



Special Area Planning Committee (Central and East)

Date Monday 26 September 2016
Time 1.00 pm
Venue Council Chamber, County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest, if any
4. Applications to be determined by the Area Planning Committee (Central & East Durham)
 - a) DM/16/02170/FPA - The White House, Newcastle Road, Crossgate Moor (Pages 1 - 14)
Demolition of existing dormer bungalow and erection of one detached dwelling with ancillary works.
 - b) DM/16/02199/FPA - Framwellgate School, Finchale Road, Framwellgate Moor (Pages 15 - 24)
Erection of sports hall including demolition of existing sports facility.
 - c) CE/14/00086/FPA - High Farm, High Hesleden (Pages 25 - 44)
Demolition of agricultural units, conversion of four agricultural buildings to dwellings and nine new dwellings.
5. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
16 September 2016

To: **The Members of the Area Planning Committee (Central and East)**

Councillor P Taylor (Chairman)
Councillor A Laing (Vice-Chairman)

Councillors A Bell, G Bleasdale, J Clark, P Conway, M Davinson,
K Dearden, D Freeman, S Iveson, C Kay, J Lethbridge, R Lumsdon,
B Moir, J Robinson, K Shaw and J Alvey

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/16/02170/FPA
FULL APPLICATION DESCRIPTION:	Demolition of existing dormer bungalow and erection of one detached dwelling with ancillary works.
NAME OF APPLICANT:	Mr Frank Stephenson
ADDRESS:	The White House, Newcastle Road, Crossgate Moor, Durham.
ELECTORAL DIVISION:	Nevilles Cross
CASE OFFICER:	Susan Hyde, Planning Officer, 03000 263961 susan.hyde@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1 SITE: The application site relates to a detached dormer bungalow located behind Abbey Vets at Crossgate Moor, Durham which is located to the west of Durham City. The area is an established residential area with mainly large detached houses to the south, detached and bungalows to the north and a Sainsbury's Local supermarket. To the west are gardens with open countryside beyond and semidetached houses to the east.

2. PROPOSAL: The proposal is to demolish the existing dormer bungalow on the site and relocate the new proposed dwelling further west into the site. A larger dwelling is proposed which is two storeys high with additional accommodation in the roof space and accommodation in the basement constructed of natural stone with a natural blue slate roof. The internal floor plan shows a generously proportioned house with around nine bedrooms at first and second floor – although some are annotated with different names. The main reception rooms and garaging are provided on the ground floor and bespoke residential rooms in the basement. The site is a sloping site and the land falls away from Newcastle Road to the west with Abbey Vets being at a lower level than the road and the proposed dwelling having a ground level below Abbey Vets.

3. The application is brought before members of the Planning Committee at the request of Cllr Grenville Holland. He wishes to support residents' concerns that the size and scale of this dwelling will be out of keeping with the adjacent properties and the locality, and that the close proximity to the Neville's Cross Battlefield is being disregarded in archaeological terms as drilling has already occurred on site.

PLANNING HISTORY

4. No planning history on this site.

NATIONAL POLICY

5. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings - economic, social and environmental, each mutually dependant. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.

6. NPPF Part 1 - Building a Strong and Competitive Economy. The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

7. NPPF Part 6 - Delivering a Wide Choice of High Quality Homes. Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing application should be considered in the context of the presumption in favour of sustainable development. A wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.

8. NPPF Part 7 - Requiring Good Design. 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.

9. NPPF Part 8 - Promoting Healthy 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.

10. NPPF Part 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change. Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.

11. NPPF Part 11 - 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.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at:

RELEVANT EMERGING POLICY

The County Durham Plan

12. Paragraph 216 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. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

LOCAL PLAN POLICY:

Policy H2 (New Housing within Durham City) states that new residential development comprising windfall development of previously developed land will be permitted within the settlement boundary of Durham City subject to safeguards.

Policy Q5 (Landscaping General Provision) sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.

Policy Q8 (Layout and Design - Residential Development) sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.

Policy T1 (Traffic Generation - General)- states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.

Policy T10 (Parking - General Provision) states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

Policy U8A (Disposal of Foul and Surface Water) - requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.

Policy H13: (Residential Areas - Impact upon Character and Amenity) states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

Policy E14 – (Protection of existing trees and hedgerows) - sets out the Council's requirements for considering proposals which would affect trees and hedgerows. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.

Policy E15 – (Provision of new trees and hedgerows) requires an appropriate level of new planting on new developments.

Policy E16 (Protection and Promotion of Nature Conservation) is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. Unacceptable harm to nature conservation interests will be avoided, and mitigation measures to minimise adverse impacts upon nature conservation interests should be identified.

Policy E24 – (Scheduled Ancient Monuments and Archaeological Remains) seeks to protect the limited resource of archaeological remains for future generations and protect Scheduled Ancient Monuments.

Policy E25 – (Neville's Cross Battlefield) – seeks to protect the area of the battlefield that occurred in 1346 and is on Historic England's Register of Historic Battlefields.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

13. County Highway Officer- Raises no objections to the application.

INTERNAL CONSULTEE RESPONSES:

14. Ecology – Raises no objection and considers the submitted bat risk assessment is satisfactory.

15. Landscape Officer – raises no objection to the impact on the wider landscape.

16. Arboriculture – Requests a tree protection plan to protect the trees and shrubs to the west of the site.

17. Archaeology – Requests a condition to ensure the potential archaeology from the Battle of Neville's Cross in 1346 is protected.

PUBLIC RESPONSES:

18. The application was advertised by means of a site notice and by letter to neighbouring properties within the area.

19. 13 letters of objection have been received from neighbours and from the City of Durham Trust. The main concerns raised are:

- a) The building is over double the footprint of the existing house and much higher at 12 metres than the adjacent buildings and will look out of keeping in the locality.
- b) There is a concern that the house is so big it will not be used as family dwelling but will either be subdivided or used as a house in multiple occupation.
- c) The applicant has removed trees from the site
- d) Drilling works have been occurring on the site .
- e) Windows in the property will overlook many neighbours. Particularly to the west and north.
- f) The property will reduce sunlight to the neighbouring properties.
- g) Concern the applicant is a property developer and only developing this site to sell.
- h) The architectural design is unimaginative in the 21st Century
- i) Concern about the impact on the archaeological site _ Neville's Cross Battlefield.
- j) The neighbouring properties have windows that respect the privacy of the neighbours gardens and dwellings – the application site has habitable room windows on all sides rather than just the front and rear. Hence it looks over neighbours gardens and into windows.
- k) Concern about the impact on the neighbours hedging.
- l) Concern about whether the access is suitable for such a large property.
- m) No other property is as high in the locality and the windows on the third floor will overlook neighbours patios.

APPLICANTS STATEMENT:

Intentions

20. Having gone to school in Durham and moved back to the area with my wife and children, we have lived happily in Durham for the past 11 years. Building up a sales & distribution business, on foundations established by my father, this became a Fastest 50 North East company for a number of successive years. In achieving this, I have helped to both safeguard and create scores of jobs as well as bringing £10's of millions of turnover to the economy of County Durham over the past decade. I continue to support many local businesses and trades people, as well as lending much support to Durham University Business School. All we want to do is to build a high quality, family home for us to enjoy and grow old in.

21. The present house on the site being unsuitable, the logical course is to replace it with a well built, energy efficient, low carbon home, suitably sited on the plot to allow parking, access etc.

22. Durham city is distinguished by the quality of its buildings and the design. We aim to continue this tradition by putting up a building of character with good cut stone detailing such as stone bays, door details, chimney and roof detailing etc. The design chosen is a traditional one, a stone building with a slate roof, materials typical of the city. It will be a well crafted and proportioned house to fit in with the best examples of building in the city.

Regarding concerns raised

23. In response to some of the concerns raised, we hope to reassure people as much as we can, as follows:

Consultees have referred to an overly high house but this is misleading. The site slopes away from the entrance towards the west, meaning that the basement storey is below the main ground level, but opens onto lower land to the rear.

24. This is therefore a two storey house. Like many such houses, it utilises the loft for rooms. Like some houses, it has a basement. It just so happens that on this site, the land falls away to the rear so that the basement can have windows into the back garden. These are entirely inconspicuous to neighbouring properties. The design has been the subject of scrutiny by and negotiation with the planning department. Their comments, aimed at protection of neighbours' amenity have informed changes to the design from original proposals, in respect of number and type of windows, siting boundary treatments and landscaping.

In a city location, one property will always be visible from/to another but this proposal complies with accepted conventions in this respect.

25. Great care has also been taken with landscaping. Established hedges will remain, additional close boarded fences will be provided in places and additional hedges/improvement of existing ones carried out with hedges to be maintained at a given level, as indicated on a plan or as may be required by planning conditions. Moreover, as a result of comments, we have added additional obscure glazing and agreed to plant trees of a species and height specified by planners in parts as a further screen. On the north side in particular, this will give significantly more privacy than the current situation.

26. Regarding concerns of overshadowing, a 4m gap to the nearest boundary of neighbouring properties is considerable and must be far greater than the average in the City for side elevations. The positioning of the house helps in this regard, being further away from neighbouring properties. Until recently, mature trees at the north boundary imposed a far more significant degree of shade than will arise as a result of the proposed dwelling. Additional supporting information has been provided that addresses observations/objections submitted by "Langdale".

27. The requirements of the County's Archaeological department will be fully complied with, together with those relating to protected species and any other technical conditions required by other departments. Structural integrity will be as building regulations and other relevant acts.

