

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/21/01141/FPA
FULL APPLICATION DESCRIPTION:	Erection of 11 bungalows (amended plans and red line boundary received).
NAME OF APPLICANT:	DP Contractors
ADDRESS:	Land To The Rear Of Rock Terrace New Brancepeth DH7 7EP
ELECTORAL DIVISION:	Deerness
CASE OFFICER:	Lisa Morina Senior Planning Officer Telephone: 03000 264877 Lisa.morina@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site comprises roughly a rectangular area of open undeveloped land positioned in a predominantly residential area between two linear terraces at Rock Terrace and Edward Terrace, New Brancepeth, Durham.
2. The site is framed by dwellings to all sides and occupies an inverted 'L' in terms of its layout with the smaller 'leg' extending to the south. In addition, it is noted that there is a significant change in levels across the site which falls from north to south.
3. Whilst not allocated for any use in the County Durham Plan it is understood that in the past the site has been used sporadically as private garden in association with some of the neighbouring terraces, and as such several buildings of varying construction style and quality have been erected across the site during this time. More recently the visual amenity of the site has deteriorated and the Council has served a number of Section 215 notices relating to untidy land.
4. In terms of planning history, it is of note that there have been a number of previous planning permissions relating to the redevelopment of the site with the most recent in 2019 granting outline planning permission for a mixed use development comprising retail and residential. Members may recall that this application was previously presented to committee on 12 July 2022 where it was resolved to grant permission subject to the entering into of a Section 106 for open space, and affordable housing provision. However, the S106 was never signed as after the resolution it became apparent that there were areas of the site which were required to be included in the S106 Agreement which were not within the control of the applicant and they have been unable to acquire these.

5. As a consequence, the scheme has been amended to remove built development from those areas thereby removing these from the S106 Agreement.
6. In addition, the applicant has engaged with a registered provider (Places for People) who have confirmed interest in developing the site and this has also resulted in some additional amendments to the previously approved scheme. Full details of those amendments are summarised below.

Proposal:

7. Planning permission was originally sought for the erection of 11 bungalows at the site comprising 9 No. two bed units and 2 No. one bed units. The dwellings are proposed to be semi-detached properties set out in 5 pairs with a single detached bungalow located to the south-east of the site.
8. In this instance the extent of the application site has been reduced via amendment to the red line plan and this is a result of the need to exclude an area to the west of the site which could not be acquired by the applicant. A smaller area beyond this is still under the control of the applicant and whilst it does not form part of the application site, they nevertheless have confirmed intention to deliver some soft landscaping across this area as part of the proposals.
9. Nevertheless, the application still proposes the erection of 11 bungalows however these are now all proposed to be 2 bedroomed. They are proposed in the most, as semi-detached arranged in 4 pairs with the remaining 3 units forming a short terrace along the eastern boundary of the site. All proposed dwellings have been relocated further to the east to accommodate the reduced site area.
10. The dwellings would comprise of red brick-built dwellings with tiled roofs. Front and rear gardens would be provided. Eight of the units would be accessed from Edward Terrace to the south and be served by 2 short cul-de-sacs with associated parking.
11. The remaining 3 units would be accessed from 'The Bungalows' to the east and be served by a total of 6 parking spaces. In total the development would include 22 parking spaces.
12. The scheme previously also involved the termination of an unadopted roadway that runs adjacent to 4 Model Cottages. However, the applicant has since submitted amendment to reinstate, resurface and maintain this area. It was not considered that further re-consultation was required to be carried out in this instance.
13. The application is reported to planning committee as it is considered major development.

PLANNING HISTORY

14. 4/13/00351/OUT 18 Dwellings (Outline) Application Withdrawn 27th August 2013
15. DM/14/03245/OUT 18 Dwellings (Outline) - Resubmission 4/13/00351/OUT
16. DM/19/00607/OUT Mixed use development for C3 (dwellings) and A1 (retail). Approved 9th August 2019

PLANNING POLICY

NATIONAL POLICY

17. A revised National Planning Policy Framework (NPPF) was published in July 2023. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
18. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
19. *NPPF Part 4 Decision-making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
20. *NPPF Part 5 Delivering a Sufficient Supply of Homes* - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
21. *NPPF Part 6 Building a Strong, Competitive Economy* - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
22. *NPPF Part 8 Promoting Healthy and Safe 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.
23. *NPPF Part 9 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.
24. *NPPF Part 11 Making Effective Use of Land* - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living

conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

25. *NPPF Part 12 Achieving Well-Designed Places* - 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.
26. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
27. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - 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.

<https://www.gov.uk/guidance/national-planning-policy-framework>

NATIONAL PLANNING PRACTICE GUIDANCE:

28. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters.

<https://www.gov.uk/government/collections/planning-practice-guidance>

LOCAL PLAN POLICY:

County Durham Plan

29. Policy 1 (Quantity of Development) outlines the levels of employment land and housing delivery considered to be required across the plan period.
30. Policy 6 (Development on unallocated sites) states the development on sites not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.
31. Policy 15 (Addressing housing need) establishes the requirements for developments to provide on-site affordable housing, the circumstances when off-site affordable housing would be acceptable, the tenure mix of affordable housing, the requirements of developments to meet the needs of older people and people with disabilities and the circumstances in which the specialist housing will be supported.

