

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/15/03141/FPA
FULL APPLICATION DESCRIPTION:	Construction of 22no. holiday lodges with associated infrastructure and landscaping
NAME OF APPLICANT:	Brancepeth Estates Limited
ADDRESS:	Brancepeth Manor Farm, Brandon Lane, West Brandon
ELECTORAL DIVISION:	Deerness
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 approximately 1.5 hectares of unfarmed land situated within the curtilage of the wider Brancepeth Manor Farm site. The application site wraps around an existing pond. The buildings associated with Brancepeth Manor Farm are located to the east of the application site. The majority of these buildings have consent for residential accommodation of which some have been converted and some under construction. Agricultural fields surround Brancepeth Manor Farm and the application site. There are two public right of way byways which are located to the north of the site. One byway runs along the north boundary of the site and the other public right of way is situated over 200 metres away. There are two accesses to the application site, one taken from the north off Brandon Lane, and the second from the south off Wolsingham Road.

The Proposal

2. Planning permission is sought for the construction of 22no. holiday lodges which are located around the north and west edges of the pond. The proposed lodges will be of single storey timber construction providing ten 2 bedroom lodges and twelve 3 bedroom lodges. A site office and compound is proposed which would be constructed from stone and timber. The vehicular access to the site is proposed to be taken from the north off Brandon Lane.
3. This application is referred to the Planning Committee as it constitutes a major planning application.

PLANNING HISTORY

4. No planning history on the application site. Planning permission has recently been granted for the conversion of the existing buildings on Brancepeth Manor Farm in to residential accommodation.

PLANNING POLICY

NATIONAL POLICY:

5. 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.
6. 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'.
7. The following elements are considered relevant to this proposal;
8. *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.
9. *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.
10. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing application should be considered in the context of the presumption in favour of sustainable development. A wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.
11. *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.
12. *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.

13. *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.
14. *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.
15. *NPPF Part 12 – Conserving and Enhancing the Historic Environment.* Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance.

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:

City of Durham Local Plan

16. Policy E14 (Trees and Hedgerows) sets out the Council's requirements for considering proposals which would affect trees and hedgerows. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.
17. Policy E15 (Provision of New Trees and Hedgerows) states that the Council will encourage tree and hedgerow planting.
18. Policy E16 (Protection and Promotion of Nature Conservation) is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. Unacceptable harm to nature conservation interests will be avoided, and mitigation measures to minimise adverse impacts upon nature conservation interests should be identified.
19. Policy T1 (Traffic – General) states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.

20. Policy V8 (Tourism – Camping, Caravans and Chalets) states that planning permission will be granted for the development of new or extensions to existing site for camping, caravanning and chalets providing they are not out of keeping with the area; does not adversely affect residential amenity; provides satisfactory means of access; is served by adequate infrastructure; would not be located within an area subject to flooding; and is adequately served by public transport and cyclepaths.
21. Policy V9 (Tourism – Occupancy) states that planning permission for static holiday caravans and chalets in the countryside will only be granted if occupation by any one person or groups of persons is limited to not more than 26 weeks in any one calendar year.
22. Policies Q1 and Q2 (General Principles Designing for People and Accessibility) states that the layout and design of all new development should take into account the requirements of all users.
23. Policy Q3 (External Parking Areas) requires all external parking areas to be adequately landscaped, surfaced, demarcated, lit and signed. Large surface car parks should be subdivided into small units. Large exposed area of surface, street and rooftop parking are not considered appropriate.
24. Policy Q5 (Landscaping General Provision) sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.
25. Policy Q8 (Layout and Design – Residential Development) sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.
26. Policy U5 (Pollution Prevention) states that development that may generate pollution will not be permitted where it would have unacceptable impacts upon the local environment, amenity of adjoining land and property or cause a constraint the development of neighbouring land.
27. Policy U8a (Disposal of Foul and Surface Water) requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
28. Policy U11 (Development on Contaminated Land) sets out the criteria against which schemes for the redevelopment of sites which are known or suspected to be contaminated. Before development takes place it is important that the nature and extent of contamination should be fully understood.