Rationale

28. Having gone to school in Durham and moved back to live in Durham over 11 years ago, creating much business to the benefit of the area, we dearly want to build our high quality dream house for us to enjoy as we grow old and for our children. Our purchase of this site gives the scope based on plot size and proximity to schools to fulfil our aspirations. We have developed plans over many months and with significant amounts of time in consultation with Durham County Council Planners.

29. We would ask that this application is given your support and approval.

PLANNING CONSIDERATIONS AND ASSESSMENT

30. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, layout and design, residential amenity and highway safety.

Principle of Development

31. The site lies within the established residential area of Neville's Cross and the proposal is for a replacement dwelling within an established residential area. Policy H2 of the Local Plan supports the principle for housing within Durham City which includes the proposal for a replacement house.

32. In assessing the sustainability of the site, it is considered that it performs well, being located largely within the existing settlement of Neville's Cross / Crossgate Moor with good access to public transport, schools, shops and community facilities. It is therefore considered that a proposal of this nature could meet the NPPF criteria for sustainable development.

33. On this basis, the principle of the proposals is considered to be acceptable and in accordance with local policies.

Layout and Design

34. The existing dormer bungalow on site is in a poor standard of repair and is not listed, is not in the conservation area and is not a non designated heritage asset. As such there is no objection to the demolition of the dwelling.

35. The existing property is backland development being a dwelling that is located behind an existing property which is the white flat roofed Abbey Vets. The replacement property is proposed to be located further west on the site which provides space for parking to the rear of the proposed house. Policy H10 supports back land development providing there is a satisfactory access – this is discussed below. The amenities of new and existing properties are not adversely affected – this again is discussed below. Thirdly the proposal is in keeping with the character, density, and scale of the surrounding properties.

36. The character of the area is residential with this local area being characterised by large detached houses sited on generous plots. In the wider area there is mixture of house types with bungalows, semi detached houses and terraced properties. As such a large detached dwelling is in keeping with the character and density of the area. The scale of the property is two storey with a third storey in the roof space. The property is designed to be a pastiche of a traditional property constructed out of natural stone with a blue slate roof with mullioned windows, drip mouldings, bay windows and a coaching house. The majority of the building will be hidden from public views from the properties on Newcastle Road. However due to the height of the building the roof will be visible behind the frontage properties and the three storey gable will be visible from the access. This will be a glimpse view in the street scene. Officers consider that the scale of the property in the traditional materials proposed is in keeping with the character of the area and due to the siting of the property behind the frontage buildings the building will not be visually dominant in the street scene.

Residential Amenity

37. The detached dwelling is located to the west of the existing property and is designed in a conventional way to have most habitable room windows on the front and rear elevations. To the front are open views looking over open countryside and windows on this elevation are considered to comply with Policy Q8. To the rear there is 22 metres to the rear elevation of Abbey Vets which again meets the Policy requirement in Q8. In addition to the east there is also a single storey detached dwelling Braeside that has a large habitable room window in the rear elevation. Amended plans have been received that propose an obscure glazed window on the east elevation of the room above the garage that faces this window.

The distance between the two windows is 12 metres and in addition there is a mature hedge between the two properties which provides some privacy. Policy Q8 requires a separation distance of 6 metres to a single storey and 13 metres to a 2 storey blank gable. And so whilst there is a 1 metre policy shortfall in distance there is no detrimental loss to residential amenity and the existing high hedge will screen the window. The height to the eaves is 5.5 metres and the height of the ridge is 8 metres. The proposed roof over the garage is hipped which helps to provide some additional light into the habitable room at Braeside.

38. To the north the proposed dwelling has a three storey gable end and this elevation faces the neighbours garden Langdale to the north at a distance of 4.2 – 4.8 metres. The siting of the property leads to this gable facing the rear elevation of Langdale close to the rear of property. The land to the rear elevation of the property tends to be the most heavily used outdoor space with patio's being in this location. Amended plans have been received that have obscure glazed the first and second floor windows on the proposed dwelling that look onto this area. Ground floor windows are proposed to be clear glazed to the music room and the sitting room. Due to the height of these windows conventional 2 metre boundary treatment does not prevent overlooking and as such the agent has provided an amended plan that proposes a 2.5 metre close boarded fence with hedging and mature landscaping. The introduction of some trees will also soften this elevation. The amended plan is considered to accord with Policy Q8. The 45 degree angle of outlook from the windows in the rear elevation of the proposed dwelling will not intersect with the habitable room windows on the rear elevation of Langdale.

39. To the south of the proposed dwelling there is the garden of Fairway. This dwelling differs from Langdale above as Fairway is sited closer to Newcastle Road and so any overlooking from habitable room windows would be to a lower section of the garden of Fairway. Two first floor bedroom windows are proposed with a distance of 7 metres to the boundary. In addition windows are proposed in a room above the garage block which is annotated for a playroom / hobbies room. This is at a distance of 4 metres to the boundary. This is considered to accord with Policy Q8.

40. With regard to overshadowing, the property at Langdale to the north will have some of their garden affected from overshadowing from the three storey gable end – particularly in the winter months when the sun is lower in the sky. The garden is generous in size which lessens the impact of the overshadowing and the extent of the overshadowing is not considered to warrant a refusal of planning consent. It is of note that the applicant has provided evidence that mature trees were located in a similar position that were higher than the proposed dwelling and created similar overshadowing.

Highways

41. The single track vehicular access is proposed to serve one dwelling. The County Highway Officer initially had some concerns that if the development has increased in size from the existing dwelling to such an extent that there is a significant and detrimental increase in traffic movements then this would detract from highway safety in the area. Of particular concern are the width of drive and the right turn movement on the A167.

42. He has since commented that the latest proposal replaced one residential development with another and whilst the number of bedrooms would increase the Highways Officer does not consider there would be a significant increase in vehicular movements. The applicant has indicated a forecourt area which could accommodate parking and turning within the development. As such the Highway Officer has raised no objection to the proposal.

Archaeology

43. The area of Neville's Cross takes its name from the battle which took place in 1346 between the English and Scottish. It is believed that there were in excess of 15,000 combatants with severe casualties recorded and so the potential for significant archaeological and human remains in the area is quite high. The proposed development area is where some of these remains may be located and so the County Archaeologist has recommended a programme of archaeological monitoring of all groundworks on the site. This includes the later stages of demolition of the White House and the excavations of the foundations and basement of the new build.

Ecology

44. A bat risk assessment was submitted with the application that assessed the existing house for the presence of bats. The County Ecologist has reviewed the report and considers it is satisfactory and no bat mitigation measures are required.

Landscape

45. The existing mature group of trees and shrubs to the west of the site are retained and protected. This provides a natural break between the residential garden and the open countryside that is allocated green belt and an area of high landscape value located further to the west. The existing hedgerows are retained and a close boarded fence is added to the north elevation with a hedge and trees planted on the boundary.

Comments on neighbours objections:

46. Neighbours raised concerns about the height, scale and design of the proposed property, residential amenity, overshadowing. These issues are considered to be addressed above.

47. Neighbours raised objections that the house is too big for family occupation. The application submitted is for one family house. If the applicants proposed to sub divide the house then this would require planning permission. In addition if the property was proposed to be used as a house in multiple occupation this would also require a planning application.

48. Concern was raised about the loss of trees on the site. Some trees have been felled but these trees are not protected and the site does not lie within the Conservation Area and so the County Council has no control over the loss of the trees.

49. With regard to drilling work having commenced on site the applicant was contacted about this work and clarified that boreholes were being drilled to check the ground conditions. The County Archaeologist was also contacted who raised no objection based on the size and number of holes.

50. Concern the applicant is a property developer and will sell the dwelling. Officer would have no control over whether the property is occupied by the applicant or sold.

51. Concern about the architectural design of the property was raised. Officers have no control over whether the applicant submits a contemporary or traditional design and consider that a traditional design in this location where the majority of the properties are of a traditional design and materials is acceptable.

52. A neighbour also raised concern about who owns which hedging on the boundary of this application site with the neighbouring land. This is a private matter that that is outside the remit of planning.

53. Concern was raised about the site being beyond the building line. The existing bungalow is backland development and does not follow a building line. The proposed dwelling is set further back but is not considered to look out of keeping in the street scene. It is also relevant that there is a cul de sac Neville Dene located to the north of site that includes development further to the west.

CONCLUSION

54. In conclusion the planning application proposes a new detached dwelling to replace the existing dormer bungalow that is in poor state of repair. Although the property is larger than the existing dwelling the siting, materials, design and height are considered acceptable. The impact on residential amenity has been carefully considered and is considered acceptable. Vehicular access to the site is single track and the County Highway Officer has raised no objection provided it is for a single dwelling only. The site is well landscaped with the existing trees being retained, hedges strengthened and additional trees added to the boundaries. The application site is therefore considered to be in accordance with National and Local Plan Policies and the application is recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions/reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development shall be constructed in strict accordance with the following plans:

Site location plan

Site Layout Plan S084/01-04 Revision D Received 1st September

Proposed floor plans S084/1 Rev C Validated 7th July 2016

Proposed Elevations S084/01-04 Revision E Received 1st September

Existing site plan S084/01-01 Revision A Validated 7th July 2016

Supporting statement

Bat Risk Assessment by V Howarth Validated 7th July 2016

Reason: To ensure a satisfactory standard of development in accordance with Policy H2, Q8, T1, T10, U8 A, R14 H13, E14, E15, E25 of the City of Durham Local Plan 2004.

3. Before the development commences a tree protection plan and arboricultural method statement which must comply with BS 5837 2012 shall be submitted to the Local Planning Authority and approved in writing. This shall include protection for the trees and hedgerows on the site. The development shall then be undertaken in strict accordance with the tree protection plan and arboricultural method statement.