32. Policy 19 (Type and mix of housing) advises that on new housing developments the council will seek to secure an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations and the opportunity to facilitate self-build or custom build schemes.
33. Policy 21 (Delivering sustainable transport) requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
34. Policy 25 (Developer contributions) advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.
35. Policy 26 (Green Infrastructure) states that development will be expected to maintain and protect, and where appropriate improve, the County's green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
36. Policy 29 Sustainable Design details general design principles for all development stating that new development should contribute positively to an areas' character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities.
37. Policy 31 (Amenity and pollution) sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
38. Policy 32 (Despoiled, degraded, derelict, contaminated and unstable land) requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
39. Policy 35 (Water management) requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new

development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SUDS and aims to protect the quality of water.

40. Policy 36 (Water infrastructure) advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and wastewater infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
41. Policy 39 (Landscape) states that proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts.
42. Policy 40 (Trees, woodlands and hedges) states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
43. Policy 41 (Biodiversity and Geodiversity) states that proposal for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or as a last resort, compensated for.
44. Policy 43 (Protected Species and Nationally and Locally Protected Sites) development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided, or the proposal meets licensing criteria in relation to European protected species.
45. Residential Amenity Standards SPD – Provides guidance on the space/amenity standards that would normally be expected where new dwellings are proposed.
46. Parking and Accessibility SPD – provides guidance on road widths and parking standards for new developments.

Neighbourhood Plan

47. The application site is not located within an area where there is a Neighbourhood Plan to which regard is to be had.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY/EXTERNAL RESPONSES:

48. Highway Authority – raises no objection to the application after the proposals were amended to include a footway around the periphery of the site connecting to existing provision. In addition, they also note that whilst plot 11 would occupy the position of an existing vehicular link between Edward Terrace and The Bungalows this does not appear to form part of the adopted highway. However, they do note that in the event this has been subject to the passing and repassing of vehicles and pedestrians for 20 years or more it could be considered Highway by use and require formally Stopping Up under Section 247 of the Planning Act.
49. Notwithstanding the above, it is nevertheless noted that this does not have any material impact upon the acceptability or otherwise of the proposals in terms of highway safety and the Highway Authority raises no objection in this regard.
50. Following re-consultation in response to the amendments they continue to raise no objection and note the existing unadopted vehicular link is proposed to be re-instated. The need for a stopping up therefore, is no longer required.
51. Northumbrian Water Limited (NWL) – No objection subject to the inclusion of a planning condition requiring the submission and agreement of precise means of foul and surface water drainage. It was considered that no further re-consultation was required as a result of the amendments submitted.
52. Lead Local Flood Authority (LLFA) – Offers no objection to the application subject to the inclusion of a planning condition requiring the submission, agreement and implementation of a drainage strategy. It was considered that no further re-consultation was required as a result of the amendments submitted.
53. Coal Authority – No objection subject to conditions requiring intrusive site investigative works. Following re-consultation the Coal Authority have confirmed the submitted reports are acceptable and no further conditions are therefore required.
54. Durham Constabulary Police Architectural Liaison Officer (PALO) – Has not commented. It was considered that no further re-consultation was required as a result of the amendments submitted.
55. NHS – No objection and no contribution required. It was considered that no further re-consultation was required as a result of the amendments submitted.

INTERNAL CONSULTEE RESPONSES:

56. Environmental Health Section (Contamination) – No objection subject to conditions requiring the submission and agreement of a Phase 1 Contaminated Land Risk Assessment and intrusive investigation, remediation and verification where need is identified. Following re-consultation, a Phase 3 remediation strategy is still required which is required to be pre-commencement.

57. Environmental Health Section (Noise) – No objection subject to conditions to control environmental impacts during the construction phase. It was considered that no further re-consultation was required as a result of the amendments submitted.
58. Environmental Health Section (Air Quality) – No objection in principle however dust management plan still required. It was considered that no further re-consultation was required as a result of the amendments submitted.
59. Ecologist – No objection subject to the inclusion of a bat roost which could be secured through planning condition. As a result of the re-consultation, details of Ecological enhancements have been submitted and agreed with the Ecologist. These details will therefore form part of the approved plans as opposed to a condition.
60. Affordable Housing Team – Confirms the requirement for affordable housing to be provided in accordance with Policy 15 of the CDP. As a result of the re-consultation, they are happy to accept the 100% affordable rent route which is proposed.
61. Landscape Section – Raised some concern originally noting that there would be no allocated public space as new bungalow frontages would be dominated by hard parking areas and access roads and footpaths. Following re-consultation, they raise no objection subject to the amended plan which has been received.
62. Spatial Policy Section – Confirms the development should principally be considered against the requirements of Policy 6 of the CDP, M(4)2 properties should be provided and confirm that a financial contribution of £19,130.10 is required to be spent on open space within the locality in lieu of onsite provision, in accordance with Policy 26 of the CDP.
63. The above has not changed as a result of re-consultation however they have also confirmed they are happy with the affordable housing approach on this application subject to being secured as part of the S106.
64. Local Education Authority – Confirm there is sufficient primary and secondary school places available within the locality and as such there is no requirement for any financial contribution in this regard. It was considered that no further re-consultation was required as a result of the amendments submitted.
65. Public Rights of Way Section – No objection. It was considered that no further re-consultation was required as a result of the amendments submitted.

PUBLIC RESPONSES:

66. The application has been advertised by means of site notice and by notifying neighbouring residents by letter. Originally, four letters of objections have been received with the following comments:
 - Concerns regarding access problems and existing problems accessing and departing properties with vehicles and will obstruct garage and access to front and side of dwellings
 - The potential rise in traffic and parked cars and the issues above are now becoming dangerous
 - The land should be converted to parking
 - There is no other place for kids to play and the grass should remain
 - Is one of the roads not a public right of way as it has been used by pedestrians and vehicles.

