

## COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	<b>DM/18/00034/OUT</b>
<b>FULL APPLICATION DESCRIPTION:</b>	<b>Outline planning application for up to 50 dwellings (40 shown on indicative plans) with all matters reserved except access</b>
<b>NAME OF APPLICANT:</b>	<b>Mr R Valks</b>
<b>ADDRESS:</b>	<b>Land To The East Of Greenfields, Salters Lane, Trimdon</b>
<b>ELECTORAL DIVISION:</b>	<b>Trimdon and Thornley</b>
<b>CASE OFFICER:</b>	<b>Laura Eden</b> <b>Senior Planning Officer</b> <b>03000 263980</b> <a href="mailto:laura.eden@durham.gov.uk">laura.eden@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application site is a roughly triangular shaped parcel of land located on the northern edge of Trimdon. The site extends to approximately 1.25ha and comprises agricultural fields. There is a level change across the site with the land falling away to the north. Trees and hedgerows are present along the site boundaries.
2. A public right of way (PROW) (Footpath No.s 2 and 3 (Trimdon)) runs alongside and within the site's southern and south-western boundaries. The site is also bordered on these boundaries by residential properties with the main village. To the west the site is partially bounded by Salters Lane and to the north and east lie agricultural fields. Trimdon Grange lies further to the north and there is approximately 850m between the main settlement edges.
3. The site is located approximately 530m to the west of Charity Land Site of Special Scientific Interest (SSSI) and 440m from Captains Well Local Wildlife Site. Raisby Way and Trimdon Grange Local Nature Reserve lies approximately 800m to the north west of the site. The southern boundary partially adjoins Trimdon Village Conservation Area with the Grade II Listed Trimdon Hall and Hall Farmhouse located 55m to the south of the site. There are no landscape designation within or adjacent to the site.

#### The Proposal

4. The application seeks outline planning permission for up to 50 dwellings with all matters reserved except access. Access into the site would be taken from St Cuthbert's Crescent.

5. The outline application is accompanied by a concept masterplan showing an indicative site layout and design concepts for 40 units (although it should be noted that up to 50 units have been applied for). The plan shows a mixture of terraced, semi-detached and detached 2, 3 and 4 bedroomed homes. The plan indicate that amenity open space would be provided including SuDs features and that existing hedgerows and public rights of way would be retained and enhanced.
6. The application is being reported to the Planning Committee as it constitutes a major residential development proposal.

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## **PLANNING HISTORY**

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7. There is no relevant site history relating to application site.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

8. A revised National Planning Policy Framework (NPPF) was published in July 2018. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
9. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
10. *NPPF Part 2 - Achieving sustainable development.* The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development principles for plan-making and decision-taking is outlined.
11. *NPPF Part 4 - Decision-making.* Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
12. *NPPF Part 5 – Delivering a sufficient supply of homes.* To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.

13. *NPPF Part 6 – Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
14. *NPPF Part 8 – Promoting healthy and safe communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. *Developments* should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
15. *NPPF Part 9 – 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.
16. *NPPF Part 11 – Making effective use of land.* Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
17. *NPPF Part 12 – Achieving well-designed places* 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.
18. *NPPF Part 14 – Meeting the challenge of climate change, flooding and coastal change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
19. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - 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.
20. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

<https://www.gov.uk/guidance/national-planning-policy-framework>

21. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite.

This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; conserving and enhancing the historic environment; design; determining a planning application; flood risk; health and well-being; land stability; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

<https://www.gov.uk/government/collections/planning-practice-guidance>

## **LOCAL PLAN POLICY:**

The Sedgefield Borough Local Plan (SBLP) 1996

22. *Policy E1 – Landscape Protection and Enhancement.* Normally requires that landscape features such as hedgerows, woods, streams and buildings fit into the landscape scheme for any development in the southern and eastern lowlands landscape.
23. *Policy E11 – Safeguarding sites of Nature Conservation Interest.* Sets out that development detrimental to the interest of nature conservation will not be normally permitted, unless there are reasons for the development that would outweigh the need to safeguard the site, there are no alternative suitable sites for the proposed development elsewhere in the county and remedial measures have been taken to minimise any adverse effects.
24. *Policy E15 – Safeguarding woodlands, trees and hedgerows –* Sets out that the Council expects development to retain important groups of trees and hedgerow and replace any trees which are lost.
25. *Policy E18 – Preservation and Enhancement of Conservation Areas.* Requires that development proposals preserve or enhance the character and appearance of Conservation Areas.
26. *Policy H8 – Residential Frameworks for Larger Villages.* Sets out that providing that there is no conflict with the environmental, open space of design policies, that development will normally be approved in larger villages, including Trimdon.
27. *Policy H19 – Provision of a range of house types and sizes including Affordable Housing –* Sets out that the Council will encourage developers to provide a variety of house types and sizes including the provision of affordable housing where a need is demonstrated.
28. *Policy T1 – Footways and Cycleways in Towns and Villages –* states that the Council will seek to ensure that safe, attractive and convenient footpath and cycleway links and networks are provided.
29. *Policy L1 – Provision of Sufficient Open Space to Meet the Needs for Sports Facilities, Outdoor Sports, Play Space and Amenity Space.* Requires a standard of 2.4 ha per 1,000 population of outdoor sports and play space in order to bench mark provision.
30. *Policy L2 -Open Space in New Housing Development -* sets out minimum standards for informal play space and amenity space within new housing developments of ten or more dwellings.

