

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/15/02372/OUT
FULL APPLICATION DESCRIPTION:	Outline application for up to 15 “executive dwellings” with all matters reserved
NAME OF APPLICANT:	Atelier 26 Architecture
ADDRESS:	C/o Agent
ELECTORAL DIVISION:	Crook
CASE OFFICER:	Tim Burnham Senior Planning Officer 03000 263963 tim.burnham@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site comprises of 2.3 hectares of agricultural grazing land, which lies across a narrow residential access road (Pipe Row) immediately to the south east of High Grange and alongside the A689.
2. High Grange is a small hamlet of just 62 residential properties arranged in 4 terraced rows and lies approximately 4km to the north east of Bishop Auckland and approximately 4km to the south of Crook. The small villages of Howden le Wear, Hunwick and Witton Park lie around 2km away. It is understood the terraced houses were constructed over 100 years ago to serve North Bitchburn Colliery and Brick and Pipe Works. The old school building is now in business use (joinery and windows) and there is a small tackle shop on the corner of Green Lane.
3. The land slopes steeply up from the A689 northwards. Field boundaries comprise of hedgerows to the NW, NE and SE with a post and rail fence along the A689 SW boundary. There is a large Sycamore tree in the highway verge on the SW corner of the site at the Pipe Row junction. 4 trees within the NE boundary hedgerow are protected by a Tree Preservation Order. Public footpath 115 lies outside the application site, but runs along the SE field boundary.
4. The application seeks outline planning consent with all matters reserved for up to 15 dwellings, which the applicant describes as “Executive Dwellings”.
5. The application is reported to the Planning Committee in accordance with the Scheme of Delegation because the development is classed as a major application.

PLANNING HISTORY

6. A recent outline application for a larger development of 58 dwellings was withdrawn earlier this year before being reported to committee. In 2008 an

outline application for up to 19 dwellings was refused for a variety of reasons including: an unsustainable location, visual impact and highway safety:

7. DM/14/03221/OUT - Outline application including means of access for the erection of up to 58 dwellings (all other matters reserved) – Application Withdrawn.
8. 3/2008/0336-Outline application for up to 19 dwellings (all matters reserved) – Refused.

PLANNING POLICY

NATIONAL POLICY

9. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.
10. *NPPF Part 4 – Promoting sustainable Transport.* Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties. There must be safe and suitable access to the site for all people.
11. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities; however, isolated homes in the countryside should be avoided.
12. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history, create safe and accessible environments and are visually attractive. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
13. *NPPF Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. 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.

14. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.
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.
16. *NPPF Part 12 – Conserving and Enhancing the Historic Environment.* Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

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 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

LOCAL PLAN POLICY:

17. The following saved policies of the Wear Valley District Local Plan, as amended by Saved and Expired Policies September 2007 are relevant to the application; however, in accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policies will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight:-
18. *Policy ENV1: Protection of the Countryside:* The District Council will seek to protect and enhance the countryside of Wear Valley. Development will be allowed only for the purposes of agriculture, farm diversification, forestry or outdoor recreation or if it is related to existing compatible uses within the countryside as defined in other Local Plan policies.
19. *Policy ENV3: Areas of Landscape Value:* Development will not be allowed which adversely affects the special landscape character, nature conservation interests and appearance of the Area of Landscape Value identified on the Proposals Map.
20. *Policy GD1: General Development Criteria* All new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area. The policy has a number of general criteria in relation to design and setting, landscape and environmental impacts, and highways and transport.
21. *Policy BE17: Areas of Archaeological Interest:* When development is proposed which affects areas of archaeological interest, as identified on the Proposals

Map, an archaeological assessment will be required, before planning approval is given. Where possible the remains will be preserved in-situ.