RELEVANT EMERGING POLICY

The County Durham Plan

29. 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. In the light of this, policies of the CDP can no longer carry any weight at the present time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

30. *County Highways Authority* consider the site is in an unsustainable location for travel.
31. *Northumbrian Water* has not raised any objections.
32. *Natural England* has not raised any objections.
33. *Environment Agency* has no objections to the proposed development and has indicated that the applicant will require the written consent from the Environment Agency under the Water Resources Act 1991.
34. *Drainage* has indicated that the Flood Risk Assessment documents submitted with the application adequately cover the necessary requirements with regard to sustainable drainage solutions and prevention of flooding.

INTERNAL CONSULTEE RESPONSES:

35. *Ecologist* has not raised any objections to the ecology survey submitted with the application.
36. *Public Rights of Way* has confirmed that Brandon Lane is a Public Byway. The Byway is a single carriageway and given the proposals will generate an increase in traffic, passing places should be created.
37. *Environmental Management (Noise)* has indicated that the main control required to mitigate the risk of noise disturbance to residential properties is through site management by site rules and supervision.
38. *Environmental Management (Contamination)* has not raised any objections. A condition is requested for further contamination surveys to be undertaken.
39. *Landscape* has concluded that the proposals would have some significant adverse landscape and visual effects.
40. *Visit County Durham* has indicated that the scheme is to be awarded a level 2 status which is classified as a desirable project.

PUBLIC RESPONSES:

41. The application has been advertised on site and in the local press. Neighbouring residents were also notified individually of the proposed development. 28 letters of representation have been received from local residents.

42. Concerns are raised in relation to the impact the proposed development would have on the welfare of local residents in terms of noise disruption and loss of privacy, and also safety and security. It has been indicated that development would spoil the tranquillity nature of the site and would be out of keeping having an adverse impact on landscape and visual effects. Residents are also concerned that the scheme would result in the devaluation of residential properties.
43. The impact on highways is considered to be a main issue with local residents. The proposed access is considered to be unsuitable and the surrounding highway network would not be able to cope with the additional volume of traffic.
44. The development is considered to be overdevelopment and there is no need for this type of commercial business in this area, as there are other facilities elsewhere. It has been indicated that the site is unsustainable and does not have sufficient infrastructure.
45. Concerns have also been raised in relation to flooding and drainage; impacts on wildlife and protected species; contamination; waste collection; and disturbance during construction stage.
46. Local residents have indicated that they have concerns that the holiday lodges would become permanent residential dwellings. Residents have also noted that there has been no consultation from the applicant with the local residents prior to the application being submitted. Finally, local residents consider that the application is contrary to local plan policies and the NPPF.
47. The Campaign to Protect Rural England has also raised concerns in relation in terms of impacts on the landscape, local utilities and roads, and wildlife.

APPLICANTS STATEMENT:

48. From the initial concept stages of the proposed development, it was expected the proposed accommodation would comprise tourism accommodation of exceptional quality, at the higher end of the tourism market. However, before progressing with the proposal, we had to be certain there was demand for the product envisaged and that we were targeting the most appropriate area of the tourism market.
49. In order to consider this, we sought to engage with the Council's tourism officers and the Durham Tourism Management Plan Committee to understand not only what need there is, but also if there is any need. Over a period of several months, we engaged in discussions with the Council's tourism officers and the Durham Tourism Management Plan Committee, as well as appointing a tourism expert to undertake the relevant assessment work and advise the applicant on tourism accommodation requirements.
50. Those discussions concluded there was, indeed, a significant desire for additional high quality tourism accommodation in this area of the County, with a particular focus on the timber holiday lodge market which is seen as being more upmarket, and an exclusive alternative to the traditional caravan holiday home. It was also noted there was only one small holiday lodge site in operation of a similar type in the County (that being the West Hoppyland holiday cottages and trekking centre at Hamsterley). This exercise also considered the quantum of development appropriate for the Brancepeth site, which concluded in accordance with the area of the market in most need, this should be a relatively small scale development, synonymous with a more exclusive development. In this respect, it is anticipated the development will particularly appeal to older and more affluent customers.