31. *Policy L9 - Footpaths, Cycleways and Bridleways in the Countryside*. The council will seek to promote the provision of a safe, attractive and convenient network of footpath, cycleway and bridleway routes
32. *Policy D1 – General Principles for the layout and design of new developments* – Sets out that 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.
33. *Policy D2 – Design for people* – Sets out that the requirements of a development should be taken into account in its layout and design, with particular attention given to personal safety and security of people.
34. *Policy D3 - Design for access* - Requires that developments should make satisfactory and safe provision for pedestrians, cyclists, cars and other vehicles.
35. *Policy D5 – Layout of housing development* – Requires that the layout of new housing development should provide a safe and attractive environment, have a clearly defined road hierarchy, make provision for appropriate areas of public open space either within the development site or in its locality, make provision for adequate privacy and amenity and have well designed walls and fences.
36. *Policy D8 – Servicing and Community Requirements of New Development* – states that the Council will normally expect new developments to meet servicing requirements, and to offset costs imposed by the development upon the local community.
37. *Policy D9 – Art in the Environment* – seeks to encourage the incorporation of artistic elements in development schemes.

#### **EMERGING PLAN:**

The County Durham Plan

38. Paragraph 48 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. An 'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **STATUTORY RESPONSES:**

39. *Trimdon Parish Council* – Object to the development on the basis that it lies outside the settlement limits for the village. Whilst the Parish are not averse to new development, recognising that it can help the local community to grow and thrive and having already supported two recent proposals in the area, the location of this particular application is not acceptable.
40. *Highway Authority* – No objection. The access arrangements into the site off St. Cuthbert's Crescent are acceptable. A condition is however required to ensure a

scheme comes forward to prevent vehicles from waiting and parking on St Cuthbert's Crescent close to the junction with Front Street South.

41. *Northumbrian Water Limited* – No objection to the development provided that a condition relating to foul and surface water drainage is imposed.
42. *Drainage and Coastal Protection* – Raise no objections to the outline drainage strategy contained within the Flood Risk and Drainage Assessment

#### **INTERNAL CONSULTEE RESPONSES:**

43. *Spatial Policy* – The site is situated beyond the residential framework for Trimdon Village so this proposal draws no support from SBLP Policy H8. Given the age of the SBLP and housing supply figures that informed it, the housing supply policies therein do not reflect an up-to-date objective assessment of need, and must now be considered out-of-date. As a result it can only be afforded limited weight in the decision making process. The application should be subject to the planning balance exercise outlined in Paragraph 11 of the NPPF. The potential impact on the conservation area will also be a key consideration.
44. *Landscape* – The proposed development would have significant, negative, landscape and visual effects. It would introduce an urban element into a high value rural landscape that would reduce the separation between the villages of Trimdon and Trimdon Grange.
45. *Landscape (Arboriculture)* – No arboricultural objection, providing the Arboriculture Impact Assessment is adhered to and further clarification is sought with regard to the impact to T8
46. *Archaeology* - The results of the geophysical survey clearly identified a series of anomalies which are likely to indicate the presence of a small Iron Age or Romano-British farmstead. These results should be tested through a programme of trial trenching with the outcomes submitted to inform any reserved matters and allow for further mitigation to be factored into the development timescales. No objection is raised subject to the imposition of conditions to secure this work.
47. *Design and Conservation* – The principle of development is considered to be unacceptable as the proposed development would result in less than substantial harm to the significance of Trimdon Conservation Area in conflict with Sedgfield Local Plan Policy E18 and having regards to paragraph 196 of the NPPF.
48. *Ecology* – No objections subject to the imposition of conditions
49. *Environment, Health and Consumer Protection (Pollution Control)* – Offer no objections, subject to a condition relating to the submission of a detailed acoustic report on the existing noise climate at the development site to establish whether sound attenuation measures are required to protect future residents from the transferral of sound from road traffic noise.
50. *Environment, Health and Consumer Protection (Contaminated Land)* – Advise a conditional approach in relation to land contamination.
51. *Public Rights of Way* – No objection subject to a contribution of £49,000 being secured to improve the PROW network within and adjacent to the site.
52. *Housing* – No objections. Identify that 10% affordable housing should be provided on the site with an appropriate mix of affordable (social) rent and intermediate tenure.

53. *School Places Manager* –The development is likely to generate a requirement for 15 primary and 6 secondary pupil places. There is currently no capacity at Sedgefield Community College or the local primary schools. Consequently, a contribution of £99,264 and £220,545 would be required to provide additional capacity for primary and secondary school pupils respectively.

#### **EXTERNAL CONSULTEE RESPONSES:**

54. *Dales, Easington and Sedgefield Clinical Commissioning Group* – Has submitted comments indicating that the Skerne Medical Practice which operates in Trimdon and Sedgefield is already operating 10% below recommended space levels for their practice population. The additional housing proposed will place further strain on the existing facilities therefore a financial contribution of £34,500 would be sought to make the proposed housing expansion supportable from a health infrastructure perspective.
55. *Police Architectural Liaison Officer* – The crime risk assessment for this proposed development is considered to be low. Whilst there are no issues with the concept master plan for 40 houses this may change if the numbers are increased to 50.
56. *Ramblers Association* – No objection

#### **PUBLIC RESPONSES:**

57. The application has been publicised by way of press notice, site notice, and individual notification letters to neighbouring residents.

