

Planning Statement

**THE FORMER PLOUGH INN, 63
FRONT STREET, HASWELL
PLOUGH, DURHAM, DH6 2EW**



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1. Introduction

Purpose of Statement

- 1.1 This statement has been produced to accompany an outline planning application for the demolition of existing building and erection of 4no. dwellings on the site of Mumbai Silk (formerly known As The Plough Inn), 63 Front Street, Haswell Plough, Durham, DH6 2EW.
- 1.2 This statement will assess the submitted details in the context of the adopted development plan and any material considerations relevant to the determination of this reserved matters application, including the National Planning Policy Framework (NPPF).

Structure of Statement

- 1.3 This statement is structured as follows:

Section 2 analyses the context of the site.

Section 3 describes the development proposals.

Section 4 sets out the relevant planning policy context.

Section 5 assesses the key planning issues and considerations relating to the proposals.

Section 6 draws conclusions on the overall findings of the statement.

2. Site Context

Local Context

2.1 The site comprises of the former Plough Inn, which was more recently renamed to 'Mumbai Silk' and turned into a restaurant specialising in Indian cuisine. The site includes the building along with sizeable areas of hardstanding which were historically used as parking areas for customers, along with areas of soft

landscape – which are predominantly grassed with interspersed with trees and other foliage.



Figure 1: Site Aerial (Source: Google Maps) N.B Red line added by ELG to broadly depict the site boundary.

2.2 The site is situated on a substantial corner plot, with Durham Lane (B1283) to the north and New Road

to the west. There are two vehicle access points in situ which egress from the aforementioned highways, to the north and west, respectively.

2.3 In terms of the surrounding context, to the north is Durham Lane beyond which are a number of residential properties and associated amenity space, to the east are more residential dwellings, whilst to the south is Seven Acres Farm and area used for caravan storage which situated behind a landscaping bund and is separated from the pre-application site by an expanse of open field/paddock. Whilst to the west is New Road, beyond which is arable farmland, bounded by hedgerows.

Planning History

2.4 The building and land in question have been subject to the following planning applications:

- 5/76/548 - Garage. Approved: 26th October 1978;
- 5/79/108 - Entrance lobby. Approved: 10th April 1979;
- 5/88/101 - Porch. Approved: 11th July 1988;
- 5/PL/2012/0172 - Single storey extension to side. Approved: 9th July 2012

2.5 In January 2022, the applicant sought pre-application advice for the erection of 4 No. dwellings (PRE42/22/00059). In advising the applicant, the council stated the following;

*'whilst the proposals for **residential development could be supported in principle**, this would be highly dependent on whether a detailed and robust assessment can satisfactorily demonstrate evidence of marketing for its continued use and evidence that the existing facility is no longer viable'*

3. Proposed Development

- 3.1 Outline planning consent, all matters reserved other than access, is sought for the demolition of the existing building and the redevelopment of the site for the erection of 4no. dwellings. Whilst reserved for later submission, the intention is that all the properties will be 4-bed dwellings, each with three dedicated parking spaces – one of which will contain 1 electrical vehicle charging point, along with sizeable external amenity space for each dwelling. In addition to the above, it is envisaged that the site will be suitably landscaped, along with a bin store for refuse storage for each dwelling.
- 3.2 Access is not a reserved matter and is included in this submission. The indicative layout is shown over leaf in Figure 2. This shows that the existing access to the north east from Durham Lane (B1283) will be retained and used as the single point of access into the site. The existing access onto New Road to the west of the site will be closed up. Within the site, a turning head is provided to allow manoeuvring space for a 7.5tonne vehicle, as requested during pre-application discussions.
- 3.3 As is visible from the proposed site plan the dwellings are situated in somewhat of a crescent shape, this approach has been adopted as it is resemblant of the existing site layout with the building that is in situ facing a north-westerly direction set behind an area of soft landscaping to the north-west corner of the site.
- 3.4 The main external amenity space for each dwelling will be provided at the rear of each dwelling, with plots 1 and 4 also having some amenity space to the east and west respectively, due to the proposed layout and shape of the wider site.



