

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/17/01185/OUT
FULL APPLICATION DESCRIPTION:	Outline application all matters reserved except access for 13no. dwellings including demolition of existing buildings
NAME OF APPLICANT:	Mr D Fox
ADDRESS:	Glencrest Kennels And Cattery Glencrest Copley Lane Butterknowle Bishop Auckland DL13 5LW
ELECTORAL DIVISION:	Evenwood
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 the buildings and land at Glencrest Kennels and Cattery, which ceased operation end of September 2016. It also includes part of the garden of Glencrest Bungalow and wraps around Camphill, which was constructed in approximately 2013 to provide manager accommodation for the Kennels/Cattery business.
2. The site lies in the countryside to the east of the small hamlet of Copley, close to the junction of Copley Lane and Grewburn Lane. The village of Butterknowle lies approximately 2 miles to the north east. Copley Lane contains an intermittent scattering of small groups of housing fronting onto the road, with the nearest being just to the east of the site on the southern side of the road. The site is bounded by hedgerows along the Copley Lane roadside and eastern boundary, with linear tree belts to the north and west. The single storey buildings associated with the business are located in 3 distinct parts of the site. There are 2 stone-built outbuildings and a steel clad building towards the front of the site (former office, grooming, storage and garaging), immediately adjacent to Glencrest Bungalow. The timber cattery housing comprising of one small shed and two larger buildings are located more centrally in the site adjacent to the garden of Glencrest Bungalow. The dog kennels are located in the north east corner of the site comprising of 3 brick buildings and external runs. Formal circulation/access provision in the site is limited to small pathways leading to the cattery and kennels. The rest of the site is given to grass with no formal use.
3. The application is in outline for residential development of 13no. dwellings with access being the only matter not reserved for future consideration. The proposal would necessitate demolition of all existing buildings on site.

4. The application is reported to the Planning Committee as it constitutes a proposal for major development.

5. PLANNING HISTORY

6. There is various planning history related to establishment of the Kennel and Cattery buildings on site, but it is only the more recent planning history relating to residential development on the site that is particularly relevant to this proposal.
7. The Camphill bungalow was granted permission as a manager's dwelling for the Kennels and Cattery in 2010 (6/2010/0083/DM).
8. An application to remove the manager's restriction condition on the Camphill bungalow was refused by the Planning Committee in 2015 (DM/14/03652/VOC).
9. In 2016 there were 2 separate applications for residential development on the site, which were refused by the Planning Committee – a single dwelling in the garden of Glencrest, and 4 dwellings between Glencrest and Camphill.

PLANNING POLICY

NATIONAL POLICY

10. 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.
11. *NPPF Part 4 – Promoting sustainable Transport.* The Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. On highway safety, there must be safe and suitable access to the site for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
12. *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.
13. *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.

14. *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 create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning.
15. *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. Inappropriate development in areas at risk of flooding should be avoided.
16. *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.
17. *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

LOCAL PLAN POLICY:

18. The following saved policies of the Teesdale Local Plan are relevant to the application:
19. *Policy GD1: General Development Criteria:* All new development and redevelopment within the district should contribute to the quality and built environment of the surrounding area and includes a number of criteria in respect of impact on the character and appearance of the surrounding area; avoiding conflict with adjoining uses; and highways impacts.
20. *Policy ENV1: Protection of the Countryside.* This policy restricts the type of development that would be permitted in the Countryside. Tourism and recreation developments would be considered acceptable where compliant with other policy and where they do not unreasonably harm the landscape and wildlife resources of the area.

21. *Policy ENV8: Safeguarding plant and animal species protected by law:* Development should not significantly harm plants or species protected by law and where appropriate adequate mitigation measures should be provided.
22. *ENV10 Development Affecting Trees Or Hedgerows:* development will only be permitted where it avoids unreasonable harm to or loss of any hedgerows which do, or will when mature, contribute significantly to any of the following: Landscape diversity, the setting of nearby existing or proposed buildings, a protected species habitat or visual amenity.
23. *Policy H12: Design:* The local planning authority will encourage high standards of design in new houses and housing sites, in terms of layout and organisation of public and private open space, including meeting the needs of the disabled and elderly and the consideration of energy conservation and Local Agenda 21. Residential proposals should comply with the criteria of policy GD1 where relevant to the development involved.
24. *Policy H1A: Open Space within Developments:* In new residential development of 10 or more dwellings, open space will be required to be provided within or adjacent to the development.
25. *Policy H14: Provision Of Affordable Housing within Residential Developments* The local planning authority will, in appropriate circumstances as identified by a needs assessment of the district, seek to negotiate with developers for an element of affordable housing to be included housing developments.

