. To the frontage of the A182 is a line of regularly spaced, small but mature trees within a 3.5 to 4 metre wide grass verge to the rear of the footpath. The proposed development would result in the loss of this attractive green space. It is acknowledged that the illustrative layout plan submitted does show provision for open green space on the northern boundary of the site, fronting the A182. The provision of open space frontage identifies the importance of the existing green space on approaching the settlement. However this provision does not recompense for the loss of green space. The principle of development in the open countryside must remain questionable, especially because it provides an attractive boundary to the settlement, and considerable visual amenity to the residents who live along Logan Terrace.

74. It is considered that the proposed development would not constitute as development within the built up area and would lead to an encroachment into the open countryside which would have an adverse impact on the character and appearance of the surrounding area and landscape qualities. The proposal would be in contrary to Policy 35 of the local plan, as well as Policies 35 and 39 of the emerging County Plan.

Other issues

75. Concerns have been raised from local residents in terms of the impact on wildlife and ecology. An ecology survey of the site was submitted with the application and the County Ecologist has assessed this survey. The Ecologist has indicated that the survey fails to consider potential for badgers to use the site for foraging. There are two woodlands adjacent the site and setts may be present and this grass field could be an important foraging area therefore the Ecologist considers that further information should be supplied in respect of badgers. It is noted that badgers are a protected species under the Protection of Badgers Act 1992. On that basis, it is considered that insufficient information has been submitted with the application in terms of the potential impact on protected species. Given the lack of information, this can also form part of a reason to refuse this planning application.

76. The Council's Drainage Officer, the Environment Agency and Northumbrian Water have both been consulted on the proposed application. No objections have been raised providing the development is constructed in accordance with the details of the submitted Flood Risk Assessment. It is therefore considered that the proposal would not have an adverse impact in terms of drainage or flooding.

77. Some objections have been raised with regards to potential impact on residential amenities of existing properties. The illustrative site layout plan does demonstrate

that houses can be positioned to provide adequate separation distance to ensure privacy levels would not be adversely compromised. The Environmental Health Officer has also not objected to the scheme in terms of noise, smoke, odour etc. It is not considered that the proposed development would adversely compromise the existing amenities of neighbouring residents. Loss of view and devaluation have been raised as objections from local residents, unfortunately these issues are not material planning considerations and cannot be used as reasons to refuse a planning application.

78. Local residents have raised concerns that the schools within South Hetton are currently at full capacity and the introduction of new houses in the area would increase pressure on the school capacity. The County Education Section has indicated that the local school in South Hetton is at full capacity. The Council document 'Pupil Place Planning In Durham School 2011' provides forecast figures which also indicates that the primary school in South Hetton is at full capacity. A financial contribution towards further educational facilities in the area would satisfy deficiencies and therefore this issue cannot be a reason for refusal.

CONCLUSION

79. The principle of developing the site as a residential extension to the existing settlement would not be supported by the existing local plan or the emerging County Durham Plan. The site has not been identified as a housing allocation within the 'Submission Draft' of the CDP and the proposal therefore conflicts with both the Policy 3 of the local plan and Policies 15, 30 and 35 of the emerging County Durham Plan. Whilst the NPPF seeks to boost significantly the supply of housing, this land is not a key site which is critical to the delivery of the housing strategy over the Plan period.

80. The proposed development would not constitute as development within the built up area and would lead to an encroachment into the open countryside which would have an adverse impact on the character and appearance of the surrounding area and landscape qualities. The proposal would be in contrary to Policy 35 of the local plan, as well as Policies 35 and 39 of the emerging County Plan.

81. The Highways Authority has confirmed that the access into the site would be acceptable and the surrounding road network can accommodate the proposed development. The proposal therefore accords with policies 36 and 37 of the Easington District Local Plan.

82. Insufficient information has been provided with regards to badgers in the area and a full assessment on the impact of the proposed development on protected species cannot be undertaken. It is therefore considered that a favourable decision on the application cannot be made until further information in relation to badgers is submitted.

RECOMMENDATION

That Members are minded to **REFUSE** the application for the following reasons:

1. The application site is outside defined settlement boundaries and is not considered to be an acceptable extension to the built development of South Hetton and would be contrary to Policy 3 of the Easington Local Plan and Policies 15, 30 and 35 of the Emerging County Durham Plan.