- The site should be cleared and made into some sort of play area.
67. One letter of support has also been received stating the bungalows are welcomed for the ageing community and the proposal will remove an area of untidy land.
68. Following re-consultation a further letter has been received with the following comments:
- Availability to comment on the proposal
 - There is already a lack of parking in the area, erecting 11 additional homes will only worsen this issue.
 - Concern regarding the stability of the land and the potential for subsidence which could cause structural damage.
 - Other uses for the land.
 - Legal action would be taken if structural issues occurred.

APPLICANT'S STATEMENT:

69. The application site currently comprises of an area of derelict land which unfortunately has become a dumping ground creating an eyesore for surrounding residents. The application submitted will redevelop the area to provide 11no. two bed bungalows with associated landscaping and parking.
70. The development will be undertaken in conjunction with the Registered Provider, Places for People. Places for People are the leading Social Enterprise, we engage and utilise all parts of our group to create and support thriving Communities across the UK. Our Developments arm delivers a wide range of housing across the country with a large focus on all types of affordable tenures.
71. As a Strategic Partner of Homes England, delivering over 7,000 homes through the 2016-21 and 2021-26 Affordable Homes Programmes, we have already seen the positive impact of a strategic approach to facilitate our ambitions to grow our overall development and affordable Communities. Our expertise in regeneration and placemaking, supported by Homes England, has enabled us to deliver homes in a range of large and small projects, building the right homes in the right places, and creating Communities that support education, health, wellbeing, employment, and inclusion.
72. Places for People currently manage more than 240,000 homes across the UK and have a wealth of housing and estate management experience which they bring with them to this development. The applicant believes that the proposals will enhance the overall area and provide much needed affordable bungalows to the area.

The above is not intended to list every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P8X9C0GDL8J00>

PLANNING CONSIDERATIONS AND ASSESSMENT

73. As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

74. The NPPF is a material planning consideration in this regard. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. The NPPF advises at Paragraph 219 that the weight to be afforded to existing Local Plans depends upon the degree of consistency with the NPPF.
75. The County Durham Plan is now adopted and is considered to represent the up-to-date Local Plan for the area. Consequently, consideration of the development should be led by the plan if the decision is to be defensible.
76. In this context, it is considered that the main planning issues in this instance are as detailed below:

Principle of the Development

77. This site is considered to be within the built-up area of New Brancepeth and is not allocated for housing within the County Durham Plan (CDP). Given this, Policy 6 of the CDP would be of relevance in this instance.
78. Policy 6 of the County Durham Plan supports development on sites which are not allocated in the Plan, but which are either within the built-up area or outside the built up area but well related to a settlement, stating that such development will be permitted provided it is compatible with the following:
 - a) Development should be compatible with, and not prejudicial to, any existing, allocated or permitted use of adjacent land;
79. The site is surrounded for the most part by residential properties, as such the residential use of this site would therefore be compatible with surrounding uses.
 - b) Development does not contribute to coalescence with neighbouring settlement, would not result in ribbon development, or inappropriate backland development;
80. There is no concern that the site would lead to coalescence with neighbouring settlements. In addition, given its location and relationship to the existing built form along with the proposed layout of dwellings on site, the development would not be considered ribbon or backland development.
 - c) Development does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigate or compensated for.
81. The application site does not fall within any designations for landscape or ecology value and is not within a conservation area of heritage value. The land is considered to be untidy at present and regularly suffers from fly tipping, as such the redevelopment of this site is welcomed.
 - d) Development is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of the settlement
82. The development is considered to be acceptable in this regard with more detailed consideration contained elsewhere in this report.
 - e) Development will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;

83. The development is considered to be acceptable in this regard with more detailed consideration contained elsewhere in this report.

f) Development has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement.

84. New Brancepeth is considered to be within a sustainable location with good access to shops, services, employment opportunities and public transport links. It is therefore considered to be capable of accommodating residential development of the scale proposed. The nearest bus stop is located to the north of Rock Terrace. In this regard, the proposed development would be well related to necessary facilities and sustainable modes of transport, and it is therefore not considered that future occupiers at the dwellings would be solely reliant on private vehicles as a consequence.

85. g) Development does not result in the loss of a settlements or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;

The development would not result in the loss of any facilities or services. As such there is no conflict with this criteria of the policy.

86. h) Development minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;

87. The site is not contained within Flood Zones 2 or 3 of the Environment Agency mapping system. From assessing the Strategic Flood Risk Assessment mapping layers associated with the Local Lead Flood Authority, there are no noted flood risk areas within the application site area. There is no conflict with this part of the policy, but further consideration is provided below.

88. i) where relevant, development makes as much use as possible of previously developed (brownfield) land;

The site has previously been considered acceptable for a mixed use development including residential development. The proposal is therefore considered to accord with this aspect of the policy as can be considered as a brownfield site.

89. j) where appropriate, it reflects priorities for urban regeneration.

It is not considered that criteria j is relevant in this instance.

90. On the basis of the above assessment, it is considered that the proposal would accord with the criteria set out in CDP Policy 6 and is therefore deemed acceptable in principle, subject to further considerations below.