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/article/3271/Teesdale-Local-Plan>

RELEVANT EMERGING POLICY:

The County Durham Plan -

26. 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.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

27. *Lynesack and Softley Parish Council:* Object to the planning application. Concerns that access to the main road will be problematic and that the development will bring parking issues.
28. *Highways Authority:* No objections. For avoidance of doubt the existing B6282 extent of public highway verge (at the south of the development site) will remain post-

development, and will not be subject to enclosure. Part of this will form the proposed new footway. The highway serving the proposed development will be required to meet minimum adoption standards. Conditions would be required requiring engineering details of the access and estate road and that the existing access to Camphill Bungalow be removed and replaced with an access from the proposed estate road.

29. *Northumbrian Water*: We can inform you that a public sewer and a trunk water main cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. Further details will be required in relation to the proposed foul and surface water drainage from the site.

30. *Coal Authority*: No objections subject to the imposition of a condition requiring the submission of details of intrusive site investigations and remedial measures.

INTERNAL CONSULTEE RESPONSES:

31. *Sustainability Section*: I have significant concerns in relation to the location of the site and its relative unsustainability. The question on whether it would meet the presumption in favour of sustainable development, given its poor sustainability is one which I will leave to the planning officer to balance.

32. *Education*: There are sufficient primary and secondary school places available to accommodate pupils from this development.

33. *Affordable Housing*: Affordable housing provision at 15% required.

34. *Contaminated Land*: Contaminated land condition required.

35. *Drainage and Coastal Protection Team*: No objections, some further details required in relation to permeability tests and method of conveyance. Further details required in relation to SuDS.

36. *Ecology*: No objections, the submitted report concludes that Great Crested Newts are absent from the site.

37. *Landscape Section*: The site is not in a locally or nationally designated landscape. The site is visible from the roads that bound the site to south and west. It is screened from the north by a planting belt. There are no landscape objections to the principle of this development. I leave others to comment on the detail of the development, particularly as presented to the road. I would like to see clearer demarcation between the front gardens of Plots 1-4, and I would like to see soft and hard landscaping plans, including the detail of the stone walling.

38. *Landscape Section (Trees)*: The development will require the removal of sections of hedging on the Copley Lane boundary for access, development and sightlines and this may have some impact on the landscape. Additionally, the development will require the removal of group 5 and sections of group 6 but these are relatively young plantation trees and the removal is unlikely to have a significant negative impact. Otherwise, based on the information provided and the All About Trees tree protection plan, it is not anticipated that there will be any significant arboricultural conflict, although there is the likelihood that as the trees in group 6 and group 4 develop,

there will be increased pressure to remove or prune them, particularly around plots 9-12.

39. *Archaeology Section*: One of the buildings proposed for demolition appears to be a building first shown on the Second Edition Ordnance Survey map of circa 1895. As such it should be considered a non-designated heritage asset and subject to conditions requiring building recording.

40. *Noise Action Team*: No Objection.

PUBLIC RESPONSES:

41. The application has been publicised by way of press notice, site notice and neighbour notification letter. Two responses have been received.

42. Support has been received from Councillor Heather Smith who considers that the proposal represents a good use of the land following closure of the kennels, and does not represent isolated development because of access to facilities and services in Butterknowle, Woodland and Cockfield.

43. A letter of objection has been received which expresses doubts about whether the kennel business was properly market prior to closure and the need for housing in the location. There is also highway safety concern about the access.

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/>

APPLICANTS STATEMENT:

44. The area of land once occupied by the now closed Glencrest Kennels and Cattery has been the subject of a Pre-Application Enquiry to the local planning authority prior to the preparation and submission of the outline planning application you are now considering. In the Pre-Application Enquiry response, given as recently as December 2016, it was confirmed that the closure of the kennels/cattery resulted in a residual area of previously developed (brownfield) land, and it further noted that under the guidance given by NPPF, the development of brownfield sites is supported.

