

# Item 5

## SEDFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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1. 7/2005/0804/DM APPLICATION DATE: 10 November 2005

PROPOSAL: **PROPOSED TOURISM FACILITIES INCLUDING ALL WEATHER MENAGE, UPGRADING OF EQUESTRIAN GALLOPS AND CROSS COUNTRY TRACK, CYCLE HIRE FACILITIES AND ERECTION OF BARN AND EXTENSION TO FARMHOUSE FOR BED AND BREAKFAST ACCOMMODATION AND ACCESS AND CAR PARK TO PROPOSED FISHING LAKE**

LOCATION: **BRANDON HILL FARM TURSDALE CO DURHAM**

APPLICATION TYPE: Change of Use

APPLICANT: Mr Hall  
Brandon Hill Farm, Tursdale, Co Durham

#### CONSULTATIONS

1. CORNFORTH P.C.
2. Cllr. A. Hodgson
3. Cllr. M. Predki
4. DCC (PLANNING)
5. DCC (TRAFFIC)
6. CITY OF DURHAM
7. HEALTH & S.E.
8. ENGINEERS
9. ENV. HEALTH
10. L.PLANS
11. LANDSCAPE ARCH
12. DCC (PROWS)
13. WILDLIFE TRUST
14. ENGLISH NATURE
15. ENV AGENCY

#### NEIGHBOUR/INDUSTRIAL

The Grange  
Hoggergate Farm  
Brandon House  
The Old Mill Inn  
Hillside  
Ramsey Street:48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,School House  
Wayside Cottage  
Aged Miners War Memorial Homes:6,5,4,3,2,1  
KPL Engineering

#### BOROUGH PLANNING POLICIES

L6 Development of Leisure Facilities and Uses Outside Towns and Villages  
L20 Hotels and Visitors Accommodation

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T7	Traffic Generated by New Development
D10	Location of Potentially Polluting Developments
D1	General Principles for the Layout and Design of New Developments
E14	Safeguarding Plant and Animal Species Protected by Law

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#### PROPOSAL

Planning permission is sought for a tourism related development at Brandon Hill Farm, Tursdale. The site already features a farmhouse and attached cottage, and a substantial 'U' shaped stable block that is currently being restored by the applicants. There is also a gallops track that has been previously used for private equestrian purposes. A dilapidated steel framed agricultural building at the front of the site and an open fronted barn behind the stables would be demolished.

The entire planning unit extends to approximately 13 hectares, a small part of which lies to the north of the Borough boundary, within the area of Durham City Council.

New proposals that are introduced in the current application are:

- A Fishing lake with separate vehicular access / parking spaces, and disabled access
- All-weather ménage (40m x 20m)
- Upgraded gallops and new cross-country track
- Cycle hire facilities
- Agricultural barn (60m x 30m).
- Extensions to main farmhouse to include 3 rooms for Bed and Breakfast

The major elements of the proposal can be more fully described as follows:

#### **Fishing lake, access and parking**

It is proposed to form a fishing lake in the northern part of the Brandon Hill Farm site. The lake would straddle the administrative boundary with Durham City Council, and would have a total surface area of about 0.9 hectares (9000 square metres). A car park would be constructed adjacent to the lake, accessed from the A177 Thinford Road by way of a new junction and access track with traffic calming measures.

#### **All weather ménage**

Situated in the south west of the site, this 40m by 20m arena would be used for equestrian purposes, and would have landscape mounding to the east and south to assimilate the development into the landscape.

#### **Upgraded gallops and new cross-country track**

The upgrading works apply to an existing oval exercise track (350m by 160m) for which planning permission was granted several years ago to a previous landowner. The proposed cross country track would be formed around the periphery of the site, close to the eastern and southern boundaries, crossing the narrow mid-point of the fishing lake in the north, and running to the east of the farmhouse and stables on the western side.

#### **Cycle hire facilities**

These would be located in part of the existing refurbished stable block.

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#### **Agricultural barn**

This would be a substantial building situated to the south east of the stables. Measuring 60m by 30m, it would have an overall height to the ridge of 9 metres, falling to only 5 metres at the eaves. The building would be constructed from close-boarded timber walls and fibre cement profiled roof sheets, and it is arguable that the use of natural stonework in the lower 2 metres of the walls would result in a higher quality development than would normally be found in the countryside.

#### **Extensions to the farmhouse**

This element of the proposal has been significantly amended following negotiations with officers. The amended plans describe a two-storey extension projecting northwards from the rear of the farmhouse, connecting to the stable block, which would be extended northwards to accommodate a swimming pool facility. Two new elements to the east would offset the loss of stabling. A porch would be erected to the front entrance. The extensions would be constructed of natural stone, with fenestration and detailing to match the existing farmhouse, and natural slate roof. The extended farmhouse would provide bed and breakfast facilities comprising three en-suite bedrooms and the adjoining cottage.

The submitted plans indicate that extensive landscaping works would be carried out around the periphery of the site, together with supplementary planting in key locations around the fishing lake, car park, cross country track and extended farmhouse.

A general supporting statement and ecological reports were submitted with the application, and an environmental impact assessment was submitted later when it was considered necessary by the authority.

#### CONSULTATION AND PUBLICITY RESPONSES

Cornforth Parish Council supports the proposal as it believes that it constitutes a sustainable tourist facility that would be of benefit to the area.

The Forward Planning Team considers that the proposal can be regarded as acceptable provided there would be no detrimental impact on the appearance of the local countryside or unacceptable congestion on the local road network. In particular, it is concluded that the proposal would comply with Policies L6 and L20 of the Borough Local Plan, and would not be prejudicial to the countryside, meeting the main aims of Policies 1, 2, 4, and 24 of the County Structure Plan. It is also considered that the proposal would conform to regional planning guidance.

The Engineering Services Team has no objections to the proposal, but points out that two vehicle accesses would need to be constructed to Highway Authority standards.

The Highway Authority has no fundamental objection to the proposal, which incorporates several essential features to ensure adequate highway visibility. Some technical comments have been made which can be dealt with by way of the imposition of conditions on any planning permission granted.

The Environment Agency has no objections to the proposal and has recommended specific conditions to be attached to any consent granted.

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English Nature (now Natural England) has no objections, subject to certain conditions relating to timing of development works and methods of working.

#### **PLANNING CONSIDERATIONS**

The main purpose of this proposal is to develop a leisure / tourism facility that focuses primarily on equestrian and angling activities. Both these leisure uses necessarily involve large sites and, as a matter of principle, are more easily accommodated in the open countryside.

Policy L6 of the Local Plan permits leisure developments outside towns and villages provided they would not be detrimental to the appearance of the local countryside, result in the loss of an area of nature conservation or archaeological interest contrary to Policies E10, E11, E12 & E17, be harmful to the living conditions of local residents or result in congestion of the local road network contrary to Policy T7.

Policy L20 sanctions development of visitor accommodation on the edge of towns and villages except where it would have significant harmful effects upon the living conditions of local residents, and allows similar development in the open countryside if there would be no harm to the countryside itself.

#### **The Leisure Development**

Brandon Hill Farm already comprises a fairly significant collection of buildings, including the farmhouse, attached cottage, and large stable block. The only existing detrimental feature is the rusty framework of a previously approved barn, situated in a very prominent location at the front of the site, and this would be demolished as part of the development proposal.

The current proposal involves the erection of a large barn some 20 metres to the east of the existing dilapidated structure, where the ground level is slightly lower. Despite its size, it is considered that the resulting lower ground level and proposed peripheral landscaping would effectively assimilate the new building into the countryside when viewed from the nearest vantage points to the south and west. Its construction materials and detailing would be typical of most large buildings situated in the countryside, and it could be reasonably argued that the use of natural stone for the flank walls would add a higher quality to the development and help to consolidate it visually with the existing buildings. The open ménage would be located adjacent to the barn and would be a simple fenced arena, screened with additional mounding to the south and east.

The most significant operational development would be the formation of the fishing lake. At just over 300 metres long and varying in width from 10 to 50 metres, the surface area of the lake would be less than 1 hectare. It would be formed on gently sloping land using cut and fill engineering operations, with a mean level approximately 2 metres above Coxhoe Beck, some 50 metres to the north. An adjacent car park shown on the layout plan would provide space for 27 vehicles, served by an access track wide enough to allow vehicles to pass. Access to this facility would be taken from the A177 at a point in the southeast corner of the application site.

Ancillary facilities would include cycle hire, operated from part of the existing stable block. A small car park for 8 vehicles would be provided here. A short stretch of public footpath would be diverted at this point to avoid conflict between walkers and activities on the site.