Reason: To protect the existing hedgerows and trees within and adjacent to the site in accordance with Policies E14 and E15 of the City of Durham Local Plan 2004.

4. No development shall take place (including the demolition of the existing dwelling on site) until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been approved in writing by the Local Planning Authority. The Scheme shall provide for:

- i; Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
- ii; Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
- iii; Post-fieldwork methodologies for assessment and analyses.
- iv; Report content and arrangements for dissemination, and publication proposals.
- v; Archive preparation and deposition with recognised repositories.
- vi; A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- vii; Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- viii; A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

REASON: In the interests of the archaeology on the Neville's Cross Battlefield site in accordance with saved policies E21, E24 and E25 of the City of Durham Local Plan.

5. Prior to the development being occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record

REASON: To ensure that the data collected is publicly available to comply with paragraph 141 of the NPPF which ensures information gathered becomes publicly accessible.

6. The landscaping and 2.5m high fencing identified on Site Layout Plan S084/01-04 Revision D Received 1st September shall be implemented prior to the dwelling being occupied. Any plant dying within the first five years of the landscaping being implemented shall be replaced. The fencing shall be retained as approved for the lifetime of the development.

Reason : In the interests of residential amenity and privacy in accordance with Policy Q8 of the City of Durham Local Plan 2004.

7. Notwithstanding the permitted development rights in the Town and County Planning (General Permitted Development Order) 2015 the obscure glazed windows on the first floor north elevation and the first floor window on the end elevation of the playroom / hobbies room on the east elevation shall be retained as obscure glazed with a minimum level of 3 obscure glazing and shall be non opening up to a height of 1.7 metres. The windows shall be retained as such in perpetuity.

Reason: For the avoidance of doubt and in the interests of the privacy of the neighbouring properties and gardens in accordance with Policy Q8 of the City of Durham Local Plan 2004.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the 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) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

BACKGROUND PAPERS

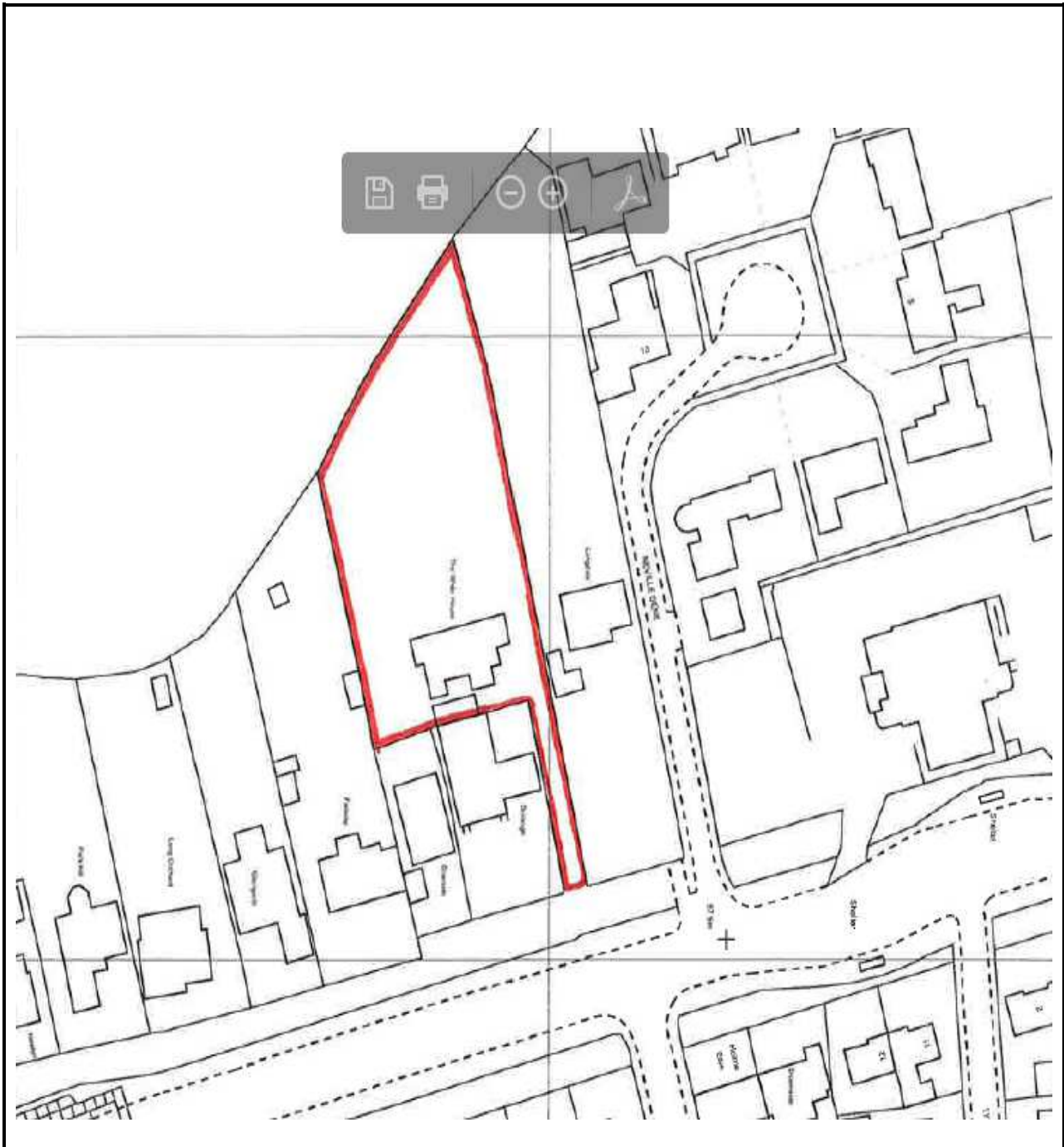
Submitted application forms, plans supporting documents and subsequent information provided by the applicant.

The National Planning Policy Framework (2012)

National Planning Practice Guidance Notes

City of Durham Local Plan 2004

Statutory, internal and public consultation responses



Planning Services

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Demolition of existing dormer bungalow and erection of one detached dwelling with ancillary works.

Comments

Date September 2016

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COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/16/02199/FPA
FULL APPLICATION DESCRIPTION:	Erection of sports hall including demolition of existing sports facility.
NAME OF APPLICANT:	Framwellgate School Durham
ADDRESS:	Framwellgate School, Finchale Road, Framwellgate Moor, Durham, DH1 5B
ELECTORAL DIVISION:	Framwellgate and Newton Hall
CASE OFFICER:	Lisa Morina Planning Officer 03000 264877 lisa.morina@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The site forms part of the Framwellgate School campus site which is bordered to the north and east by the school playing fields, and to the south, east and west by residential properties along Newton Drive and Front Street.

The Proposal

2. The application proposes the demolition of the existing sports hall and the erection of a new sports hall within the grounds of the school.
3. The area of land lies adjacent the main teaching buildings and does not form part of any existing sports/playing fields.
4. The application is being referred to the planning committee as it is a major development with the size of the proposal being over 1000sqm.

PLANNING HISTORY

5. There have been various applications approved between 2003 and 2010 relating to alterations to the existing school and signage.

PLANNING POLICY

NATIONAL POLICY:

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependent.
7. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
8. The following elements are considered relevant to this proposal;
9. NPPF Part 7 – Requiring Good Design. 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.
10. NPPF Part 8 - Promoting Healthy 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.
11. NPPF Part 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change. Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at: <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

City of Durham Local Plan

12. Policy C8 (Provision of New Community Facilities) Planning permission will be granted for the provision of new community facilities (e.g. community centres, youth centres, village halls, libraries, post offices, public houses and places of worship) or for extensions to existing facilities provided that such a proposal:
 - Is located within an existing settlement boundary and is well related to residential area and local facilities: and
 - Is, wherever possible, of a flexible design which could serve more than one use; and
 - Would not adversely affect the amenity of occupiers of nearby or adjoining land or property: and
 - Allows access to people with disabilities in accordance with Policy Q1; and
 - Does not create or contribute to a traffic hazard; and

- Is accessible to users of all modes of travel including public transport, cycling and walking in accordance with Policy Q2

13. Policy T1 (General transport Policy) requires all development to protect highway safety and/or have no significant effect on the amenity of occupiers of neighbouring properties.

RELEVANT EMERGING POLICY

The County Durham Plan

14. Paragraph 216 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. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

15. Northumbrian Water provides advice on the surface water drainage solution.
16. Environment Agency – At the time of report preparation, comments are still awaited and the committee will be updated verbally.
17. County Highways Authority has not offered any objection to this proposal.

INTERNAL CONSULTEE RESPONSES:

18. The Ecology Team has confirmed there is no objection to the proposal subject to a natural England licence being sought.
19. The Tree Officer and landscape colleagues have offered no objections providing the tree protection measures and tree replacement planting are conditioned.
20. Contaminated Land Officers have confirmed that there is no requirement for a contaminated land condition.
21. The Councils Noise Action Team has raised no objection to the development following completion however have requested conditions to control potential noise implications during construction.

PUBLIC RESPONSES:

22. The application has been advertised with a press notice and on site by way of a site notice and neighbouring residents were also notified individually of the proposed development. At the time of report preparation, no letters of objection have been received.

