

# PLANNING POLICY STATEMENT

## Construction of new dwelling at Tanfield Manor, Tanfield, Stanley, Co Durham, DH9 9PU

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### Introduction

This Planning Policy Statement has been prepared in support of an application that has been submitted on behalf of Mr Mark Tate (“the Applicant”) which seeks planning permission for the construction of a new dwelling on land at Tanfield Manor, Tanfield, Stanley, Co Durham, DH9 9PU

The site is located immediately west of the existing Tanfield Manor business and industrial complex which is located in the open countryside approximately 0.17km east of the village of Tantobie and 0.3km south west of Tanfield as shown in the aerial image provided below.



Tanfield Manor itself is a 30 acre site that has developed over the years into a business/industrial complex which today is the home of 12no. local businesses. Also forming part of the complex are long established stabling, kennelling and cattery facilities that are ran by the Applicant and his family.

The main business at the site, D J Storage, involves the rental of many storage containers for private and commercial use whilst 11no. other commercial businesses are resident on the site in a combination of buildings, cabins and containers comprising of the following:

- Cabin Cafe - opened April 2019, employs 3no. staff
- Muddy Buddys Dog Groomers - opened July 2019, employs 3no. staff
- Mutts Menu Dog Food Shop - opened February 2023, employs 2no. staff
- K J Tyres Garage - opened February 2019, employs 2no. staff
- Car Clinic Vehicle Repairs - opened December 2006, employs 2no. staff

- New Image Beauty Salon - opened August 2019, employs 1no. staff
- Red Racing Go-Kart Racing Team - opened September 2018, employs 1no. staff
- Tip Top Mowers Tool Hire/Garden Machine Repairs - opened March 2017, employs 1no. staff
- Spray Painting Unit - opened March 2018, employs 1no. staff
- Office Space - operating since July 2023, employs 2no. staff
- Car Restoration - operating since December 2019 (privately rented to 5no. individuals)

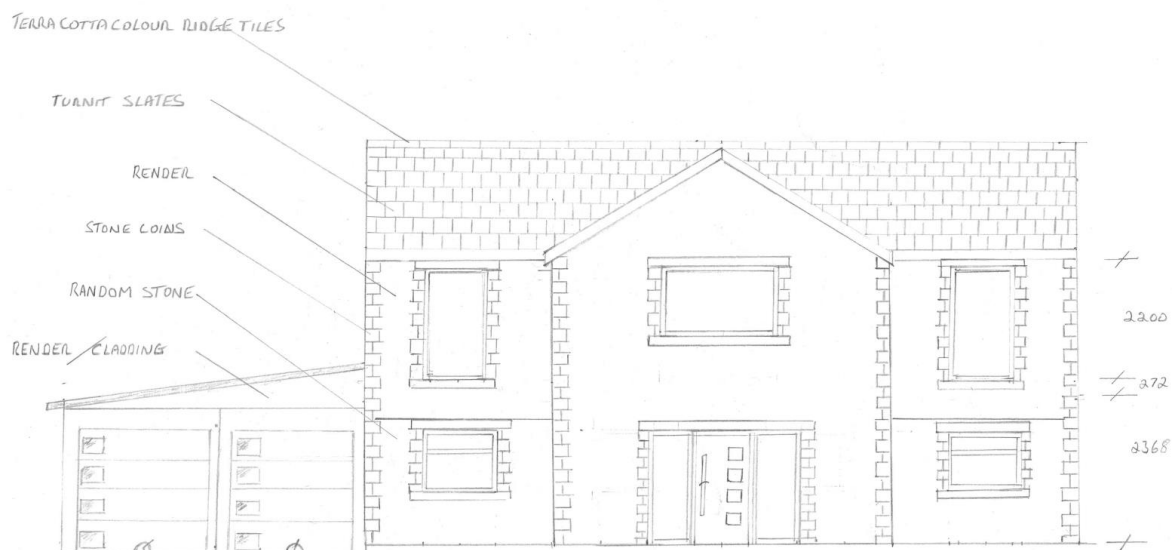
As mentioned above, another business known as Tanfield Manor Stables forms part of the complex of business uses at the site and this has 16no. stables with an extra 2no. stables intended to be built in the near future. Another business, Lodge4Pets, has dog boarding kennels and cattery facilities and this is currently licensed to have 12no. dogs and 12no. cats at any one time.

At the moment all of the above-mentioned business and industrial operations at Tanfield Manor are serviced and maintained by the Applicant and his wife, Angela, and their son Scott whose partner, Isla, also helps out part-time. Site management and maintenance responsibilities include, amongst other things, ensuring that the site is safe, secure, accessible and serviced at all times in the interests of the businesses operating from it being as effective and efficient as possible and not impacted on unduly by operational issues. Indeed, the Applicant and his family run a very reliable site where the businesses operating from it can thrive in the knowledge that any issues arising are addressed quickly due to the Applicant and his family living on-site and being available 24 hours a day as and when required.