Developer Contributions

91. CDP Policy 25 (Developer contributions) advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.

Affordable Housing / Mix of Dwellings

92. CDP Policy 15 establishes the requirements for developments to provide on-site affordable housing, the circumstances when off-site affordable housing would be acceptable, the tenure mix of affordable housing, the requirements of developments to meet the needs of older people and people with disabilities and the circumstances in which the specialist housing will be supported.
93. On sites of 10 or more units, for 25% of units in the highest value areas to 10% in the lowest. On sites of 10 or more units, 10% of the homes provided should be for affordable home ownership (starter homes, discount market sale housing and other affordable routes to home ownership). Any contribution above 10% should be provided as affordable housing for rent.
94. As this site is within a low value area, this development would require 10% affordable housing, which would result in 1 Affordable home ownership properties being provided.
95. Policy 15 however also states that where it can be evidenced by the applicant to the council's satisfaction that this tenure mix would make the required affordable housing contribution unviable or that alternative affordable housing products are required to meet local needs, then proposals for an alternative tenure mix as proposed by the applicant will be considered.
96. NPPF Paragraph 66 also states where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.
97. It goes on to state that exemptions to this 10% requirement should also be made where the site or proposed development is at section a) to provide solely for Build to Rent homes.
98. This application is understood to be supported by a Registered Provider who have confirmed that under their Strategic Programme they are signed up to deliver affordable rent and shared ownership properties. They are proposing to deliver this scheme all for rent and are not looking to offer just one single shared ownership unit as it is not viable for them due to the sales/marketing costs this would incur.
99. They go on to state that they consider that the delivery of 11no affordable bungalows is of far greater benefit to the local area than to deliver further market housing with only 1no shared ownership / discounted market sale property.
100. This is agreed by the affordable housing officers, Spatial Policy Officers and the Planning Officer who all consider that there is demand for these products in the area and subject to all properties being secured as part of the Section 106, it is considered that the proposal would be acceptable in this instance.
101. CDP Policy 15 also aims to meet the needs of older people and people with disabilities. On sites of 5 units or more, 66% of dwellings must be built to Building Regulations Requirement M4 (2) (accessible and adaptable dwellings) standard.

102. On sites of 10 units or more, a minimum of 10% of the total number of dwellings on the site are required to be of a design and type that will increase the housing options of older people. These properties should be built to M4(2) standard and would contribute to meeting the 66% requirement set out above. They should be situated in the most appropriate location within the site for older people. Appropriate house types considered to meet this requirement include:
- level access flats;
 - level access bungalows; or
 - housing products that can be shown to meet the specific needs of a multi-generational family.
103. All dwellings are proposed as bungalows and this would exceed the minimum requirements of Policy 15 as stated above.
104. CDP Policy 19 states that on all new housing developments the council will seek to secure an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations. The scheme proposes all bungalows however as there is considered to be need for this type of dwelling which has been confirmed by the Council's Affordable Housing this is considered acceptable. Therefore, Policy 19 of the County Durham Plan is considered to be met.

Open space / Green Infrastructure

105. CDP Policy 26 (Green Infrastructure) states that development will be expected to maintain and protect, and where appropriate improve, the County's green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
106. CDP Policy 26 and the Council's Open Space Needs Assessment (OSNA), calculate that on an average occupancy levels are 2.2 people per dwelling (Co. Durham average household size, 2011 Census). As such a scheme of 11 units would generate at least 24.4 people (11 x 2.2).
107. This scheme falls into the 1st category of Table 19 where a contribution should be sought for all typologies of open space in lieu of onsite provision. A contribution to improving existing facilities within New Brancepeth (bearing in mind the layout shows no on-site open space provision) would amount to £19,130.10 (24.2 x £790.50) to be secured by S106 legal agreement which the applicant has agreed to enter into.
108. Given this, and subject to a Section 106 Agreement being entered into to secure the required financial payment, the proposal is considered acceptable in respect of Policy 26 of the County Durham Plan.

Education Provision

109. Paragraph 95 of the NPPF confirms that the government places great importance to ensure that sufficient choice of school places is available to meet the needs of existing and new communities and requires LPAs to proactively meet the requirement.
110. The Council's Education Team have confirmed that in relation to both primary and secondary school pupils and based on the projected rolls of the schools, taking into account the likely implementation timeframe of the development, build rates and

other committed development there would be sufficient space and therefore, a contribution for additional secondary and primary school teaching accommodation is not required.

Health Contributions

111. Paragraph 34 of the NPPF required Local Authorities to have regard to setting where contributions are necessary within the Local Plan. In this regard CDP Policy 29(f) requires that developments should contribute to healthy neighbourhood and consider the health impacts and needs of the existing and future users.
112. The NHS has confirmed that no payment is required in this instance.

Developer contribution conclusion

113. The applicant has agreed to enter into the required Section 106 to secure the payments requested by relevant consultees and as such the proposal is considered to be in accordance with Policies 25 and 26 of the County Durham Plan identified to mitigate the impact on the development.