51. The work undertaken by Tourism UK resulted in the direct support of the Durham Tourism Management Plan Committee, who awarded the project an overall Level 2 (desirable project), based on the information available at that time. The Durham Tourism Management Plan Committee also advised that the only reason the project was not rewarded Level 1 status (highly desirable) was a result of commercial sensitivity with the financial elements of the process. The committee concluded that there was comprehensive evidence of market demand and positive economic impacts likely to arise as a result of the proposed development, and there is no suggestion that the committee would not have awarded Level 1 status in this respect.
52. In terms of the scheme itself, it has evolved around a desire to create a high quality landscape setting, which has been essential to the design process. Throughout the application process, there has also been further landscaping proposed, particularly along the western boundary, as well as various other amendments to the scheme to ensure it does not negatively affect existing residents of Brancepeth Manor Farm.
53. In terms of benefits directly accruing from the proposed development, it will make a significant contribution towards the Durham Tourism Management Plan aspirations, as well as significant economic contribution to the local economy. In this regard, the proposed development will result in a direct and indirect expenditure of just under £1.58m to the local economy, which includes the anticipated spend of visitors, as well as additional growth in the local supply chains. The development will also create in the order of 29 full-time equivalent jobs, as well as in the order of 20 no. temporary construction jobs.
54. As explained elsewhere within the committee report, the proposed development will result in a high quality tourism accommodation development which is consistent with the requirements of the policies of the adopted development plan, supports economic and tourism growth, represents an ideal opportunity to showcase the quality of the Durham Tourism Industry to national and international tourists.

PLANNING CONSIDERATIONS AND ASSESSMENT

55. 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 relates to the principle of development; impact upon landscape setting and surrounding area; impact on residential amenity; highway safety; and ecology.

Principle of development

56. Policy V8 of the local plan deals specifically with new holiday accommodation schemes. This policy states that planning permission will be granted for new holiday accommodation providing it does not impact on the character of the area; does not adversely affect neighbouring amenities; provides a satisfactory access which does not impact on local road network; is served by adequate infrastructure; not located in an area subject of flooding; is served by public transport, footpaths and cycle paths; and accords with other local policies.
57. The impact of the proposed development on the criteria detailed above will be discussed under the headings below. It is considered however that in principle the proposed development would accord with policy V8 of the local plan.

58. The Highways Officer and local residents have indicated that the site is unsustainable and the development would be reliant on the use of cars. This point is not disputed however it is noted that generally holiday accommodation of this nature is situated in isolated locations which are detached from shops, services and public facilities. The NPPF does indicate that in order to promote a strong rural economy, development should support the provision and expansion of tourist and visitor facilities in appropriate locations. It is noted that Visit County Durham supports the introduction of holiday accommodation in this location.
59. Local residents have also indicated that there are concerns that the holiday lodges may become permanent residential accommodation. To ensure the holiday lodges would not become permanent residential dwellings, planning conditions are recommended which would restrict the use of the lodges to holiday accommodation only. It is noted that policy V9 of the local plan advises that the use of holiday lodges should be restricted to only 26 weeks of the year. Policy V9 was adopted in 2004 and more recent guidance advises that restricting holiday accommodation for use in only certain times of the year is not appropriate. Planning conditions can be utilised which will ensure the holiday lodges remain as holiday accommodation therefore there is no need to restrict the use of the holiday lodges to certain times of the year.
60. Whilst it is noted that the site is within an unsustainable location, this type of development is usually found within isolated sites detached from services. The proposed scheme would provide tourist accommodation which would attract tourists to the west of Durham City and thereby contributing to the economy of the surrounding area. On balance, it is considered that the principle of development is acceptable and would be in accordance with policy V8 of the local plan and guidance within the NPPF.