45. Furthermore, given that it was freely accepted that when the kennels/cattery business was operational, a certain amount of trips to and from the site was generated, it was thus similarly accepted that what was termed 'a modest residential development' could be built on the brownfield land and regarded as sustainable. An additional benefit of new development on the brownfield land was also commented on as being desirable and acceptable in landscape terms as it would likely lead to a local visual improvement.

46. Therefore, all that is reported above was deemed as being positive advice encouraging the redevelopment of the brownfield site for new housing, and a potential scheme was given significantly closer attention on the basis of the advice given, with design principles provided in the advice incorporated into the emerging indicative scheme. An element of that closer attention was to ensure that in preparing development proposals the best and most efficient use of the land was made, and that indicative proposals came forward which represented realistic and viable options for the local housing market, including the provision of 2no. affordable homes and the type of dwellings, including bungalows, which were known to be in demand in the area. It is believed that both local planning authorities and developers

have a responsibility to make the best and most efficient use of land reflecting local circumstances and the local housing need and indeed NPPF states that planning should 'encourage the effective use of land by reusing land that has been previously developed (brownfield land).

47. However, notwithstanding the careful consideration given to the scheme for a 'modest residential development,' the planning officer subsequently required, and remains of the view, that the word 'modest' be interpreted as 7no. dwellings and not 13no. houses and bungalows as suggested in the application. The stipulation of 7no. dwellings had not been justified nor researched, whereas the number proposed in the scheme is one which has been arrived at via a rational and logical approach to the redevelopment of the site, and in accordance with pre-application advice given in December 2016.

48. It is unfortunate, but also unfair, that an apparently subjective interpretation is being made of the words 'modest residential scheme' whereas the proposal before the Committee remains 'modest' but is one which has been objectively arrived at through a logical approach to mixed residential development which is much needed in the area as well as nationally. It is hoped the Committee will appreciate that what is being proposed remains fully compliant and reflective of the pre-application advice received from the Council's officers, and will enable the redevelopment of this brownfield site as proposed in the application to provide 2no. affordable homes and market housing based on local needs.

PLANNING CONSIDERATIONS AND ASSESSMENT

49. 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 issues are whether the proposal would constitute sustainable development, having particular regard to whether the site would be a suitable location for housing having regard to reliance on private car travel; the effect on the character and appearance of the area; effect on highway safety; and affordable housing and open space requirements.

Planning Policy Context

50. The site lies outside the development limits of Copley as defined in the Teesdale Local Plan and is consequently within the countryside for the purposes of saved policy ENV1 of the Teesdale Local Plan. Policy ENV1 seeks to protect and enhance the countryside and only allows for development that is required for the purposes of agriculture, rural diversification, forestry, nature conservation, tourism, recreation, local infrastructure, or related to existing countryside uses, subject to landscape impact and satisfying other relevant policies. The proposal is not for one of the specified purposes and is therefore contrary to policy ENV1.

51. Nevertheless, as one of the aims of Policy ENV1 is to constrain the development of land in the countryside for housing, it is a relevant policy for supply of housing, and because of the absence of an up to date five years housing land supply position, Policy ENV1 cannot be considered up to date.

52. This engages Paragraph 49 of the NPPF which requires that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF explains that for decision making, this

means granting permission unless any adverse impact would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted. This will be considered in the sections below.

Location

53. Paragraph 55 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances. Having regard to the wider sustainability aims of the NPPF, the question of isolation is one concerning accessibility to services and facilities rather than visual isolation. This is specifically reflected in Section 4 of the NPPF which requires development to be located where the need to travel will be minimised
54. The application site sits distinctly outside of Copley, which is classified in the County Durham Settlement Study as a tier 6 Hamlet on account of its lack of facilities or services. Although nearby villages like Butterknowle and Woodland have a small range of local services which could be reached by bus, the site is located some distance from larger settlements that provide a full range of local services, employment and facilities. The site is clearly not in a location where the need to travel is minimised. Occupiers of the dwellings would inevitably be more reliant on the private motor vehicle to allow a family's daily needs for access to be met. Given the number of dwellings proposed there would be an increase in the number of unsustainable journeys from the site. In this regard the proposal would not represent sustainable development.

