



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	6/2011/0189/DM
FULL APPLICATION DESCRIPTION:	Outline permission for erection of detached dwellinghouse
NAME OF APPLICANT:	Mr M Peat
ADDRESS:	Land West of Marden House, Darlington Road, Barnard Castle
ELECTORAL DIVISION:	Barnard Castle East
CASE OFFICER:	Steve Teasdale, Planning Officer 03000 260826/ 261055 steve.teasdale@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site comprises approximately 700m² (0.07 hectares) of agricultural land, situated between the dwellings of Marden House to the east and Roseberry to the west. The land is presently pasture, and is bounded by a low stone wall to the north, a post and rail fence, hedgerow and trees to the west, and the access track to Marden Farm to the east. There is currently no physical delineation along the southern boundary of the application site to separate it from the larger parcel of agricultural land. Access to the site is from the A67 Darlington Road.

2. Outline planning permission is sought to establish the principle of erecting a single detached dwellinghouse on the land. If approved, details of layout, scale, appearance, landscaping and access would be reserved for future detailed consideration. Although only indicative details of the scale of the property are provided, the design and access statement indicates that the property would be a 3 to 4 bedroom detached dwelling.

3. The application is reported to Committee at the request of Councillor Richardson, the local Ward Member, on the basis that the site is Greenfield and lies outwith the development limits of Barnard Castle.

PLANNING HISTORY

4. There is no formal planning history of relevance to this proposal.

PLANNING POLICY

5. NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning System.

Planning Policy Statement 3: Housing underpins the Government's commitment to improving the affordability and supply of housing in all communities through a more responsive approach to land supply at a local level.

Planning Policy Statement 4: Planning for Sustainable Economic Growth sets out Government guidance for economic development in both urban and rural areas.

Planning Policy Statement 7: Sustainable Development in the Countryside sets out sustainable development as the key principal underpinning rural land use planning, setting out criteria for development and conversion of buildings in the countryside and appropriate land uses. Elements of this advice have been revoked and replaced by alternate guidance in PPS4.

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>

6. REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. Of particular relevance is the following policy:

Policy 4 (The Sequential Approach to Development) seeks a prioritized approach to development of sites based on previously developed land, protection of nature and heritage sites, and relation to existing homes, jobs, services and modes of transport.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>

7. LOCAL PLAN POLICY:

The following saved policies of the Teesdale Local Plan 2002 are considered relevant:

Policy H6 New housing in the open countryside

Policy ENV1 Protection of the countryside

Policy ENV3 Development within or adjacent to and area of high landscape value

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.durham.gov.uk/Pages/Service.aspx?ServiceId=6619>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

8. Northumbrian Water Limited raises no objection.

9. The Highway Authority raises no objection.

INTERNAL CONSULTEE RESPONSES:

10. The Landscape Section does not support the proposal on the basis of the site's contribution to the countryside and area of high landscape value.

PUBLIC RESPONSES:

11. Six letters of objection have been received, and objections are made on the following summarised grounds:

- The proposal would not fit with the rural surroundings;
- The scale of the building would overshadow the adjacent bungalow;
- Good quality agricultural land would be lost;
- The site lies outside the development limits of Barnard Castle;
- There is no need for the development because there are many houses for sale in the town;
- There would be loss of privacy and amenity to adjoining property;
- There would be an increase in traffic; and,
- Existing low mains water pressure would be made worse.

12. Three letters of support have been received, which highlight the existence of surrounding residential properties.

13. In addition, a letter has also been received on behalf of 5 of the objectors which advises that letters of support are likely to be from relatives of the applicant who live in the locality.

APPLICANTS STATEMENT:

14. The proposal is for a 3 to 4 bedroom detached dwellinghouse of traditional design of stone construction under a slate pitched roof. The application is in outline only to establish the principle of the matter. The site is within Barnard Castle residential area of Darlington Road located between existing dwellings. Existing access to Marden Farm to the south would remain unaffected by the proposal. The site can be fully serviced by existing mains drainage, gas, electricity etc. Public transport, schools etc. are within walking distance.

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: <http://teesdale.planning-register.co.uk/PlanAppDisp.asp?RecNum=20243>

PLANNING CONSIDERATIONS AND ASSESSMENT

15. The main planning considerations are the principle of development, the landscape impact, impact upon residential amenity and privacy, and the means of access.

Principle of development

16. The application site is a greenfield site located outside the development limits of Barnard Castle, as defined in Inset Proposals Map 1 of the adopted Teesdale District Local Plan (2002). Whilst there is an existing dwelling beyond the application site to the east, once again beyond the development limits of the town, historical records suggest that this is the original Marden Farm House, which predated much of the other residential development along Darlington Road. The existence of this property was clearly discounted when the development framework of the town was prescribed prior to adoption of the local plan in 2002, the chosen limit being defined by Roseberry and Pine Lodge, both more recent developments.

17. The position of the application site is therefore considered to be countryside for the purposes of application of the appropriate development plan policy to the proposal. This conclusion is supported by the fact that it is agricultural land which has not previously been developed for other purposes.

18. Policy H4 (Infill Development On Sites Of Less Than 0.4 Hectare) of the Local Plan cannot be applied, because the site would need to be within the development limits, and also need to be previously developed land. As such, the main applicable policy in this instance is Policy H6 (New Housing in the Open Countryside), which states that new dwellings will not be permitted in the countryside unless it can be shown to be essential in any particular location to the needs of agriculture or forestry, and where the need cannot reasonable be accommodated within an existing town or village.

19. It is recognised by the applicant in the submitted Design and Access Statement that the requirements of Policy H6 are unlikely to be met in terms of an essential need for a rural dwelling, so no justification has been put forward. In these circumstances, the proposal for a private residential dwelling unconnected with the rural economy is clearly contrary to Policy H6 of the Teesdale District Local Plan. As such, the proposal is also considered to be contrary to Policy ENV1 which seeks to protect the countryside from development other than that which is necessary to support the rural economy, nature conservation, tourism and recreation.