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It is considered that the proposal represents an opportunity to remove poor quality development, provide new well-designed development and secure landscape enhancements that would improve the appearance of the local countryside. There is no objection to the proposal from the Highways Authority, but technical aspects of vehicle access would need to be controlled by condition. The application is supported by a general statement, environmental impact assessment and ecological reports that meet the requirements of the statutory consultees. It is not considered, therefore, that the applicable environmental restraint policies of the local plan have been satisfied, and that the proposal therefore accords with Policy L6.

The rural location would also ensure that the development would not conflict with Policy D10 in terms of the effect upon pollution sensitive users.

#### **The Tourism Development**

The proposal includes extensions to the farmhouse to introduce bed and breakfast facilities, with swimming pool, to compliment the leisure development. Policy L20 of the Local Plan specifically permits such developments in the open countryside, particularly where any major extensions or rebuilding are sympathetically designed. In this case, the originally proposed extension was considered too large and of an inappropriate contemporary design for this traditional rural farmhouse. Negotiations have resulted in a more acceptable form of development, of stone construction with slate roofs and windows of an appropriate pattern. The precise detailing could be controlled by way of conditions. The development is considered to accord with Policy L20.

#### **CONCLUSION**

The amended proposal is considered to be acceptable against the applicable environmental and leisure policies of the local plan, and would expand the range of leisure and tourism facilities in the Borough. The application site is located adjacent to an important northern gateway to the Borough from the A1(M) motorway, and the redevelopment of the site and associated landscape works would contribute to the aims of the development plan in terms of enhancing the natural and built environment.

In addition, the proposal is considered to be in general conformity with PPS7 (Sustainable Development in Rural Areas) which supports conversion of suitable existing rural buildings to provide hotel and other serviced accommodation, and advocates that local authorities help to ensure the future viability of tourist accommodation by adopting a positive approach to development of such facilities.

**It is therefore RECOMMENDED that planning permission be approved subject to the following conditions:**

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. Notwithstanding any description of the materials in the application, no development shall be commenced until details of the materials and detailing to be used for the external surfaces, including the roof and render colour, of the building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

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Reason: To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

3. The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans: amended plans received on 2nd March 2006. (drg. no. 0002 rev. D) and 28th December 2006 (drg. no's. 201 rev. PO8, 202 rev PO8, 203 rev. PO7 & 204 rev.P8)

Reason: To ensure that the development is carried out in accordance with the approved documents.

4. The proposed development shall be served by vehicle access(es) constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the formation of a satisfactory means of access in the interests of highway safety, and to comply with Policy T6 (Improvements in Road Safety) of the Sedgefield Borough Local Plan.

5. The car parks shown on the plan hereby approved shall be marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be agreed with the Local Planning Authority. The car parks shall be retained and maintained in accordance with the approved details for as long as the use remains.

Reason: To make proper provision for off-street parking and to comply with Policy T9 (Provision of Car Parking) of the Sedgefield Borough Local Plan.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The landscaping shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

8. Prior to the commencement of development on site a detailed tree survey shall be carried out and submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the recommendations of the tree survey unless otherwise agreed in writing by the Local Planning Authority. No trees on the site shall be lopped, topped, pruned or felled, without the prior consent of the Local Planning Authority. Any

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trees which are removed with consent shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To preserve the visual amenity of the area, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

9. Before any works are commenced, detailed drawings showing the finished floor level of the proposed new barn relative to the existing adjacent site levels shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed entirely in accordance with those approved details.

Reason: To ensure the satisfactory assimilation of the proposed barn into the surrounding landscape in accordance with Policy L6 (Development of Leisure Facilities and Uses outside Towns and Villages) of the Sedgefield Borough Local Plan.

10. Notwithstanding details shown in the plans and elevational drawings hereby approved, full details of the proportions, design, construction materials and finishes of all windows and the rear porch to the extended dwellinghouse shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall be carried out in accordance with those approved details.

Reason: In the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan

11. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment and to comply with Policy D13 of the Sedgefield Borough Local Plan.

12. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage including flow attenuation has been submitted and approved in writing by the Local Planning Authority. The details thereby approved shall be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment and to comply with Policy D13 of the Sedgefield Borough Local Plan.

13. No development shall take place otherwise than entirely in accordance with the mitigation measures detailed within the bat report entitled `Bat Survey, Farmhouse, Brandon Hill Farm, Turisdale (Barrett Environmental Ltd., October 2005)` implemented in full.

Reason: To conserve protected species and their habitat and to comply with Policy E14 (Safeguarding Plant and Animal Species Protected by Law) of the Sedgefield Borough Local Plan.

14. Structures at the farmhouse must be removed by hand, being aware that bats may be present beneath slates or tiles, within mortise joints, cavity walls, between loose stones, fascia boards, between lintels and in gaps around window frames.

Reason: To conserve protected species and their habitat and to comply with Policy E14 (Safeguarding Plant and Animal Species Protected by Law) of the Sedgefield Borough Local Plan.

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15. Development shall not be commenced within the bird breeding season (March to mid-August inclusive).

Reason: To ensure that the development does not damage or disturb birds that are nesting and breeding on the site and to comply with Policy E14 (Protection of Wildlife) of the Sedgefield Borough Local Plan

**INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION**

In the opinion of the Local Planning Authority the proposal represents development that would not be detrimental to the local countryside, nature conservation or archaeological interests, the living conditions of local residents or highway safety.

**INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION**

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan as set out below, and to all relevant material considerations.

L6 Development Of Leisure Facilities And Uses Outside Towns And Villages

D10 Location Of Potentially Polluting Developments

L20 Hotels and Visitors Accommodation

T7 Traffic Generated by New Development

D1 General Principles for the Layout and Design of New Developments

E14 Safeguarding Plant and Animal Species Protected by Law



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2. 7/2006/0521/DM APPLICATION DATE: 14 August 2006

PROPOSAL: **ERECTION OF RESIDENTIAL DEVELOPMENT WITH ASSOCIATED MEANS OF ACCESS**

LOCATION: **ROSE STREET TRIMDON GRANGE TRIMDON STATION TS296EH**

APPLICATION TYPE: Outline Application

APPLICANT: George Wimpey  
Lockhead Court, Preston Farm Industrial Estate, Stockton on Tees,

#### CONSULTATIONS

1. TRIMDON P.C.
2. Cllr. Mrs L. Hovvels
3. DCC (PLANNING)
4. DCC (TRAFFIC)
5. NORTHUMBRIAN WATER
6. BUILDING CONTROL
7. ENV AGENCY
8. ENGINEERS
9. ENV. HEALTH
10. L.PLAN
11. ECONOMIC DEV
12. LANDSCAPE ARCH
13. POLICE HQ
14. DCC (PROWS)
15. ENGLISH NATURE
16. WILDLIFE TRUST
17. Countryside Team

#### NEIGHBOUR/INDUSTRIAL

Cooperative Terrace:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20  
S W Steel Crafts Ltd Volante PTIS Ltd Ennefar Hurworth Burn House Home  
Hurworth Burn House Nursing Home Galbraith Terrace:10,9,8,7,6,5,4,3,2,1  
Methodist Church Quarry Garage MK Motors  
The Welsh Harp Dovecote Inn

#### BOROUGH PLANNING POLICIES

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|----|--|
| H8 | Residential Frameworks for Larger Villages                       |
| T6 | Improvements in Road Safety                                      |
| T7 | Traffic Generated by New Development                             |
| L1 | Provision of Open Space, including Standards                     |
| L2 | Provision of Open Space in New Housing Development               |
| D1 | General Principles for the Layout and Design of New Developments |
| D2 | Design for People  |
| D3 | Design for Access  |

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D5	Layout of New Housing Development
D11	Location of Pollution Sensitive Developments
D12	Provision of Sewage Treatment
D13	Development Affecting Watercourses

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#### BACKGROUND

This application was originally included in the agenda for Development Control Committee held on 8<sup>th</sup> December 2006. Consideration and determination of the application was however deferred at the request of the applicant to allow further negotiation to take place on the affordable housing aspect of the proposal. This aspect is addressed in more detail in the addendum to the 'affordable housing' section of this report. An update on new national planning policy which has come into force since the original report was written is contained in the 'policy' section.

#### THE PROPOSAL

This application seeks outline permission for residential development and means of access with details relating to siting of buildings, design and external appearance and landscaping reserved for submission at a later date. The site area is approximately 1.58 hectares. Accompanying the application is a Supporting Statement and Summary of Community Consultation. The applicant has also submitted an indicative layout that shows how the site would be accessed and may be developed.