Impact on the character and appearance of the area

55. Whilst saved policy ENV1 has been considered out of date in respect of housing supply, this does not mean that it can be completely disregarded, as it remains part of the development plan. The secondary aim of policy ENV1 is to help protect the intrinsic value and character of the countryside which is in line with the objectives of sustainable development. Therefore, significant weight can still be given to Policy ENV1 as a countryside protection policy.
56. Saved Policy GD1 sets out various criteria that will be applied to all new development. Amongst these is criterion (I) which seeks to ensure that new development would not unreasonably harm the rural landscape of the area. Criteria (B)c requires landscape, natural and historic features on the site to be retained and incorporated into the design and layout of the scheme to ensure development is in keeping with the character and appearance of the area. This is in accordance with the aims of the NPPF and therefore Policy GD1 can also be given significant weight.
57. The overriding character of the area in the vicinity of the site is rural with some linear frontage development spaced intermittently along the highway. There are not many dwellings set well back from the road, except where they are part of a farmstead.
58. The application proposes residential development on the whole of the site with development at the rear of the site to be facilitated by a new estate access road extending into the site to the west of Camphill. All existing buildings would be demolished, including the stone buildings at the front of the site. The hedge between Glencrest and Camphill would also necessitate complete removal to accommodate the access arrangements.
59. It is accepted that the site is classed as brownfield land and that the NPPF advocates the effective reuse of brownfield land within the core land-use planning principles set out at paragraph 17. However, in the definition of brownfield land at

Annex 2 of the NPPF it states that “it should not be assumed that the whole of the curtilage should be developed”.

60. At present, the existing structures and pathways occupy less than 15% of the site, and although there are cattery buildings and dog kennels deeper within the site, they are not highly prominent features. The timber cattery buildings have a shed or stable-like appearance, while the low profile kennel buildings are barely visible. The site also includes a large part of the garden of Glencrest.
61. The proposal would entail development of a substantially greater scale and physical presence than what currently exists on the site and very little weight can be given to suggestions that the dwellings at the back of the site would be bungalows when matters of layout, scale and appearance have been reserved. In any case it can be seen from both existing bungalows Glencrest and Camphill, that bungalows would still have a greater physical presence than any of the existing kennel buildings on site. Along with the access arrangements, which involve formation of an uncharacteristic estate road outside of a village, loss of the roadside hedge, and creation of adoptable footpaths along the site frontage, the development as a whole would have a significant urbanising effect on the site and surrounding area.
62. In effect, the proposal of up to 13 dwellings would result in the development of a small residential estate of a suburban character, which would be at odds with the rural character of the area and the predominantly frontage nature of existing housing in the vicinity. This incongruous relationship to the streetscape and surrounding countryside would be readily apparent from the highway.
63. It is noted that the Archaeology Section have not objected to the demolition of the stone buildings at the front of the site even though they are of an age that they could be considered as non-designated heritage assets. Nevertheless, they are vernacular buildings that were not very long ago in active use. They are a positive feature of the site and there is no evidence that they are incapable of re-use as part of any redevelopment scheme. The loss of these traditional buildings does not appear to be necessary and there would be no environmental benefits to it. This is a further negative impact of the scheme.
64. It is therefore considered that the proposed development would have a materially harmful impact on the character and appearance of the area and the surrounding landscape. It would be contrary to Saved Policies ENV1 and GD1 (Bc) & (l) of the Teesdale Local Plan which seek to ensure that the countryside is protected and that new development retains historic and landscape features on the site and would not have a detrimental impact on the landscape. These policies are consistent with the NPPF in relation to recognising the intrinsic character and beauty of the countryside and requiring development to add to the overall quality of the area and respond to local character.

Highway Safety

65. Although the application is in outline, access is to be determined as part of this application.
66. The development at the front of the site would take access directly off the highway, while development at the back of the site would be served by a new estate road adjacent to Camphill. Camphill would also take its access from this new road.
67. It is noted that the Parish Council and a local resident have raised concerns about the safety of the proposed arrangements, however, the Highway Authority is satisfied

that the proposal would not be detrimental to highway safety. It would however be necessary to condition full engineering details of the estate road and footway, as well as closure of the existing Camphill access.