Impact upon landscape setting and surrounding area

61. The proposed holiday lodges are located within an isolated location but would form part of the extended Brancepeth Manor Farm complex which is settled around the existing pond.
62. In terms of potential impacts of the proposed development on the surrounding landscape, the County Landscape Officer has highlighted three primary viewpoints. These being the public byway that passes to the west and joins the site in the north west corner; the properties at Brancepeth Manor Farm; and numerous distant viewpoints to the north west. The Landscape Officer considers that the proposed development would be visually exposed from views from the north west and the byway and any planting scheme would arguably take 10 years to mature before becoming effective screening. The Landscape Officer concludes that the proposals would have some significant adverse landscape and visual effects.
63. The Planning Officer has taken the Landscape Officer's views into account but has arrived at a different conclusion in terms of the impact the development has on the surrounding landscape. It is acknowledged that the proposed lodges will be visible from the nearby byway, however these views would be short range and is not considered to have an adverse impact on the wider landscape. In terms of distant viewpoints, the Planning Officer does not consider that the development would be overly prominent within the overall landscape of the area. Given the topography of the land which surrounds the site and the extensive woodland areas which are located nearby to the north west and the south, it is considered that the proposed holiday lodges would not be highly visible in the overall landscape. It is also noted that the lodges have been specifically designed to be single storey and constructed from dark materials which help them blend in with the surrounding environment.

An amended planting scheme has been submitted showing additional planting along the north and west boundaries of the site, which over time will help in screening the proposed lodges from both short and long distance views. In terms of views from the properties on Brancepeth Manor Farm, it is acknowledged that some of the buildings would have views of the proposed lodges however these views would not compromise the overall outlook of the surrounding area.

64. There are differing views on whether the proposed development would have an impact on the surrounding landscape. Given the introduction of substantial planting along the boundaries of the site and the sensitive design and materials of the proposed lodges, it is considered that on balance the development would not adversely compromise the character and appearance of the surrounding landscape.

Impact on residential amenity

65. The majority of the buildings within the Brancepeth Manor Farm complex have received planning permission to be converted into residential accommodation. Some of the buildings are currently occupied, some are in the process of being converted and some still remain undeveloped.
66. The nearest proposed holiday lodge to a residential property is located over 75 metres away, with the rest of the holiday lodges located over 100 metres away from the residential properties within the Brancepeth Manor Farm complex. This 75 metres plus separation distance would ensure that there would be no direct loss of privacy to residential properties, nor would there be any overbearing or overshadowing impacts created.
67. A primary concern from nearby residents is the noise and disturbance which could occur from the proposed holiday accommodation. The Council's Noise Officer has indicated that given the type of accommodation proposed and the regular number of vehicle trips which is likely to be associated with the development, the development is likely to give rise to noise levels over what would normally be expected in a residential area. The main control required to mitigate the risk of noise and disturbance on neighbours is through management. Generally on holiday sites this is achieved by site rules and supervision. The site would incorporate a site office which visitors would have to report to on arrival and a site management plan would be implemented which will provide site rules and regulations. A condition is recommended for a site management plan to be submitted for approval. The developer has confirmed that the primary entrance to the proposed holiday site would be from the north via Brandon Lane and therefore any traffic to the site would not drive past the residential properties in Brancepeth Manor Farm. The layout of the site has also been redesigned to incorporate a locked gate which would restrict access to the holiday site from Wolsingham Road. It is considered that the development would not have an overly adverse impact on the adjoining residential properties which would be sufficient to justify refusal of the application.

Highway safety

68. The developer has indicated that the primary vehicle access to the site would be from the north via Brandon Lane. The Highways Officer has not raised any objections in terms of volume of traffic created by the development using either Brandon Lane or Wolsingham Road. There is a 250 metre section of Brandon Lane which is a byway and is only 2.7 metres in width. Given the width of this byway, there is a requirement for passing places to be introduced to allow vehicles to pass along this stretch of road.

The developer has agreed to a planning condition requiring the installation of passing places prior to the holiday site being occupied. A condition is recommended accordingly.