Impact on Residential Amenity

114. CDP Policies 6 and 31 seeks to prevent development that would have an unacceptable impact upon the amenity of existing neighbouring residents and only allow development where adequate amenity for future occupiers is provided. Part 11 of the NPPF requires planning decisions to ensure healthy living conditions and emphasises the importance of securing healthy places. Part 15 requires decisions to prevent new development from being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution such as noise pollution.
115. Paragraph 191 seeks to ensure that new development is appropriate for its location taking into account the likely effects of pollution on health and living conditions. In terms of noise, Paragraph 191 advises that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life.
116. CDP Policy 29 (Sustainable Design) requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable, including: making positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape proposals. Provision for all new residential development to comply with Nationally Described Space Standards, subject to transition period. Provision for major developments to appropriately consider the public realm in terms of roads, paths, open spaces, landscaping, access and connectivity, natural surveillance, suitable private and communal amenity space that is well defined, defensible and designed to the needs of its users.
117. CDP Policy 29 also require that new major residential development is assessed against Building for Life Supplementary Planning Document, to achieve reductions in CO2 emissions, to be built to at least 30 dwellings per hectare subject to exceptions. It also states that all new residential development should meet Nationally Described Space Standards (NDSS).

118. The dwellings are proposed to be located within a residential area with residential properties on all sides with the exception of a commercial premises (takeaway) located at the end of Edward Terrace, however this business is already situated within close proximity to sensitive receptors, and it is not considered that this proposed development would interfere with the operation of that business.
119. It is noted that during the construction phase the development could lead to negative impact upon existing residential receptors due to their close proximity. However, it is considered that this could be mitigated by the submission of a Construction Management Plan secured by pre-commencement planning condition and also a condition regarding the hours of construction.
120. Subject to the inclusion of planning conditions in this regard the Council's EHO raises no objection to the application.
121. With regard to space standards and the requirement of Policy 29 of the County Durham Plan that all new development accord with the Nationally Described Space Standards, it is noted that the scheme has been designed to be fully NDSS compliant and the application provides sufficient information to demonstrate that this is the case.
122. The amended scheme essentially relocates the development further to the east, retaining the two cul-de-sac arrangements as previously proposed and changes the house type of the dwellings proposed to the registered providers standard house types.
123. In addition to the above policies of the CDP, the Council has adopted a Residential Amenity SPD which sets out minimum requirements in relation to privacy distances and private outdoor amenity space (Gardens).
124. Given the nature of the proposal being bungalows, a minimum of 18m should remain between facing elevations containing windows to habitable rooms and garden depths of 9m should be provided. These are considered to be met both internally within the site and those neighbours located to the east and west of the site.
125. The SPD also goes on to state that where a main facing elevation containing a habitable room window is adjacent to a gable wall which does not contain a habitable room window, a minimum distance of 13.0m shall be provided where either dwelling exceeds single storey, or 10.0m where both dwellings are single storey.
126. The proposed dwellings would present blank gable elevations to both Rock Terrace and Edward Terrace which themselves are both terraces of two-storey dwellings. Therefore, a minimum separation distance of 13m is advised by the SPD. However, it is considered that a 10m distance can be applied in this instance given the proposed dwellings would be subject to any impact rather than the existing dwellings given they are single storey bungalows, any impact would be considered limited and weighed against the position impacts of redeveloping what is currently unmanaged and subject to previous untidy land complaints.
127. In respect of adjacent properties at Edward Terrace to the south, all properties meet the 10m requirement including those with single-storey projections. In respect of the neighbouring properties at Rock Terrace, it is noted that there is a change in levels across the site which falls away to the north.
128. The Council's SPD states at section 3.4 that where there is a significant change in levels, the minimum separation distance will increase by 1 metre for every 1 metre

that the floor level of the development would be above the affected floor or ground level of the neighbouring property.

129. A plan showing the site topography has been submitted in support of the application which identifies a 2-3 metre change in levels in this regard and as such a separation distance of 12-13 metres is therefore required in accordance with the SPD.
130. Submitted plans show that this distance can be achieved between the northern gable of the proposed dwellings and the rear facing elevations of those properties at Rock Terrace. As such the development is considered acceptable in this regard.
131. Between Plot 11 and Edward Terrace the end terrace being no. 31, separation distances of around 14 metres can be achieved. A ground floor window is in existence on this gable elevation however it is obscurely glazed therefore, the proposal is considered acceptable in this respect. No impact is considered to occur on no. 4 Model Gardens which is located to the south of Plot 11.
132. Objections have been raised regarding access to an existing neighbour's garage at no. 4 Model Cottages and access to the front of their property. However, the application has since been amended to retain access to this property.
133. An air quality report was submitted and the findings of this is considered acceptable however a Dust management Plan is still required which is considered to be incorporated within the Construction Management Plan which is added as a pre-commencement condition as part of this application.
134. In light of the above it is considered that the residential amenity of the neighbouring properties would not be compromised by the development although, given the constrained nature of the site and the proximity of existing residential properties it is considered prudent to remove permitted development rights relating to future extensions.
135. The proposal is therefore considered acceptable in respect of Policies 29 and 31 of the CDP in respect of residential amenity subject to the conditions stated.

Scale/Design

136. Part d of Policy 6 of the CDP states that a proposal should be appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement. CDP Policy 29 (Sustainable Design) requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable, including: making positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape proposals.
137. The site occupies a linear parcel of land set between 2 rows of terraced properties to the north and south and comprises a proposed layout consisting of 4 pairs of semi-detached bungalows that would present gable elevations to the facing elevation of Rock Terrace and Edward Terrace.
138. The dwellings have been designed as bungalows which is considered acceptable given the change in land levels and would appear as a logical step up from Rock Terrace to the proposal and then again up to Edward Terrace.