68. It is therefore considered there is no conflict with Teesdale Local Plan policy GD1(Q) or NPPF Part 4 in respect of providing safe and suitable access to the site.

Affordable Housing and Open Space

69. In line with saved Policy H14 of the Teesdale Local Plan and advice from the Council's Housing Section, there is a need for the provision of affordable housing in the area, equating in this case to the delivery of 2 affordable units in the development. This Policy is consistent with the NPPF in respect of delivering a wide choice of high quality homes and to create sustainable communities.
70. In addition Policy H1A seeks the provision of open/play space within developments of 10 or more dwellings. This is in accordance with the aims of NPPF Part 8, which recognises the important role planning can play in facilitating social interaction and creating healthy communities through delivery of social and recreational facilities. The Open Space Needs Assessment (OSNA) identifies a deficiency of useable open space play space in the Evenwood electoral area. The development would increase the need and use of such facilities. The proposal would not make any on site provision so a financial contribution to offsite provision/improvement would be necessary.
71. It is noted that the applicant has indicated willingness to enter into a S106 agreement to for affordable housing and open space contributions. However, there is currently no S106 or undertaking to secure this. The Planning Practice Guidance (PPG) states that a condition requiring a planning obligation be entered into is only appropriate in exceptional circumstances in relation to more complex and strategically important development where there is clear evidence that the delivery of the development would otherwise be at serious risk. Those circumstances do not apply to the application proposal and therefore the use of a condition to enter into a S106 would not be appropriate.
72. Accordingly, in the absence of an appropriate Agreement or Undertaking it cannot be said the proposal makes adequate provision for affordable housing or open space provision to comply with Teesdale Local Plan Policies H1A and H14 and NPPF paragraphs 50 and 73.

Other Issues

73. The proposal would necessitate demolition of all existing buildings and structures on the site and development of areas which are not currently developed. A pond was also identified within the garden of Glencrest. Nevertheless, ecology appraisals, including a Great Crested Newt assessment of the pond have not identified presence of any protected species, and overall, the ecological value of the site is very limited. The Council's Ecology Section has no objections, although hedge removal would need to avoid the bird breeding season. There is no conflict with Teesdale Local Plan Policy ENV8 and NPPF Part 11 in these respects.
74. Issues relating to drainage, contaminated land, coal mining investigation and tree protection could be managed through planning conditions and at detailed application stage. Previous concerns relating to amenity in relation to noise from the kennels would no longer be applicable due to the closure of the business.

CONCLUSION

75. In accordance with paragraph 49 of the NPPF, housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.
76. The proposal would provide a moderate benefit of adding 13 dwellings to the mix and supply of housing at a time when there is not an up to date 5 year housing supply. There would also be some support for local services in other villages and temporary employment benefits during the construction period. This would contribute to the economic and social aspects of sustainability. However due to the modest number of dwellings which would arise from the proposal these benefits would be limited.
77. Intentions to provide affordable housing and open space contributions cannot be given any weight when there is not even a draft agreement or undertaking in place. Open space contributions would in any event be required to mitigate the effects of the development rather than being a benefit of the scheme and as such would have a neutral effect on the planning balance if provided.
78. The re-use of brownfield land is a factor which is capable of being given significant weight in favour of the proposal in environmental terms, but as stated in Annex 2 of the NPPF, it should not be assumed that the whole of the site should be developed. At present the majority of the site is undeveloped and the impact of the existing buildings is minimal because of their nature and limited visibility. Significantly increasing the amount and impact of development on the site, along with the demolition of buildings that could be reused and increasing the amount of unsustainable journeys from the site, is not considered to represent the effective re-use of brownfield land. There may be scope for some sensitive redevelopment of the site, incorporating the positive existing landscape and historic features on the site, but it has been concluded that the proposal under consideration would introduce an inappropriate form of development into the countryside and would cause material harm to the character and appearance of the area. As such, notwithstanding the brownfield status of the land, the proposal would fail to contribute to the environmental role of sustainable development.
79. It is considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. When assessed against the development plan and the NPPF considered as a whole, on balance, the overriding consideration is that the scheme would not be sustainable development. There is substantial conflict with policies ENV1 (last sentence), GD1(B.c) & (l), H1A and H14. The material considerations considered above do not justify making a decision other than in accordance with the development plan.
80. The application is therefore recommended for refusal.
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RECOMMENDATION