The layout indicates a variety of detached, semi-detached and terraced dwellings, the majority of which would be arranged around a 'T' shaped roadway leading from Rose Street. Eight dwellings are shown fronting onto, and directly accessed from Rose Street, which presently serves the predominantly commercial/industrial use of the land. All dwellings would have good

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standards of amenity, including well-proportioned rear gardens. It is indicated that all dwellings would have off-street parking.

The application site is an existing brownfield site and contains a mix of light industrial units and for many years has been occupied by Kemp Plant hire. The site, although on rising ground, is well screened by surrounding screen planting.

#### CONSULTATION AND PUBLICITY RESPONSES

Trimdon Parish Council does not object to the proposal, but has asked whether planning permission would be granted on the basis of a legal agreement and, if so, how this would benefit the community.

The County Engineer advises that the existing junction of Rose Street onto the B1278 Salter's Lane, the road width of Rose Street and visibility splays are acceptable. A formal 1.8m footway to adoption standard will need to be provided adjacent to the northern edge of the carriageway to Rose Street. The footway will need to continue along the frontage of the Methodist Chapel and the car repair works.

Durham County Council Policy Section advises that the application site lies outside the existing built framework of Trimdon Grange and is not allocated in the adopted Sedgfield Borough Local Plan for employment related development. The Structure Plan recognises the importance of small industrial sites to meet local employment needs and paragraph 9.16 of the Structure Plan states that making the best use of existing sites reduces the need for new allocations in accordance with the principles of sustainability. While Trimdon Grange is identified in principle as a suitable location for new housing development, the application site is currently being used for industrial uses. Provided that the Borough Council is satisfied that the site is not required for long term employment uses the proposal accords with Policy 9 of the Structure Plan.

The Borough Council's Forward Planning Team concludes that whilst there would normally be a presumption against a proposal outside the settlement envelope, the following summarised material considerations override that presumption in this instance:

- The proposal represents a sustainable urban extension that performs well against PPG3 **(see addendum to policy section below)**
- The proposal would contribute towards the national target that by 2008, at least 60% of additional housing should be provided on Brownfield land
- Additional housing will help sustain existing shops, services and facilities within Trimdon Grange
- It was also initially recommended that a minimum of 20% of any development should be affordable housing. **(see addendum to the affordable housing section below)**

The Environment Agency advises that surface water run-off from the existing site is likely to drain into the headwaters of the River Skerne, which is prone to flooding. Therefore surface water discharged from the redevelopment should be flow regulated so as not to exacerbate flooding problems elsewhere in the catchment. Several conditions are recommended regarding surface water regulation system and contaminated land.

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The Environmental Health Section raises no objections but suggests several conditions in respect of hours of construction, no burning of materials, the control of dust on the site and contamination.

Northumbria Water offers no objections, and has provided several comments and contact numbers in respect of water supply, drainage and sewage matters. These comments have been forwarded to the applicant for information.

Natural England (formerly English Nature) has considered the submitted Phase 1 ecological survey and reports and concludes that the proposal is unlikely to have an adverse effect upon species protected by law, subject to the imposition of a condition requiring adherence to specific mitigation measures set out in that report.

Durham Wildlife Trust did not respond to the consultation exercise.

The Police Architectural Liaison Officer offers comments on reducing crime both internally and externally. A copy of the comments has been forwarded to the applicant for consideration.

Site notices were erected, an advertisement placed in the local press and letters sent to neighbouring occupiers advising of the application. One letter has been received requesting details of the proposed access.

#### **PLANNING CONSIDERATIONS**

The main planning considerations in this case are:

- Compliance with National Planning Policy and Guidance and Local Plan Policies.
- Provision of Affordable Housing
- Impact on Ecology

#### **Compliance with National Planning Policy and Guidance and Local Plan Policies**

The site that is subject to this planning application is located outside of Trimdon Grange's residential framework identified in Policy H8 'Residential Frameworks for Larger Villages'. It is currently occupied by industrial/business users, however the land is not formally designated for such purposes. Government guidance in Planning Policy Guidance Note 3 'Housing' promotes the reuse of 'Brownfield' or previously developed land for new housing development and indicates that new housing development should respect other principles of sustainable development, particularly that new housing development should take place in locations accessible to jobs, shops and services by various modes of transport; that the development is well related to existing and potential infrastructure, including public transport; and that new development respects other physical and environmental constraints on the development of land.

It is considered that the application site performs well against paragraph 31 of PPG3 that provides the guidance which local planning authorities should use to assess a site's potential and suitability for housing development. All proposed housing sites should be assessed against each of the following criteria:

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- The **availability of previously developed sites**;
- The **location and accessibility** of potential development sites to jobs, shops and services by modes other than the car, and the potential for improving such accessibility;
- The **capacity of existing and potential infrastructure**, including public transport, water and sewerage, other utilities and social infrastructure (such as schools and hospitals) to absorb further development and the cost of adding further infrastructure;
- The **ability to build communities** to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities; and
- The **physical and environmental constraints on development of land**, including, for example, the level of contamination, stability and flood risk, taking into account that such risk may increase as a result of climate change.

The Government has recently been consulting on Draft PPS3. This document will in due course replace the existing PPG3 and its associated documents, and will represent the Government's most up to date thinking on housing and as such is a material consideration in assessing planning applications.

Paragraph 13 of Draft PPS3 states that to be considered developable, a site should meet the following criteria:

- a) Available – the site is available now or is likely to become available for housing development and be capable of being developed within five years;
- b) Suitable – the site offers a sustainable option for development and would contribute to the creation of sustainable urban and rural communities; and
- c) Viable – housing development is economically viable on the site.

Whilst Parts **(a)** and **(c)** are likely to be easily satisfied, it is considered that housing on this site also complies with **Section (b)** because:

- o The site is Brownfield land, and when appraised against the criteria from paragraph 31 of PPG3, it is considered that as a location it does not perform so poorly so as to preclude its appropriateness for housing before a Greenfield site;
- o The scheme would represent a sustainable urban extension to the village.

The location of the application site although outside the residential framework the development of the village is acceptable as it is in close proximity to local facilities and would represent a sustainable urban extension as the proposal would result in housing occupying land that is immediately to the north of Trimdon Grange. As such, when appraised against the principles of Draft PPS3 and criteria from paragraph 31 of PPG3, this location performs well.

The proposed development would help meet the housing requirements of Trimdon Grange and the wider Borough and will widen the housing choice within this community. There is currently insufficient availability of previously-developed sites in the Borough which necessitates that sites such as this one should be developed before Greenfield sites; the proposal is easily accessible and near to public transport nodes; and, it will be an efficient use of land. The proposal site is previously-developed land and its development for housing would appear to offer regeneration benefits for Trimdon Grange in terms of diversifying the housing market, and providing additional choice to retain the existing population.

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In terms of how the proposal accords with the Submission Draft Regional Spatial Strategy (RSS) the proposal is considered to be in accordance with Policy 3 in that the development meets the sequential test in terms of prioritising sites for development. In this case the development of this Brownfield site is in a sustainable location.

With regard to housing, the Strategy identifies that the Borough should provide an additional circa 4,000 net new dwellings between 2004 and 2021 yet it in the mean time it is still necessary to provide land for housing to maintain a five-year supply of housing, as stipulated in Paragraph 12 of Draft PPS3. Although the Borough currently has just over a nine year supply of housing it is considered that the release of a Brownfield site beyond the residential framework is acceptable.

It should also be noted that the Council is due to undertake a review of employment land to determine if land is no longer needed for employment purposes before it is contemplated for other uses in Autumn this year. However, if the Borough were to identify a surplus of industrial land, it is considered that when looking for previously-developed industrial sites to meet the need for housing, it is better that industrial sites in sustainable locations are developed before general or prestige employment areas.

#### **Addendum**

Since the original report was written, PPG3 has been replaced by Planning Policy Statement (PPS) 3 – Housing, which came into force on 29<sup>th</sup> November 2006. The main principles of PPG3 have been carried forward into the new policy document, with emphasis on high quality housing, a good mix of housing, sustainability, efficient and effective use of land, and meeting local housing objectives. Emphasis is also placed on the delivery of new housing.

#### **Provision of Affordable Housing**

The proposal was initially considered against the draft PPS 3, in which affordable dwellings are defined as either social rented dwellings or intermediary dwellings e.g. shared equity and therefore if a need can be demonstrated the applicant should provide a combination of the two affordable housing tenure types on the site the proportion of which would require further debate.