#### Objection

58. 49 letters have been received from 47 neighbouring properties objecting to the proposal. The main concerns are summarised as follows:

#### Objection

##### Principle of development

- Coalescence between the settlements of Trimdon Village and Trimdon Grange
- This is a greenfield site outside the settlement limits
- There are other approvals (DM/15/01714/OUT – 30 dwellings) and pending applications (DM/16/00107/OUT – 138 dwellings) in the area. Trimdon doesn't need further houses
- Query whether the site represents a sustainable location for development given the overall number of houses proposed and the lack of local amenities. This results in a need to travel outside the village to access services and local bus services are poor meaning there is a reliance on having a private motor vehicle.
- That this is greenbelt land and cannot be built on

##### Highway Safety and Access

- Concerned that the proposed access arrangements are not capable of accommodating the additional traffic associated with 50 new dwellings.
- Due to the sharp turn in St Cuthbert's Crescent and narrow road the highway is only suitable for single way traffic. Query how larger vehicles (refuse vehicles) would gain access especially with the steep gradient.
- Cars park at the entrance to St Cuthbert's Crescent therefore visibility onto Front Street South is compromised
- The arrangements would not result in a safe access

- Concerns regarding the impact to the PROW which crosses the site.

#### Other concerns

- The impact of the development on the conservation area and listed buildings within it. The northern edge of the CA and this open relationship with the countryside contributes significantly to its setting.
- Development would represent an incursion into the countryside. It would not represent a natural extension to the village as new development has typically taken place to the south of the CA
- Adverse impact on the character and appearance of the area/village
- Adverse impact to residential amenity through overshadowing, loss of light, overbearing impact and disturbance through increased traffic movements
- Impact on flooding and drainage
- The strains the development would have on the existing GP practice and local schools
- Impact that the development would have on wildlife and habitats. Site is close to a SSSI
- Loss of views of the countryside

59. *Campaign to Protect Rural England* – The development lies outside the settlement limits for Trimdon therefore conflicts with policies H8 and H11. Consider the proposed development would have a detrimental impact on the CA. The proposed access route is not considered to be of an appropriate width. The Council are able to demonstrate a 5YHLS and there is no justification for justifying departure from the SBLP Policies. The proposal would result in adverse landscape harm and impact to the CA so should be refused.

#### Support

60. One letter of support has been received from a local resident highlighting that new housing should help to retain the existing facilities the village has and reverse the decline over recent years.

*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/applicationDetails.do?activeTab=summary&keyVal=PADGJOGDLOB00>

#### **APPLICANTS STATEMENT:**

61. The detailed landscape and ecology works demonstrate that there will be a net benefit in those terms following the implementation of this housing scheme. Durham County has at best just over a five year housing land supply, probably less, so more sites do need to be brought on-stream. The large house-builders have failed the system and only build at the rates that they want to build - this is a private site owned by a farmer. The applicant is willing to accede to the s106 planning obligations payments that the Council have requested - which will bring much needed funds into a variety of Council departments. There are a LOT of benefits with regards this scheme - which is well screened and on the edge of an existing settlement. The only dis-benefits are the loss of some low grade agricultural land - which has to happen all over the County to meet the projected housing demand. This site is in a less fashionable area, and spreads housing across the County in places which could do with the 'leg-up' to assist with the opening / keeping open of shops, services, facilities and the maintenance of bus routes. There are more benefits than adverse impacts, and the adverse impacts are compensated for by the boundary planting, the public open provision on site, the s106

payments and the new houses which will be brought into this part of the County; and that is why it is requested this development is approved.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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62. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of the development, locational sustainability of the site, heritage impact, impact on the character of the surrounding area, layout and design, highway safety and access, residential amenity, ecology, infrastructure and open space provision, affordable housing, flood risk and drainage and other matters.

### The Principle of the Development

#### The Development Plan

63. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Sedgefield Borough Local Plan (SBLP) remains the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The SBLP was adopted in 1996 and was intended to cover the period to 2006. However, NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. However due weight should be given to them, according to their degree of consistency with the NPPF.

#### *The NPPF*

64. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:-

- approving development proposals that accord with an up to date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

## *Five Year Housing Land Supply*

65. Paragraph 73 of the NPPF requires Local Planning Authorities (LPAs) to maintain a five-year supply of deliverable sites (against housing requirements) to ensure choice and competition in the market for land. Paragraph 60 of the NPPF advises that, 'To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance...'. Applying that methodology for County Durham, the housing need figure would be 1,368 dwellings per annum (dpa).
66. The Government also issued draft planning guidance on 9 March 2018, which sets out that where a local plan is more than five years old, and the housing figure needs revising, as is the case in County Durham, the starting point for calculating land supply will be local housing need using the standard methodology.
67. The Council's position on 5-year housing land supply was publicly tested at a recent public inquiry (APP/X1355/W/17/3180108 – decision issued 10th May 2018) with the Inspector concluding that the use of the Government proposed standardised methodology for calculating land supply would be premature until it has formally come in to force or until the Council has adopted a formal position in relation to its Objectively Assessed Need (OAN). On the 13th June, the 'Preferred Options' of the County Durham Plan (CDP) was presented to the Council's Cabinet and endorsed for consultation. The CDP is aligned with the standardised methodology and formally endorses the use of 1,368dpa as the OAN figure. The publication of the updated NPPF in July confirms its appropriateness for use. Against the 1,368dpa figure, the Council is able to demonstrate in excess of 6 years supply of deliverable housing land.
68. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is clearly less than in instances where such a healthy land supply position could not be demonstrated. This will need to be factored into the planning balance accordingly.