22. *Policy H3: Distribution of Development* New development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map development will be allowed provided it meets the criteria set down in Policy GD1 and conforms to the other policies of this plan.
23. *Policy H15: Affordable Housing:* The District Council will, where a relevant local need has been established, seek to negotiate with developers for the inclusion of an appropriate element of affordable housing on development sites.
24. *Policy H22 Community Benefit* On sites of 10 or more dwellings the local authority will seek to negotiate with developers a contribution, where appropriate, to the provision and subsequent maintenance of related social, community and/or recreational facilities in the locality.
25. *Policy H24: Residential Design Criteria* New residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.
26. *Policy T1 General Policy – Highways* All developments which generate additional traffic will be required to fulfil Policy GD1 and i) provide adequate access to the developments; ii) not exceed the capacity of the local road network; and iii) be capable of access by public transport networks.

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/media/3403/Wear-Valley-local-plan-saved-policies/pdf/WearValleyLocalPlanSavedPolicies.pdf>

RELEVANT EMERGING POLICY:

The County Durham Plan -

27. Paragraph 216 of the NPPF says that 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. The County Durham Plan was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination, forthwith. In the light of this, policies of the CDP can no longer carry any weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

28. *Highways Authority:* Object to the development as it would be prejudicial to highway safety and is in an unsustainable location where there would be a high reliance on private car travel. In particular, the A689 is a high speed principal road and the number of properties accessing the A689 at the Pipe Row junction

would increase by a factor of almost 2. There is already a record of personal injury road accidents at the nearby A689/Green Lane junction and additional turning movements between the A689 and Pipe Row increases potential for accidents. Additional dwellings also creates potential for more occupants to cross the high speed A689 to access the allotments and north west bound bus stop where a serious accident involving a pedestrian occurred early 2015.

29. *Coal Authority*: Has no objection subject to a planning condition requiring intrusive site investigations because the site falls within the Coal Authority High Risk Area and a mine entry within the application site, mine gas and shallow mine workings potentially pose a risk to public safety and the stability of the proposed development. The Coal Authority would expect the finalised site layout to be informed by the presence of any mine entries located within the site and an appropriate 'no build zone' should be defined around each of the mine entries, to ensure that development does not occur above or too close to these mining hazards.
30. *Northumbrian Water*: Request a condition for a detailed scheme of foul and surface water disposal.
31. *Environment Agency*: Object as the application proposes the use of non-mains foul drainage system and no assessment of the risks of pollution to the water environment has been provided.
32. *NHS*: No response.

INTERNAL CONSULTEE RESPONSES:

33. *Planning Policy*: Object to the development. Given its isolation, impact on landscape and impact on the existing settlement in terms of scale and form, it is not considered that the proposal represents sustainable new development and it does not therefore benefit from a presumption in its favour. Overall, it is considered that the adverse impacts, significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
34. *Landscape Section*: Object to the development. As a result of the loss of the large sycamore at the Pipe Row junction and the hedgerow along Pipe Row, in addition to the removal of an agricultural field from the landscape to a development utterly different to High Grange in appearance due to layout, density and lack of readable orientation, the effect on the landscape (an Area of High Landscape Value) and visual character of the area would be strongly negative, and it conflicts strongly with landscape related policies.
35. *Trees*: Notes that the large sycamore at the Pipe Row junction is classed as category A (trees of high quality and value) but requires removal along with the Pipe Row hedgerow and a willow classed as category C (adequate condition to remain) and questions whether an alternative access can be utilised to avoid removing these trees and hedgerows.
36. *Design and Conservation*: Object to the development. Development in the form proposed would cause substantial harm to the wider landscape and constitute an incongruous form of development contrary to local plan policy and the principles set out in Building for Life 12.
37. *Education*: Object to the proposal because while there are sufficient primary and secondary school places available in the area, the walking route to the nearest

primary school in Howden le Wear is likely to be deemed unsafe, which would incur home to school transport costs for the Council.