The need for affordable housing is determined by assessing the following:

- Housing Needs Survey
- House Price Data
- Household Incomes
- Housing Waiting Lists
- Housing Provision surrounding site

The last complete Housing Needs Survey was produced in 2003. This identified that there was a shortfall in affordable stock in 2-bed flats, 2-bed bungalows, 1-bed houses and 3-bed houses in the Sedgfield/Trimdons sub-area. To overcome the shortfall in affordable housing provision a minimum of 20% affordable provision would normally be sought.

In terms of house price date over the period since the questionnaire on the Housing Needs Survey in 2002, the house prices within the specific Trimdon postcode area TS29 6 have risen significantly.

TS29 6	Detached	Semi-Detached	Terraced	Flat	Overall
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## **SEDGEFIELD BOROUGH COUNCIL**

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Jan – March 2002	£113,068	£49,811	£33,357	-	£64,844
	61.55%	72.12%	89.21%	-	34.70%
Jan – March 2006	£182,666	£85,733	£63,115	-	£87,348

Table showing % changes in prices for the period Apr-Jun 2002 to Apr-Jun 2006 inclusive.

The Housing Needs Desktop Update that was carried out in 2005 identifies that household income has increased by 7.6% between 2003 and 2005. This figure applies to the Borough and it cannot be broken down into sub-areas. This research identifies that 49.1% of the Borough's households have an income level below £16,140. Even more important is the information for concealed households. The data states that 67% of these concealed households have an income level below £16,140. The primary reason for concealed households is the fact that they cannot gain access to the private housing market.

It is clear from the up-to-date housing data from the Land Registry that the concealed households would not be able to enter the private sector housing market, even at entry terraced level (assuming a mortgage of 3 times income).

The Housing Department have also provided information regarding the demand and supply of Council-owned houses and bungalows in Trimdon. This suggests that there is a demand for 1 & 2-bed bungalows and 2, 3 & 4-bed houses. A brief comparison of the two would suggest that 2-bed bungalows and 3 & 4-bed houses have the greatest mismatch of demand and supply.

It is considered that the evidence clearly demonstrates that there is a need for the provision of affordable housing, comprising a mixture of social rented and shared equity/ownership dwellings and of a type that would address the overall housing needs and waiting lists.

#### **Addendum**

Concerns were expressed by the applicant that the high cost of remediation of this brownfield site and the recommended amount of affordable housing would make the development unviable and, at the applicant's request, the application was deferred from consideration at the December 2006 Development Control Committee pending further discussions.

Following a meeting with the applicant, the Forward Planning Team in consultation with the Housing Department have reached the following conclusions:

- Further analysis of the housing stock and waiting lists demonstrates that there is a justification for requiring affordable housing within this development proposal
- PPS3 has been finalised and published since the first policy appraisal of this application. PPS3 focuses on ensuring delivery of increased levels of housing, and emphasises the importance of removing barriers that prevent housing development coming forward
- In recognition of the high remediation costs associated with the site, a reduction in the amount of affordable housing to 10% would strike a balance that would encourage the development in line with the aims of PPS3

For the reasons set out above, it is considered that the proposal would meet the objectives of PPS3 and that the provision of 10% affordable housing would be appropriate given the high remediation costs associated with the site.

#### **Impact on Ecology**

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Circular 06/2005 'Biodiversity and Geological Conservation Statutory Obligations and Their Impact Within The Planning System' that accompanies Planning Policy Statement 9 'Biodiversity and Geological Conservation' states that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'* (Para 98).

Circular 06/2005 also advises that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'. In this case the applicants have carried out a Phase 1 habitat survey, and identified the badger, bat and water vole as species for individual investigation. The surveys concluded that neither badgers nor water voles would be affected by the development. The bat survey has recommended mitigation measures that satisfy the requirements of Natural England, provided an appropriate condition is attached to any planning permission granted.

#### **Energy**

The application makes no reference to the inclusion of embedded renewable energy generation nor does it demonstrate how the development would assist in reducing energy consumption. This is not in the spirit of RPG1 policies EN1 and EN7, which encourage renewable energy and energy efficiency. The emerging RSS goes a step further by requiring the incorporation of 10% embedded renewable energy in major new development.

This proposal would therefore benefit from the incorporation of energy efficiency measures and embedded renewable energy generation and this could be achieved by imposition of an appropriate condition.

#### **CONCLUSION**

Whilst the application site lies just outside the existing settlement boundary, its development for housing would, for the reasons set out above, represent a sustainable urban extension when considered against the main provisions of PPS3. The proposal would have the added benefits of sustaining existing shops and services within Trimdon Grange, and contributing towards the national target of at least 60% of new housing development being on brownfield sites by 2008. It is also considered that the proposal would help to consolidate the village to the north, and significantly improve the visual amenity of the locality. Rose Street has historically exhibited poor visual qualities through indiscriminate outside storage of materials and the general poor quality of buildings. The opportunity here for environmental improvement is significant. These material considerations are considered to outweigh the normal presumption against development outside the settlement envelope under Policy H8 of the Sedgfield Borough Local Plan.

Assessment of open space provision is difficult with outline applications. However, the indicative site layout plan does not indicate that there would be any communal open / play space within the site. The peripheral location of the site places it at some distance from the nearest open space / play facilities and it is therefore essential to provide an appropriate element within any finally approved layout. It is proposed that the provision of open space and play equipment ought to be subject of a condition, with future maintenance by way of a management plan required under a Section 106 agreement.



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It is considered that it will be necessary to deal with the following matters by way of a Section 106 agreement; provision of affordable housing, management and maintenance of open space, a design code for the development, and the provision of a footpath along Rose Street.

Finally, should Members be minded to grant planning permission for the development the application will need to be referred to the Government Office for the North East (GONE) as approval would constitute a major departure from the Development Plan. The notification requirements provide GONE an opportunity to check general compliance with the guidance set out in PPS3 and to consider whether the application should be called in for determination.

#### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

#### **HUMAN RIGHTS IMPLICATIONS**

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

#### **RECOMMENDATION**

It is recommended that:

1. The application is approved subject to the conditions set out in Appendix 1 to this report.
2. The Head of Planning Services be given authority, in consultation with the Borough Solicitor, to issue a conditional planning approval in exchange for a Section 106 Legal Agreement in order to ensure that the proposal delivers the various elements of planning gain the heads of terms, which are set out in Appendix 2 to this report.

(This recommendation is made in the knowledge that the application would need to be referred to the Secretary of State if Committee were minded to approve the proposed development, subject to the Section 106 Agreement, who would be given a period of 21 days in which to decide whether the application needed to be 'called in' for determination).

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**APPENDIX 1**

**LIST OF PROPOSED CONDITIONS**

**Outline Planning Application (Ref No. 7/2006/0521/DM).**

**Residential Development with Associated Access at Rose Street, Trimdon Grange**

<b>1</b>	<p><b>Reserved Matters</b> Approval of the details of the siting, design and external appearance of the buildings and landscaping of the site (hereinafter called the "Reserved Matters") shall be obtained from the Local Planning Authority before any development is commenced.</p> <p>Reason: Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004</p>
<b>2</b>	<p><b>Reserved Matters</b> Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of THREE years from the date of this permission and the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter has been approved.</p> <p>Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>
<b>3</b>	<p><b>Means of access</b> No dwellinghouse shall be occupied unless they are served by an access, which has been constructed in accordance with details to be submitted to and approved by the Local Planning Authority.</p> <p>Reason: To ensure the dwellinghouses hereby approved are served by a satisfactory means of access in the interests of highway safety and to comply with Policy T6 (Improvements in Road Safety) of the Sedgfield Borough Local Plan.</p>
<b>4</b>	<p><b>Landscaping details</b> No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.</p> <p>Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgfield Borough Local Plan.</p>
<b>5</b>	<p><b>Landscaping implementation</b> The approved scheme of landscaping shall be carried out in accordance with the approved plans and shall be completed as set out in the phasing scheme required under the terms of the associated Section 106 Agreement and the date of practical</p>

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	<p>completion shall be supplied in writing to the Local planning Authority within seven days of that date.</p> <p>Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.</p>
6	<p><b>Landscaping maintenance</b></p> <p>All planting, seeding or turfing comprised in the approved details of landscaping shall be maintained in accordance with British standard 4428 for a period of 5 years commencing on the date of practical completion and during this period any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and grass that fails to establish shall be re-established unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.</p>
7	<p><b>Landscape Management Plan</b></p> <p>No works to trees, including topping, lopping and pruning and felling shall take place until a Landscape Management Plan and Strategy has been agreed with the Local Planning Authority and any such works shall not take place without the prior approval of the Local Planning Authority.</p> <p>Reason: To ensure that the Landscape quality of the site is preserved and enhanced and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.</p>
8	<p><b>Housing Provision</b></p> <p>The development hereby permitted shall provide a range and mix of house types ranging between one to four bedroomed properties.</p> <p>Reason: To ensure local housing needs are addressed.</p>
9	<p><b>Open Space Provision</b></p> <p>No development shall take place until a scheme for the provision of formal and informal open space, together with play facilities, has been submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented in accordance with timescales to be agreed in writing with the local planning authority.</p> <p>Reason: In the interests of residential amenity and to provide for open space and play facilities in accordance with Policy L2 of the Sedgefield Borough Local Plan.</p>
10	<p><b>Control of Noise and Other Environmental Pollution</b></p> <p>No diesel powered plant or equipment shall be used on the site on any Sunday, Saturday afternoon or Bank holiday nor at other times other than between the hours of 8.00am and 6.30pm and no building, packing or other materials shall be allowed to blow</p>