69. The internal road layout of the holiday site has been amended which now provides a suitable access into the site, along with passing places and visitor parking. The Highways Officer is satisfied that the two parking spaces allocated to each of the lodges is an acceptable provision.
70. Given the above, it is considered that the proposed development would not have an adverse impact on highway safety. The proposal would be in accordance with policy T1 of the local plan.

Ecology

71. The presence of a European Protected Species (EPS) is a material planning consideration. The Conservation of Habitats and Species Regulations 2010 have established a regime for dealing with derogations which involved the setting up of a licensing regime administered by Natural England. Under the requirements of the Regulations it is an offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England.
72. Notwithstanding the licensing regime, the Local Planning Authority must discharge its duty under the regulations and where this is likely to be an interference with an EPS must consider these tests when deciding whether to grant permission for a development which could harm an EPS. A Local Planning Authority failing to do so would be in breach of the regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
73. An Ecological Appraisal of the site has been submitted with the application. This appraisal concludes that there is no historical records of otter, water vole or white clawed clayfish in the area. Assessment of the pond suggests that it is unsuitable for great crested newts. There are no structures on site to provide roosting opportunities to bats and the semi-mature trees within the site boundary have negligible risk of supporting roosting bats. The submitted appraisal has been analysed by the County Ecologist. The County Ecologist has confirmed that there are no objections to the findings of the survey. Subsequently it is not considered that the proposed development would have an adverse impact on protected species or their habitats and would be in accordance with part 11 of the NPPF. A mitigation strategy is detailed in the Ecological Appraisal which outlines timing or construction works, working methods and best practice, and enhancement recommendations. A condition is recommended for the mitigation measures detailed in the appraisal to be adhered to.

Other issues

74. A Phase 1 Contamination Report has been submitted with the application and this has been assessed by Council Contamination Officers. No objections are raised however a condition is recommended for further site investigation works to be undertaken prior to works commencing on site. A condition is recommended accordingly. It is not considered that the proposed development would have an adverse impact in terms of contamination.

75. A flood risk assessment along with details of drainage has been submitted with the application which has been assessed by the Council's Drainage Officer, the Environment Agency and Northumbrian Water. No objections have been raised and it is therefore considered that the proposed development would not have an adverse impact on the surrounding area in terms of flooding or drainage.
76. Local residents have raised some concerns that valuation of nearby residential properties will be affected by the proposed development. The valuations of properties are not a material planning consideration. Residents have also noted that the developer did not consult with local residents prior to submitting the planning application. There is no requirement for a developer to consult the local community prior to submitting a planning application. The local planning authority have undertaken the required publicity for the planning application as required by planning legislation. Some local residents are concerned about potential noise and disturbance during construction phase. It is accepted that construction of any development may create some disruption, however given the separation distance between the site and neighbouring properties it is considered disturbance would be minimal. Disturbance experienced during construction would also only be for a limited time and is not sufficient reason to refuse a planning application.

CONCLUSION

77. The proposed development is considered acceptable in principle as it meets the aim of policy V8 of the City of Durham Local Plan and also criteria detailed in the NPPF. It is accepted that the site is in an unsustainable location however generally holiday accommodation of this nature is found in isolated sites. The proposed scheme would provide tourist accommodation which would attract tourists to the west of Durham City and thereby contributing to the economy of the surrounding area. To ensure the lodges do not become permanent residential accommodation, conditions are recommended which would restrict the lodges to holiday use only.
78. In terms of impacts on the surrounding landscape, the County Landscape Officer has concluded that the proposals would have some significant adverse landscape and visual effects. The Planning Officer has a different view and considers that the proposed development would not have an adverse impact on the surrounding landscape. Due to the topography of the site, it is considered that the site is screened from a number of long distance views. The lodges have also been design to be single storey and constructed from natural materials so they blend in with the existing landscape surroundings. A revised planting plan has also been submitted proposing landscaping which overtime would help screen and integrate the holiday lodges into the surroundings. The proposal is considered to be in accordance with policies E14, E15 and V8 of the City of Durham Local Plan.
79. The nearest neighbouring residential property is located over 75 metres away which would ensure there would be no loss of privacy to the properties and ensure there would be no overbearing or overshadowing impacts created. The main entrance to the site would be via Brandon Lane therefore there would be limited vehicle traffic driving past the nearby residential properties. The site would be subject to a site management plan detailing site rules and regulations. The separation distance of over 100 metres from the proposed lodges with the majority of the nearby residential properties would ensure that residential amenity would not be adversely compromised in terms of noise and disturbance. The proposals are considered to be in accordance with policies Q8 and U5 of the City of Durham Local Plan.

