



Planning Statement for the proposed erection of a new agricultural workers dwelling on land to the South East of The Whins, Stillington, TS21 1NL.

December 2023

Rev	Date	Author	Reviewed	Approved
1	04/05/2023	Emily Andrews	Stephen Litherland	December 2023

1 Introduction

- 1.1 Origin Planning Services (the ‘Agent’) are submitting a detailed planning application on behalf of Mr Graeme Mckenzie (the ‘Applicant’) in relation to the proposed erection of a new agricultural workers dwelling at land to the South East of The Whins, Stillington, TS21 1NL.

Background

- 1.2 This document provides an assessment of the planning policy context and assesses the planning balance. This document should be read in conjunction with other validation documents and plans, outlined in the list below. The purpose of this statement is to support the proposal by setting out the context of the proposed development; outlining the policy framework relevant to the consideration of the planning application; and considering those matters relevant to land use planning and material to the consideration and determination of the subject planning application.
- 1.3 In support of this application are a suite of supporting documents, which comprises the following:

Validation Documents	Author
Full package of architectural drawings	Vaughan Architecture & Design
Surface and Foul Water Management and Flood Risk Assessment	Coast Consulting
Drainage Strategy	Coast Consulting
Transport Technical Note	TPS
Report to Inform a Habitats Regulations Assessment – Nutrient Input	OS Ecology

- 1.4 This Statement will set out the context of the weighted planning balance by considering the Development Plan and any material considerations which are relevant to this determination.

2 Site Location and Description

- 2.1 The proposed development site is located on land to the South East of The Whins, Stillington, TS21 1NL. The site comprises of, approximately, 250 acres of land owned by the applicant and their family. A further 100 acres of land is rented. The development is associated with an existing farm, in which 300 head of cattle are kept, bred, sold and calved all year round.
- 2.2 To the East of the site is Bleach House Bank, and to the North, South and West are open fields owned by the applicant's family. Further North West and West are two plots owned by the applicant's family. These plots comprise include dwellings and agricultural use buildings.
- 2.3 The area of the proposed dwelling is located outside of Sedgefield's Built-Up Area boundary and outside of Sedgefield's Conservation Area Boundary.
- 2.4 The proposed siting of the dwelling is on an area of farmland which currently comprises of an agricultural store and stables – along with a static home that the applicant has lived in for over 5 years. It should be noted that access is already implemented in the site and has been used by the applicant for many years.

3 Proposed development

- 3.1 The proposed development is for the erection of one new workers dwelling, located on land to the South East of the Whins, Stillington.
- 3.2 The proposed workers dwelling will comprise of a modest property, which will be approximately 200 sqm in size.
- 3.3 The dwelling will consist of 4 bedrooms, one with an ensuite, 1 bathroom, 1 WC, a kitchen-dining space, utility room, living room, games room and an office.

4 Business Plan

- 4.1 The proposed erection of a permanent workers dwelling is to be associated with the existing business, located within the site. The business has been long established, running at the site for over 50+ years.
- 4.2 The business currently runs as a cattle farm in which the applicant raises cows to sell and cows to calve, all year round. This involves rearing and calving cattle, bringing them into the cattle shed when it is time to calve and then repeating the process. In order to undertake this, the applicant must be located closely to the site of the cattle. As such, the applicant has been living in a temporary dwelling for over 5 years – which allows him to complete his job on the farm well, while protecting the safety of the cattle.
- 4.3 The proposed development will allow for the applicant, who currently lives in the temporary dwelling on the site, to take on a further role in the farm. It is important to note that the applicant's father and uncle also work at the business, however they are both ageing and struggling to continue with the amount of work that they currently undertake. The proposed dwelling would, therefore, allow the applicant to permanently reside on the farm and undertake further work, thus relieving the strain on his ageing relatives. Furthering this, the applicants' father will be required to spend more of his time within his home, in order to care for the applicants' mother – who has poor health. This further increases the need for the applicant to reside permanently on the site and take over a substantial part of the work. The proposed new dwelling is, therefore, important for the continued success of the business.

5 Pre-Application Discussion

- 5.1 A pre-application enquiry was submitted to Durham County Council in February 2022 and assigned to Hilary Sperring. A formal response was received on the 17th March 2022.
- 5.2 The response set out the relevant criteria for the proposal, and highlighted the relevant local policies which would be applicable to the development.