38. *Environmental Health (Noise)*: Recommends a condition for a Noise Assessment because of proximity to a busy main road to the main road, as well as a construction hours condition to protect the amenity of neighbouring residential properties.
39. *Environmental Health (Contaminated Land)*: Recommends a condition for a scheme to deal with contamination because of potential for made ground on the site (coal mining) and a need for mine gas monitoring.
40. *Ecology*: Concern that a single activity survey of trees proposed for removal has not been undertaken, but otherwise pleased that some species-rich grassland has been included into the site design. Details and management will need to be defined at reserved matters stage.
41. *Archaeology*: Recommends a condition for a scheme of archaeological investigation because the results of the geophysical survey demonstrate that archaeology may be present on the site. Trial trenching should be carried out prior to submission of reserved matters to understand the extent of archaeology and any necessary mitigation.
42. *Public Rights of Way*: No objections as the public footpath lies outside the site, but it must remain unobstructed during construction.
43. *Drainage and Costal Protection*: No objection. According to the EA and Durham County Council SFRA data there does not appear to be a risk of flooding to the development site. An overland flow route is evident running across the site from a North East to South West direction. This should be taken into consideration when setting finished levels and drainage design.
44. *Affordable Housing*: Concern - The applicant suggests an off-site contribution for affordable housing, but we would not want to go down this route as current policy would require the contribution to be spent within close proximity of the High Grange site, which would make it very difficult for the Council to identify interest from developers / registered providers to deliver a scheme incorporating affordable housing that would qualify to use the contribution. If the development goes ahead 10% affordable provision should be onsite, and that this should be delivered as 75% affordable rent and 25% affordable home ownership with evidence provided of interest from a registered provider to take the affordable rent units.

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://plan-1:8080/IDOXSoftware/IG_search?app_id=1002&FormParameter1=DM%2F15%2F00373%2FOUT

PUBLIC RESPONSES:

45. The application has been publicised by way of press notice, site notice, and neighbour letters. There have been 13 letters of objection and 8 letters of support.

Objections

46. The letters of objection are from residents of High Grange and the points of objection can be summarised into the following categories –

Highways

- The main road passing the site is unsafe and has been the scene of accidents, while the access road for the development would be too narrow.
- Concern relating to relocation of bus stop further from the main village and without a footpath to access it.
- The proposed replacement parking areas for existing properties on High Grange would not be sufficient to meet the needs of residents

Environmental Issues

- The location is not sustainable because of the lack of facilities and employment in the village.
- Damage to landscape and wildlife from loss of trees, hedgerows and hay meadow on the site.
- The main road adjacent to the site is prone to flooding in heavy rain and additional surface water runoff from the development will add to the problems.
- Concern over coal mining risk at the site.
- Access to the new development via the access road proposed would lead to noise and disturbance to existing properties.
- The development will not be in keeping with the unique character of the village and will be socially divisive by creating an “us and them” situation.

Other Issues

- No need for 15 executive homes in the area.
- Loss of value to existing high grange dwellings

Support

47. Of the 8 letters of support 5 are anonymous, while 1 appears to be from the land owner. The reasons for support can be summarised as -

- The development would make the village more desirable and will attract high end clientele who will support local businesses.
- The site is well located for access to Bishop Auckland/Crook and the wider motorway network.
- The development will make access to High Grange safer.
- New gardens and landscaping will provide a benefit to local wildlife in the area.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at: <https://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

APPLICANTS STATEMENT:

48. The housing application put forward by the applicants is a revision of a previously submitted scheme. The scheme was revised to take account of as many points that arose in connection with the previous proposals as possible. This involved reducing the proposed numbers, alterations to the access arrangements, means of landscaping as well as to the overall form and layout. Significantly more open space has been provided with reductions to the trees on and around the site.