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

1) The proposed development would have a materially harmful impact on the character and appearance of the area and the surrounding landscape. This is contrary to Saved Policies ENV1 (last sentence) and GD1 (Bc) & (I) of the Teesdale Local Plan, and when assessed against the development plan and the NPPF considered as a whole, it is considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

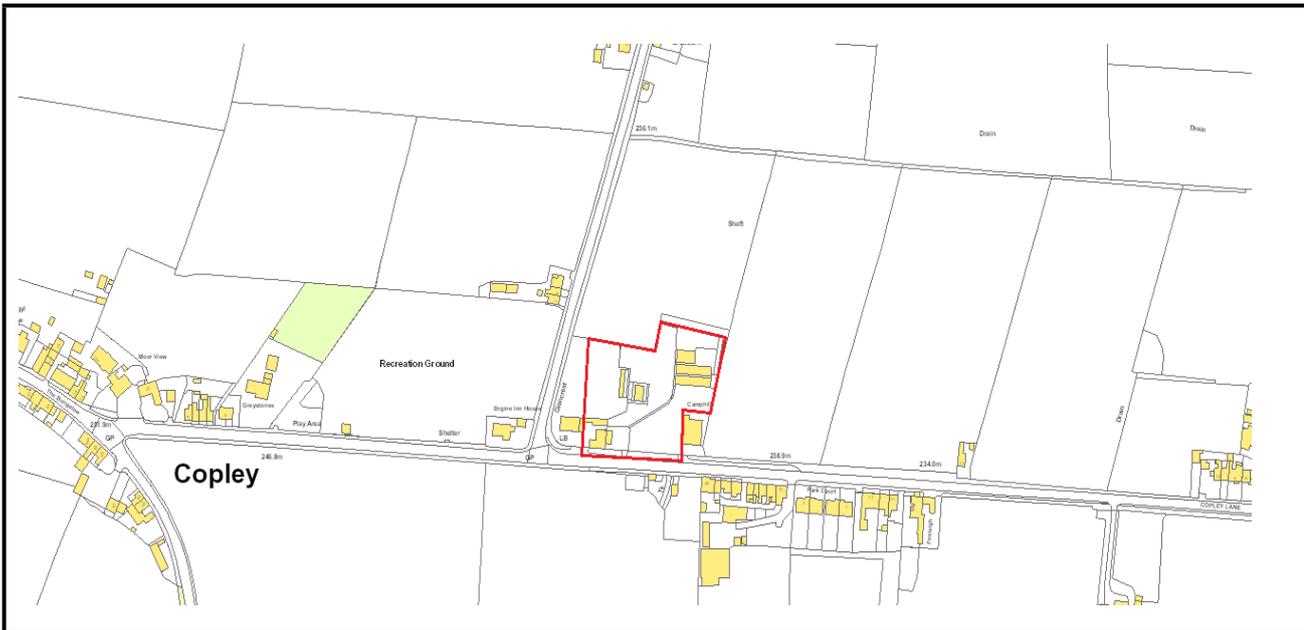
2) In the absence of an appropriate Agreement or Undertaking to provide affordable housing and open space provision/contributions it cannot be said the proposal makes adequate provision for affordable housing or open space provision to comply with Teesdale Local Plan Policies H1A and H14 and NPPF paragraphs 50 and 73.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to recommend refusal of this application have, without prejudice to a fair and objective assessment of the proposal, considered the proposal in relation to relevant planning policies, material considerations and representations received, however, in the balance of all considerations, the issues of concern could not result in a positive outcome being achieved.

BACKGROUND PAPERS

Submitted application form, plans supporting documents;
The National Planning Policy Framework (2012)
National Planning Practice Guidance Notes
Teesdale Local Plan
The County Durham Plan (Submission Draft)
County Durham Settlement Study 2012
All consultation responses received



Planning Services

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