The Applicant and his wife have worked tirelessly over the years to establish the business/industrial complex that exists today and they are now at an age where they are looking to wind down and retire. Their son, Scott, and his partner, Isla, will therefore take on more of a leading role moving forward with the intention being that they will eventually take over sole responsibility for the site.

Scott and Isla presently live with the Applicant and his wife in the existing dwelling at Tanfield Manor, known as The Lodge, but this is far from being an acceptable or sustainable situation moving into the future as they themselves seek to start a family and require their own independent living space.

The application therefore seeks permission for the construction of a new detached dwelling on land immediately to the west of the Tanfield Manor complex that is under the ownership of the Applicant and which would be occupied by their son, his partner and their future family. A three-bedroomed dwelling is being proposed in this case with the proposal being to construct the property using stone recycled from elsewhere on the site and a slate roof.



## **Planning Policy Context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the “development plan” for the area unless material considerations indicate otherwise. Such material considerations can include Government policy statements including the National Planning Policy Framework (NPPF) of which a revised version was most recently published by the Government in December 2023.

### *Local Planning Policy*

The site in question in this case is located within the administrative area of Durham County Council who adopted their development plan (“the County Durham Plan”) in October 2020. By law, this establishes the starting point for the determination of all planning applications across the County and provides the local planning policy framework to guide all future development proposals for the period up to and including 2035.

Policy 10 of the County Durham Plan relates to development in the countryside and this makes clear that development proposals will not be permitted unless allowed for by other policies in the Plan.

Policy 12 relates specifically to developments involving workers dwellings in rural areas and this states that proposals for new permanent agricultural, forestry and other rural workers dwellings outside of built-up areas will be permitted provided it can be demonstrated that:

- 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;
- 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;
- the proposed dwelling is not harmful to the rural landscape and character of the area and is physically well related to the activities required;
- the scale of the dwelling is commensurate with the established functional requirement of the enterprise; and
- 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.

The policy advises that planning permission will be granted subject to a planning condition protecting the continued occupation of the dwelling by agricultural, forestry, other rural workers with an essential housing need to live permanently at or near their place of work or those with a majority share in the business. It also advises that permitted development rights will be removed in order to ensure that a dwelling is not subsequently extended to a size which exceeds its functional requirement.

Meanwhile, more generally and in relation to the design of new development proposals, Policy 29 of the County Durham Plan requires all development proposals to achieve well designed buildings and places which contribute positively to an area’s character, identity, heritage significance, townscape and landscape features; to provide high standards of amenity and privacy; and to minimise the impact of development on the occupants of existing adjacent and nearby properties.

## *National Planning Policy*

At the national level, paragraph 11 of the NPPF establishes a presumption in favour of sustainable development which, for decision-taking, means (unless material considerations indicate otherwise) approving development proposals that accord with an up-to-date development plan without delay.

Paragraph 7 of the Framework advises that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 goes on to provide the key starting point against which the sustainability of a proposal should be assessed and this identifies three dimensions to sustainable development - an economic element, a social element and an environmental element - which are interdependent and need to be pursued in mutually supportive ways. Whether the presumption in favour of sustainable development is successful in this case is dependent on an assessment of whether the proposed development of the site would be sustainable in terms of its economic, social and environmental roles.

Importantly in social terms, significantly boosting the supply of housing is a key objective of the Government with paragraph 60 of the NPPF making clear that a sufficient amount and variety of land should come forward where it is needed and that the needs of groups with specific housing requirements should be addressed. Paragraph 82 advises that planning decisions should be responsive to local circumstances and support housing developments that reflect local needs whilst paragraph 84, in making clear that decisions should avoid the development of isolated homes in the countryside, provides exceptions to this policy of restraint whereby the essential need for a rural worker, including those taking majority control of a rural business, to live permanently at or near their place of work in the countryside can provide justification for a new home to be approved.

Paragraph 89 of the NPPF in seeking to support a prosperous rural economy is also relevant in this case given the business/industrial nature of the site and this stresses the importance of recognising that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not necessarily well served by public transport.

### **Assessment**

The main issues in this case, relative to the acceptability of the proposed development in principle, include the extent to which it accords with the adopted development plan for the area and the extent to which it is consistent with the aims and objectives of national policy as set out in the NPPF.

The application site is located outside of the established built-up areas of the villages of Tanfield and Tantobie and is therefore accepted to a certain extent as being in the open countryside where there is normally a strong presumption against new housing development.

The overarching principles of the NPPF seek to ensure sustainable development in sustainable locations with paragraph 84 setting out how isolated new homes in the countryside should be avoided unless there are special circumstances such as the “essential need” for a worker to live permanently at or near to their place of work. It is under this criterion (a) of paragraph 84 that the application for a dwelling on the site is being brought forward and, to that end, it is necessary to demonstrate that there is an essential need for a worker to live permanently at or near to the application site.