49. The revised scheme seeks to provide a modest number of self-build plots for which there is understood to be a particular need across the country generally and in Co Durham in particular. Strong expressions of support from potential purchasers have already been received.
50. The submitted layout seeks to provide a type of dwelling and layout which offers something a little different from the existing terraces that make up the current character of High Grange. It is unashamedly different and attractive to potential occupants for this very reason. It would allow “trade ups” to take place from within High Grange as well as those who want to come to the area but can’t find housing that meets their needs.
51. It is expected that the development would grow at a modest pace and therefore not present a ‘shock’ to High Grange.
52. County Durham has set out ambitious plans for growing its population and providing a wider choice of housing to those within and who want to move into the county. This application responds to that challenge by providing upmarket self-build plots in an ideal location to help the needs of the County be met.
53. The occupants of such forms of housing will not rely upon the use of public transport for their day to day existence and therefore those aspects of the sustainability credentials simply are not relevant to the way in which these properties would be used. Indeed, with the growing use of supermarket and other on line delivery options as well as increasing number of those that work from home, use of public transport is now less of a concern at a local level. Simply put, this is a development that will work, contribute to the Council’s clear growth strategy and deliver much needed housing to assist the supply shortfalls that have been referred to in recent appeals. We hope that members will take a positive view of these proposals.

PLANNING CONSIDERATIONS AND ASSESSMENT

54. 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 principle of development, impact on character and appearance and highway safety.

Principle of Development

55. The site lies in the countryside beyond any limits to development defined in the Wear Valley Local Plan. Development of the site for housing therefore represents a departure to saved policy ENV1 of the Wear Valley Local Plan and consideration must be given to whether there are any other material considerations and benefits to outweigh this conflict.
56. The NPPF is an important material consideration. Section 6 of the NPPF seeks to significantly boost the supply of housing and states housing applications should be considered in the context of the presumption in favour of sustainable development. Local Planning authorities should seek to deliver sustainable, inclusive and mixed communities, while avoiding isolated homes in the countryside. Section 4 requires development to be located where the need to travel will be minimised; key facilities such as primary schools and local shops should be located

within walking distance of most properties. Section 7 requires development to improve the character and quality of an area and the way it functions. Section 8 requires local planning authorities to plan positively for the provision and use of shared space and community facilities. Section 9 states that the planning system should contribute to and enhance the natural and local environment

57. The housing policies of the Wear Valley Local Plan and the definition of settlement limits, date back to 1997 and are therefore considerably out of date and carry no weight. Following the recent High Court decision to quash the Inspector's Interim CDP Report the housing policies of the CDP can no longer be given any weight either. A revised CDP will be progressed in the coming months and will gather weight as it proceeds through the stages of plan preparation.
58. In these circumstances and regardless of 5 year land supply, the NPPF in para 14 advises that developments should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. The main purpose of the NPPF is to achieve sustainable development. This includes the provision of housing, the need to move towards a low carbon economy and the need to protect and enhance the natural environment.
59. High Grange is a small hamlet of just 62 dwellings. It has no services of its own. It lies approximately 4km from the major services and facilities in both Bishop Auckland and Crook. All services and facilities are beyond walking distance from the site and there are in any case no pedestrian footways along the connecting roads in the vicinity of the site to facilitate safe walking. The nearest primary school is over 2km away in Howden le Wear. The Council's Education Section has commented that the walk to the nearest primary school at Howden le Wear would be considered un-safe, which would incur cost to the County Council in terms of needing to provide transport. Other primary schools in Hunwick and Witton Park are also over 2km away and the same concerns apply. The site does have access to a regular bus service between Crook and Bishop Auckland from bus stops immediately outside the site on the A689, but that alone does not make the site highly accessible because it is not possible to safely walk to any local services, particularly local shops and schools, as required by NPPF paragraph 38. The location of the site and the nature of the development as an executive housing estate is such that occupants of the proposed dwellings would in practice place a high reliance on private car journeys to access services and facilities, a fact even acknowledged in the applicant's submission. The site is therefore considered to be isolated in respect of NPPF paragraph 55 and does not represent a sustainable location for new housing development. The Council's Planning Policy Section and the Highway Authority object on this basis.
60. The current evidence in the Strategic Housing Market Assessment identifies a shortage of executive housing. The proposal could make a minor contribution in that respect; however, the provision of executive homes is not one of the special circumstances within NPPF paragraph 55 to justify isolated homes in the countryside so the proposal has to be considered on normal planning grounds. The site does not in any case represent an ideal location for executive housing as it is not well related to the major urban conurbations or strategic employment centres in the region and lies around 10 km from the A1 motorway. In addition the application does not shy away from the fact the development would be unashamedly different to the existing development it would sit alongside in terms of the size and affordability of the dwellings. The landscape implications of this are discussed in more detail later in the report, but the huge contrast in