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	<p>off the site. No fires shall be burned within 100 metres of occupied dwellings.</p> <p>Reason: In order to protect the amenities of the occupiers of nearby premises.</p>
11	<p><b>Ecological Mitigation measures</b></p> <p>No development shall take place unless in accordance with the mitigation detailed within Sections E1 – E10 of the bat survey report (<i>Ecological Surveys: Rose Street, Trimdon Grange, County Durham by Barrett Environmental Ltd, October 2006, Bat report</i>) including, but not restricted to obtaining a DEFRA licence; adherence to timing and spatial restrictions; provision of mitigation in advance; adherence to precautionary working methods; provision of a bat loft(s).</p> <p>Reason: To conserve protected species and their habitat and to comply with Policy E14 (Protection of Wildlife) of the Sedgfield Borough Local Plan.</p>
12	<p><b>Protection of trees</b></p> <p>All trees and hedges to be retained shall be properly fenced off from those parts of the site to be demolished or redeveloped and shall not be removed without prior approval of the Local Planning Authority. Details of the type and positioning of the fencing shall be submitted and approved by the Local Planning Authority prior to the development of demolition commencing.</p> <p>Reason: To enable the Local Planning Authority to ensure that existing natural features on the site are protected and retained in the interests of the visual amenity of the site and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgfield Borough Local Plan.</p>
13	<p><b>Surface water run-off</b></p> <p>No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme details.</p> <p>Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgfield Borough Local Plan.</p>
14	<p><b>Contamination</b></p> <p>No development approved by this permission shall be commenced until:</p> <p>a) a desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model of the geology and hydrogeology) for the site of all potential contaminant sources, pathways and receptors has been produced.</p> <p>b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model of the geology and hydrogeology). This should be submitted to, and approved in writing by the LPA prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:</p>

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	<ul style="list-style-type: none"><li>- a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, and</li><li>- refinement of the Conceptual Model, and</li><li>- the development of a Method Statement detailing the remediation requirements</li></ul> <p>c) The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.</p> <p>d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site.</p> <p>Reason: To protect Controlled Waters and ensure that the remediated site is reclaimed to an appropriate standard.</p>
15	<p><b>Contamination</b></p> <p>If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA) shall be carried out until the applicant has submitted, and obtained written approval from the LPA for, an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.</p> <p>Reason: To ensure that the development complies with the approved details in the interests of protection of Controlled Waters.</p>
16	<p><b>Remediation</b></p> <p>Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the LPA that provides verification that the required works regarding contamination have been carried out in accordance with the approved method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.</p> <p>Reason: To protect Controlled Waters by ensuring that the remediated site has been reclaimed to an appropriate standard.</p>
17	<p><b>Levels, existing and proposed</b></p> <p>No development shall commence until details of the existing and proposed site levels have been submitted to and approved in writing by the Local planning Authority. Development shall take place in accordance with the approved plans.</p> <p>Reason: In order to control the level at which the development takes place in order to protect the visual and residential amenity of the area and to comply with Policy D1 and D5 of the Sedgefield Borough Local Plan</p>

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18	<p><b>Means of enclosure</b> Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any walls or fences or other means of enclosure shall be approved by the Local Planning Authority and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.</p> <p>Reason: In the interests of safeguarding the visual amenity of the residential area</p>
19	<p><b>Noise</b> The development layout and building envelopes of the dwellings shall be designed and constructed to provide protection from noise generated from the local road network and the adjacent industrial estate. The upper limits for the designed noise levels within the developments shall be 35dBA LAeq in habitable rooms with windows shut and other means of ventilation provided and for external noise shall be 55dBA LAeq in outdoor living areas.</p> <p>Reason: To protect residential amenity.</p>
20	<p><b>Material storage and employee parking during construction</b> Prior to the commencement of development a detailed plan indicating the location of material storage and employee parking on site shall be submitted to and approved in writing by the Local Planning Authority. These areas shall be available and used at all times during construction.</p> <p>Reason: In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.</p>
21	<p><b>Wheel washing facilities</b> Prior to the commencement of development on site a vehicle wheel washing facility shall be installed at the main exit from the site. All construction traffic leaving the site must use the facility and it must be available and maintained in working order at all times.</p> <p>Reason: In the interest of amenity and to reduce the amount of mud on the roads and in accordance with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.</p>
22	<p><b>Energy Efficiency</b> Prior to commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for 10% embedded renewable energy. Thereafter the development shall operate in accordance with the approved scheme unless otherwise agreed in writing.</p> <p>Reason: In order to minimise energy consumption and to comply with Regional Planning Guidance Note 1, Policies EN1 and EN7.</p>

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**INFORMATIVE: REASONS FOR APPROVAL**

In the opinion of the Local Planning Authority the proposal is acceptable in terms of its impact upon highway safety, and visual and residential amenity of the area, and will provide for a modern sustainable housing development.

**INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION**

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan as set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

H8 Residential Frameworks for Larger Villages  
T6 Improvements in Road Safety  
T7 Traffic Generated by New Development  
L1 Provision of Open Space, including Standards  
L2 Provision of Open Space in New Housing Development  
D1 General Principles for the Layout and Design of New Developments  
D2 Design for People  
D3 Design for Access  
D5 Layout of New Housing Development  
D11 Location of Pollution Sensitive Developments  
D12 Provision of Sewage Treatment  
D13 Development Affecting Watercourses

Supplementary Planning Guidance Notes:

SPG3. Layout of New Housing.  
SPG5. Traffic Calming.  
SPG6. Parking standards  
SPG7. Open Space  
SPG8. Landscaping  
SPG9. Conservation of Energy  
SPG10. Crime prevention and personal Security

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<b>APPENDIX 2</b> <b>Section 106</b> <b>PROPOSED HEADS OF TERMS.</b>
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The Section 106 agreement will seek to secure the following:

- A Management Plan for the future management and maintenance of areas of open space including equipped play areas.
- A Design Code for the site comprising details of mix of house types, types of materials, surface treatments, street furniture and means of enclosure.
- Off site highway works to provide a 1.8 metre wide footway to adoptable standards along the northern side of Rose Street from the junction with the B1278 to the entrance to the development site.
- The provision of a minimum of 10% affordable housing spread across the site.



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3. 7/2006/0732/DM APPLICATION DATE: 8 November 2006

PROPOSAL: **APPLICATION TO VARY CONDITION 7 & 9 ATTACHED TO THE APPEAL DECISION APP/M1330/A/04/1164849 PERSUANT TO PLANNING APPLICATION NO. 7/2004/0165/DM (OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT) TO VARY THE LEVEL OF OPEN SPACE PROVISION WITHIN THE SITE AND TO LIMIT THE SITING OF AN EQUIPPED PLAY AREA TO A CENTRALLY LOCATED SINGLE AREA OF OPEN SPACE**

LOCATION: **LAND AT WATSON COURT SPENNYMOOR CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Olnato Ltd  
New Burlington Street, 1075 Finchley Road, London, NW11 0PU

**CONSULTATIONS**

1. SPENNYMOOR TC
2. Cllr. Mrs. Barbara Graham
3. Cllr. Mrs A M Armstrong
4. L.PLANS

**NEIGHBOUR/INDUSTRIAL**

Green Lane:11,12,13,14,15,16,17,18,19,20,21,22,18,9,Bekeart Handling,Black & Decker  
Crown Castle

IES

Units 10,11,12

Chep

Tudhoe

Moor:179,177,175,173,171,169,167,165,163,161,159,157,155,153,151,149,147,145,143,141

**BOROUGH PLANNING POLICIES**

L2 Provision of Open Space in New Housing Development

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**BACKGROUND**

On 19 December 2005, following a Public Inquiry on 3 August 2005, Outline Planning Permission was granted for residential development at Watson Court, Spennymoor. The Inspectors decision letter included a number of planning conditions, including conditions requiring the provision of open space and play facilities. The applicants have sought to vary the terms of these conditions and this has culminated in the submission of a formal planning application which is the subject of this report.