## *Assessment having regards to Development Plan Policies*

69. The application site is located outside of the residential framework of Trimdon, where saved policy H8 of the Sedgefield Borough Local Plan seeks to direct new housing. Sites located outside of residential frameworks are considered against countryside policies and objectives, to which there is a presumption against development for housing. The development of this site for housing would therefore conflict with saved policy H8 of the Sedgefield Borough Local Plan in this respect. It is clear that the policy is, in NPPF Paragraph 11 terms, one of the most important policies for determining the application.
70. Given the age of the SBLP and housing supply figures that informed it, the housing supply policies therein do not reflect an up-to-date objective assessment of need and must now be considered out-of-date for the purposes of Paragraph 11 of the NPPF, and the weight to be afforded to the policies reduced as a result. Paragraph 213 of the NPPF states that out-of-date policies should not be considered irrelevant in the determination of a planning application, with the amount of weight attributed to each policy in the decision making process being in accordance with their level of consistency with the NPPF.
71. Policy H8 is considered to be partially consistent with the NPPF in terms of directing housing to the most sustainable settlements, while seeking to protect the open countryside. It is however recognised that the NPPF promotes a more flexible approach to site selection. Accordingly, it is considered that while out-of-date, moderate weight

can be afforded to this Policy in accordance with Paragraph 213 of the NPPF and also, Paragraph 11 NPPF is engaged.

### *Conclusion on the Principle of the Development*

72. The proposed development draws no support from SBLP Policy H8 and whilst the age of the evidence base upon which this policy is reliant renders the policy out of date, it's relative consistency with the NPPF means that some weight can still be afforded to it. However, as relevant policies for the supply of housing within the SBLP are out-of-date, in accordance with Paragraph 11 of the NPPF, planning permission should be granted unless policies that protect areas or assets of particular importance provide clear reasons for refusing the development proposed; or, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### *Locational Sustainability of the Site*

73. In assessing the suitability of this site for housing a key consideration is how well it relates to the existing settlement pattern and form and whether development would have acceptable impacts (in relation to landscape, achieving sustainable development etc.). The application site forms part of a larger parcel of land which has been assessed within the Strategic Housing Land Availability Assessment (SHLAA). The site (ref: 7/TV/111) has an unsuitable (amber) classification on account that it is prominent in the landscape and development would have a significant adverse landscape and visual impact. Developing a smaller portion of the site (similar to the site area proposed as part of this application) would still have a detrimental impact on the Conservation Area. Concerns were also raised that highway access would not be achievable. There are two other sites in Trimdon which have suitable (green) ratings for which applications are pending. These relate to a reserved matters application for 27 dwellings at land to the south of Broadway Avenue (DM/18/01230/RM – SHLAA ref. 7/TV/070) and an outline application for the erection of up to 138 dwellings, a Health Centre, provision of open space and associated infrastructure at land to the south of Three Ways, Hurworth Burn Road (DM/16/00107/OUT – SHLAA ref. 7/TV/071 (green) and 7/TV/085 (amber)).
74. The County Durham Settlement Study 2018 is an evidence based document which rates Trimdon as having a settlement score of 35.1. Based on this score Trimdon would be as a lower order settlement on account of the more limited number and range of services it possesses. Trimdon does however benefit from facilities such as a village hall, public houses, a restaurant, two churches, a children's play area, a local COOP and primary school and therefore is relatively well serviced. Nevertheless, future occupants would need to travel outside the village to access wider shopping, secondary school and employment opportunities. The services it does possess are typically located in more central and eastern areas of the village some distance from the development site. Distances would be within the preferred maximum walking distance (1200m) suggested by The Institution of Highway Engineers (IHE) in their document "Providing for Journeys". Other sites in Trimdon would be considered to perform more favourably in terms of locational sustainability and the village's housing needs could be met by these sites.
75. The site would be well connected in terms of its bus service with regular buses to Sedgfield, Spennymoor, Bishop Auckland, Durham, Darlington and Middlesbrough. The closest bus stop would be located approximately 430m from the furthest corner of the site.
76. Overall, it is considered that the site has access to a number of services and facilities, adequate to serve the development proposed and that these are within relatively easy

reach of the site. No objections are therefore raised having regards to the locational sustainability of the site. Notwithstanding this it is considered that there are more preferable sites within Trimdon in terms of their relationship to the village. Although the NPPF encourages the use of land by reusing land that has been previously developed, it does not preclude the development of greenfield land.

77. In conclusion, it is considered that in view of walking distances and the availability of established bus services future residents would have alternative options to the private motor car to access to services and amenities. The proposal would therefore accord with Paragraph 108 of the NPPF and Policies D1, D2 and D8 of the SBLP (consistent) in this respect.

#### Heritage Impact

78. Policy E18 seeks to protect or enhance the character or appearance of conservation areas by not normally allowing development proposals which would detract from their character and appearance. This policy is considered broadly consistent with the NPPF, which sets out at Part 16 that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance whilst recognising that some harm may be appropriate when weighed against the public benefits of a scheme. This also reflects the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. S.66 requires that special regard must be paid to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
79. The heritage assets in this instance are identified as the Trimdon Village Conservation Area partially bordering the southern boundary of the site and the Grade II listed Trindon Hall and Hall Farmhouse (some 50m to the south/south east). The applicant has submitted a heritage statement which appraises the impact of the development on the significance of these heritage assets.
80. Trimdon Conservation Area, designated in 1993 in recognition of the historic importance of the village, centres around the designated village green which dates back to the medieval period. The character and setting of the CA is moulded by the area's distinct topography in which historic buildings surround the elevated church. Whilst the village is still legible as a medieval settlement the surrounding countryside has seen extensive development through the substantial expansion of Trimdon south and westwards with large scale housing development. This has undermined the setting of the CA resulting in it being placed on the national Heritage at Risk register. It is therefore important that further developments which erode the setting of the historic village are not permitted so that the village remains legible as a historic settlement and does not become even more subsumed into a larger urban settlement. In this regard the northern edge of the boundary and views northwards across the landscape have been retained, and this open relationship with the surrounding landscape contributes significantly to the setting of the conservation area. It is this element of the significance of the designated asset which would be most directly affected and harmed by the proposal. The application proposes built development to the northern boundary, directly adjacent to the conservation area, which would have a transformative impact on this undeveloped part of the village. The scheme would therefore cause harm to the setting of the conservation area as a result of the further erosion of the historic core. The identified harm is assessed as being less than substantial.
81. The proposal also lies within close proximity to the Grade II Listed Trimdon Hall and Hall Farmhouse. It is not considered that the proposed development would impact on

the setting of the listed building given it is surrounded by more modern development (Hall Farm Court).