housing type and size that would lie so divisively between the proposal and existing terraced houses would not sit comfortably with NPPF aims of creating socially inclusive communities, and therefore local concerns in relation to creating an “us and them” situation in this respect are considered to be reasonably founded. It is not therefore considered to be a suitable location for executive housing, which should in any case be within sustainable locations, which this is not. In addition, the Council’s Housing Section have confirmed that any affordable housing would have to be delivered on the site in this location, rather than through an off-site financial contribution, which would not be compatible with the proposed scheme.

61. Taking all the above into account, it is considered that the proposal is poorly located and does not represent a sustainable form of development. Accordingly there is serious in-principle conflict with the aims of the NPPF in this respect and therefore the proposal does not benefit from the presumption in favour of sustainable development.

Highways

62. Details of the access to the development would be a reserved matter. Nonetheless this matter does need careful consideration at this stage, as clearly the development could not progress if it was not possible to provide a safe highway access to meet the requirements of Wear Valley Local Plan Policies GD1 and T1, as well as Part 4 of the NPPF. The applicant has carried out a detailed transport survey and the recommendations of this form the basis of the highway matters considered.
63. The application site is situated immediately to the north west of the A689, which is a busy A Road linking Bishop Auckland with Howden Le Wear and Crook, and is subject to a 60mph speed limit at this point. Just south of the centre of the application site a junction intersects with the C93, Grange Bank. Bus stops are located on both sides of the A689 carriageway near to the western corner of the application site.
64. It is proposed to access the site via an existing narrow residential lane (known as Pipe Row), which leads from the A689 and currently serves terraced properties immediately adjacent to the application site. At its northern end this road ceases to be adopted highway and becomes a track, crossing a section of grass before re-joining an unadopted mixed surface street, which serves further terraces and the businesses within the old school buildings. The road then heads in a north westerly direction, linking up with the wider road network at Green Lane.
65. The application suggests widening of Pipe Row, junction alterations with the A689 and relocation of the bus stop further to the east beyond the required visibility splay.
66. The Highway Authority has objected to the proposal raising significant concern in relation to highway safety. Concerns about highway safety are also a concern in nearly all the objections from local residents.
67. There is a record of road accidents at the A689/Green Lane junction involving personal injury. The Highway Authority considers that the development would lead to increased potential for rear end shunt -type accidents in association with vehicles turning right in to Pipe Row, as well as increased potential for

pedestrian related incidents crossing the A689, noting serious accidents of both types recently.

68. The Highway Authority is also concerned that drivers exiting the development looking to use Green Lane to get to Hunwick and North Bitchburn would turn right at Pipe Row to take the shortcut over the unadopted path and mixed surface street past the old school, rather than heading down to the A689 and turning right into Green Lane. The same could occur for reverse journeys. These unadopted paths are wholly unsuitable to serve the development and it is considered that increased vehicular use from the proposed development would be detrimental to the safety of all users of those paths.
69. The objections from local residents also raise concerns about moving the bus shelter further to the east. It would have to be moved to achieve required sight visibility to the east if the development is to use Pipe Row as an access. There are reasonable grounds for concern as this is the stop in the direction of Bishop Auckland and would be moved further away from the existing residents who would be most likely to want/need to use it. While the bus stop would not be moved to a significant degree it would nevertheless prejudice some existing residents, some of whom would be over 200m from the bus stop, therefore it is not desirable and adds to the overall concerns over access arrangements.
70. Taking the above into account, particularly the objection from the Highway Authority, it is considered that a safe and suitable access could not be achieved for all people, including existing and new residents. The residual cumulative impacts of the development on highway safety and road user amenity are considered severe in this case.
71. The proposal is therefore in conflict with Wear Valley Local Plan Policies GD1(Highways and Transport) and T1, as well as NPPF paragraph 32.