The NPPF provides no explanation as to how an Applicant is expected to demonstrate an essential need for a rural worker to live permanently at or near to their place of work nor does the Government's Planning Practice Guidance (PPG) provide a steer. Although Annex A of the now deleted PPS7 is no longer applicable it may be considered that, in the absence of any other clarification or planning case law, applying functional tests to demonstrate an essential need may still be reasonable. It is noted that Policy 12 of the County Durham Plan reflects the guidance previously set out in Annex A of PPS7 with the policy setting out a range of criteria that any development proposal involving housing for a rural worker needs to satisfy before planning permission will be granted.

#### *Functional Need for the Dwelling*

It is important in this case to demonstrate to the satisfaction of the Local Planning Authority that there is a functional need for workers to live in this location in order to carry out essential duties in relation to the business operations being carried out at the site and that 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.

As explained in the introductory section above, Tanfield Manor is a 30 acre site that has developed over the years into a business/industrial complex which today is the home of 12no. businesses whilst also forming part of the complex are long established stabling, kennelling and cattery facilities. The Applicant, his wife and their son are employed full-time in the day-to-day site management and servicing operations whilst their son's partner also works part-time for the business.

The Applicant and his wife have worked tirelessly over the years to establish the business/industrial complex that exists today and they are now at an age where they are looking to wind down and retire. Their son and his partner will therefore take on more of a leading role moving forward with the intention being that they will eventually take over sole responsibility for the site.

All four family members currently live in the existing dwelling, The Lodge, but this is a small property that is not really capable of accommodating four adults and potential future children on a permanent basis. Indeed, whilst the functional needs of the site are at present served by this existing dwelling, the Applicant and his wife are soon looking to retire whilst continuing to reside in the property with the Applicant's son and his partner therefore needing their own independent living space as they take on full management responsibilities for the site and seek to start their own family.

The proposal before the Council represents a form of succession planning for Tanfield Manor which will be critical in ensuring its continued success and future growth as an industrial/business complex. Indeed, the roles currently carried out by those living on-site ensure that the complex is safe, secure, accessible and serviced at all times in the interests of the businesses operating from it being as effective and efficient as possible and not impacted on unduly by operational issues. The importance of this cannot be underestimated for the businesses operating from the site and the people that they employ with typical examples of the management and maintenance requirements being carried out by those living on-site being the clearance of snow from and gritting of the access road, parking areas and footpaths throughout the site during winter months; dealing with and repairing frozen, blocked and burst pipes; and attending to electrical trips amongst many other things.

Animal welfare is also a major concern for the site operators with the stables, boarding kennels and cattery businesses that are ran by the Applicant and his family requiring a permanent on-site presence due to animals needing to be cared for and attended to several times each day from early morning through until late in the evening. There have been a number of instances over the past few years where animals have taken ill and have required immediate attention which simply would not have

been possible had the Applicant and his family not been living in The Lodge whilst other regular management and maintenance responsibilities arising from these aspects of the business/industrial complex include repairing damaged boundary fences; ensuring food and hay supplies are continually stocked up for those keeping their horses at the stables; and dealing with the checking in and out of animals staying at the kennelling and cattery facilities.

All of the day-to-day management and maintenance responsibilities explained above, and many more, come together to leave a significant functional need meaning that it is essential for workers to have the ability to live at the site. With the Applicant and his wife edging towards retirement it is therefore imperative that additional living accommodation is provided on-site so that their son and his partner can continue to live within sight and sound of the various business operations under their growing levels of responsibility in the interests of the continued success of the overall complex.

It is not the case that the proposed dwelling would result in additional workers living at the site with the property instead being a succession home that would maintain the status quo in terms of existing staffing numbers on-site but which, importantly, would allow the Applicant's son, partner and their future family to continue living on the site in a more appropriate form of living accommodation. The functional need is already well-established in this case and it is met by the same people that would reside in the proposed new dwelling, albeit up to 2no. additional employees would eventually be required to offset the loss of the Applicant and his wife from the business once they retire.

It is also important to explain that the Applicant's son and his partner have significant future expansion plans which in themselves will create additional employment opportunities in this rural location. Firstly, the existing stabling facility is run on a DIY basis but the intention is that the business model will change to full livery that will need an additional 3no. members of staff to help. Secondly, the dog kennelling and cattery businesses are intended to expand within their existing buildings in order to realise their full potential and this will require the employment of another 2no. members of staff. Lastly, the Applicant's son is intending to also set up a new commercial business at the site in one of the existing buildings/units which would specialise in the supply of bespoke parts for racing go-karts including quick release weights post/flip pedals and dyno engine tuning. It is anticipated that this business in itself will employ a further 2no. people at the site.