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**THE PROPOSAL**

The application which is now under consideration seeks to vary the terms of conditions 7 and 9.

Condition no. 7 stipulates that:

No dwelling shall be occupied until details of an equipped play area to be provided have been submitted to and approved in writing by the Local Planning Authority. The play area shall be implemented in accordance with the approved details prior to the occupation of the 100<sup>th</sup> dwelling and the play area shall thereafter not be used for any purpose other than a play area.

Permission is being sought to vary condition so that it read as follows:

**CONDITION 7**

*No dwelling shall be occupied until details of an equipped play area to be provided **within the open space required under the terms of Condition 9** have been submitted to and approved in writing by the Local Planning Authority. The play area shall be implemented in accordance with the approved details prior to the occupation of the 100th dwelling and the play area shall thereafter not be used for any purpose other than as a play area.*

The proposed changes are highlighted in bold text.

Condition no 9 requires that:

The development hereby approved shall provide for open space at a minimum rate of 100sqm of informal play space and 500sqm of amenity space for every 10 dwellings, to be provided and laid out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. No more than 50% of the dwellings shall be occupied until the open space has been completed.

The applicants are seeking to vary condition 9 so that it stipulates that:

*The development hereby approved shall provide for open space at a rate of 5 sqm of informal play space and 25 sqm of amenity space for every dwelling( in relation to the calculation of which, the landscaped bund to be provided pursuant to Condition 4 above shall count towards the provision of open space required by this condition), the open space to be provided shall be laid out in accordance with a scheme ( to include the phasing of its provision relative to dwelling occupation) to be submitted to and approved by the Local Planning Authority.*

As this variation would result in less open space being provided within the site than that required under the original condition the application has been accompanied by a draft section 106 agreement which requires the applicant to make a payment of £350 per dwelling house in relation to the provision of off-site open space or the enhancement of existing off site open space.

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**CONSULTATION REPOSES**

No comments have been received from the statutory consultees or resident who were consulted on the application.

**PLANNING CONSIDERATIONS**

Conditions 7 and 9 imposed by the Inspector effectively reflect the level of open space and play provision which Policy L2 of the Borough Local Plan seeks to achieve. This policy stipulates that:

**IN HOUSING DEVELOPMENTS OF 10 OR MORE DWELLINGS, OPEN SPACE WILL NORMALLY BE REQUIRED TO BE PROVIDED WITHIN OR ADJACENT TO THE DEVELOPMENT AT THE FOLLOWING STANDARDS (DERIVED FROM POLICY L1), FOR EVERY 10 DWELLINGS A MINIMUM OF:-**

- (A) 100 SQ.M. OF INFORMAL PLAY SPACE; AND**
- (B) 500 SQ.M. OF AMENITY SPACE.**

**IN ADDITION A CONTRIBUTION WILL BE SOUGHT TOWARDS THE PROVISION OF NEW OR IMPROVED EQUIPPED PLAY AREAS AND OUTDOOR SPORTS FACILITIES TO SERVE THE DEVELOPMENT, IN ACCORDANCE WITH POLICY D8.**

**ALL OPEN SPACES SHOULD BE LAID OUT TO PROVIDE SAFE AND ATTRACTIVE AREAS.**

The reasoning behind this policy is to provide sufficient land within new housing developments containing family housing (i.e. houses of two or more bedrooms) to provide safe and accessible areas for children to play and to create an attractive setting for housing.

The variation to condition 7 which is being sought is a relatively minor change. It simply seeks to vary the condition so that it stipulates that the equipped play area will be provided with the open space to be provided under condition 9. This variation to condition 7 is considered to be acceptable as it will not affect the extent or the nature of the play equipment to be provided.

The proposed variation to condition 9 essentially seeks to reduce the amount of open space that would be required under Policy L2 of the Borough Local Plan by 50%. As stated previously Policy L2 seeks to secure 100 sqm of informal play space and 500 sqm of amenity space for every ten dwellings. This amounts to 10 sqm and 50 sqm per dwelling. The applicant is proposing 5 sqm of informal play space and 25 sqm of amenity space for every dwelling. This level of provision is therefore half of what policy L2 normally seeks to achieve. To compensate for this reduction the applicants are proposing a payment of £350 per dwelling and this would be secured through a section 106 agreement.

Since the adoption of the Local Plan in 1996 government guidance in the form of PPG3 (Housing) has been published. This places greater emphasis on housing being developed at densities of between 30 and 50 per hectare. Prior to the advent of PPG3 housing densities in the Borough were typically in the region of 20-25 per hectare and therefore allowed for greater provision of open space within housing sites. Strict adherence to Policy L2 makes it impossible to create housing developments that are between 30-50 dwellings per hectare and following the advent of PPG3 it has been necessary to apply the requirements of PPG3 flexibly. As a consequence there has been a gradual shift towards an 'in lieu of' payment to compensate for

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the reduction in the provision of on site open space. This payment is normally secured through a section 106 agreement with the intention that the money will be invested in improving existing areas of open space or play areas in the vicinity of the application site. A figure of £700 per dwelling house is normally secured where no on site provision is made. Recent examples include Council owned land at Barrat Way West Cornforth where on site provision equated to approximately 40% and Neville Drive Sedgefield where a commuted sum of approximately £45,000 was secured in lieu of the lack of open space within the site.

In view of the foregoing the variation which the applicant is seeking is not considered to be unreasonable and would in fact be consistent with the approach that has been applied elsewhere in the Borough since the advent of PPG3. Furthermore, the Open Space Needs Assessment that is being carried out by consultants on behalf of the Council is nearing completion. The Spennymoor area profile from this study highlights that in general terms the town has a satisfactory level of provision. However, there are areas where improvements to the quality of provision can be made. The area of land next to the sure start centre on north road (site 100) is an example of one such area, as it is in need of a significant upgrade in terms of its facilities. There is also an opportunity to increase its biodiversity potential. It is doubtful whether these upgrades can be done without the benefit of a commuted sum, and as such the contribution of commuted sums by the developer could be put to good use to improve community facilities.

#### CONCLUSION

The variation to condition 7 is of no real consequence as it simply seeks to establish that the play equipment will be sited in the open space required under condition 9. The variation to condition 7 is therefore considered to be acceptable.

The applicant's proposal to vary the terms of condition 9 is more significant but ultimately reflects the approach that has been applied elsewhere in the Borough. Furthermore, on this occasion the Open Space Needs Assessment, which is nearing completion, has identified that there are areas of open space which are in need of improvement relatively close to the application site. Based on a previous indicative scheme which showed 188 dwellings the variation to condition 9 would generate a commuted sum of approximately £65,000 which could potentially be utilised to improve these areas of open space. The variation to condition 9 is therefore also considered to be acceptable but subject to the applicant entering into a section 106 agreement to secure a sum of £350 per dwelling house.

#### SECTION 17 OF THE CRIME AND DISORDER ACT 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

#### HUMAN RIGHTS IMPLICATIONS

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

#### RECOMMENDATION

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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That approval is given to vary conditions 7 and 9 in the terms set out below subject to the applicants entering into a section 106 agreement to secure a payment of £350 per dwelling to provide for the provision of or improvement to public open space and / or play equipment within the vicinity of the application site in lieu of the provision of open space within the site.

1. Condition 7

No dwelling shall be occupied until details of an equipped play area to be provided within the open space required under the terms of Condition 9 have been submitted to and approved in writing by the Local Planning Authority. The play area shall be implemented in accordance with the approved details prior to the occupation of the 100th dwelling and the play area shall thereafter not be used for any purpose other than as a play area.

2. Condition 9

The development hereby approved shall provide for open space at a rate of 5 sqm of informal play space and 25 sqm of amenity space for every dwelling( in relation to the calculation of which, the landscaped bund to be provided pursuant to Condition 4 above shall count towards the provision of open space required by this condition), the open space to be provided shall be laid out in accordance with a scheme ( to include the phasing of its provision relative to dwelling occupation) to be submitted to and approved by the Local Planning Authority.