Impact on Character and Appearance

72. All detailed matters are reserved for future consideration so it is not possible to make a full landscape assessment of the proposal, however indicative plans have been submitted and the likely layout, density and scale of an executive housing scheme across the site can be considered.
73. The site lies within an attractive rural landscape which is designated in the Wear Valley Local Plan as an Area of Landscape Value. Policy ENV3 of the Wear Valley Local Plan states that development will not be allowed which affects the special landscape character, nature conservation interests and appearance of Areas of Landscape Value. More generally policy GD1 requires that new development be in keeping with the character and appearance of the area and be designed to be appropriate in terms of form, mass, scale, layout, density and materials to the town or village in which it is to be situated. Policy GD1 also requires that new development has regard and is appropriate to the setting of neighbouring buildings, landscape features and open spaces of the surrounding areas. These objectives are in general accordance with the aims of NPPF Sections 7 and 11 and can therefore be given considerable weight.
74. The site is currently open and its rural nature frames the existing High Grange Terraces when approaching from the south east. High Grange is a tight knit residential development of typical Colliery legacy found throughout the Durham Coalfield area and is well anchored within the landscape.

75. While acknowledging that this application is in outline only, the provision of 15 executive dwellings would in all likelihood see a development of large properties at a low density, as demonstrated in the indicative layout. Such a scheme would result in a form of development that would be considerably at odds with the adjacent existing development and an alien type of development within the rural Coalfield landscape. It would be very difficult to successfully integrate with the existing development it would sit alongside, as well as with the surrounding countryside. The size of the site is greater than the existing High Grange hamlet and therefore in addition to being an alien form of development it would, despite its low density, result in a significant intrusion of development into open countryside within an attractive and highly prominent setting. As a result it is considered that the development would detract from the landscape quality and rural character of the immediate area, as well as contributing further to wider problems of fragmentation of the Coalfield landscape, caused predominantly by mining legacy and scattered villages. Landscaping within the site would not sufficiently mitigate the harm, particularly when the site rises steeply northwards and is highly visible from the adjacent roads and footpath. The Council's Landscape, Policy and Design and Conservation Sections all object on this basis. Concerns are also expressed from local residents in this respect.
76. The Landscape Section has also raised specific concerns surrounding the likely loss of the hedgerow along Pipe Row and the large Sycamore tree at the Pipe Row junction with the A689. Again, while the scheme is in outline it is inevitable that these landscape features will be lost to accommodate a suitable access to the development and therefore the concerns are legitimate considerations.
77. Both the hedgerow and Sycamore tree are considered to be important landscape features that make a positive contribution to the character and appearance of the area. The hedgerow forms the field boundary and is shown on historic maps circa 1856-1865. It is species rich and is identified within the ecology report as a habitat of principle importance under the NERC Act 2006. This would satisfy the criteria for determining importance under the Hedgerow Regulations. The hedgerow is also important in respect of serving to screen cars which are parked on Pipe Row and softens the edge of the High Grange terraces. The Sycamore tree is highly prominent within the landscape and is a category A high quality tree. The County Durham Landscape Character Assessment for the Coalfields stresses the importance of preserving hedges and field systems that still exist noting that the fragmentation of boundary networks has consequences for both the character and biodiversity of the landscape. Objective WD4 of the Strategy for the area is to conserve, enhance and restore characteristic features of the Coalfield landscape. The loss of both the hedgerow and Sycamore tree, identified as important landscape features, would cause considerable harm to the landscape and general amenity of the locality. This would be in addition to the harm from the scale and form of the proposed development generally.
78. Taking all the above into account it is considered that the development would have a severe negative impact on the character and appearance of the area and Area of Landscape Value designation. It would not conserve or enhance the natural environment and would fail to contribute positively to making this part of the countryside a better place for people. Accordingly the proposal is in significant conflict with Policies GD1(i)(ii)(iii)(xi) and ENV3 of the Wear Valley Local Plan, as well as NPPF paragraphs 56 and 109.