APPLICANTS/AGENTS STATEMENT:

23. The proposed project has been developed following assessment of the existing facility which is deemed to be in a poor state and which prevents the full delivery of PE. This reasoning was submitted to the Education Funding Agency (EFA) Condition Improvement Fund (CIF) and was considered to meet the requirements of the bid for monies to replace the facility.
24. As a replacement facility the school is not expanding its pupil or staff numbers. However, the enhanced facilities will be offered for Community Use in line with current agreements with local clubs and organisations. The small percentage increase in floor area above the existing facility delivers a compliant space for sport, and the opportunity for additional fitness and educational uses.
25. The original proposal was submitted for Pre-Application advice (PRE28/15/03308), and subsequent Full Application has been prepared in accordance with this advice. The scheme has been developed with the support and input of the senior leadership team and PE department to ensure that the facility meets their current and future needs.
26. The proposed building is located to the east of the main campus, and adjacent to the existing Sports Hall on a rectangular shaped area of tarmac hardstanding. This location retains the relationship with other facilities in the School, including ease of access to the pitches and running track, as well as providing a statement building visible and accessible from the main pedestrian and vehicle route.
27. The building is a two storey volume which seeks to make best use of the regular shaped site. This volume reflects the space standards required for the internal sports uses (notably badminton and trampolining). To best utilise this scale, the supporting accommodation is stacked against the eastern elevation and provides 2no 30-person changing rooms, plant and storage space at ground floor, and 2no classrooms, office and meeting space and an open plan viewing area which looks down into the Sports Hall which will be developed into a small Fitness Suite. Provision has also been made in the plan area of the main Hall to accommodate a replacement climbing wall.
28. The approach to the external appearance is to create a modern facility for the school that will promote its use to the pupils, staff and wider community. This is reflected in the proposed materials for the elevations which comprise of graphite grey cladding with feature colour trims above a plinth band of light colour render, and large areas of glazing to bring daylight into teaching spaces and to provide a natural ventilation solution.

PLANNING CONSIDERATIONS AND ASSESSMENT

29. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of the development, the impact on the residential amenity of the neighbouring properties, highway safety issues, impact on the amenity of the area, landscaping, ecology and contamination issues.

Principle of the Development

30. The proposal will result in the redevelopment of brownfield land being contained within the curtilage of the existing school site. The site also forms part of the built up area of the settlement of Durham which is considered to be in a sustainable location being within close walking distance of some shops and situated on a local bus route.
31. Given the above, it is considered that the principle of development is acceptable in this instance in accordance with policy C8 of the City of Durham Local Plan subject to other criteria being met.

Impact on residential amenity

32. The proposal is sited well in excess of 30m from the nearest residential property therefore, the proposal would not result in a significant detrimental impact on the residential amenity of the surrounding residents.

Highway Safety Issues

33. The Highways Officer has offered no objection to the scheme, as it is not considered to impact on highway operations.
34. The hard paved area is currently used for occasional overflow car parking for main events, however, the site is of such size that internal arrangements for overflow car parking can be made without displacing parking into the adjacent highway network and as such the proposal will not be detrimental to the highway network.

Impact on the visual amenity of the area

35. The proposed sports hall would be partially visible to the main public domain however, would be partially screened by the existing boundary treatment in place.
36. The materials and size and scale of the proposal are considered in keeping with the host property and the surrounding area therefore, it is not considered that the visual amenity of the streetscene would be adversely affected with the addition of this proposal.

Landscaping and Tree Issues

37. There is no objection to the submission and content of the Arboricultural report which is considered to meet current standards in respect of tree works. Conditions will be added to ensure the protection measures as detailed in the report will be carried out as well as controlling the replacements which are required.

Ecology Issues

38. The presence of a European Protected Species (EPS) is a material planning consideration. The Conservation of Habitats and Species Regulations 2010 have established a regime for dealing with derogations which involved the setting up of a licensing regime administered by Natural England. Under the requirements of the Regulations it is an offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England.
39. Notwithstanding the licensing regime, the Local Planning Authority must discharge its duty under the regulations and also consider these tests when deciding whether to grant permission for a development which could harm an EPS. A Local Planning Authority failing to do so would be in breach of the regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.

40. An Ecology Survey of the site has been submitted with the application. This survey concludes that the proposed development would have some potential impacts on protected species and their habitats however the impacts can be minimised through mitigation. The submitted survey has been analysed by the County Ecologist. The County Ecologist has confirmed that there are no objections to the findings of the survey and a Natural England Licence would be required for the proposed development. An informative will be added in respect of the requirement for a Natural England Licence. Subsequently it is not considered that the proposed development would have an adverse impact on protected species or their habitats and would be in accordance with part 11 of the NPPF. Notwithstanding the above, a condition will be required which would ensure care is taken during construction in accordance with the recommendations in the submitted habitat survey. Subject to this mitigation, it is considered that the proposals would be in accordance with part 11 of the NPPF.

41. Overall it is considered that the proposed development would not have an adverse impact on protected species or their habitats. The proposal would be in accordance with part 11 of the NPPF.

Noise Issues

42. No issues are considered to occur following completion of the scheme however, conditions have been suggested by the environmental health team regarding issues that may occur during construction and the need for a condition for a Construction/Demolition Management Plan (CDMP) to be provided to allow the impact upon the amenity of the neighbouring residents to be protected during construction. It is considered however in this instance that given the nature of the proposal and the fact that the proposal is situated within the centre of the grounds away from the neighbouring properties and the main access roads, that the addition of standard informatives regarding operation hours would be sufficient.

Contaminated Land Issues

43. Given the reports which have been submitted, there is no need for a contaminated land condition to be added as the proposed sports hall is considered a suitable use. Informatives will be added regarding advice on the existing sports hall area.

CONCLUSION

44. The proposed development for the demolition of an existing sports hall and the erection of a new hall within the grounds of Framwellgate School is considered acceptable in principle given its current use and brownfield nature of the site. The proposal is also considered to be in keeping within the existing area and is not considered to have a significant detrimental impact on the surrounding residents.

45. Highway Safety is not considered to be an issue given the size of the site and the current parking arrangements.

46. As such, it is considered that the proposed development would be in accordance with saved policy C8 of the City of Durham Local Plan and parts 7 and 8 of the NPPF.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Plan Ref No.	Description	Date Received
None	Ground Investigation Report dated 24/6/16	26 July 2016
A(PL)01-103 Rev B	3D Views	8 July 2016
A(PL)01 200 Rev C	Proposed Elevations	16 August 2016
A(PL)00 100 Rev A	Proposed Site Plan	26 July 2016
A(PL)00 001	Location Plan	8 July 2016
B308-001	Topographic Survey	8 July 2016
U0000662	Underground Utilities Survey	8 July 2016
A(PL)01 101	First Floor Plan	8 July 2016
A(PL)01 100 Rev A	Ground Floor Plan	16 August 2016
A(PL)01 102	Roof Plan	8 July 2016
000-01Rev A	Drainage and Levels Strategy Layout	26 July 2016
None	Design and Access Statement	8 July 2016
None	Ecological Impact Assessment July 2016	26 July 2016
None	Pre-Development Tree Constraints Assessment July 2016	26 July 2016
50664 Issue 1	Energy Statement July 2016	26 July 2016
None	Tree Protection Plan and Arboricultural Method Statement July 2016	26 July 2016

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with policy C8 of the City of Durham District Local Plan.

3. The development hereby approved shall be constructed in accordance with the material details as described on drawing number A(PL)01 200 Rev C – Proposed Elevations unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the area and to comply with policy C8 of the City of Durham District Local Plan.

4. Notwithstanding the details shown on the submitted application the works shall be carried out in complete accordance with the requirements of the Flood Risk Assessment and Drainage Strategy as submitted by Portland Consulting Engineers Revision 0 2016040 – FRA.

Reason - To prevent pollution of the water environment in accordance with policy C8 of the City of Durham Local Plan and Part 10 of the NPPF.

5. Prior to the commencement of the development the tree protection measures as described within Appendix 3 of the Tree Protection Plan and Arboricultural Method Statement dated July 2016 shall be implemented and retained in place whilst the development is under construction.

Reason: In the interests of the appearance of the area and to protect trees on site, in accordance with policy E14 of the City of Durham District Local Plan.

6. Notwithstanding the details shown on the submitted application, tree replacement works shall be carried out in accordance with the details contained within Section D3 of the Tree Protection Plan and Arboricultural Method Statement dated July 2016. The replacement scheme shall be carried out within 12 months of the start of the tree felling hereby approved. These shall be planted and maintained in accordance with good practice to ensure rapid establishment- including watering in dry weather, and replaced if they fail within 5 years of initial planting, not later than the following planting season.

Reason: In the interests of the appearance of the area and to protect trees on site, in accordance with policy E14 of the City of Durham District Local Plan.

7. No development hereby approved shall take place unless in accordance with the mitigation and recommendations detailed within the Ecological impact Assessment by E3 Ecology Ltd dated July 2016.