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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4. 7/2006/0751/DM APPLICATION DATE: 21 November 2006

PROPOSAL: **DEMOLITION OF EXISTING BUILDING AND ERECTION OF APARTMENT BLOCK CONSISTING OF 14 NO. APARTMENTS**

LOCATION: **BRITISH LEGION BISHOPS CLOSE SPENNYMOOR CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Mr A Cassidy

**CONSULTATIONS**

1. SPENNYMOOR TC
2. Cllr. Andrew Gray
3. Cllr. A. Smith
4. Cllr. J.M. Khan
5. DCC (TRAFFIC)
6. NORTHUMBRIAN WATER
7. BUILDING CONTROL
8. BR GAS
9. BR TELECOM
10. ENGINEERS
11. ENV. HEALTH
12. VALUER
13. L.PLANS
14. DESIGN
15. LANDSCAPE ARCH
16. POLICE HQ
17. SP TRADE
18. REGENERATION
19. NEDL

**NEIGHBOUR/INDUSTRIAL**

Bishops Close Health Centre 1A St Andrews Lane 1B St Andrews Lane  
2A St Andrews Lane 2B St Andrews Lane Adan House Asda Cheapside  
30,Library,Spennymoor Tyre Centre

**BOROUGH PLANNING POLICIES**

- |    |   |
|----|---|
| H1 | Housing Development in Newton Aycliffe, Spennymoor, Shildon and Ferryhill |
| S1 | Promotion and Protection of Role of Town Centre                           |
| S2 | Acceptable Uses Within Town Centre  |
| T7 | Traffic Generated by New Development                                      |
| D1 | General Principles for the Layout and Design of New Developments          |
| D3 | Design for Access   |
| D5 | Layout of New Housing Development   |

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

#### THE PROPOSAL

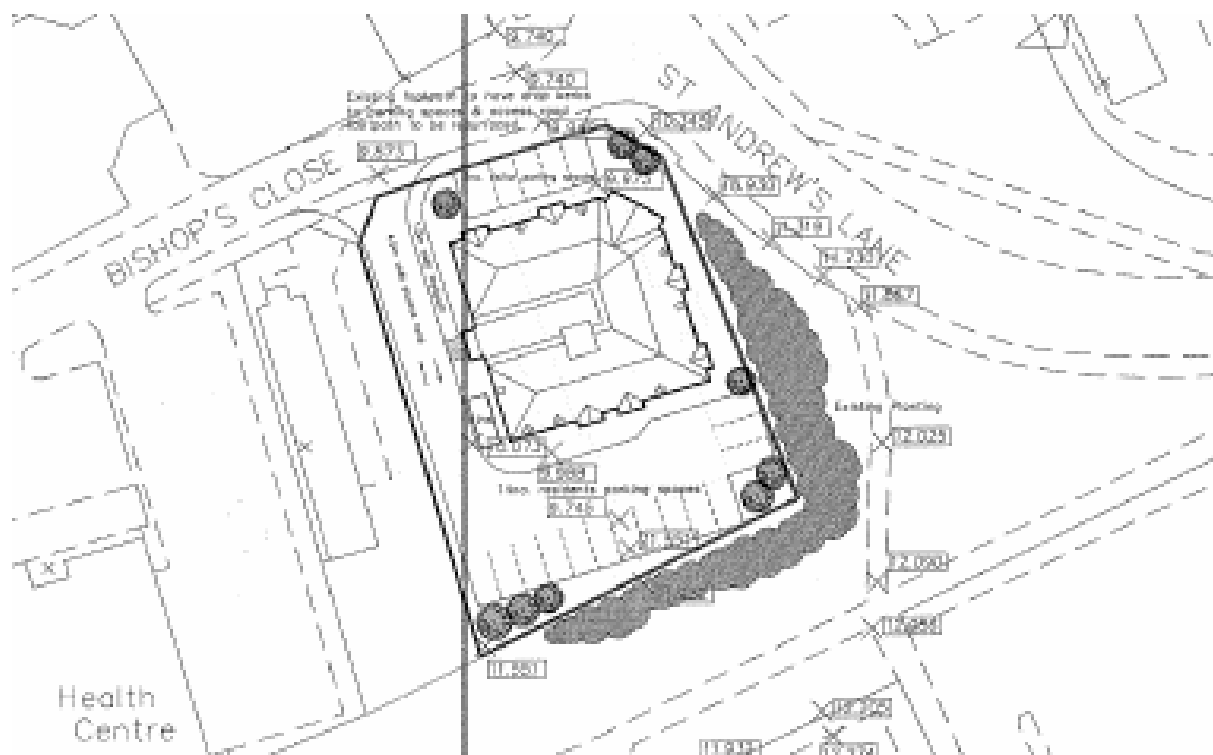
Detailed planning permission is sought for the erection of a block of 14 apartments on the site of the British Legion (Combined Services) Club at Bishops Close, Spennymoor. The single three-storey apartment block would be located in a prominent location near to the bend in St. Andrew's Lane where it meets King Street and being located close to the rear of properties in Cheapside, it would make a significant contribution to character and appearance of this eastern approach to the town centre.

The building would be constructed using a variety of materials and finishes including horizontally coursed stone at ground floor, brickwork at first floor, and coloured render at second floor. Together with several gabled projections and a low-slung pitched and hipped roof, partly accommodating the second floor, the bulk of the building would be minimised in visual terms.

Furthermore, the building would be sited at the same ground level as the existing single storey club building, substantially lower than St. Andrew's Lane to the east and Adan House doctors' surgery to the south.

The building would be towards the northern end of the site, with 5 visitor parking spaces accessed directly off Bishop's Close. An adjacent access road would run alongside the building to connect with a parking / circulation area for 14 vehicles. An external communal bin store would be provided.

The application is accompanied by a Design and Access Statement that explains, amongst other things, why the applicant considers the site to be suitable for residential development, and how the design of the building has been informed by the local character and setting.



## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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#### **CONSULTATION AND PUBLICITY**

Spennymoor Town Council has no objections to the proposal.

The County Highway Engineer has raised no highway objections but advised that the access road should be widened to 4.5 metres, with 6 metre radii at the entrance. These amendments have been incorporated into the proposal and the highway issues, including car parking provision and layout are now considered satisfactory.

The Borough Council's Engineering Services Section has no objection to the proposal on highway grounds.

The Landscape Architect has concerns about the height and visual dominance of the building, the extent of the car parking and limited amount of remaining land for garden space and soft landscaping, the reliance on existing external landscaping to soften the visual impact of the development.

The Forward Planning Team considers that the proposal accords with national guidance contained in PPS3, regional policies set out in RPG1 and the Submission Draft RSS, and local policies of the Borough Local Plan. It recommends that planning permission be approved for the following reasons:

- The scheme would contribute towards the national target that, by 2008, at least 60% of additional housing should be provided on brownfield land.
- The proposal accords with Policy H1 and S2 of the Borough Local Plan on account that the site is well located within the settlement development of Spennymoor and there are houses in most directions, and because the proposal will not impact upon the vitality and viability of Spennymoor town centre.
- The residential development will have good access to jobs, key services and infrastructure and will integrate with the local area in terms of scale, density, layout and access.

Gas and electricity network providers have no objection to the proposal.

Public consultation was undertaken with letters sent to neighbouring occupiers, a site notice was erected and a press notice placed in a local newspaper. In response, 1 letter has been received from the nearby doctors' surgery. Whilst not objecting in principle to the proposal, general concern has been expressed about long-standing highway issues in and around the Bishop's Close area. The importance of keeping the road clear at all times for ambulances has been highlighted.

#### **PLANNING CONSIDERATIONS**

The main planning considerations in this case are as follows:

- Compliance with National Planning Policy and Guidance, Local Plan Policies and Supplementary Planning Guidance.
- Design, Layout, Open Space and Landscaping
- Access and Car parking
- Energy
- Affordable Housing



## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

#### Planning Policy

The application site lies within the settlement of Spennymoor and within the defined town centre. Accordingly, the applicable locational local plan policies are H1 (Housing Development in the Major Towns), S1 (Promotion and Protection of Role of Town Centre), S2 (Acceptable Uses Within Town Centres). Design policies D1, D3 and D5 also apply, and these are considered in the next section of this report.

Given the central urban location of the application site, the proposal would comply with Policy H1 provided the design is acceptable. Policy S1 essentially provides a background against which the extent of the Spennymoor Town Centre has been defined, and Policy S2 states that houses and flats will be approved in such locations provided there is no detriment to the main shopping function of the town centre. It is not considered that the loss of the existing club would impact negatively on the town centre, and it is considered that the proposal would comply with Policies H1, S1 and S2 of the Local Plan in principle.

PPS3 highlights the priority for development of brownfield sites and this proposal, if approved, would contribute to the national target that at least 60% of new housing should be provided on previously developed land by 2008. This would be consistent with Regional Planning Guidance.

#### Design, Layout, Open Space and Landscaping

The proposed design and layout of the development is considered to be of high quality with elevations of interest and distinctiveness. This is particularly important because of the prominent location at this eastern entrance to the town centre. The single three storey block makes good use of a variety of materials to reduce the bulk of the building. Architectural detail is used to create relief in the building and to provide visual interest, particularly with the use of a projecting gabled elements on the three most prominent elevations. The less visible rear elevation also has a high standard of design and detailing.