139. Whilst the character of the surrounding area is one principally comprising long linear rows of terraces housing, it is nevertheless considered that the introduction of semi-detached bungalows in this location would provide some variety to visual amenity of the locale.
140. In terms of design the proposed arrangement would be in keeping with surrounding properties despite being of a lesser scale. In terms of materials, it is proposed that the dwellings are constructed from Forterra Edwardian Dragface Facing Brickwork with Dark Grey Sandtoft Calderdale Edge Concrete tiles. A black composite front doors and white UPVC rear door is also proposed to each dwelling along with which upvc fascias and soffits and black rainwater good. These are considered acceptable and can be secured through inclusion via the standard condition which requires the development to be carried out in accordance with the approved plans.
141. In light of the above it is considered that the proposal would be an appropriate development for the area and would deliver some considerable benefits given the site is currently untidy to the extent it detracts from the visual amenity of the surrounding area.
142. Subject to the above, the proposal is considered acceptable in respect of Policy 29 of the County Durham Plan and Part 12 of the NPPF.

Sustainability

143. CPD Policy 29 states that all new development should minimise greenhouse gas emissions, by seeking to achieve zero carbon buildings and providing renewable and low carbon energy generation, and include connections to an existing or approved district energy scheme where viable opportunities exist.
144. The applicant has provided a sustainability statement which confirms that materials will be sourced locally, and it has also been confirmed that solar panels and an electric vehicle charging point will be added to each property.
145. As such, Part 29(c) of the CDP is considered to be met.

Broadband

146. CDP Policy 27 states new residential and commercial development should be served by a highspeed broadband connection. This will need to be directly accessed from the nearest exchange and threaded through resistant tubing to enable easy access to the cable for future repair, replacement and upgrading. Where it can be demonstrated that this is not appropriate, practical or economically viable, developers will be encouraged to provide appropriate infrastructure to enable future installation.
147. Subject to a condition requiring this information to be submitted, policy 27 of the CDP is considered to be met.

Landscaping

148. CDP Policy 6 sets out developments should not contribute to coalescence with neighbouring settlement, would not result in ribbon or inappropriate backland development. The Policy also requires that development should be appropriate in scale, location and form and setting of a settlement.

149. CDP Policy 39 states proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects.
150. Concern was originally raised by the Council Landscape Section that the development failed to include any allocated public space as new bungalow frontages would be dominated by hard parking areas, access roads and footpaths. They consider that the proposed bungalows would not front onto any green space and that the development would be stark in character, dominated by car parking and hard landscape elements.
151. As part of the original scheme amendments were received that introduced some landscaping which whilst minimal was considered to ensure that conflict with policy would not occur.
152. However, this provision was removed as part of the first amended submission. Upon advice from the Council's Landscape Section further amendments have been submitted which show native trees at the entrance to each parking court would likely require a protective root barrier given their proximity to the proposed buildings. The remaining beds would then be populated with ornamental or native shrubs and ground cover species which would add colour and interest. The rear gardens remain not planted and would be managed by the occupants.
153. This landscape approach is considered appropriate in terms of future maintenance and the creation of a safe and secure environment with visibility splays and reasonable levels of surveillance.
154. In terms of character the landscape approach would not be out of keeping with the surrounding adjacent predominantly hard terraces and backyards. As such no concern is raised from landscape and visual perspective and the proposal would be considered acceptable in accordance with policy 39 of the County Durham Plan and part 15 of the NPPF. It is considered however that the exact species etc are required to be provided which can be controlled via condition.

Highway and Pedestrian Safety/Impact on Public Rights of Ways (PROW)

155. Policy 21 of the CDP requires all development to ensure that vehicular traffic generated can be safely accommodated and to have regard to the Council's Parking and Accessibility Standards Supplementary Planning Document. In addition, policy 6 of the CDP requires new development to not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity. This approach displays broad accordance with the aims of paragraph 115 of the NPPF.
156. Notwithstanding the above, the residents of neighbouring properties have raised concern at the limited availability of parking both within the development itself and the wider locality, which they consider to be an existing issue that would be compounded by the proposal. In addition, residents consider that the access into and out of the proposed dwellings would be limited and dangerous.
157. Notwithstanding the above, it is noted that the development would be served by 2 short cul-de-sac style streets providing access to the parking provision with the remaining being accessed from The Bungalows at the Eastern part of the site. As part of the previous application, 15 parking spaces were proposed which was considered acceptable, and as part of this application 22 spaces are proposed. The Council's Parking Standards state at least 2 parking spaces per 2 bedroom dwelling

should be provided which the proposal meets. The proposal however does not provide any visitor parking which in this instance would be 2 spaces based on the SPD. An electric charging point per dwelling has also been provided as identified and annotated as 'e' on the proposed site layout plan.

158. In light of the above, the proposal fails to fully accord with the Council's current parking standards in that it requires 2 visitor parking spaces in addition to those identified on the submitted plans. However, it is noted that when the application was originally considered by the committee the overall parking provision was considered adequate, and that there would be no adverse impact in terms of highway safety, as confirmed by the Highway Authority.
159. Nevertheless, the application must now be considered against the requirements of the Council's new Parking Standards which require a further 2 No. visitor parking spaces. There is therefore some level of conflict with the current standards in this regard. However, paragraph 115 states that development should only be refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In addition, the Council's SPD states "In certain circumstances which can be evidenced, for example, for reasons of sustainability, design or viability, a deviation from these guidelines may be considered."
160. In this case The Highway Authority has confirmed that the level of traffic generated by the proposals would be limited and could be safely accommodated on the surrounding road network despite the marginal shortfall in visitor parking. In addition, it is noted that the site is considered a blight site which currently has a detrimental impact upon the character and appearance of the surrounding locality and as such its re-development would present notable benefits in this regard sufficient to outweigh the limited conflict with the current parking standards.
161. In light of the above no highway objection is raised and the proposal is considered acceptable in respect of policy 21 of the County Durham Plan and part 9 of the NPPF.