6 Planning Policy Context – The Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 is relevant in determining planning applications and states that:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

- 6.2 The above legal requirement is also reiterated within the National Planning Policy Framework (2023). This section therefore examines the policies contained within the “Development Plan”.

- 6.3 The Statutory Development Plan for this site comprises the policies contained within the County Durham Plan which was adopted by the Council in 2020. The following policies are considered to be of relevance to the proposed development:

- Policy 10 - Development in the Countryside
- Policy 12 - Permanent Rural Workers' Dwellings
- Policy 15 - Addressing housing need
- Policy 21 - Delivering Sustainable Transport
- Policy 29 - Sustainable Design
- Policy 31 - Amenity and Pollution
- Policy 32 - Despoiled, Degraded, Derelict, Contaminated and Unstable Land
- Policy 35 - Water Management
- Policy 36 - Water Infrastructure Disposal of Foul Water
- Policy 39 - Landscape
- Policy 40 - Trees, Woodlands and Hedges
- Policy 41 - Biodiversity and Geodiversity
- Policy 43 - Protected Species and Nationally and Locally Protected Sites
- Policy 56 – Safeguarding Mineral Resources

7 National Planning Policy Framework (NPPF) (2023), Planning Policy Guidance (PPG) and Other Material Considerations

7.1 The NPPF was updated in December 2023 and provides the national planning guidance against which this application will be determined and is a material consideration in the determination of this application. The NPPF is the most significant of material considerations and significant weight is given to this policy document.

7.2 The NPPF provides direction for decision making in planning applications stating that both plans and decisions should apply a presumption in favour of sustainable development, meaning for decision makers (paragraph 11):

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.

The Presumption in Favour of Sustainable Development

7.3 The NPPF at paragraph 10 reaffirms the presumption in favour of sustainable development, reaffirming the three overarching objectives as follows (paragraph 8):

- 1) 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.
- 2) 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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- 3) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to

improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 7.4 These three objectives are considered to be interdependent and are to be pursued in mutually supportive ways to secure net gains across each of the objectives. We consider that the proposed development represents a sustainable development and accords with paragraph 8 of the NPPF in the following ways:

An Economic Objective

- 7.5 There are economic benefits associated with housebuilding in terms of the construction phase, which will provide job and training opportunities for local individuals. These opportunities will directly benefit the local economy, through increased taxes and increased expenditure.
- 7.6 Additionally, there will be economic benefits for the Council through the New Homes Bonus payments and increased Council tax receipts.

A Social Objective

- 7.7 The proposed development will have social benefits, in the sense that the dwelling will be located closely to the existing agricultural business. This close proximity will be necessary to allow the applicant to assist with the day to day running of the farm, including assisting with calving – which requires a close proximity to the cattle shed.

An Environmental Objective

- 7.8 It is recognised that environmental sustainability is also applicable to the construction and design of the development itself. Therefore, sustainable construction will be adhered to and the dwelling will be built to the most recent building regulations which have high requirements in terms of intrinsic sustainability.
- 7.9 The NPPF at paragraph 84 states “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.”

Building a Strong, Competitive Economy

7.10 Chapter 6, paragraph 85 states that planning policies and decisions should help ‘create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.’

Sustainable Development in Rural Areas

7.11 Paragraph 83 of the NPPF (2023) states that “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby”.

Making Effective use of land

7.12 Paragraph 123 states that 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’.

Achieving Well-Designed Places

7.13 Section 12, paragraph 135 establishes that good design is a key aspect of sustainable development. Paragraph 130 guides decision makers to ensure proposal for new development are encouraged as follows:

- a. Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b. Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c. Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d. Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport network; and
- f. Create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Conserving and Enhancing the Natural Environment

7.14 Section 15, paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment by;

- 1) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- 2) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- 3) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- 4) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- 5) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- 6) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Planning Practice Guidance (PPG)

7.15 The updated national Planning Practice Guide (PPG) supports the NPPF and provides guidance on its interpretation.

8 Key Issues and Planning Balance

8.1 Based upon the assessment of planning policy and the supporting documentation this section will consider the key issues identified by this and assess the planning balance. The following issues are considered:

- Principle of Development
- Design, Scale and Layout
- Access and Transport
- Ecology and Biodiversity
- Drainage and Flood Risk
- Contaminated Land
- Trees and Hedges
- Nutrient Neutrality