Figure 2 – Indicative Site Plan

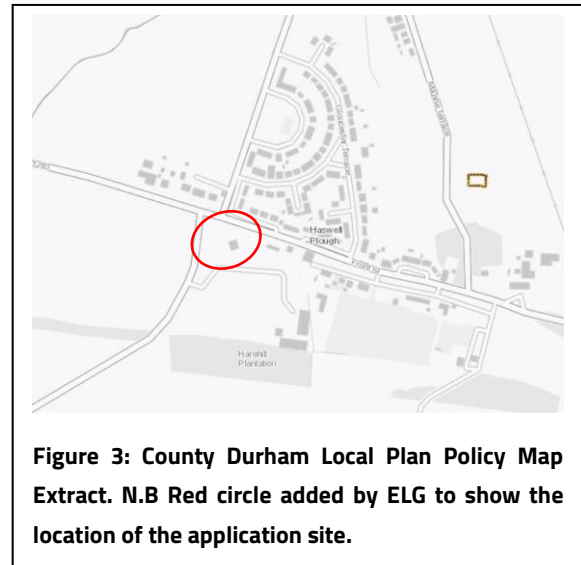
4. Planning Policy Context

Planning Policy Context

Adopted Development Plan

4.1 The County Durham Plan is the development plan for the area, it was formally adopted in October 2020 and sets out a range of development proposals and policies to cover the period to 2035.

4.2 As is visible in Figure 3, the site subject to this application is not subject to any specific land-use designations.



4.3 In spite on this, the following Local Plan policies are deemed pertinent in this instance:

- Policy 6 Development on Unallocated Sites;
- Policy 21 Delivering Sustainable Transport;
- Policy 29 Sustainable Design;
- Policy 31 Amenity and Pollution;
- Policy 40 Trees, Woodlands and Hedges; and
- Policy 41 Biodiversity and Geodiversity.

National Planning Policy Framework

- 4.4 The revised NPPF was published in July 2021, setting out the Government’s planning polices for England and how these are expected to be applied. The NPPF must be taken into account in preparing development plans and is a material consideration in planning decisions.
- 4.5 The NPPF confirms that the purpose of the planning system is to contribute towards the achievement of sustainable development and, in order to achieve this purpose, the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
 - c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*
- 4.6 The NPPF confirms that at its heart is a presumption in favour of sustainable development, which for decision-taking means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or*

d) 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.

4.7 The relevant parts of the NPPF will be highlighted and discussed when deemed to be necessary.

5. Planning Assessment

Principle of Development

- 5.1 The site in question is situated within the built-up area of Haswell Plough, albeit is the last building on the south-western edge of the village. The site is not allocated in the County Durham Plan (CDP). As such, Policy 6 is applicable which infers that development on unallocated sites is permitted subject to the site being either within a built-up area or outside the built-up area (except where a settlement boundary has been defined in a neighbourhood plan) but well-related to a settlement, in this instance the former applies, as in that the site is within (albeit on the edge of) the built-up area of Haswell Plough.
- 5.2 Under Policy 6 a list of criteria is also stated which proposals must accord with to be acceptable, the criteria is as follows:
- a. is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;
 - b. does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;
 - c. does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
 - d. is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement;
 - e. will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;

- f. has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;
- g. does not result in the loss of a settlement's or neighbourhood's valued facilities services unless it has been demonstrated that they are no longer viable; or
- h. minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;
- i. where relevant, makes as much use as possible of previously developed (brownfield) land; and
- j. where appropriate, it reflects priorities for urban regeneration.'

- 5.3 To demonstrate that the proposals would be compliant with Policy 6, the development will now be assessed against each criteria.
- 5.4 In relation to criteria a, the proposed redevelopment of the site would not prejudice any existing, allocated or permitted use of adjacent land. Moreover, the predominant land-use in the vicinity is residential, and, as such, the proposals would complement the existing uses in this regard. Thus, the proposals are deemed to comply with criteria a.
- 5.5 The site is a previously developed site which is situated within the built form of the settlement of Haswell Plough. Whist the site is, at least in visual terms, close to the edge of the village, it would not encroach beyond the existing confines of the site which is primarily delineated by the highways to the north and west of the site. As such, the development would not result in contributing to the coalescence with any neighbouring settlements, it would not constitute as being ribbon development, nor would it be back land development; therefore, criteria b is meet, accordingly.