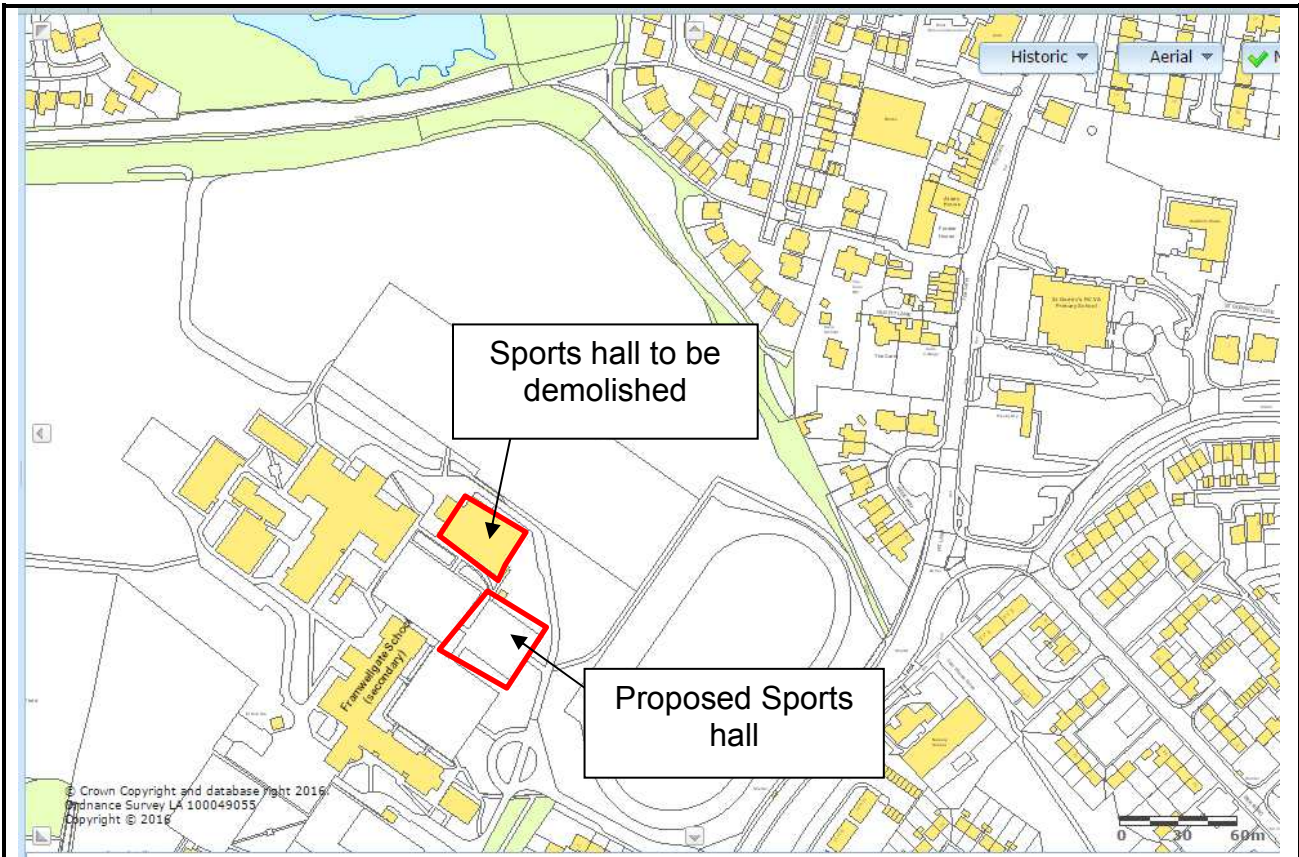
Reason: To conserve protected species and their habitat in accordance with criteria within the NPPF.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
City of Durham Local Plan 2004
National Planning Policy Framework
Internal consultee responses
Public responses
Responses from statutory and other consultees
National Planning Policy Guidance



Planning Services

Erection of sports hall including demolition of existing sports facility at Framwellgate School, Durham
 Application Reference: DM/16/02199/FPA

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Date
September 2016

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COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	CE/14/00086/FPA
FULL APPLICATION DESCRIPTION:	Demolition of agricultural units, conversion of 4 agricultural buildings to dwellings and 9 new Dwellings.
NAME OF APPLICANT:	Mr J Brydon
ADDRESS:	High Farm, High Hesleden, Durham, TS27 4QD
ELECTORAL DIVISION:	Blackhalls Laura Eden Senior Planning Officer
CASE OFFICER:	03000 263980 laura.eden@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site relates to High Farm within High Hesleden. Although the site is developed and benefits from buildings given it relates to an agricultural use the site is considered to be a greenfield site. The surrounding area is predominantly residential in character comprising of a mixture of different house types. Further along the road to the east of the site lies The Ship Inn, a public house. Agricultural fields lie to the north of the site.
2. High Hesleden is a small rural settlement situated to the east of Hesleden and the southwest of Blackhall Colliery. It is close to the east coast of County Durham and within the 6km buffer zone of a European Designation. There are very limited facilities within the hamlet however there is a bus stop within walking distance of the site and two bus routes operate from this. Furthermore, the site lies relatively close to Hesleden and Blackhall which contain community facilities such as schools, shops and health care facilities.
3. The site is accessed off the C81 Mickle Hill Road. There is an existing access that would be retained to serve the existing dwelling and unit 3. All the other properties are proposed to be served off a new access which can be accommodated through the partial demolition of one of the existing buildings that line the frontage. The conversions are to be to the older and original farm structures to the south of the site whereas the more modern cattle sheds to the north are proposed for demolition.

4. Planning permission is sought for thirteen dwelling houses consisting of four conversions and nine new dwellings facilitated through the demolition of existing barns on site. There would be a mixture of detached and terraced properties ranging from two to five bedrooms each benefitting from private amenity space and parking areas. The proposed materials palette would comprise of stone, brick, render, timber cladding, tile, sheeting and timber windows therefore using traditional materials albeit with a contemporary twist. The layout of the site has evolved during the application process to respond to highway concerns and an additional access point is proposed to Mickle Hill Road.
5. The historic buildings within the site would all be retained and the new dwellings would be constructed within the footprint of the modern cattle sheds to be demolished. The properties would be arranged in a courtyard style arrangement. Buildings that lie outside the settlement limits would be removed and the land returned to agricultural fields.
6. This application is being referred to the planning committee as it constitutes a major planning application.

PLANNING HISTORY

7. In 2005 there was an outline application for housing however this was later withdrawn.

PLANNING POLICY

NATIONAL POLICY:

8. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
9. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
10. The following elements are considered relevant to this proposal;
11. *NPPF Part 1 – Building a Strong and Competitive Economy.* The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
12. *NPPF Part 4 – 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.

13. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing application should be considered in the context of the presumption in favour of sustainable development. A wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.
14. *NPPF Part 7 – Requiring Good Design.* 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.
15. *NPPF Part 8 – Promoting Healthy 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.
16. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.
17. *NPPF Part 11 – 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.
18. *NPPF Part 12 - Conserving and Enhancing the Historic Environment.* The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at:

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

District of Easington Local Plan

19. Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.
20. *Policy 14* - Development which adversely affects a designated or candidate Special Area of Conservation and is not connected with managing the scientific interest will only be approved where there is no alternative solution and there is an overriding national interest where it is necessary for reasons of human health or safety; or there are beneficial consequences of nature conservation importance.

21. *Policy 15* - Development which adversely affects a designated Site of Special Scientific Interest will only be approved where there is no alternative solution and it is in the national interest.
22. *Policy 16* - Development which adversely affects a designated Site of Nature Conservation Importance/Local Nature Reserve/ancient woodland will only be approved where there is no alternative solution and it is in the national interest.
23. *Policy 18* - Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.
24. *Policy 19* - Areas of nature conservation interest, particularly those of national importance will be protected and enhanced.
25. *Policy 35* - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
26. *Policy 36* - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
27. *Policy 37* - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).
28. *Policy 66* - Developers will be required to make adequate provision for children's play space and outdoor recreation in relation to housing development of 10 or more dwellings. Provision may be secured elsewhere if it is inappropriate to make provision at the development site.
29. *Policy 67* – Housing development will be approved on previously developed sites within settlement boundaries of established towns and villages provided the proposal is appropriate in scale and character and does not conflict with specific policies relating to the settlement or the general policies of the plan.

RELEVANT EMERGING POLICY

The County Durham Plan

30. Paragraph 216 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. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

31. Northumbrian Water – Condition required in relation to foul and surface water drainage
32. Environment Agency – General comments provided in relation to the disposal of foul and surface water and land contamination
33. Highways – Following amendments the access and parking arrangements are now considered to be acceptable and would be of a design suitable for adoption. Subject to the imposition of a Grampian condition stating that the existing traffic calming feature is relocated.

INTERNAL CONSULTEE RESPONSES:

34. Policy – No objection to the proposal
35. Ecology – The submitted ecology report is sufficient to inform the application and no objection is raised subject to the imposition of a condition. The site is within the Heritage Coastal buffer and therefore suitable green space is required to reduce the frequency of dog walking activity to the coast. This should be provided within the development site or a financial contribution made in lieu of such provision.
36. Environmental Management (Noise) – No objection however suggest conditions relating to construction phase and lighting scheme. They also recommend an informative relating to asbestos.
37. Environmental Management (Contamination) – The submitted Phase 1 Assessment is not adequate to inform this application therefore the full contaminated land condition will need to be applied
38. Sustainability – Some concerns relating to the site sustainability credentials and advised that further information would be required in relation to sustainability embedded into the development.
39. Drainage - Insufficient information has been provided therefore further information required
40. Archaeology – No objection raised
41. Design and Conservation - Have indicated that they cannot support the layout, scale or design of the new build units and suggest amendments to the scheme
42. Education Team - Confirmed that there are sufficient school places available in the area to accommodate pupils from the proposed development.

PUBLIC RESPONSES:

43. The application has been advertised on site and in the local press. Neighbouring residents were also notified individually of the proposed development. Four letters of representation have been received from the Parish Council and local residents.

44. The Parish Council and local residents object to the scheme due to lack of regular public transport, the distance to local services and that residents would most likely be car dependant, they do not want the hamlet to grow any bigger, housing would be best located within surrounding settlements which have better access to amenities, that the development occupies a central and prominent position within the hamlet and it would have an adverse impact on the character of the area, there are highways related concerns including speeding traffic and that street lights may be removed in the future which could cause increased risk to residents.