Principle of Development

8.2 Paragraph 85 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 8.3 Paragraph 84 of the NPPF states that “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
 - d) the development would involve the subdivision of an existing residential building; or
 - e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”

- 8.4 Policy 10 of the County Durham Plan states that “Development in the countryside will not be permitted unless allowed for by specific policies in the Plan(54), relevant policies within an adopted neighbourhood plan relating to the application site or where the proposal relates to one or more of the following exceptions:

Development necessary to support:

- a. an existing agricultural or other existing rural land-based enterprise or associated farm diversification scheme, including the provision of new or the extension of existing building(s), structures or hard standings required for the functioning of the enterprise”
- 8.5 Policy 12 of the Plan states that “Proposals for new permanent agricultural, forestry and other rural workers’ dwellings outside the built-up area will be permitted provided it can be demonstrated that:
- a. the nature and demands of the work involved means that there is an essential existing functional need for a permanent full time worker to live at, or very close to, the site of their work in order for the enterprise to function effectively, or the dwelling is required to accommodate a person with majority control of the farm business;

- b. the rural business activity has been established for at least three years, is currently financially sound as verified by a qualified accountant, and has a clear prospect of remaining so;
 - c. the proposed dwelling is not harmful to the rural landscape and character of the area and is physically well related to the activities required;
 - d. the scale of the dwelling is commensurate with the established functional requirement of the enterprise; and
 - e. the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.”
- 8.6 The proposed workers dwelling will be associated with the existing business located on the land. The business is agricultural - and includes the rearing and calving of cattle. The proposed dwelling will allow for the business to run more smoothly, by providing a permanent dwelling for workers to reside. This will assist with calving as will allow the workers to be in close proximity to the existing cattle shed. This has economic benefits for the existing business, as will allow for greater control and access to the cattle during this process. This in accordance with national and local policy.
- 8.7 Policy 31 states that “Development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. The proposal will also need to demonstrate that future occupiers of the proposed development will have acceptable living and/or working conditions.”
- 8.8 The proposed dwelling has been designed to a high standard, and will be located on the site of an existing residential dwelling. The existing dwelling is a semi-permanent home, which the applicant has lived in for 6 years. This new, permanent structure will provide better facilities for the occupant and a more secure/safe home for them to reside in. This will provide a higher quality of living for the applicant and, ultimately, improve their living circumstances. Furthermore, as the occupant has lived on the site for the previous 6 years, the residential use of the site is confirmed.
- 8.9 Additionally, Policy 15 relates to the need for affordable and specialist housing within the County. However, as this is a single dwelling, it does not hit the criteria related to this and, therefore, this policy will not be relevant to this proposal.

Design, Scale and Layout

- 8.10 Paragraph 131 of the NPPF states that “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”.
- 8.11 Policy 29 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, and:
- a. contribute positively to an area’s character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities;
 - b. create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions and include appropriate and proportionate measures to reduce vulnerability, increase resilience and ensure public safety and security;”
- 8.12 Policy 39 states that
- “Proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views.
- Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects.
- Development affecting Areas of Higher Landscape Value defined on Map H, will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm.
- Development proposals should have regard to the County Durham Landscape Character Assessment and County Durham Landscape Strategy and contribute, where possible, to the conservation or enhancement of the local landscape.”
- 8.13 The proposal has been designed to a high standard and will be built using current building regulations, which have high levels of sustainability. The building will be well insulated and, as such, be a much more sustainable building than the existing dwelling. Furthermore, the proposed workers dwelling will be in-keeping with the surrounding area – so as to not impact negatively on the character of the area. This is in accordance with national and local policy.

8.14 Furthering the above, the site is currently surrounded by hedges and trees - thus shielding it from view. The temporary dwelling had been located in this area in order to provide shielding from the road and, as such, is barely visible from bleach house bank until at the access for the site. The proposed new dwelling will, therefore, also be shielded from bleach house bank.

Access and Transport

8.15 The NPPF states, at paragraph 115, that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

8.16 Policy 21 states that “the transport implications of development must be addressed as part of any planning application, where relevant this could include through Transport Assessments, Transport Statements and Travel Plans. All development shall deliver sustainable transport by:

- a. delivering, accommodating and facilitating investment in safe sustainable modes of transport in the following order of priority: those with mobility issues or disabilities, walking, cycling, bus and rail transport, car sharing and alternative fuel vehicles;”

8.17 The area is already in established residential use and, therefore, the introduction of the proposed workers dwelling will not differently impact the transport needs of the residents.