Other issues

79. The development site is located within the Coal Authority High Risk Area. A Risk Assessment has identified a mine entry within the application site. Mine gas and shallow mine workings could also potentially pose a risk to public safety and the stability of the proposed development. This is a cause for concern and brings into doubt whether the proposed development could be delivered as indicated in the indicative layout because it does not appear to have taken account of the mine entry. However, as this is an outline application with all matters reserved there would be scope to address the issue at reserved matters stage and through conditions. As a result and because the Coal Authority have not objected, it is felt that there are not sufficient grounds for refusal in this respect.
80. Local residents have raised concerns about flooding on the highway and the potential for the development to make the situation worse. However, the application site falls within Flood Zone 1. It is nevertheless a matter to take account of at the detailed application stage, but it is likely that a suitable drainage scheme could be designed to limit any surface water runoff from the site to greenfield rates to ensure the development would not make the situation worse, and this could be conditioned. There have been no in principle objections from The Environment Agency, Northumbrian Water or the Council's Drainage and Coastal Protection Section on flooding grounds. The Environment agency objection in relation to disposal of foul sewerage with non mains drainage is noted, however this relates to a detailed matter which could be addressed at reserved matters stage and through relevant conditions.
81. An archaeological assessment has been undertaken which has included a Geophysical Survey on the site. The survey demonstrates that features of archaeological interest may be present on the site and therefore the Archaeology Section recommends that the geophysics results are tested through trial trenching which should allow the character and extent of the archaeology on the site to be understood so that mitigation in the form of avoidance or further investigation could be agreed upon. This could be addressed by conditions.
82. Local residents have also raised concerns about the noise impact from additional vehicles using Pipe Row and effect on property values. The Environmental Health Section (Noise) have recommended construction hours conditions because of the proximity of neighbouring properties, however, other than construction impacts the development is not of a scale that would be likely to lead to significant noise from traffic. The development itself would have to take into account road noise from the A689, but that could be dealt with by conditions. The effect on property values is not a material planning consideration that can be given any weight in the determination of the application.

CONCLUSION

83. NPPF Paragraph 14 advises that developments should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.
84. A presumption in favour of sustainable development is at the heart of the NPPF, but the proposed development is at odds with this presumption because of the site's location, which is isolated from local services and facilities and would rely on the use of non-sustainable modes of transport. In addition the development

would have serious adverse impacts on the landscape and character and appearance of the area, as well as highway safety. The minor contribution to the provision of executive housing where a shortfall has been identified is acknowledged, but the site and development is wholly unsuitable for the reasons identified.

85. It is therefore considered that the adverse impacts of the development on this occasion would significantly and demonstrably outweigh any benefits when assessed against the policies of the NPPF as a whole.