82. There would, as a result, be conflict with Policy E18 of the SBLP, which sets out that normally development proposals which detract from the character, appearance and setting of conservation areas would not be allowed. Paragraph 196 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. This matter needs to be considered in the planning balance set out below.
83. In terms of archaeology, the NPPF sets out the requirements for an appropriate programme of archaeological investigation, recording and publication to be made. A geophysical survey has been submitted in support of the application the results of which clearly identify a series of anomalies which are likely to indicate the presence of a small Iron Age or Romano-British farmstead. The Council's Archaeologist has advised that these results should be tested through a programme of trial trenching with the results submitted to inform the reserved matters thus allowing for further mitigation to be factored into the development timescales. No objection is raised subject to the imposition of conditions to secure this work. The proposal is therefore considered to comply Paragraph 189 of the NPPF.

#### Impact on the character of the surrounding area

84. SBLP Policy E1 seeks to encourage the maintenance of distinctive landscapes by resisting proposals that would damage the character or appearance of the River Wear Area and protecting landscape features. Policy E15 seeks to avoid the loss of trees and hedgerows on site. SBLP Policies D1, D2, D3 and D5 seek to promote good design which relates well to the natural and built features of the site, the surrounding area and adjacent land uses. This is reflected in Parts 12 and 15 of the NPPF which promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. It is therefore considered that full weight can be afforded to aforementioned SBLP Policies due to their compliance with the NPPF in this respect. Therefore, the key policy consideration in this case is whether the site is read as an appropriate natural extension to the village, or is read as an incursion into the open countryside, and whether it represents good design.
85. The Landscape officers note that the site lies within a Landscape Conservation Area where there is a strategy of 'Conserve and Restore' as defined in the Durham Landscape Strategy, although it is not within any nationally or locally designated landscapes. The site is a green field which benefits from some mature tree and hedgerow planting. The boundaries of the site follow field boundaries as shown on the first edition Ordnance Survey map. The line of the hedge to the east is still discernible, although gappy, with some hedgerow trees still present. The other hedges round the site are now largely replaced by fences, with a few hedgerow trees. The roadside hedge to the west is substantial and in good condition.
86. The site is visible in views from the north when travelling along Salters Lane, from the outskirts of Trimdon Grange southwards to the point of arrival in Trimdon and also from the parallel public footpath (footpath no.4 Trimdon). In these views Trimdon itself is barely visible on the horizon and appears well separated from Trimdon Grange by attractive countryside. The impression is also created that the existing boundary to the site forms a natural limit to the built development of the village and that land to the north is located within the open countryside. Although the surrounding landscape is not covered by any national or local landscape designation, the site and surrounding land

form part of an attractive approach to Trimdon. The development site, however extends northwards over the ridge and is clearly visible on the approach to Trimdon. Development of this site would be a prominent intrusion into the countryside that would reduce the separation of Trimdon and Trimdon Grange. It is not a logical extension of the boundary of Trimdon, but rather would form a spur extending northwards into the countryside.

87. The site is also visible from the public footpath that passes within the southern boundary. This footpath extends to the east, skirting the northern boundary of the village and the full length of the Conservation Area. Views from this footpath allow a clear appreciation of the Conservation Area and its relationship with the open countryside to the north.
88. The layout and appearance of the proposed development is not under consideration at this stage but a concept masterplan showing an indicative site layout for 40 units (although it should be noted that up to 50 units have been applied for) has been submitted. This suggests that the development would be arranged around a series of cul-de-sacs with areas of public open space and landscape provided centrally and along all boundaries to help mitigate the impact of the development in the landscape. The application is also accompanied by Landscape and Visual Impact Assessment (LVIA) which provides information on the landscape and visual baseline and potential landscape and visual effects.
89. The Council's Landscape Officer does not agree with the conclusions reached within the LVIA and considers that the landscape effect has been underestimated. The effect of the development would not only be felt within just the immediate setting but also in longer range views from the north (approx. 1km back to Trimdon Grange), east (potentially up to 4km) and west (potentially up to 2km). Development in this location would have a transformative impact and would not form a natural extension to the settlement of Trimdon but represent a significant incursion into an attractive landscape. It would introduce an urban element which is largely missing at present due to the existing settlement being barely visible sitting at the top of the ridge. It would also effect the setting of the village in the surrounding landscape on approaching Trimdon from the north. Whilst landscape mitigation measures such as structural planting could be employed, it is considered that these would not be sufficient to mitigate the landscape impact especially in the early years (15 years) of the development and due to the level changes on site. Any enhancements to existing hedgerows would also sit in a suburban rather than agricultural setting. The effects of the development would be permanent in a landscape that is considered to be of high value and with a high sensitivity to change on account of it lying within a Landscape Conservation Area with the strategy of 'Conserve and Restore.' The proposal is therefore not supported by the Landscape Section.
90. There are various trees and hedgerows on the site, which contribute positively to the character of the local area. The Council's Arboriculture Officer raised no objection to the scheme provided the submitted Arboricultural Impact Assessment is adhered to however further clarification is sought with regard to the impact to T8. Subject to the imposition of conditions it is considered that this matter could be addressed.
91. SBLP Policy D9 states that the Council will encourage the provision of works of art as part of development. Although the NPPF is silent on public art, it is supportive of promoting development that improves places for people. This mirrors the aims of Policy D9 which is considered partially consistent with the NPPF, and can be afforded weight. A condition could be imposed to secure artistic elements within the design and layout of the development in accordance with Policy D9 of the SBLP.