8.18 Furthermore, a transport technical note has been supplied by TPS Consultants, which states the following:

- ‘The proposals do not, therefore, represent an intensification of use of the form access with Bleach House Lane;
- Even considered in isolation, the dwelling would only be expected to generate four two-way trips over a 24-hour period, this could not be considered an intensification;
- Similarly, there has not been any accidents recorded in this time, or indeed, in the last twenty-three years; and
- Notwithstanding this, it is proposed to further highlight the presence of the existing farm access through hedgerow maintenance and signage’.

8.19 As such, this proposal does not have a negative impact or, in fact, represent a change in a highways respect. As such, this proposal is in accordance with the above.

Ecology and Biodiversity

- 8.20 Paragraph 180 of the NPPF (2023) states that “Planning policies and decisions should contribute to and enhance the natural and local environment by:
- a. protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b. recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c. maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d. minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f. remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate
- 8.21 Policy 41 states that “Proposals for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or, as a last resort, compensated for”.
- 8.22 The proposed new development will accord with the above policies, through the introduction of an integrated bat box.

Drainage and Flood Risk

- 8.23 Policy 36 states that “In the consideration of development proposals, the hierarchy of drainage options that must be considered and discounted for foul water are (in the following order):
1. connection to the public sewer;
 2. package sewage treatment plant (which can be offered to the Sewerage Undertaker for adoption(128); and
 3. septic tank (which must drain into an appropriate soak away and not discharge directly into a watercourse).
- 8.24 Applications involving the use of non-mains methods of drainage (including Septic Tanks/Cess Pits) will not be permitted in areas where public sewerage exists.”
- 8.25 The proposed location of the new workers dwelling currently houses a semi-permanent residential building. As such, the new workers dwelling will be connected to the existing foul sewerage treatment tank.
- 8.26 In support of this application, a Flood Risk Assessment and Drainage Strategy was produced by Coast Consulting Engineers. Please see this document for further details.

Contaminated Land

- 8.27 Paragraph 80, sub-section f of the NPPF states that “Planning policies and decisions should contribute to and enhance the natural and local environment by:
- f. remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.
- 8.28 Policy 32 states that “development will not be permitted unless the developer can demonstrate that:
- a. any existing despoiled, degraded, derelict, contaminated or unstable land issues can be satisfactorily addressed by appropriate mitigation measures prior to the construction or occupation of the proposed development;
 - b. the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities; and
 - c. all investigations and risk assessments have been undertaken by an appropriately qualified person.”

In regard to the above, the Screening Assessment Form in Appendix 2 of the YALPAG Guidance 'Development on Land Affected by Contamination' has been completed and submitted with this application.

Trees and Hedges

- 8.29 In regard to trees and hedges, the proposed development should have no impact on any existing vegetation.
- 8.30 As highlighted on the plans, the proposed dwelling will be situated where the existing, temporary dwelling is located. As such, the dwelling will be located to the west of any existing trees/ hedges. The proposed dwelling will, therefore, have little to no impact on the existing trees and hedges – given that it will be located in an area free of vegetation, where an existing dwelling currently stands.

Nutrient Neutrality

- 8.31 During the pre-application period, we were given advice that this application would be subjected to nutrient neutrality information.
- 8.32 In regard to this, OS Ecology has provided reports to support this application. They have also advised that, in terms of mitigation, the applicant would need to convert 0.1ha of grazed land to woodland or scrub. Given the extent of land which the applicant and their family owns, they are happy for this to happen.
- 8.33 Please see the submitted documents for further information.

9 Conclusion

- 9.1 This planning application seeks approval for the erection of a modest, workers dwelling on land to the South East of the Whins, Stillington, TS21 1LN.
- 9.2 The principle of development is deemed acceptable due to the existing residential nature of the site, and through the need for the dwelling to support the existing business. The proposed development is in accordance with local and national planning policy.
- 9.3 This supporting planning statement has demonstrated that the proposal accords with the Development Plan and the NPPF and therefore the application should be granted planning permission without delay.