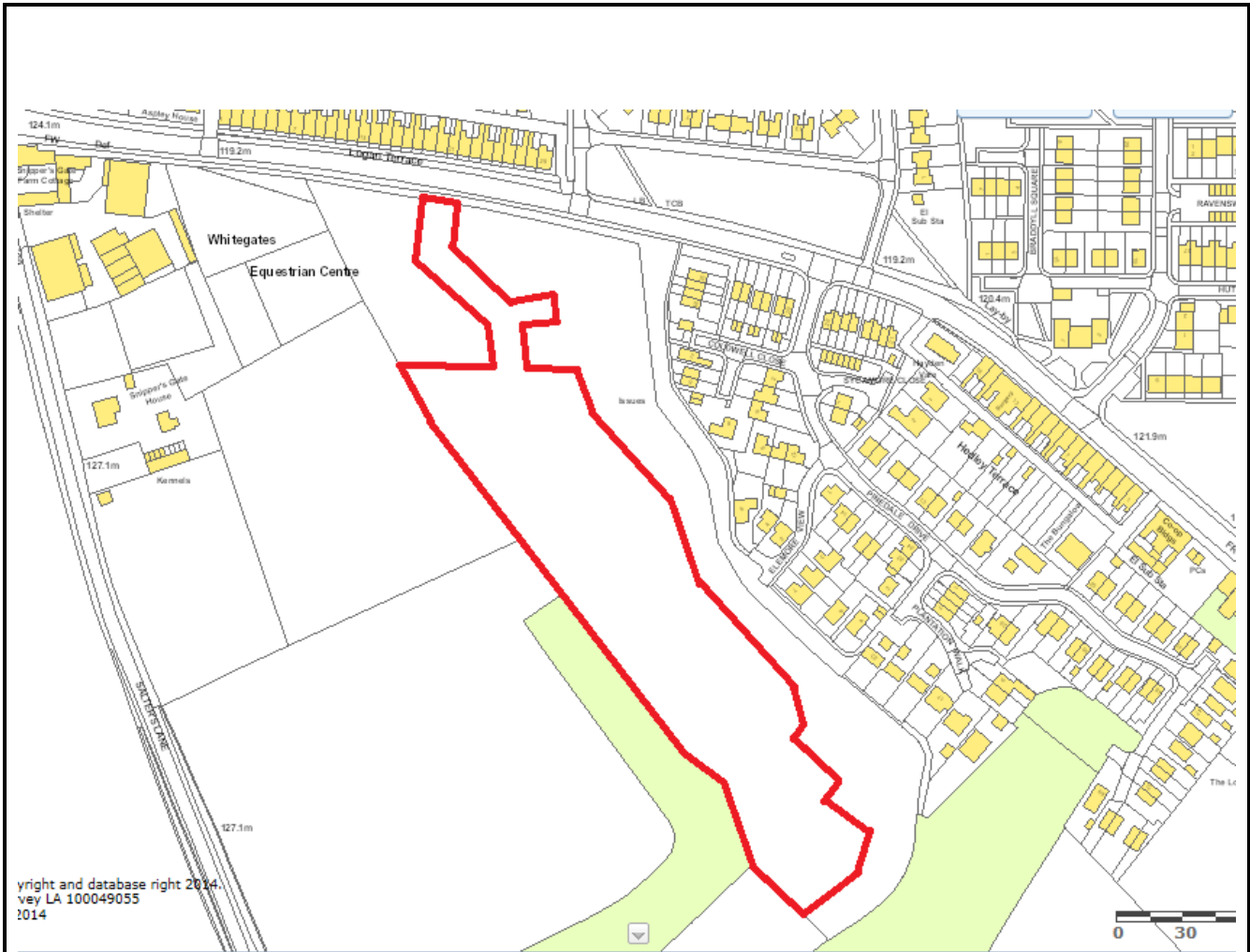
2. The proposed development would not constitute development within the built up area and would lead to an encroachment into the open countryside which would have an adverse impact on the character and appearance of the surrounding area and landscape qualities. The proposal would be in contrary to Policy 35 of the Easington Local Plan, as well as Policies 35 and 39 of the emerging County Durham Plan.
3. Insufficient information has been submitted with regards the potential for badgers using the proposed site. The local planning authority cannot therefore be satisfied that there will be no interference with badgers which are protected species, contrary to details within the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked in a positive and proactive manner and presented the application to the Planning Committee in line with the agreed timescales of the Planning Performance Agreement.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- Environmental Statement
- District of Easington Local Plan 2001
- National Planning Policy Framework
- Consultation Responses



Planning Services

**Outline Residential Development
at Land West of Elemore View and
South of Front Street, South
Hetton, Durham Ref:
DM/14/00349/OUT**

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