- 5.6 Turning to criteria c, the site subject to this application relates solely to the building and land associated with The Plough Inn. The site is not open land which has any recreational, ecological or heritage value. The site, in our view, does not significantly contribute to the character of the locality, nevertheless, a condition could be attached to any consent granted requesting a landscaping scheme as part of the reserved matters submission. As such, it is deemed that the proposals would accord with criterion c.
- 5.7 In terms of criteria d, as demonstrated from the submitted site plan, it is considered that the proposed quantum of development (4no., 4-bed dwellings) is entirely appropriate in terms of scale of development for the site, with the site able to accommodate the proposed quantum. Whilst the definitive design of the dwellings are yet to be confirmed, the intention would be that this would be informed through a thorough conceptual analysis of the immediate area and would use appropriate materials. In terms of layout, as is visible from the submitted site plan, the applicant intends to reciprocate the arched layout of the site at present and utilise the previously developed area of the site, whilst retaining the well landscaped and green character of the site, as much as possible, to ensure the development respects the existing village character.
- 5.8 Nevertheless, the proposal would be in keeping with adjacent land uses and would, in our view, be a suitable location for the development which would be commensurate with the character, function, form and setting of the settlement of Haswell Plough. Thus, the proposals would meet the requirements of criterion d, accordingly.
- 5.9 As is visible from the proposed site plan, the access will egress from Durham Lane with the existing access arrangements being utilised. The current visibility splays are sufficient and as no changes are to be endeavoured, as such, the same acceptability is deemed to remain the case in this instance. Moreover, the quantum of development is minor. Therefore, in

comparison to the vehicle movements of the restaurant and the trips generated it is considered that the proposed 4no. dwellings will perpetuate less vehicles trips than those of the restaurant on site at present. Nonetheless, if this was not the case, any additional vehicle movements would not be of a quantum which would be detrimental to the capacity of the local highway network, whatsoever.

- 5.10 Furthermore, the site has a good level of accessibility to a range of services. There are frequent bus services available in close proximity of the site, which provides services to larger settlements such as, Peterlee and Hartlepool. There are a range of services available within a 10-15 minutes' walk away in Haswell, including a pharmacy and public house. As such, the proposals are deemed to comply with both criterion e and f of Policy 6 of the CDP.
- 5.11 The existing restaurant on site is not a valued facility in a manner that a public house would be considered. The restaurant is a private venue for dining which specialises in Indian cuisine. The proposals would not result in the loss of the settlements/neighbourhood's valued facility or service, and thus would comply with criterion g.
- 5.12 Turning to the remaining part of Policy 6, the site itself is situated in flood zone 1 and is therefore at the lowest possible risk of flooding from fluvial sources, thus making the principle of development acceptable from a flood risk perspective. In addition to this, whilst the definitive design details are not confirmed at present it is envisaged that green principles will be adopted during the design phase whereby the use of energy efficient materials could be encompassed into the development to assist with achieving a sustainable scheme and provide resilience to any impacts that may arise from climate change.

5.13 Whilst in indicative form, the layout of the development has largely been dictated by the client's preference to build on the previously developed parts of the site respecting the existing building line. This ensures that a well landscaped site can be achieved, which gives a soft visual appearance to the edge of the settlement providing a suitable transition between the settlement and the countryside beyond. For these reasons it is considered that the proposals would fully accord with criterion h and i, whilst criterion j is not applicable in this instance.

5.14 Thus, it is apparent that the principle of development can be supported and would accord with the criteria set out under policy 6 of the CDP. This view was shared by the council at pre-application stage, who confirmed the following;

Having regard to the above we feel, on the basis of the information submitted to date, that whilst the proposals for residential development could be supported in principle, this would be highly dependent on whether a detailed and robust assessment can satisfactorily demonstrate evidence of marketing for its continued use and evidence that the existing facility is no longer viable.

5.15 We discuss the viability of the existing facility below.

Marketing and Viability of the Existing Facility

5.16 The site comprises of the former Plough Inn (closed over 10 years ago), which was more recently renamed to 'Mumbai Silk' and turned into a restaurant specialising in Indian cuisine. However, as confirmed by the letter contained in Appendix B from Licensed Consultancy Services, COVID has had a very negative impact on the leisure sector and there is no longer demand for this type of outlet. They conclude the following;

'Having surveyed the building now I have to say the cost of repairing and updating the building into a unit that has any appeal would prove expensive and uneconomical in the current climate. You would struggle to get any sort of return on your current investment without factoring in the cost of the upgrade'

- 5.17 On the basis of the above, it is clear that there is no longer a demand for facility of this nature, and the professional view of Licensed Consultancy Services is that it should be considered for redevelopment.

Design and Amenity

- 5.18 Policy 29 of the CDP states that; *'all development proposals will be required to achieve well designed buildings and places having regard to supplementary planning documents and other local guidance documents where relevant'*, as well as complying with the criteria set out under the policy. The importance of good design is reverberated through out section 12 of the NPPF. Paragraph 126 (NPPF) states:

'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'.