Having regard to all of the above it is considered that a very compelling justification for the construction of a new dwelling on the application site has been presented. There are very few dwellings within the surrounding area that are currently for sale and, in any event, the functional need in this case cannot be met by a dwelling off-site as, for the reasons set out above, it is vital that the Applicant's son and his partner have the ability to remain on-site as per the existing situation, especially given that the Applicant and his wife are now approaching retirement but wish to keep residing in The Lodge. There is a clear functional requirement for another dwelling on the site to meet both the existing and future essential needs of the Tanfield Manor complex which itself supports 12no. local businesses in addition to stabling, kennelling and cattery facilities. Indeed, the scale of commercial operations that the proposed dwelling would indirectly support is substantial with more than 20no. people being employed on the site overall. The business is also financially sound and capable of sustaining the size of dwelling being proposed ensuring compliance with paragraph 84 of the NPPF and Policy 12 of the County Durham Plan in these respects.

### *Design & Visual Impacts*

Given the countryside location of the application site it is accepted that careful consideration needs to be given in this case in ensuring that the proposed development would respect the character of its landscape setting in terms of scale, design, siting, materials, landscaping and relationship with the existing buildings that form the Tanfield Manor complex. However, it is important to highlight at the

outset of these considerations that the topography of the site and the area that immediately surrounds it is such that the site and its complex of buildings sit within a dip in the landform where they are largely screened in their entirety from public vantage points as illustrated by the photograph of the site entrance provided below. From this viewpoint the proposed dwelling would sit on the righthand side of the access road but beyond the crest of the hill with only the very top of its roofline being potentially visible as per the existing buildings on the lefthand side of the access road.



The only public vantage point from where the proposed dwelling would be visible would be further along the main road to the north west towards Tantobie. This viewpoint is shown in the photograph provided overleaf where the expanse of buildings that form the Tanfield Manor complex become slightly more apparent in visual terms. However, the dwelling would be positioned almost 200m from the road and footpath with the existing buildings providing a strong visual backdrop that would significantly reduce the visual prominence of the dwelling itself. Indeed, by virtue of being constructed using recycled stone from elsewhere on the site and slate roofing that would be in keeping with other buildings at the complex, it is the case that the proposed new dwelling would blend successfully into its immediate surroundings and would be seen against the backdrop of the existing buildings therefore not appearing as a standalone or visually isolated feature on the landscape. In addition, the Applicant is prepared to plant additional landscaping at the site to assist in screening the development from areas to the north west and thus lessen any potential landscape impact further. Should this be considered to be necessary by the Local Planning Authority then a condition could be imposed upon the grant of planning permission requiring details of the proposed landscaping plans and detailed species list to be submitted and agreed prior to development commencing.

With regards to the design of the dwelling itself, as explained above this would involve the re-use of stone material from elsewhere on the site ensuring that some of the historic fabric associated with Tanfield Manor could be sensitively recycled. Moreover, the use of stone and slate roofing ensures that the dwelling would appear traditional in terms of its form/architectural style and consistent with the appearance of the original stone and slate buildings at the complex. The property would be constructed using a timber-frame but otherwise would be traditional in its build and appear entirely in keeping with the character and appearance of its rural setting.





Finally, in relation to its size it is considered that the proposed dwelling would be commensurate with the future living requirements of the Applicant's son and their partner whilst also being proportionate in scale to the extent of business/industrial operations being carried out at the site. Indeed, it is the case that a modest three-bedroomed property is being proposed rather than a much larger and more elaborate dwellinghouse which is in the interests of ensuring that the property remains in keeping with the functional requirements of the Tanfield Manor complex.

The proposed dwelling overall is considered to be acceptable in terms of its design, scale and use of materials and the proposal would not therefore adversely impact upon the character or appearance of the site, the surrounding area, or the wider landscape setting. The proposal is therefore considered to be in accordance with Policies 12 and 29 of the County Durham Plan in these respects.

### **Conclusion**

Overall a very compelling justification for the construction of a new dwelling on the application site has been presented in this case. There is a clear functional requirement for another dwelling to serve the existing and future needs of the Tanfield Manor complex and these functional requirements cannot be met by a dwelling off-site for the reasons set out in this statement. It is vital that the Applicant's son and his partner have the ability to remain on-site as per the existing situation, especially given that the Applicant and his wife are now approaching retirement but wish to keep residing in The Lodge. A modest scale of dwelling is being proposed and it would be sited and designed in such a way as to cause minimal harm to the wider landscape setting of the site.

The application therefore presents a development proposal that is considered to be fully compliant with relevant policies contained within both the NPPF and the County Durham Plan. Consequently, the Local Planning Authority are requested to support the application and approve the development without delay in line with the requirements of paragraph 11 of the Framework.