

# THE CITY OF DURHAM TRUST

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22 October 2023

Web site: <http://www.DurhamCity.org>

Michelle Penman  
Durham County Council  
Planning Development  
County Hall  
Durham DH1 5UL

Dear Ms Penman,

## **DM/23/01077/FPA Land To The North Of Industrial Estate Frankland Lane Durham DH1 5TA**

*Proposed development of 26 holiday lodges, security office and associated recreational hub with access, parking and landscaping*

We wish to make further comments to augment our submission of 22 June, which remains our substantive objection. These comments are based on documents which have become public since then.

The applicant's Planning and Heritage Statement asserts that the site should be considered as previously developed land. Page 5 of the Landscape Advice states that *It is recognised that the site comprises reclaimed land and is the site of a former brickworks. However, it is currently not developed and is in the context of Green Belt policy open, contributing to a wider area of land which is also considered as open.* This aligns with the Trust's submission that *natural regeneration has taken over to create a greenspace with water and other habitats.*

The conclusion of the Landscape Advice is that *The proposed development would therefore be contrary [to the] County Durham Plan and National Green Belt Policy and to the applicable requirements of the NPPF.* It therefore falls to the applicant to establish that exceptional circumstances exist in order to succeed in this application.

The applicant is running the argument that, having assessed the potential harm as being "negligible" the very special circumstances do not have to be that special. We do not accept that argument. In any case, the Landscape Advice is that the site performs strongly in terms of purpose 3 (safeguarding the countryside from encroachment) and moderately to strongly in relation to purpose 4 (preserving the setting and special character of historic towns).

The applicant offers four benefits that, they claim, amount to very special circumstances:

### **Provision of holiday accommodation**

The argument here relies on the submission from Visit County Durham. This makes a case for increased holiday accommodation "in the city and county" but offers no reason why this specific site, located as it is between a sewage treatment works and a main line railway, should be in any way suitable.

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Very similar circumstances applied in application DM/21/01633/FPA, which was for 24 luxury holiday lodges, reception building and associated landscaping on land north west of Beamish Hall Hotel. This was refused by the Authority and went to appeal, where the refusal was upheld. Visit County Durham had supported the application but only in general terms. The Inspector wrote

I have found that it has been demonstrated that there is a need for new visitor accommodation in County Durham and that the proposed development would help to meet this need. However, I am not persuaded that a case has successfully been made that there is a locational justification to meet this need on the appeal site. (*para 40*)

The main reason for refusal was the poor locational sustainability of the site and the harm to the Area of High Landscape Value and the Conservation Area. Nevertheless, the Inspector has found that a generic statement of support without any specific reference to the application site carries little weight. Elsewhere in the judgement (para 12) he quoted an assessment “that based upon operational experience, guests are willing to consider accommodation that is located 15 to 30 minutes from the main attraction and that this would still be considered as staying local to it.” The same is true for the present application.

## **Economic benefit**

The claims here are again based on the non-site specific support of Visit County Durham. It is also claimed that there will be a benefit to the National Trust at Crook Hall. This claim appears to have been made without consulting the National Trust since their submission opposes this development.

## **Prevention of anti-social behaviour**

Unfortunately many sites in the green belt suffer the type of anti-social behaviour described here, but it cannot be grounds for allowing development in the green belt.

## **Public Enjoyment**

The access offered is of a permissive nature which could be withdrawn at any time. In any case it does not amount to very special circumstances.

## **Conclusion**

Professional advice from the Council’s own officers, coupled with the findings of the Inspector in a similar case in the County, reinforce the conclusions of our earlier submission. This application should be refused for the reasons we set out there.

Yours sincerely

John Lowe  
Chair, City of Durham Trust