APPLICANTS STATEMENT:

45. The scheme utilises a Brownfield site within the development boundary of the settlement. The scheme revitalises the centre of the village, while retaining the existing historically important structures. The proposal involves the provision of 13 No. new dwelling houses, consisting of 4 No. conversions and 9 No. new build structures. The conversions are to be to the older and original farm structures to the South of the site. The new build units will be positioned within the footprint, and net space, of the existing cattle sheds which are to be demolished. These structures all lie within the development boundary for the settlement (unit numbers 5 through to 14-note no unit number 13). Further structures to the North of the site which lie outside the settlement boundary are to be demolished and the area relayed to paddocks connecting with the open farm land beyond.

46. The scheme design was undertaken utilising the following principles:-

- The retention and conversion of all historic structures on site. This applied to all those structures which were convertible in both principle, i.e. the structure was a building of a design, type and construction suited to conversion, and structurally capable of conversion without complete rebuilding or majority rebuilding.
- Any new additions/details to historic structures, will utilise traditional materials with a contemporary detailing. This philosophy is based on the Society for the Protection of Ancient Building's (SPAB) Manifesto and aims to ensure that any additions and alterations are clearly recognisable of being contemporary of the period and adding another layer of history, while fully respecting the historic material and structure.
- The design of the new build structure was to be in a contemporary style, while reflecting the agricultural heritage of the site.
- Dwellings made to meet the highest standard of environmental and technological requirements, in order to provide dwellings which will serve their occupants long into the future, providing sustainable housing, ensuring they meet with societies environmental responsibilities and have both minimum energy use and running costs.
- "Secure by Design" principles have been integrated into the layout of the project to assist in reducing the potential for crime.
- The dwelling units were to provide for a mixture of accommodation on the site, with individual layouts providing for as wide a range as possible of occupants. It is hoped that the size, type, and design of the individual units will attract a diverse population to the site, from single inhabitants, through young families, family groups and the retired. The layout of the site should also provide for a community feel, with communal areas for use of all and the integration of inhabitants to form a bonded neighbourhood.
- The layout of the proposed units will form a natural extension of the village of High Hesleden, and be integrated within it.

47. The conversions will mean that all the original structures are retained, The building fronting Mickle Hill Road will have the central section demolished, reintroducing two separate buildings in their original form, each an individual unit (unit 1 and unit 2). The building to the rear of the farm house is to have the single storey later date brickwork extension removed, reinstating the original facade, and will become unit No 3. The ex-milking parlour is to be extended to the North West of the original structure, with a storey and a half extension increasing the internal plan to provide additional accommodation necessary for the adaption and conversion, forming unit No 4 of the proposed site.
48. The new build structures are to be constructed within the footprints of the large modern cattle sheds which are proposed to be demolished. By their design and selection of materials they are to reflect, in a contemporary fashion, the agricultural use of the site. They are also to be grouped and located within the site to form large courtyard areas for communal use to aid the formation of the community of the occupants of the dwellings. By grouping the buildings together, it allows for large open areas with views across the site, and to the open landscape beyond. Each unit is also provided with its own individual private garden area.

PLANNING CONSIDERATIONS AND ASSESSMENT

49. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, impact on surrounding land uses, visual impact, highway and access issues, S106 contributions, ecology and other considerations.

Principle of development

50. The application site is located within High Hesleden, largely within the settlement limits as defined by the Easington Local Plan (ELP). The site is a working farm and although there are a number of barns within the site as these are used for the purposes of agriculture the site is regarded as a greenfield site. Policy 67 (ELP) advocates support for housing proposals provided they lie within the settlement limits and relate to previously developed land. The current proposal would therefore not be in strict accordance with this policy being considered a greenfield site albeit largely within the settlement limits. The local planning authority accept that ELP housing supply figures are based on historic supply figures and as such are considered to be 'out of date' in the context of paragraph 49 of the NPPF, therefore reduced weight can be afforded to policy 67. Furthermore, the County Council is currently unable to demonstrate a 5 year land supply. Accordingly, the application must be assessed in the context of Paragraph 14 of the NPPF.
51. Paragraph 14 of the NPPF states that 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development' and for decision makers this means that where relevant policies are 'out of date' that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies the NPPF. Consequently, it is considered that in this instance, the proposal should be subject to the planning balance test as contained within Paragraph 14 of the NPPF. Clearly, whether any benefits of the proposed development are significant and demonstrably outweighed by adverse impacts can only be considered following an examination of all of the issues within the planning balance.

52. The County Durham Settlement Study (2012) identifies High Hesleden as a hamlet. It is regarded as a lower tier settlement which benefits from limited services, facilities and employment opportunities. In this respect its existing and future residents would be more likely to be car dependent to access such amenities although it is noted that there is a limited services bus stop outside the development and the development would be within walking and cycling distance of Blackhall (Tier 2) and Hesleden (Tier 4) which are both higher order settlements. The site is not considered isolated in so far as it would be contained within the existing built development of the established settlement. Paragraph 55 also refers to enhancing and maintaining the vitality of rural communities whereby development in one village may support the services provided in another.
53. Whilst it is acknowledged that there are some concerns regarding the sustainability credentials of High Hesleden there are considered to be a number of benefits arising from the scheme. It would provide additional housing, a key NPPF objective, financial contributions would be secured for the benefit of the area, there would be visual benefits arising from bringing back into use historic farm buildings and a potentially adverse noise and odour use (the existing farm) would be replaced. Furthermore, there have been recent housing approvals within High Hesleden for previously developed sites which have established the principle of further housing development in such a location. This site would however be regarded as a greenfield site due to the current agricultural use. While the NPPF does promote the use of previously developed land, it does not contain a sequential approach to development such as was previously contained in PPS3. There has therefore been a shift in national planning policy away from the rigidity of greenfield/brownfield status towards an assessment of the overall sustainability of a site. Accordingly, the development of greenfield sites is not precluded.

Impact on the surrounding land uses

54. In terms of neighbouring amenity policy 35 of the local plan aims to ensure that developments have no serious adverse effect on the amenity of people living and working in the vicinity of the development site and the existing use of land or buildings in terms of privacy, visual intrusion, noise, other pollutants and traffic generation. The policy is in accordance with the NPPF as it too seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.
55. Distancing standards outlined in the local plan recommend that a minimum of 21 metres is achieved between opposing elevations containing habitable windows and 13.5 metres between a main elevation containing windows and an opposing gable elevation. These distancing standards are comfortably achieved in relation to the existing properties on Mickle Hill Road and the proposed new housing. The same is true for distances between the new build properties albeit due to the court yard type arrangement some properties will be at 90 degree angles to one another however windows are located further apart from one another. Distances do fall somewhat shorter than the local plan recommends with regards to the conversions however there are wider heritage benefits to converting these properties and it would be unreasonable to object to the development given the layout is already determined. Each property also benefits from amenity space albeit in some cases this is less than the usual 10 metres outlined within the local plan therefore it is considered appropriate to remove permitted development rights. Collectively however, these issues are not considered to lead to impacts sufficient to justify refusal of the planning application.

56. Environmental health officers have been consulted on the scheme. With regards to noise they have no significant concerns. With regards to the proposed occupants it is considered that the adjacent 'B' road is a minor road and as the properties would be set back from it, it is not considered necessary to require additional sound proofing measures over and above standard building regulation requirements. Existing properties may however have the potential to be disturbed during the construction process. As the scheme relates to a major development it is considered reasonable to impose a construction method statement to protect the amenities of adjacent neighbours. Colleagues have also requested a further condition in relation to proposed street lighting to ensure that it does not adversely impact on proposed residents due to glare.
57. The site is currently used as a working farm and lies within close proximity to neighbouring properties. There will undoubtedly be adverse neighbour impacts associated with this use such as noise, odours and unsocial working practices. The removal of such a use and its replacement with residential development would be more conducive and compatible to the surrounding area. Furthermore, large scale and imposing barns would be removed and replaced with smaller scale development. Overall it is considered that the development would have a beneficial impact in terms of residential amenity to existing neighbouring properties.
58. Overall, it is considered that the proposals detailed in this application would not have an adverse impact on surrounding uses or the amenities of future occupants therefore the proposals would be in accordance with policies 1 and 35 of the local plan.

Visual amenity

59. Policy 35 of the Easington Local Plan requires the design and layout of developments to reflect the scale and character of adjacent buildings and the area generally, particularly in terms of site coverage, height, roof style, detailed design and materials. The NPPF and in particular Sections 7 and 12 deal with good design as it requires proposals to respect neighbouring properties and the local area more generally in addition to non-designated heritage assets.
60. High Farm is a group of historic and modern farm buildings. The linear group of 18th century farm buildings that front onto Mickle Hill Road make a positive contribution to the street scene. The other two agricultural buildings that lie to the rear of this have some historic interest. A number of the historic buildings on the site are shown on the first edition OS map and although have seen some alteration over the years are of sufficient historic interest to be considered as non-designated heritage assets. There are larger, modern barns located further north on the site.
61. The scheme would achieve the creation of 13 new dwellings comprising of four conversions of the historic barns and nine new build dwellings facilitated through the demolition of the modern barns. There would be a mixture of detached and terraced properties ranging from two to five bedrooms each benefitting from private amenity space, parking areas and some garages. The proposed materials palette would comprise of stone, brick, render, timber cladding, tile, sheeting and timber windows therefore using traditional materials albeit with a contemporary twist. The layout of the site has evolved during the application process to respond to highway concerns and an additional access point is now proposed to Mickle Hill Road facilitated through the demolition of the central section of the barn. The historic buildings within site would all be retained bar the one demolished to facilitate the access, and the new dwellings would be constructed within the footprint of the modern cattle sheds to be demolished. The properties would be arranged in a courtyard style arrangement. Buildings that lie outside the settlement limits would be removed and the land returned to agricultural fields.