92. The proposed development would have significant, negative, landscape and visual effects. It would introduce an urban element into a high value rural landscape that would reduce the separation between the villages of Trimdon and Trimdon Grange in conflict with Policies E1 and D1 of the SBLP and Part 12 and 15 of the NPPF which promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment by (amongst other things) recognising the intrinsic character and beauty of the countryside (b). Such impacts must be weighed against the potential benefits of a development, in the context of the presumption in favour of sustainable development, in order to determine its acceptability.

#### Highway Safety and Access

93. SBLP Policy D3 requires that development proposals achieve a satisfactory means of access onto the wider highway network while seeking to protect highway safety in terms of vehicle movements and traffic generation. SBLP Policy T1 seeks to ensure that safe, attractive and convenient footpath links are provided, where appropriate, to serve new development. These Policies are considered compliant with the NPPF which also seeks to promote accessibility by a range of methods, while ensuring that a safe and suitable access can be achieved and therefore can be given full weight in considering the application. The NPPF sets out at Paragraphs 108 that safe and suitable access should be achieved for all people. In addition, Paragraph 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe. Concerns over highway safety and the adequacy of the proposed access arrangements have been raised by local residents.
94. The means of access to the development is a matter for consideration in this application. The Highways Authority consider the proposed access arrangements, to be provided off St Cuthbert's Crescent are acceptable. Site inspections confirm that motor vehicles often park on St Cuthbert's Crescent close to no. 1 Bank Top Terrace and no.1 Front Street which makes access difficult if not prohibitive for larger vehicles such as refuse wagons to gain access. A condition is therefore required to ensure a scheme comes forward to prevent vehicles from waiting and parking in this area. Subject to the imposition of conditions the Highway Authority raise no objection to the development.
95. Given the scale of the development The Highways Authority has confirmed that there is no requirement for a Transport Statement to accompany the application. It is not considered that the additional traffic generated by this development would result in any severe residual cumulative impacts on the surrounding road network. The onsite layout and parking provisions partially detailed on the indicative plans are noted although such details would need to be the subject of any future reserved matters application.
96. SBLP Policy L9 seeks to promote the provision of a safe, attractive and convenient networks of footpaths by maintaining and protecting the existing rights of way network. Paragraph 98 of the NPPF states that decisions should protect and enhance public rights of way and access including taking opportunities to provide better facilities for users. Policy L9 is therefore considered to be fully compliant. A PROW (footpath no.s 2 and 3) runs alongside and within the site's southern and south-western boundaries and would need to be modified to facilitate the proposed vehicular access. As a result and through increased usage there would be a direct impact on the PROWs arising from the development. A total contribution of £49,000 towards upgrading the PROW both within and outside the development including the provision of improved access and boundary crossings is therefore required. This would be secured through a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
97. Overall, the highways impact of the proposed development is considered to be acceptable, subject to the imposition of conditions and securing contributions, and

therefore in accordance with SBLP Policies D3 and L9 and paragraph 98 and Part 9 of the NPPF.

## Residential Amenity

98. SBLP Policy D5 requires that satisfactory levels of amenity and privacy are achieved for both the new dwelling and existing adjacent dwellings. SPG Note 3 establishes minimum separation guidelines of 21m between facing principal elevations and 14m between principal and gable elevations. This policy is considered to be compliant with Paragraph 127 of the NPPF which states that planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings. Part 8 of the NPPF advises on the need to create safe and accessible environments where crime and disorder and the fear of such are considered whilst Part 15 seeks to prevent both new and existing development from contributing to or being put at unacceptable risk from unacceptable levels of pollution.
99. Based on the indicative layout and relationship with existing properties, it is considered that a scheme could be devised that would protect the amenity of neighbouring land users and achieve minimum separation distances.
100. The site lies in close proximity to the B1278 and therefore the application should have been supported by a detailed acoustic report on the existing noise climate at the development site to establish whether sound attenuation measures would be required to protect future residents from the transferral of sound from road traffic noise. The guidance is clear that assessment should be made in advance of a decision even in the case of outline applications. Notwithstanding this, the Environmental Health Section has considered the application and does not consider that the outcome of this assessment would prevent development of the site. Subject therefore to the imposition of conditions to secure suitable assessment reports as part of any future reserved matters application no objections are raised. The proposal would therefore be considered to accord with Policy D5 and paragraph 170 of the NPPF in this regard.
101. There is also the potential for disturbance during the construction period. However, it is considered that conditions relating to a Construction Management Plan and hours of working could provide sufficient mitigation in this case.
102. Overall, it is considered that the development would not cause any adverse impact upon the amenity of those living in the vicinity of the development site, and adequate levels of amenity for prospective occupiers could be secured through the imposition of conditions. The development is therefore considered compliant with SBLP Policies D1 and D5 in this respect and Parts 8 and 15 of the NPPF.