- 5.19 As indicated above, no definitive design details are hereby proposed at present, just solely the quantum of development and the indicative site layout. Nevertheless, it is our considered view that the proposed site layout reflects the character and appearance of the surrounding area, with the scale of development being proportionate to the size of the site and the settlement itself. Despite the lack of definitive design hereby proposed, it is

considered that any future proposals would ensure that any future proposals were of an acceptable design, which would accord with Policy 29 of the CDP, any pertinent SPDs and part 12 of the NPPF.

- 5.20 Furthermore, County Durham Plan Policy 31 relates to amenity, indicating that all development must demonstrate that no unacceptable impact upon the health, living or working conditions or natural environment will be perpetuated and that future occupants have will have suitable living/working conditions. Paragraph 130 of the NPPF stipulates that planning policies and decisions should ensure that developments create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 5.21 Likewise to the above, whilst no definitive design details are proposed at present it is our view that any future proposals would be able to achieve a suitable development in terms of amenity of future users, with suitable internal layouts, sufficient daylight penetration, etc. Notwithstanding, the indicative site layout is deemed to be entirely acceptable in respect of amenity, with the proposals being commensurate with surrounding land uses and each dwelling benefiting from acceptable external amenity space with adequate separation distances also achieved. Thus, a future scheme could be prudently amassed which would accord with Policy 31 of the CDP and the relevant parts of the NPPF.

Landscape

- 5.22 As discussed previously, the site itself occupies a corner plot on the south side of Durham Lane on the south-westerly corner of the village. This client's intention is to retain the green appearance of the site, with the proposed dwellings being set back from the main road and orientated in a crescent shape resemblant of the existing layout on site. This would ensure that the north-western corner of the site which at present provides a degree of screening with small trees and other soft landscaping, to be retained. This would visually soften the proposed development on site, and in our view, would be beneficial as it would assist in creating an appropriate edge to the settlement and the transition between the built-up form of the village and the countryside to the west. In addition to this, and in line with Policy 41 of the CDP, it is envisaged that as much existing landscaping will be retained where possible. However, as is evident from the indicative site plan, whilst the definitive landscaping scheme is not proposed at this time, it does indicate that additional soft landscape can be utilised to further improve the landscaping onsite and ensure the development is in keeping with the semi-rural character of the area.
- 5.23 In light of the above, it is considered that the proposals could acheive an acceptable landscaping scheme as part of a reserved matters submission, and the development would provide an opportunity for an acceptable edge to the settlement to be created.

Ecology

- 5.24 As requested at pre-application stage, this application is accompanied by a Preliminary Ecological Appraisal (PEA).

Highways

- 5.25 As previously outlined, the existing access arrangements from Durham Lane are to be used as part of this scheme, with adequate visibility splays (43m) achievable in either direction. The site will benefit from an internal access road which will be 4.8m wide thus permitting two-way vehicle movements, along with 3no. parking spaces for each dwelling (one of which will have an EV charging point).
- 5.26 During pre-application discussions it was requested that a turning head to accommodate transit vans and 7.5t deliveries which would need to enter the site should be shown. The indicative site plan has been amended to show this.
- 5.27 It is considered that the highway arrangements and parking provision onsite are entirely acceptable. Due to the scale of the development, it is not considered that any detriment will be established from the development whereby the capacity of the local road network will be exceeded, whatsoever.
- 5.28 This view was shared by the Council's Highways Team during pre-application discussions.
- 5.29 On this basis, the proposal would meet the test set out in paragraph 111 of the NPPF and would be acceptable from a highways perspective and would also meet the pertinent parts of Policy 21 of the CDP.

6. Conclusion

- 6.1 This statement has been produced to accompany an outline planning application (all matters reserved other than access) for the demolition of the existing building and erection of 4no. dwellings on the site of Mumbai Silk (Known As The Plough Inn), 63 Front Street, Haswell Plough, Durham, DH6 2EW.
- 6.2 This scheme seeks consent to redevelop a disused brownfield site on the edge of Haswell Plough. The former use as a public house closed over 10 years and despite extensive renovations the previous use as a Indian restaurant has also ceased trading. There is no longer any scope for it to be used for leisure purposes and so it is considered that in principle the redevelopment of the site in question is acceptable and would be policy compliant.
- 6.3 The access is the only matter not reserved, and this will utilise the existing access. The indicative site plan demonstrates that the site can accommodate a scheme that is acceptable in terms of highways, landscaping and residential amenity.
- 6.4 On the basis of the above, the scheme is considered to comply with the County Durham Plan as well as the NPPF, and should be supported by the LPA.

Appendix A: Pre-application Response
(Submitted separately)

Appendix B: Licensed Consultancy Services Letter

October 2022

(Submitted separately)