62. The design and conservation officer has assessed the scheme and welcomes the retention and reuse of the historic buildings. They do however raise concerns in relation to the number of new build units proposed and what they consider to be the cramped relationship between plots as a result particularly on the western side of the development. Furthermore they have raised issues in relation to the amenity space provided within each plot, the lack of shared amenity space within the development and the parking areas. The amenity issues have already been addressed within the report, a financial contribution will be sought with regard to recreation space and highways issues will be discussed.
63. It is considered that the plans would largely retain the character and existing form of the existing barns shown on the plans of plots 1 and 2. The loss of the middle section of the barn is regrettable however it is necessary to facilitate the new access. Structurally it is in poor condition and the materials can be salvaged to repair the other historic buildings. Generally speaking the other two conversions (plots 3 and 4) are sympathetically approached although the design officer has suggested some amendments. With regards to the new build elements the design officer has some reservations about the scale of some of the buildings given that some plots have accommodation across a third storey. Given that the buildings would fit within the footprint and form of the existing barn buildings and that they are set well within the site the scale of the development is not considered to be a concern. Furthermore, there are other properties in the immediate vicinity of the development which would be of a comparable or greater scale therefore such development is not unique within the hamlet. Although the agent was approached with the design officers concerns they did not agree with their assessment and considered the design to be appropriate. The design issues raised are minor matters in the context of the scheme and would not be considered significant so as to prohibit the development. Furthermore, detailed design matters such as materials and fenestration can be controlled through the imposition of planning conditions.
64. The plans indicate small areas of landscaping however no specific details have been provided. A landscaping scheme is therefore required to agree these details. Open countryside surrounds the hamlet of High Hesleden therefore the site can be seen in views from the Public Right of Way that is close to the development site and from the road when approaching from Blackhall. The development would be entirely contained within the footprint and form of the existing modern barns, overall there would be a reduction in the amount of built development, buildings that lie outside the settlement limits would be removed and the land returned to agricultural fields and the properties would be seen against the backdrop of the settlement. On this basis it is not considered that the development would have any significant landscape impact and would actually bring about improved views.
65. The submitted plans indicate that a high quality residential scheme could be provided on the site and successfully integrated within the local area subject to the imposition of conditions. The proposals are considered to be in accordance with policy 1, 35, 36 and 37 of the local plan and Parts 7 and 12 of the NPPF.

66. Colleagues in the highways section have assessed the scheme. Although they initially raised concerns these have been resolved throughout the application process through the submission of amended plans. There is an existing access off the C81 Mickle Hill Road that would be retained to serve the existing dwelling and unit 3. All the other properties are proposed to be served off a new access which can be accommodated through the partial demolition of one of the existing buildings that line the frontage. There would be sufficient car parking provided to accommodate the needs of the thirteen new dwellings in compliance with Durham County Council's residential car parking standards. It has been confirmed that the layout has been designed to meet the requirements of adoption standards and this will need to be pursued with the relevant highways section.
67. The proposed new access off Mickle Hill Road to serve the development will be in direct conflict with an existing traffic calming system therefore this will need to be revised and/or repositioned. It is not possible that the existing scheme could just be repositioned within the road due to existing constraints including the bus stop and vehicular access crossings. The senior traffic engineer has however confirmed that there are other alternatives such as speed tables which would provide a feasible alternative to managing the speed of traffic through the hamlet. Under highways legislation vertical alterations to the carriageway (speed tables, humps etc.) would require a certain process to be adhered to including public consultation and possible referral to the highways committee. The highways officer considered that this matter can be satisfactorily dealt with by means of a Grampian type condition requiring the works to be agreed and then undertaken prior to the commencement of development and occupation of the dwellings respectively. Such works would be at the developer's expense.
68. National Planning Guidance states that such conditions should not be imposed where there are no prospects at all of the action (revised traffic calming scheme) being performed within the time-limit imposed by the condition. The land required to carry out the work falls within the adopted public highway, the highways officer has raised no objection to the scheme subject to the imposition of the condition and the senior traffic engineer has advised that although the existing scheme cannot be repositioned alternative schemes could be installed. It is acknowledged that any revised scheme would most likely have to go through a consultation process and any outstanding objections be referred to highways committee and determined by the Director of Neighbourhood Services. It is not considered that this would conflict with the guidance especially in light of the aforementioned assessment. The imposition of such a condition is therefore regarded as meeting the required tests.
69. On this basis the development could be served by an existing and new appropriate means of access as advised by the Highways Authority. Subject to the imposition of a condition relating to a revised traffic calming scheme it is not considered there would be any highway safety concerns relating to the development. Although the hamlet is relatively modest the addition of 13 new dwellings would not be considered to have a significant adverse impact. Indeed Part 4 of the NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe which is not considered to be the case here. Overall the development is considered to provide acceptable highway arrangements in accordance with policies 1, 35 and 36 of the Easington Local Plan.

70. The presence of a European Protected Species (EPS) is a material planning consideration. The Conservation of Habitats and Species Regulations 2010 have established a regime for dealing with derogations which involved the setting up of a licensing regime administered by Natural England. Under the requirements of the Regulations it is an offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England.
71. Notwithstanding the licensing regime, the Local Planning Authority must discharge its duty under the regulations and also consider these tests when deciding whether to grant permission for a development which could harm an EPS. A Local Planning Authority failing to do so would be in breach of the regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
72. The applicant has submitted an Ecological and Habitats Regulations Assessment. Colleagues in the ecology department have confirmed that it is sufficient to inform the application. No objection is raised on the basis that the mitigation and compensation measures outlined within the report are conditioned. It is therefore unlikely that a EPS (bats) will be disturbed if this mitigation is adhered to so there is no need to apply the derogation tests in this case. Accordingly, it is considered that the proposals would be in accordance with saved policy 18 of the local plan and part 11 of the NPPF.
73. In order to take pressure from additional visitors away from the coastal designations of significant importance, sufficient and appropriate green space needs to be provided in association with the proposed development. There is no appropriate green space provided within the application which would be associated with the proposed development. The County Ecologist has indicated that if there is no green space provided with the proposed development, then a financial contribution can be made towards one of the identified projects within the Heritage Coast Management Plan. The Heritage Coast Management Plan provides a strategic programme which identifies six achievable objectives to improve the heritage coast environment. The applicant has agreed to make a contribution of £250 per residential unit towards one of the strategic programmes within the Heritage Coast Management Plan.
74. As such, it is considered that the proposed development would be in accordance with saved policies 14, 15, 16, 18 and 19 of the local plan and part 11 of the NPPF, both of which seek to protect and enhance biodiversity and the natural environment.

Section 106 contributions

75. As this is a major residential development of 13 houses, financial contributions are required towards other local functions and facilities within the vicinity of the site. A contribution of £6,500, based on the sum of £500 per dwelling, is therefore required towards the adequate provision for children's play space and outdoor recreation space in the electoral division. These contributions are to be secured through a Section 106 legal agreement. The contributions would help to support and improve facilities within the surrounding locality for the benefit of occupiers of the additional properties and also existing residents of the local community and would be in accordance with policy 66 of the local plan and requirements detailed in the NPPF.

76. With regards to contaminated land, Environmental Health colleagues have assessed the submitted Phase 1 Assessment and noted several concerns which need to be addressed. Although the authors of the report have been approached to remedy the concerns amendments have not been forthcoming. On this basis the submitted Phase 1 Assessment is not considered adequate to inform this application therefore the full contaminated land condition will need to be applied.
77. The Council's Drainage Officer, the Environment Agency and Northumbrian Water have been consulted on the proposed application. No objections have been raised however further information is required in order to verify the drainage options. A condition relating to foul and surface water drainage is therefore recommended. Subject to the condition being imposed it is considered that the proposal would not have an adverse impact in terms of drainage or flooding.
78. The Council's Sustainability Officer has noted some concerns relating to the site sustainability credentials. This matter has been addressed earlier within the report. It is however recommended for further information to be submitted in relation to sustainability embedded into the development. A condition is recommended accordingly.
79. The site lies outside of an area identified as being of high risk from previous coal mining activity. The Council's Archaeology Team have also not raised any objections to the proposed scheme. The Council's Education Team have also confirmed that there is no requirement for any contributions to local schools as there is sufficient capacity within the area.
80. The Parish Council and some local residents have expressed concerns regarding the development which have been addressed within the report. Whilst their concerns are noted it is not considered that they amount to reasons sufficient to justify refusal of the planning application.

CONCLUSION

81. It is considered that in this instance, the proposal should be subject to the planning balance test as contained within Paragraph 14 of the NPPF. Whilst it is acknowledged that there are some concerns regarding the sustainability credentials of High Hesleden there are considered to be a number of benefits arising from the scheme. Additional housing would be provided and financial contributions would be secured in lieu of public open space within the development. There are visual benefits arising from bringing back into use historic farm buildings, there would be an overall reduction in the amount of built development on the site and matters relating to the detailed design can be conditioned to ensure a satisfactory form of development. There would not be considered to be any significant adverse impact to amenity for either existing or future occupiers and a potentially adverse noise and odour use (the existing farm) would be replaced. Furthermore, there have been recent housing approvals within High Hesleden for previously developed sites which have established the principle of further housing development in such a location. Overall, as the harm does not significantly and demonstrably outweigh the benefits, planning permission should be granted.