## Ecology

103. Part 11 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests. The site is located approximately 530m to the west of Charity Land Site of Special Scientific Interest (SSSI) and 440m from Captains Well Local Wildlife Site. Raisby Way and Trimdon Grange Local Nature Reserve lies approximately 800m to the north west of the site. SBLP Policy E11 and Part 15 of the NPPF seek to ensure that developments protect and mitigate harm to biodiversity interests.
104. A Preliminary Ecological Appraisal and subsequent Addendum has been submitted in support of this proposal. These outline a series of mitigation measures including retaining and enhancing perimeter trees and hedgerows, the creation of 0.83ha of landscaped and managed open native woodland and species rich grassland including a range of wetland habitats around the SuDs system, installation of bat boxes, the

carrying out of works at times of year where disturbance would be minimised and undertaking pre-commencement development checks. The Council's ecologist is satisfied with the mitigation proposed which would lead to an overall enhancement in biodiversity and provide net gains in accordance with the aims of SBLP Policy E11 (consistent with the NPPF) and Part 11 of the NPPF. Subject to conditions being imposed to secure the implementation of the mitigation measures, a sensitive lighting strategy, detailed landscaping scheme and maintenance regime to be agreed, the Council's ecologist offers no objection to the proposal.

#### Infrastructure and Open Space Provision

105. Paragraph 94 of NPPF confirms that the Government places great importance on the availability of sufficient choice of school places to meet the needs of existing and new communities. The School Places Manager has advised that the proposed development is likely to generate an additional 15 primary age school pupils and 6 secondary age school pupils and there is insufficient capacity at Sedgefield Community College and the local primary schools (Bluebell Meadow Primary and Deaf Hill Primary) to accommodate this need. A total contribution of £319,809 towards education provision is therefore required, as a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
106. Paragraph 92 of NPPF recognises the need for planning decisions to ensure an integrated approach when considering the location of new housing and to plan positively for the provision and use of community facilities and local services. This provides policy justification to seek mitigation in respect to essential services including GP provision where a deficit would result or be exacerbated by the proposal. The Durham Dales, Easington and Sedgefield Clinical Commissioning Group (DDES CCG) has advised that the general practice services for residents of Trimdon (and the neighbouring villages) are provided almost exclusively by Skerne Medical Practice which operate from surgeries in Trimdon and Sedgefield. The practice is already 10% below recommended space levels for their practice population and the additional housing proposed will place further strain on the existing facilities. Therefore, a financial contribution would be required to make the proposed housing expansion supportable from a health infrastructure perspective and to help fund planned expansions to the practice. Based on the additional population likely to be generated by the development there is a requirement for 11.5 sqm of additional clinical space to be provided. To mitigate the impacts of the development a contribution of £34,500 is sought to improve access to healthcare provision in Trimdon which would be secured through via Section 106 Agreement.
107. SBLP Policy L1 seeks to ensure adequate open space and recreational space is provided across the Borough whilst Policy L2 seeks to ensure adequate provision is provided in new housing development. Both policies are considered only partially NPPF compliant as the evidence base has now been updated within the Open Space Needs Assessment (OSNA). The Council's Open Space Needs Assessment (OSNA) 2018 is considered the most up to date assessment of need for the purposes of Paragraph 96 of the NPPF. The OSNA sets out the requirements for public open space on a population pro rata basis, and this development would be expected to provide provision for five typologies, either within the site, or through a financial contribution towards offsite provision, in lieu.
108. Having regard to the scale of the development it is considered that play space (children's), amenity open space and semi-natural greenspace should be provided on-site. Given the scale of the development (50 dwellings) the children's play space would comprise of non-equipped play areas. As there is a play area within close proximity to the development (land north of Skerne Avenue) and the Council would not be prepared

to adopt any further play areas it is considered more appropriate to secure an off-site contribution towards the enhancement of existing facilities. A planning condition can secure the 1,650sqm of relevant (amenity open space and semi-natural greenspace) on-site open space provision. The development would generate a required contribution of £78,705 for those typologies not provided on site, which would be secured through a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). This would satisfy the OSNA requirements and Paragraph 96 of the NPPF with regards to the provision of public open space.

#### Affordable Housing

109. In order to widen the choice of high quality homes and widen opportunities for home ownership, Paragraph 64 of the NPPF encourages the provision of affordable housing based on evidenced need. SBLP Policy H19 also encourages developers to provide an appropriate variety of house types, including affordable housing on specific allocated sites. This site is not identified as being one of those sites, and the policy is considered to be only partially consistent with NPPF. Accordingly, advice within the NPPF should be afforded significant weight with regards to this issue.
110. The Council's evidence base for the area suggests that a proportion of affordable housing of 10% would be required on this site, amounting to 2 dwellings. The applicant has confirmed that this requirement can be met by a planning obligation secured through S106 of the Town and Country Planning Act 1990 and, therefore, the proposal is considered to be acceptable in this regard.

#### Flooding and drainage

111. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment.
112. The application is accompanied by a Flood Risk and Drainage Assessment which highlights that the application site is within Flood Zone 1 with a low flood risk probability. The outline drainage strategy proposes the use of Sustainable Urban Drainage (SUDs) therefore the Council's Drainage and Coastal Protection officers offer no objections to the principles outlined. Northumbrian Water has requested that a condition is imposed in relation to foul and surface water drainage so they can fully assess their capacity to treat the flows from the development.
113. On this basis no objections to the development on the grounds of flood risk or drainage are raised having regards to Part 14 of the NPPF.

#### Other Issues

114. The Contaminated Land Section has assessed the submitted Phase 1 Desk Top Study and its recommendation for a Phase 2 Site Investigation. No objection is raised to the development subject to a condition to secure this work. The site falls within the defined Coal Mining Development Low Risk Area and should planning permission be granted an informative note would be included with the decision notice in the interests of public safety. Subject to the above it is considered that measures can be put in place to ensure that the site is suitable for its proposed use taking account of any risks arising from land instability and contamination in accordance with Paragraph 178 of the NPPF.