The main 14-space car park would be located to the side of the building and would be accessed from Bishop's Close. An additional 5-space visitor car park would be constructed adjacent to Bishop's Close.

## **SEDFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

In terms of the impact of the development on the street scene and neighbouring properties, additional cross section details have been provided to allow assessment of how the three-storey building would integrate with the surrounding land and properties. The application site is effectively cut into land which rises in a southerly direction from Bishop's Close towards the Adan House Surgery. The cross section details reveal that the land levels vary between 0.5 metres and almost 2 metres above the nominal site level when viewed from the east, significantly masking the lower portion of the proposed building. This would be further enhanced by existing landscape amenity features on land immediately outside the application site and indicative tree planting within the application site itself. Despite being three storey, the relative land levels are such that the building would be only marginally higher than the existing Adan House Surgery (34 metres to the south) and approximately 3 metres higher than the existing apartments and retail properties (18 metres to the north). For all these reasons it is considered that the visual impact of the development would not be excessive, and that any impact would be a positive one due to the high standard of design and detailing.



The views of the Landscape Architect have been taken into account. Whilst it is recognised that the proposal offers limited scope for major peripheral landscaping, the site layout plan indicates that at least 9 trees could be planted on the grassy slopes between the car park and the boundary enclosure, and this would enhance the effectiveness of existing landscaping immediately outside the site. This 'combination' approach appears entirely reasonable in the circumstances.

Given the relative location and separation distances to other properties in the locality, it is not considered that there would be any adverse effects upon privacy or amenity.

The requirements of design policies D1, D3 and D5 are considered to be met.

In terms of open space provision in housing developments of more than 10 houses Local Plan Policy L2 seeks to secure the provision of 100 m<sup>2</sup> of informal play space, 500 m<sup>2</sup> of amenity space and a contribution towards the provision of new or improved equipped play areas. If no open space can be provided within or adjacent to a residential development, as is the case in this instance, the Borough Council has previously accepted a contribution towards off site play provision and/or environmental improvement works in the form of a commuted sum. The developer has been advised of the need for this payment and has agreed to the imposition of a condition that would secure this contribution. A contribution of £9800 (which equates to £700 per dwelling) would therefore be sought from the applicant and the money held until such time as a suitable scheme was identified. The monetary contribution would be used to benefit not only the future residents of the proposed development but also the wider community of Spennymoor and could probably be utilised to enhance the existing landscape features.

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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#### **Access and Car parking**

The proposed access to the development is considered acceptable with adequate car parking for the development that is located in a town centre location where there is good provision for public transport. In terms of highway safety there is not considered to be any detrimental impact and the application has been amended, in accordance with the Highway Engineers comments to provide adequate access, circulation and parking for residents and visitors.

#### **Energy**

The application makes no reference to the inclusion of embedded renewable energy generation nor does it demonstrate how the development would assist in reducing energy consumption. This is not in the spirit of RPG1 policies EN1 and EN7, which encourage renewable energy and energy efficiency. The emerging RSS goes a step further by requiring the incorporation of 10% embedded renewable energy in major new development.

This proposal would therefore benefit from the incorporation of energy efficiency measures and embedded renewable energy generation and this could be achieved by imposition of an appropriate condition. The applicant's agent has already been advised of this requirement and the terms and wording of the appropriate condition.

#### **Affordable Housing**

The proposal falls below the '15 dwellings or more' threshold in terms of any requirement for affordable housing.

#### **CONCLUSION**

In conclusion, the principle of housing in this location is acceptable, as the proposal utilises a previously developed site in a sustainable location. The proposed development provides an adequate standard of privacy and attractive outlook, and a condition can be imposed with respect of the payment of a commuted sum in lieu of open space provision within the site.

It is considered that the proposed development would result in a high standard of development on this Brownfield site in Spennymoor. Access to the development is acceptable and the design and layout result in a building that is interesting and of high quality in this location with an attractive frontage to St. Andrew's Lane. The building relates adequately to surrounding properties in the locality in its form and massing and would not cause any significant loss of privacy or amenity to neighbouring occupiers.

#### **HUMAN RIGHTS IMPLICATIONS**

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

#### **RECOMMENDATION: Approve subject to the following Conditions**

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

2. Notwithstanding any description of the materials in the application, no development shall be commenced until details of the materials and detailing to be used for the external surfaces, including the roof and render colour, of the building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

3. The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans: amended plans received on 16th January 2007.

Reason: To ensure that the development is carried out in accordance with the approved documents.

4. The development hereby approved shall not commence by the undertaking of a material operation as defined by Section 56(4) of the Town and Country planning Act 1990 until the completion of a legal agreement/planning obligation to secure the payment of a commuted sum of £9,800 in lieu of the provision of open space. No development shall commence until the applicant, or subsequent developer has received written confirmation from the Local Planning Authority that the payment of the commuted sum has been paid.

Reason: The development fails to provide adequate open space or play provision within the site and in order to satisfy the requirements of Policy L2 (Provision of Open Space in New Housing Development) of the Sedgefield Borough Local Plan a contribution is being sought for off site play provision and/or environmental improvement works in the form of a commuted sum

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The landscaping shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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7. All planting, seeding or turfing comprised in the approved details of landscaping shall be maintained in accordance with British standard 4428 for a period of 5 years commencing on the date of practical completion and during this period any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and grass that fails to establish shall be re-established unless the Local Planning Authority gives written consent to any variation.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

8. No diesel powered plant or equipment shall be used on the site on any Sunday, Saturday afternoon or Bank holiday nor at other times other than between the hours of 8.00am and 6.30pm and no building, packing or other materials shall be allowed to blow off the site. No fires shall be burned within 100 metres of occupied dwellings.

Reason: In order to protect the amenities of the occupiers of nearby premises.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any walls or fences or other means of enclosure shall be approved by the Local Planning Authority and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan. Reason: In the interests of safeguarding the visual amenity of the residential area.

10. The development layout and building envelopes of the dwellings shall be designed and constructed to provide protection from noise generated from the local road network and the adjacent industrial estate. The upper limits for the designed noise levels within the developments shall be 35dBA LAeq in habitable rooms with windows shut and other means of ventilation provided and for external noise shall be 55dBA LAeq in outdoor living areas.

Reason: To protect residential amenity.

11. Prior to the commencement of development a detailed plan indicating the location of material storage and employee parking on site shall be submitted to and approved in writing by the Local Planning Authority. These areas shall be available and used at all times during construction to ensure the free flow of traffic along Bishop's Close and limit the inconvenience to visitors to the nearby health centre and doctors' surgery.

Reason: In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

12. Prior to commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for 10% embedded renewable energy. Thereafter the development shall operate in accordance with the approved scheme unless otherwise agreed in writing.

Reason: In order to minimise energy consumption and to comply with Regional Planning Guidance Note 1, Policies EN1 and EN7.

13. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment and to comply with Policy D13 of the Sedgefield Borough Local Plan.

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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14. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved by the Local Planning Authority. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

15. The proposed development shall be served by a new access(es) constructed in accordance with the requirements of Section 184(3) of the Highways Act 1980.

Reason: To ensure the formation of a satisfactory means of access in the interests of highway safety, and to comply with Policy T6 (Improvements in Road Safety) of the Sedgefield Borough Local Plan.

16. The car park shown on the plan hereby approved shall be marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be agreed with the Local Planning Authority. The car park shall be retained and maintained in accordance with the approved details for as long as the use remains.

Reason: To make proper provision for off-street parking and to comply with Policy T9 (Provision of Car Parking) of the Sedgefield Borough Local Plan.

17. Notwithstanding the submitted plans full details (including x-sections) of all windows at a scale of 1:50 and/or 1:25 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

**INFORMATIVE: REASONS FOR APPROVAL**

In the opinion of the Local Planning Authority the proposal is acceptable in terms of its impact upon highway safety, and visual and residential amenity of the area, and will provide for a modern sustainable housing development..

**INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION**

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan as set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

H1 Housing Development in the Major Towns

S1 Promotion and Protection of Role of Town Centre

S2 Acceptable Uses Within Town Centres

T7 Traffic Generated by New Development

D1 General Principles for the Layout and Design of New Developments

D3 Design for Access

D5 Layout of New Housing Development

Supplementary Planning Guidance Notes:

SPG3 Layout of New Housing.

SPG6 Parking standards

SPG9 Conservation of Energy

SPG10 Crime prevention and personal Security