82. With regards to highways the proposed access arrangements and internal layout are considered to be acceptable. The required amendments to the traffic calming system can be required through the imposition of a planning condition. The scheme is considered acceptable by colleagues in the relevant highways sections.
83. The County Ecologist has not raised any objections to the scheme on the basis that the mitigation and compensation measures outlined within the Ecological and Habitats Regulations Assessment is conditioned. Given this, there is no requirement to obtain a licence from Natural England and therefore the granting of planning permission would not constitute a breach of the Conservation of Habitats and Species Regulations 2010. The applicant has agreed to provide a contribution towards the Heritage Coast Management Plan therefore it is not considered that the development would have an adverse impact on the coastal designations. It is therefore considered that the proposals would be in accordance with saved policies 14, 15, 16, 18 and 19 of the local plan and Part 11 of the NPPF.
84. All other matters relating to contaminated land, drainage and flooding and sustainability can be secured by condition. Whilst the Parish Council and some local residents have expressed concerns regarding the development it is not considered that they amount to reasons sufficient to justify refusal of the planning application.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 Legal Agreement to secure financial contributions towards play and recreational facilities at a pro-rata rate of £500 per residential unit; financial contributions towards a strategic programme in the Durham Heritage Coast Management Plan at a pro-rata rate of £250 per residential unit; and subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans: Application forms, Drg no.'s 1-26 and site location plan dated 09/01/2014, Structural Survey Report dated November 2013, Ecological and Habitats Regulations Assessment by Barrett Environmental Ltd dated April 2014, Heritage Statement received 13/06/2014, design and access statement received 26/06/2014, Bat Report by Barrett Environmental Ltd. Dated September 2015, drg. no. 100 Rev. A site plan received 05/08/2016.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 and 35 of the District of Easington Local Plan.

3. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with saved policies 1 and 35 of the Easington Local Plan.

4. Notwithstanding the details shown on the approved plans precise details of all new fenestration including door openings, glazing, heads and cills shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the development. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with saved policies 1 and 35 of the Easington Local Plan.

5. Prior to the commencement of the development details of the surface treatment and construction of all hardsurfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with saved policies 1 and 35 of the Easington Local Plan.

6. Prior to the commencement of the development details of means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The enclosures shall be constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate.

Reason: In the interests of the appearance of the area and to comply with policies 1 and 35 of the District of Easington Local Plan.

7. No development shall commence until full engineering details of the off-site traffic calming measures to replace the existing scheme just outside the development on Mickle Hill Road have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Local Highway Authority. None of the dwellings shall be occupied until the scheme has been constructed and completed in accordance with the approved details.

Reason: In the interest of highway safety and to comply with saved policies 1 and 35 of the Easington Local Plan.

8. The development hereby approved shall be carried out in full accordance with the contents of Section E (Mitigation and Compensation) within the Bat Report by Barrett dated September 2015.

Reason: To conserve protected species and their habitat in accordance with the objectives of part 11 of the NPPF.

9. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following:

Pre-Commencement

(a) A Phase 1 Preliminary Risk Assessment (Desk Top Study) shall be carried out by competent person(s), to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site.

(b) If the Phase 1 identifies the potential for contamination, a Phase 2 Site Investigation and Risk Assessment is required and shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

(c) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out by competent person(s). No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works.

Completion

(d) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11.

10. Prior to the commencement of the development a scheme to embed sustainability and minimise carbon from construction and in-use emissions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in complete accordance with the approved scheme and retained while the buildings are in existence.

Reason: In the interests of sustainable construction and energy generation in accordance with the aims of with saved policies 1 and 35 of Easington Local Plan and Part 10 of the NPPF.

11. No development shall take place until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources and in accordance with Part 10 of the NPPF.

12. No development shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above.

Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats.

The landscape scheme shall include accurate plan based details of the following:

Trees, hedges and shrubs scheduled for retention.

Details of hard and soft landscaping including planting species, sizes, layout, densities, numbers.

Details of planting procedures or specification.

Finished topsoil levels and depths.

Details of temporary topsoil and subsoil storage provision.

Seeded or turf areas, habitat creation areas and details etc. Details of land and surface drainage.

The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.

The local planning authority shall be notified in advance of the start on site date and the completion date of all external works.

Trees, hedges and shrubs shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the Easington Local Plan.

13. All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which within a period of 5 years from the completion die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the appearance of the area and to comply with saved policies 1 and 35 of the Easington Local Plan.

14. No development, shall take place until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. The approved Construction Management Plan shall be adhered to throughout the construction period. The Construction Management Plan shall provide for:

- i. the timing of construction works
- ii. parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. measures to control the emission of dust and dirt during construction

Reason: In the interests of the residential amenity in accordance with policies 1 and 35 of the Easington Local Plan.

15. If street lighting is to be installed, details of the height, type, position, angle and spread of the street lighting shall be submitted to and approved in writing by the Local planning authority prior to the development hereby permitted being brought into use. The external lighting shall be erected and maintained in accordance with the approved details to minimise light spillage and glare outside the designated area.

Reason: In the interests of the residential amenity of future occupants in accordance with policies 1 and 35 of the Easington Local Plan.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes A, D and E of Part 1 of Schedule 2 of the said Order shall be carried out.

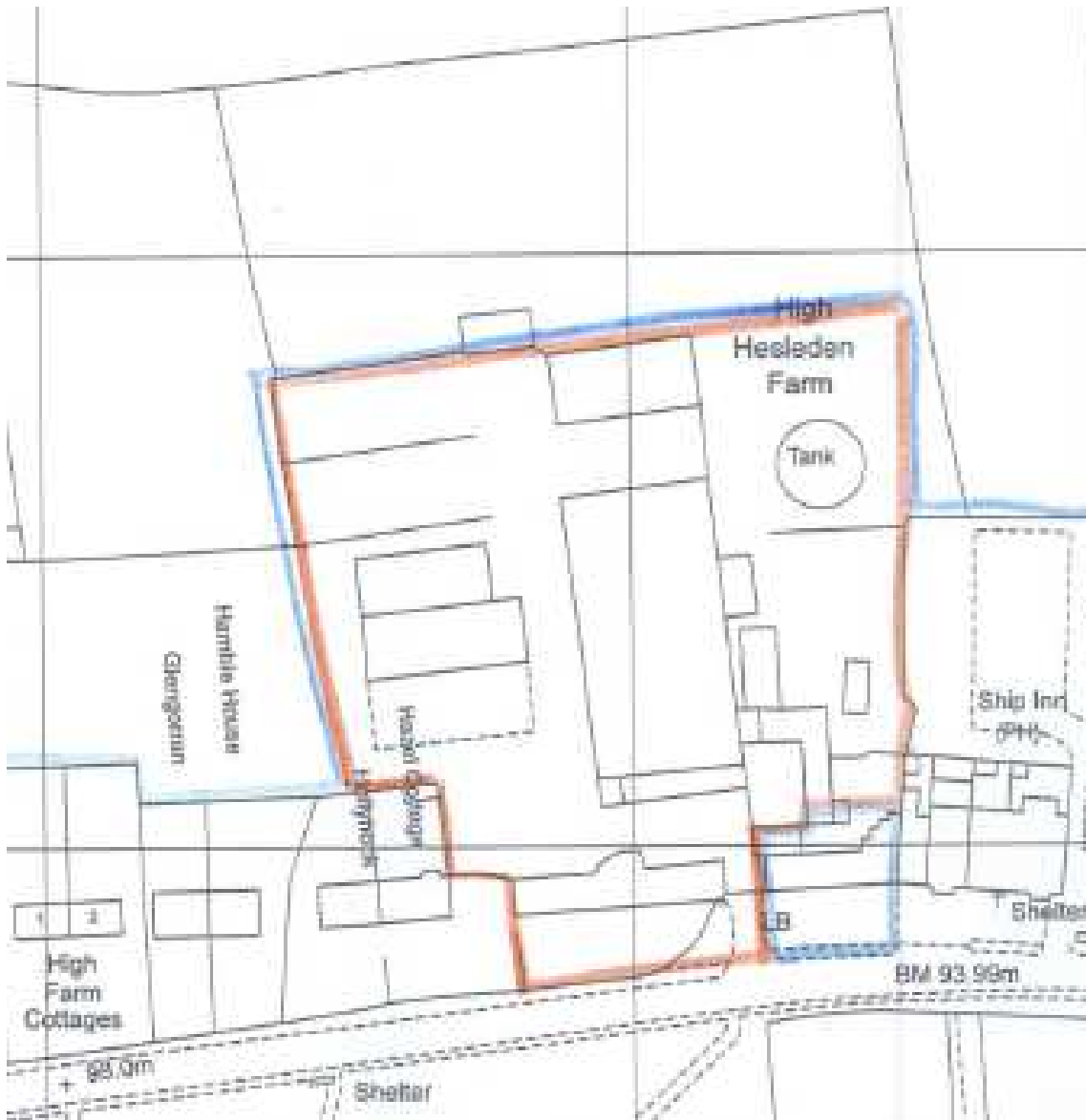
Reason: In order that the Local Planning Authority may exercise further control in this locality in the interests of the visual amenity of the area and to comply with policies 1 and 35 of the Easington Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the 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) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
District Of Easington Local Plan
National Planning Policy Framework
Internal consultee responses
Public responses
Responses from statutory and other consultees
National Planning Policy Guidance



Planning Services

**Demolition of agricultural units,
conversion of 4 agricultural
buildings to dwellings and 9 new
Dwellings at High Farm, High
Hesleden, Durham, TS27 4QD
Ref: DM/15/03034/OUT**

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**Date
26th September 2016**

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