115. The proposal has generated public interest, with some 49 letters of objection having been received. Loss of a view is not a material planning condition. All other objections and concerns raised by local residents have been taken account and addressed within the report.

#### Planning Obligations

116. Paragraph 56 of the NPPF, and Paragraph 122 of The Community Infrastructure Levy Regulations 2010 set out three planning tests which must be met in order for weight to be given to a planning obligation. These being that matters specified are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. The contributions sought towards improvements to education provision, off-site open space provision, improvements to Public Rights of Way and improved access to health care provision are considered to be in accordance with these tests, as is the securing of affordable housing.

#### Planning Balance

117. The development would conflict with Policy H8 of the SBLP representing housing outside of the residential framework of Trimdon. However, as the age of the evidence base upon which this policy is reliant renders the policy out of date the presumption in favour of sustainable development is engaged. Paragraph 196 of the NPPF is considered a restrictive policy which requires the identified less than substantial heritage harm to be considered against the public benefits for a development.

#### *Benefits*

118. The development would assist in maintaining housing land supply at a time when the housing policies for the area are out of date although it is acknowledged that the Council can demonstrate in excess of 6 years housing land supply against an objectively assessed need. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is reduced.

119. This boost to housing supply would extend to the delivery of affordable homes as the development proposes the delivery of 10% affordable housing provision in accordance with the Strategic Housing Market Assessment (SHMA). The provision of the affordable housing can be secured through a planning obligation under S106 of the Town and Country Planning Act 1990.

120. To a degree the development would provide direct and indirect economic benefits within the locality and from further afield in the form of expenditure in the local economy. This would include the creation of construction jobs, as well as further indirect jobs over the lifetime of the development. A temporary economic uplift would be expected to result from the development and expenditure benefits to the area.

121. Overall, based upon the ecological works proposed, it is considered that the development would lead to net gain in terms of biodiversity.

122. A financial contribution would also be secured which would provide improvements to the PROW network within and adjoining the development.

## *Adverse Impacts*

123. The proposed development would have significant, negative, landscape and visual effects. It would introduce an urban element into a high value rural landscape that would reduce the separation between the villages of Trimdon and Trimdon Grange.
124. The application proposes built development to the northern boundary, directly adjacent to the conservation area, which would have a transformative impact on this undeveloped part of the village. The scheme would therefore cause harm to the setting of the conservation area as a result of the further erosion of the historic core. The identified harm is assessed as being less than substantial.

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## **CONCLUSION**

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125. The development would conflict with Policy H8 of the SBLP representing housing outside of the residential framework of Trimdon. However, the age of the evidence base upon which this policy is reliant renders the policy out of date therefore the presumption in favour of sustainable development is engaged. The residential development is, therefore, required to be considered in the context of Paragraph 11 of the NPPF, which states that planning permission should only be refused where there is a clear reason to do so following the application of policies that protect areas or assets of particular importance or any adverse impacts of approving the development which would significantly and demonstrably outweigh the benefits.
126. The development would conflict with Policy E18 of the SBLP, due to the impact on the character appearance and setting of Trimdon conservation area. Paragraph 196 of the NPPF is considered a restrictive policy in this application which sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
127. In this instance it is not considered that the public benefits identified including the boost to housing land supply, provision of affordable housing, direct and indirect economic benefits, net gains in biodiversity and improvements to the public rights of way network would be sufficient to overcome the less than substantial harm to the setting of the conservation area which arises from the proposal for built development to the northern boundary, directly adjacent to the conservation area which would further erode the historic core.
128. As well as impacting on Trimdon Conservation area the development would also result in significant landscape harm though developing a greenfield site and extending built development into the countryside. For the purposes of Paragraph 11, the identified harm would significantly and demonstrably outweigh the benefits. Furthermore, the benefits associated with this development are not unusual and could be associated with any proposal of this nature. The application is therefore recommended for refusal.

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## **RECOMMENDATION**

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That the application be REFUSED for the following reason;

The Local Planning Authority considers that the proposed development would amount to a substantial and inappropriate incursion into the countryside which would result in significant adverse harm to the character of the local landscape in conflict with Policy E1 of the Sedgfield Borough Local Plan and Parts 12 and 15 of the NPPF. The

proposed development would result in harm to the setting and significance of Trimdon Conservation Area in conflict with Sedgefield Borough Local Plan Policy E18 and paragraph 196 of the NPPF. In the context of paragraph 11 of the National Planning Policy Framework, such adverse impacts are considered to substantially and demonstrably outweigh the benefits of the development.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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The Local Planning Authority in arriving at its recommendation to refuse this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) (CC) of the Town and Country Planning (Development Management Procedure) (England) Order 2015).

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## **BACKGROUND PAPERS**

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- Submitted application form, plans supporting documents and subsequent information provided by the applicant.
- The National Planning Policy Framework (2018)
- National Planning Practice Guidance notes.
- Sedgefield Borough Local Plan
- Trimdon Conservation Area Appraisal (December 2012)
- Evidence Base Documents e.g. SHLAA, SHMAA, County Durham Settlement Study and OSNA
- DCC Sustainable Urban Drainage Systems Adoption Guide 2016
- Statutory, internal and public consultation responses



**Planning Services**

Ref: DM/18/00034/OUT  
 Outline planning application for up to 50 dwellings  
 (40 shown on indicative plans) with all matters  
 reserved except access  
 Mr R Valks  
 Land To The East Of Greenfields, Salters Lane,  
 Trimdon

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**Comments**

**Date** 22<sup>nd</sup> November 2018

**Scale** Not to Scale