20. At the present time, the North East of England Plan Regional Spatial Strategy to 2021 (RSS) is still a component of the Development Plan, together with the adopted Teesdale District Local Plan 2002. Policy 4 of the RSS sets out a sequential approach for selection of sites for residential development in the preparation of local policy, which includes, suitable previously-developed sites and buildings within urban areas, particularly around public transport nodes; other suitable locations within urban areas not identified as land to be protected for nature or heritage conservation or recreational purposes; suitable sites in locations adjoining urban areas, particularly those that involve the use of previously-developed land and buildings; and, suitable sites in settlements outside urban areas, particularly those that involve the use of previously-developed land and buildings. The application site does not perform well against any of these four criteria because of its

location outside of the settlement limits of Barnard Castle and because it does not constitute previously developed land.

21. PPS3 (Housing) which prescribes national policy on residential developments states, in paragraph 69 that, "In general, in deciding planning applications, Local Planning Authorities should have regard to: achieving high quality housing; ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people; the suitability of a site for housing, including its environmental sustainability; using land effectively and efficiently; and ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues." Furthermore, paragraph 40 states that, "A key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed."

22. The applicant expresses an opinion that PPS3 requires the Local Planning Authority to look favourably on proposals for housing where there is failure to meet a 5 year supply of deliverable housing sites. Whilst the former Teesdale area falls a little short of a 5 year supply, paragraph 71 makes it clear that when considering proposals for housing in such circumstances, favourable consideration should be made taking into account all policy expressions in PPS3, including paragraph 69 above. It is considered that the proposal does not accord with PPS3.

Landscape Impact

23. The application site lies within an area which is designated as having high landscape value. It is however recognised that this area does already contain built development, predominantly within the development limits of Barnard Castle. This part of Darlington Road is characterised by individual detached properties set within generous curtilages, and with a significant amount of mature landscaping. The application site is part of a field which, with the exception of Marden House to the east, terminates the built environment of Barnard Castle. The site forms a small but distinct gap in the residential building line to the south side of the A67 and is the last parcel of land that forms the open countryside, with important views to the south. Development of the site would remove this important gap in the building line, and the views of the countryside beyond. The application site has significant value in terms of the appearance and character of the countryside and any built development will detract from its special character.

24. It is considered that development of the site for residential purposes would result in the loss of land which contributes to the distinctive qualities of the environment in this location, and that it would be contrary to Policy ENV3 of the Local Plan.

Impact upon residential amenity and privacy

25. The proposal seeks to establish the principle of developing the site for residential purposes and provides very little detail of the intended form of development. No indicative plan has been submitted to identify the likely position of the dwelling on the site, and the design and access statement simply refers to a "3 to 4 bedroom detached dwelling house of stone construction under a slate, pitched roof."

26. It is anticipated that the proposed dwelling would be similar in scale to the majority of

others on Darlington Road, which are generally set well back in their plots. The immediately adjacent property Roseberry is a bungalow which is unusually set much further forward on its plot, and contains two side windows that face the application site. It is considered however that there is enough scope within the size and proportions of the site to arrive at a design that would not compromise the amenity or privacy of the occupiers of Roseberry.

Access

27. Although details of site access would be reserved for subsequent consideration, no objections have been raised by the Highway Authority to the principle of forming an additional vehicular access to the site to serve a single dwelling, at this point on the highway.

Other Matters Raised

28. Other matters raised by local residents are firstly, there is no need for the development because there are many houses for sale in the town and secondly that the existing low mains water pressure would be made worse.

29. In terms of the issue of need, this is considered only to be relevant to this proposal in terms of a functional agricultural or forestry need under Policy H6 of the Local Plan. As explained, the applicant has not attempted to demonstrate such a functional need with this private residential proposal.

30. Northumbrian Water Limited have been consulted on the application and has not made comments that would indicate problems of low mains water pressure, and this would be insufficient reason to resist the proposal.

CONCLUSION

31. The main planning consideration in this instance is principle. The application site lies beyond the development limits of Barnard Castle and is part of a paddock associated with Marden Farm. The site has not previously been developed and is therefore Greenfield agricultural land.

32. The proposal is considered to constitute residential development in the open countryside. In the absence of a functional need for a dwelling in this location, the proposal is considered to be contrary to Policies H6 and ENV1 of the Teesdale District Local Plan.

33. The application site is located within an area of high landscape value and contributes significantly to the character and appearance of the rural landscape. The residential development of the site would diminish the contribution it makes to the rural landscape and would detract from the character and appearance of the area of high landscape value, contrary to Policy ENV 3 of the Teesdale District Local Plan. Accordingly, Officers are unable to offer their support to the application

RECOMMENDATION

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

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1. The Local Planning Authority considers that the application site lies beyond the development limits of Barnard Castle and is land which has not previously been developed. The proposed development of this site in the open countryside for residential use without an essential functional need related to agriculture or forestry is contrary to Policies H6 (New Housing in the Open Countryside) and ENV1 (Protection of the Countryside) of the Teesdale District Local Plan 2002.
 2. The Local Planning Authority considers that the proposed development, if approved, would diminish the contribution that the application site makes to the rural landscape and would detract from the character and appearance of the area of high landscape value, contrary to Policy ENV 3 (Development Within or Adjacent To and Area of High Landscape Value) of the Teesdale District Local Plan 2002.
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BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- Teesdale District Local Plan 2002
- Planning Policy Statements / Guidance, PPS1, PPS3
- Responses from Highways, Northumbrian Water
- Public Consultation Responses