RECOMMENDATION

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

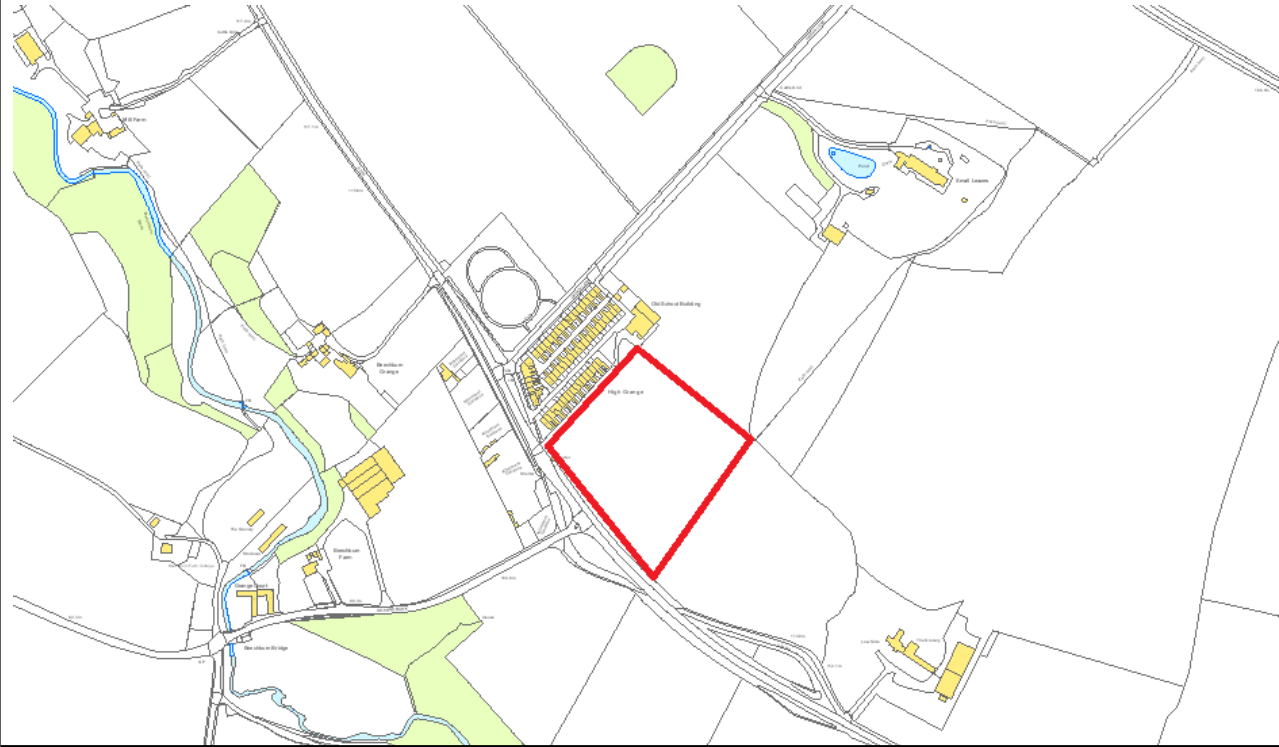
1) The site, by reason of its location, remote from local amenities and education, would lead to an isolated form of development where occupiers of the dwellings would be highly reliant on private car travel. The proposal therefore conflicts with NPPF paragraphs 14-17, 34-38 and 55 and does not represent a sustainable form of development.

2) The proposal would be likely to give rise to conditions prejudicial to highway safety and road user amenity by leading to an increased risk of collisions in an area where there is a record of accidents involving vehicles and pedestrians, as well as potentially leading to increased use of nearby unsuitable unadopted roads for northwards travel. The proposal therefore conflicts with Wear Valley Local Plan Policies GD1(xx and xxi) and T1, as well as NPPF paragraph 32.

3) The development, by reason of its scale, intrusion into open countryside and the likely loss of important landscape features, would be detrimental to the character and appearance of the surrounding area and wider rural landscape. The proposal therefore conflicts with Wear Valley Local Plan Policies GD1(i)(ii)(iii)(xi) and ENV3, as well as NPPF paragraphs 56 and 109.

BACKGROUND PAPERS

Submitted application form, plans supporting documents
The National Planning Policy Framework (2012)
National Planning Practice Guidance Notes
Wear Valley Local Plan
The County Durham Plan (Submission Draft)
County Durham Settlement Study 2012
The County Durham Landscape Character Assessment
All consultation responses and representations received



Planning Services

Outline application for up to 15 executive dwellings with all matters reserved

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19th November 2015