Land Contamination and Stability

162. Paragraph 189 of the NPPF advises that planning decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. In line with this, CDP Policy 32 states that development will not be permitted unless the developer can demonstrate that:
 - a. any existing despoiled, degraded, derelict, contaminated or unstable land issues can be satisfactorily addressed by appropriate mitigation measures prior to the construction or occupation of the proposed development;
 - b. the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities; and
 - c. all investigations and risk assessments have been undertaken by an appropriately qualified person.
163. A Phase 2 Geo-Environmental Site Assessment (2024) has been submitted and assessed by Land Contamination Officers. They have confirmed that the report has identified the need for remedial works and as such a Phase 3 remediation strategy which where necessary should include gas protection measures and method of verification is required to be submitted.

164. As noted, part of the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. Concern has also been raised regarding the stability of the land and the potential for subsidence to occur and damage to the properties being built or existing properties surrounding the site.
165. The Coal Authority records indicate the western part of the site is in the likely zone of influence from workings in 6 seams of coal at shallow to 167m depth, last worked in 1934 and within 20m of an off-site mine entry (CA shaft ref: 422541-006). The Coal Authority hold no treatment details for this mine entry and due to the historic source plans used to plots its current position, this could vary by several metres.
166. Site Investigation works were therefore required to be carried out and these have been carried out and the reports submitted. The Coal Authority considers that the content and conclusions of the report are sufficient in demonstrating that the application site is safe and stable for the proposed development. An informative however is required to ensure that if any coal mining features are unexpectedly encountered during development the Coal Authority is informed immediately.
167. Subject to the inclusion of a planning condition and informatives identified, the proposal is considered to accord with policy 32 of the CDP and paragraph 189 of the NPPF.

Drainage

168. CDP Policy 35 (Water Management) requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SUDS and aims to protect the quality of water.
169. Whilst CDP Policy 36 (Water Infrastructure) advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and wastewater infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
170. The Drainage team acknowledged that there is no surface water outlet and therefore the connections will be to the combined system. They have also advised that the surface water need not be treated but it should be attenuated to a discharge rate equivalent to QBAR Rural rate.
171. A drainage strategy is therefore, required and normally this would be required prior to a decision being issued however in this instance the drainage team are satisfied that an appropriate scheme could be achieved, it is felt that this can be dealt with via a pre-commencement condition.
172. It is considered therefore, that subject to conditions the scheme is acceptable in relation to Policies 35 and 36 of the CDP.

Ecology

173. Part 15 of the NPPF seeks to ensure that when determining planning applications, Local Planning Authorities seek to conserve and enhance biodiversity. CDP Policy 41 seeks to resist proposals for new development which would otherwise result in significant harm to biodiversity or geodiversity, which cannot be avoided, or appropriately mitigated, or, as a last resort, compensated for. Proposals for new development will be expected to minimise impacts on biodiversity by retaining and enhancing existing biodiversity assets and features and providing net gains for biodiversity including by establishing coherent ecological networks.
174. The Ecology report submitted by OS Ecology is considered acceptable and no further surveys are required. Details of the bat and bird boxes have been provided which are required to be installed to provide an ecological enhancement. This has been assessed by Ecology Officer and no objection is raised. The proposal is therefore, is considered acceptable in accordance with Policy 41 of the CDP and part 15 of the NPPF.

Other Issues

175. A number of residents have raised concerns that alternative uses for the site have not been explored and that these should be considered before the site is redevelopment for housing. In response it is noted that historically the site has been used informally as open space and for private amenity purposes but that in some cases these uses were unauthorised and have resulted in an untidy site. In any event the Local Planning Authority must determine the current planning application based on its planning merits and against relevant local and national planning policy. In this respect there is no requirement to consider alternative uses before residential redevelopment.

Public Sector Equality Duty

176. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic.
177. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

CONCLUSION

178. The proposals have been assessed against relevant policies and are considered to accord with appropriate criteria and requirements and is acceptable in principle subject to conditions, in that it would not have an unacceptable impact upon the character and appearance of the surrounding area, residential amenity, ecology, flooding and surface water, landscape and contaminated land in accordance with Policies 6, 29, 31, 32, 35, 36, 39, 41 and 44 of the County Durham Plan and Parts 5, 6, 12, 14, 15 and 16 of the NPPF.
179. Despite some limited conflict with the Council's current Parking and Accessibility SPD there would be no adverse impact to highway safety sufficient to sustain refusal

of the application and as such the development would accord with Policy 21 of the CDP and Part 9 of the NPPF.

180. Some public interest has been generated by this proposal with concerns raised regarding highway safety/parking as well as alternative uses should be considered. however, on balance the concerns raised were not felt to be of sufficient to justify refusal of this application.
181. The application is therefore, recommended for approval subject to entering into a Section 106 Agreement.

RECOMMENDATION

That the application be **APPROVED**, subject to a s106 agreement to provide:

- Open Space Contributions of £64,538.10
- Affordable Housing Provision in the form of 11 onsite affordable dwellings to rent

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 approved plans listed in Part 3 - Approved Plans.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 6, 21, 29 and 31 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

3. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:

1. A Dust Action Plan including measures to control the emission of dust and dirt during construction.
2. Details of methods and means of noise reduction/suppression.
3. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
4. Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
5. Designation, layout and design of construction access and egress points.
6. Details for the provision of directional signage (on and off site).
7. Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.
8. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.

9. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.
10. Routing agreements for construction traffic.
11. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
12. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
13. Management measures for the control of pest species as a result of demolition and/or construction works.
14. Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre commencement to ensure that the whole construction phase is undertaken in an acceptable way.

4. No development shall commence until such time as a scheme detailing the precise means of broadband connection to the site has been submitted to and agreed in writing by the local planning. Thereafter, the development shall be carried out in accordance with the agreed detail.

Reason: To ensure a high quality of development is achieved and to comply with the requirements of policy 27 of the County Durham Plan.

5. No development shall commence until a land contamination scheme has been submitted to and approved in writing by the Local Planning Authority which shall include a Phase 3 remediation strategy and where necessary include gas protection measures and method of verification.

Reason: To ensure that the presence of contamination is identified, risk assessed and proposed remediation works are agreed in order to ensure the site suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

6. No development other than ground clearance or remediation works shall commence until a scheme for the provision of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be developed in accordance with the Councils Sustainable Drainage Systems (SuDS) Adoption Guide 2016. The development thereafter shall be completed in accordance with the details and timetable agreed.

Reason: To ensure that surface and foul water are adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.

7. Prior to first occupation of any dwelling hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

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:

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 Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

8. The proposal shall be carried out in strict accordance with section 6 Recommendations of the Preliminary Ecological Appraisal prepared by OS Consulting dated December 2021.

Reason: In the interests of protected species in accordance with policy 43 of the County Durham Plan and part 15 of the NPPF.

9. In undertaking the development that is hereby approved: No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0730 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), no development under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) shall take place without the grant of further specific planning permission from the Local Planning Authority.

Reason: In the interests of the amenity of the surrounding area in accordance of Policies 29 and 31 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

11. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development. No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area and to comply with Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

12. Remediation works shall be carried out in accordance with the approved remediation strategy. The development shall not be brought into use until such time a Phase 4 Verification report related to that part of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority 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.

BACKGROUND PAPERS

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

The National Planning Policy Framework (2023)

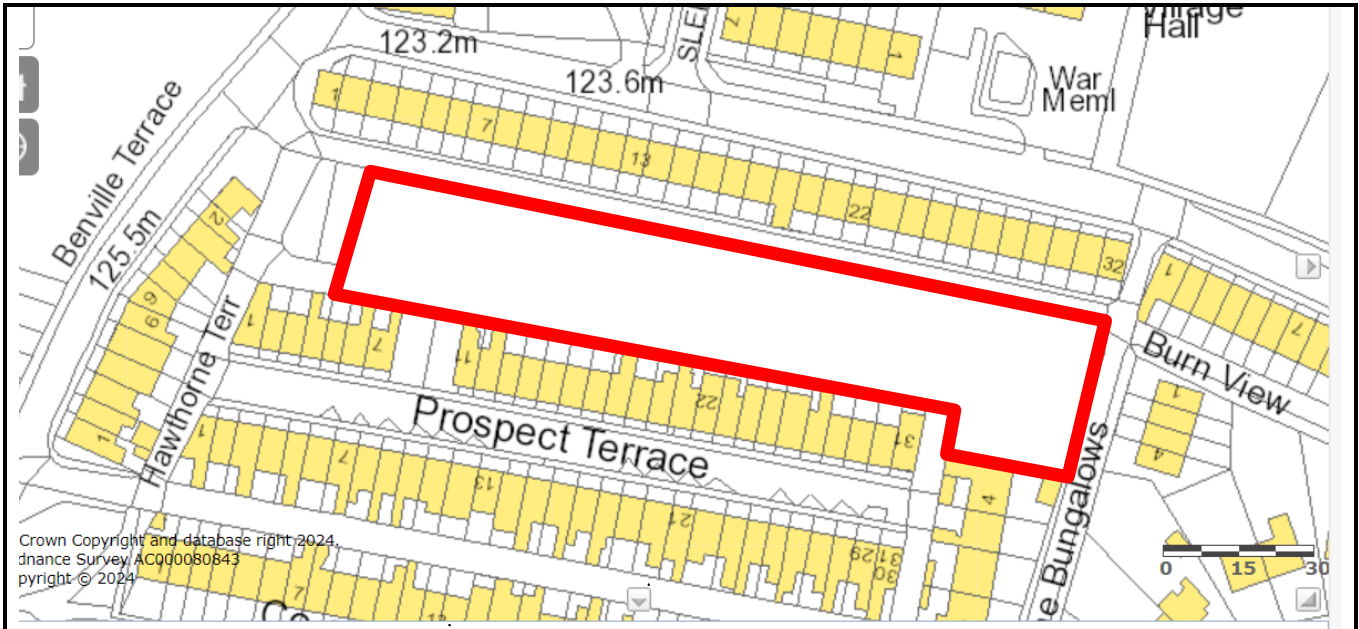
National Planning Practice Guidance Notes

County Durham Plan

Statutory, internal and public consultation responses

Residential Amenity Standards Supplementary Planning Document January 2023

DCC Parking and Accessibility SPD Adoption Version 2023



Planning Services

Erection of 11 bungalows at Land To The Rear Of
 Rock Terrace, New Brancepeth, DH7 7EP

Application Reference: DM/21/01141/FPA

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Date: May 2024

Scale NTS