80. The surrounding highway network has sufficient capacity to accommodate the additional traffic which would be created by the proposed development. Improvements are required to the existing byway to allow for vehicles to pass each other. A condition is recommended to ensure that the byway is upgraded and passing places are provided. The proposed development would not have an adverse impact on highway safety and would be in accordance with policy T1 of the City of Durham Local Plan.
81. The proposed development would not compromise any protected species or their habitats and there would be no adverse impacts in terms of contamination, flooding or drainage issues. The proposal would be in accordance with policies E16, U8a and U11 of the City of Durham Local Plan.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Plan Ref No.	Description	Date Received
300-01 1	Proposed Site Office and Compound to Northern (site entrance) area of site	15/01/2016
300-02 2	Proposed Site Gate Details	15/01/2016
200-03 12	Proposed Site Access & Lodge Layout	15/01/2016
101-01 4	Location Plan	15/01/2016
2+2 CENTRAL 1	Proposed 2 Bed Central Living Lodge Type	16/10/2015
2+2 END 1	Proposed 2 Bed End Living Lodge Type	16/10/2015
3+3 CENTRAL 1	Proposed 3 Bed Central Living Lodge Type	16/10/2015
3+3 END 1	Proposed 3 Bed End Living Lodge Type	16/10/2015
911_10 A	Landscaping Illustrative Landscape Masterplan	15/01/2016

Reason: To define the consent and ensure that a satisfactory form of development is obtained.

3. No development shall commence until detailed specification of passing places along the byway has been submitted to and approved in writing by the local planning authority. The approved passing places shall thereafter be fully constructed prior to the lodges being occupied.

Reason: In the interests of highway safety and to accord with policy T1 of the City of Durham Local Plan.

4. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the local planning authority. The scheme shall identify those trees/hedges/shrubs scheduled for retention and removal; shall provide details of new and replacement trees/hedges/shrubs; detail works to existing trees; and provide details of protective measures during construction period. The works agreed to shall be carried out within the first planting season following completion of development of the site and shall thereafter be maintained for a period of 5 yrs following planting. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the appearance of the area and to comply with policies V8 , E14 and E15 of the Durham Local Plan.

5. No development hereby approved shall take place unless in accordance with the mitigation, recommendations and conclusions within the Preliminary Ecological Appraisal (dated September 2015) by E3 Ecology.

Reason: To conserve protected species and their habitat in accordance with criteria within the NPPF.

6. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following

Pre-Commencement

- (a) A Phase 2 Site Investigation and Risk Assessment is required and shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.
- (b) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out by competent person(s). No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works.

Completion

- (c) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11.

7. The holiday lodges hereby approved shall not be occupied until a site management plan has been submitted to and agreed in writing by the local planning authority. The approved site management plan shall thereafter be retained whilst the lodges are in use.

Reason: In the interests of residential amenity and to comply with policies Q8 and U5 of the City of Durham Local Plan.

8. The holiday lodges shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/operators of the site shall maintain an up-to-date register of the names of all owner/occupiers of individual holiday lets on the site, and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure an appropriate form of development in the countryside, in accordance with policy V8 of the City of Durham Local Plan 2004.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
City of Durham Local Plan 2004
National Planning Policy Framework
Internal consultee responses
Public responses
Responses from statutory and other consultees
National Planning Policy Guidance
County Durham Plan (Submission Draft)



Planning Services

Construction of 22no. holiday lodges with associated infrastructure and landscaping at Brancepeth Manor Farm, Brandon Lane, West Brandon

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