

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/19/02169/FPA
FULL APPLICATION DESCRIPTION:	Hybrid planning application seeking outline planning permission for the erection of up to 110 dwellings, including means of access (all other matters reserved) and full planning permission for the formation of car park(s)
NAME OF APPLICANT:	Durham County Council
ADDRESS:	Former Stanley Community Centre, Tyne Road, Stanley
ELECTORAL DIVISION:	Stanley
CASE OFFICER:	Barry Gavillet Senior Planning Officer 03000 261958 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. This application site is situated approximately 500 metres southwest of Stanley town centre. The site covers approximately 3.3Ha and the former community centre and associated buildings have been cleared for development. Open sports fields and parkland are located to the south and west. South Stanley Primary Schools are located to the south east, while the remainder of the site adjoins established residential areas. Highway access is available from Tyne Road East, where regular bus services are available.
2. The site generally slopes to the south. The former community centre and youth centre was located in the northeast site area. Landscaped areas are present in the far northern area of the northeast site area; this is grass covered and slopes to the south. A metal fence bounds the northeast site area from the rest of the site.
3. The central and western site area is accessed via Lindon Road. The most northern part of this area is steeply sloping and is bound with hedges and a number of trees. The site then gently slopes down towards a roadway trending east-west which splits the site in two northern and southern site areas.
4. A steeply sloping area is located in the central site area adjacent to the metal fencing which separates the site from the adjacent school. This area is generally covered in grass and scrub with a number of trees also present. The southern site area is a flat area of land, which is currently used for football pitches. The most southerly site area

beyond the football pitches is again sloping to the south with further trees and scrub land. An access route via a metal gate is present along the southern site boundary.

5. The site is largely disused with the exception of the car park present in the northeast site area and the football pitches in the southern site area.

The Proposal

6. This application is known as a hybrid planning application which seeks outline planning permission for the erection of up to 110 dwellings including means of access and full planning permission for the creation of two replacement car parks.
7. The applicant has submitted an indicative layout for the residential element of the proposals which shows the general arrangement of dwellings along with areas of open space, landscaping, pedestrian walkways and drainage features.
8. The northern and southern parts of the site are proposed to be retained as areas of green open space crossed by a number of pedestrian routes for walking and cycling, linking the existing housing to the north and the south of the site. The areas of open space would also accommodate landscaping, proposed to help soften views of the proposed development. A SUDS basin and open space is also depicted in the south of the site. It is envisaged at this stage that the development could accommodate a mix of house types depending on the needs of the future developer.
9. A single vehicular access point is proposed for the housing development from Tyne Road East which would run through the centre of the development whilst footway links would join with the wider network.
10. The two proposed car parks would be located to the south of the site, one with 28 spaces linked to the sports pitches and one with 24 spaces linked to the school giving a total of 52 spaces. It is intended that these car parks could be used by the public outside of school hours replace the existing car parking areas which had a total of 49 spaces. The route to the car parks would be to the south off Tyne Road East.
11. The application is being reported to the committee as it constitutes a major residential development.

PLANNING HISTORY

12. There is no relevant planning history for this site.

PLANNING POLICY

NATIONAL POLICY

13. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
14. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or

made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.

15. *NPPF Part 2 - Achieving Sustainable Development.* The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
16. *NPPF Part 4 - Decision-making.* Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
17. *NPPF Part 5 - Delivering a Sufficient Supply of Homes.* To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
18. *NPPF Part 6 – Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
19. *NPPF Part 8 – Promoting healthy and safe communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. *Developments* should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
20. *NPPF Part 9 – Promoting sustainable transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
21. *NPPF Part 11 – Making effective use of land.* Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
22. *NPPF Part 12 – Achieving well-designed places* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.

23. *NPPF Part 14 – Meeting the challenge of climate change, flooding and coastal change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
24. *NPPF Part 15 - Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

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

25. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; conserving and enhancing the historic environment; design; determining a planning application; flood risk; health and well-being; land stability; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

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

LOCAL PLAN POLICY:

Derwentside District Local Plan (1997) (DDLDP)

26. *Policy GDP1 – General Development Principles*. Outlines the requirements that new development proposals should meet, requiring high standards of design, protection of landscape and historic features, protection of open land with amenity value, respecting residential privacy and amenity, taking into account ‘designing out crime’ and consideration of drainage.
27. *Policy EN11 – Trees and Development*. States that throughout the district existing trees should be retained where possible. Consideration will be given to the effect of development on any affected trees, taking into account; landscape diversity, the setting of existing or proposed buildings, wildlife habitat and visual amenity.
28. *Policy EN22 – Protection of Sites of Nature Conservation Importance*. Sets out that development will only be permitted which would not lead to the loss of or cause significant harm to sites of nature conservation importance.
29. *Policy EN25 – Development Affected by Pollution*. States that residential or other sensitive development will not be permitted on sites affected by unacceptable levels of pollution from adjoining land uses.

30. *Policy EN26 - Control of Development Causing Pollution* – Permission will only be granted for development which is not likely to have an adverse impact on the environment having regard to likely levels of air, noise, soil or water pollution
31. *Policy HO22 – Recreational Public Open Space within Housing Layouts*. States planning permission for new housing developments will be granted if they include sufficient open space and play areas to meet the demands of the residents of the development.
32. *Policy TR2 – Development and Highway Safety*. Relates to the provision of safe vehicular access/exit, adequate provision for service vehicle manoeuvring, access for emergency vehicles and access to the public transport network.
33. *Policy TR3 – Cycling*. Requires cyclists' needs to be taken into account when considering proposals for new traffic management, road improvements and new developments. Permission will only be granted if safe and convenient access and cycle parking facilities such as racks or wall bars are provided.

EMERGING PLAN:

The County Durham Plan

34. Paragraph 48 of the NPPF states that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. Following consultation at 'Issues & Options', 'Preferred Options' and 'Pre Submission Draft' stages, the CDP was approved for submission by the Council on 19 June 2019. The CDP was submitted to the Planning Inspectorate on 27 June 2019. A timetable for the Examination in Public (EiP) of the CDP has been devised with the Hearings having now commenced in October 2019. Although the CDP is now at a relatively advanced stage of preparation, it is considered that it is not sufficiently advanced to be afforded any weight in the decision-making process at the present time.

Stanley Neighbourhood Plan

35. Stanley Town Council applied for the designation of the Stanley Neighbourhood Plan Area on the 16th October 2015 and following consultation was approved as a Neighbourhood Area on the 6th April 2016. Since this date there has been no further progression on the Neighbourhood Plan. No weight can therefore be afforded to the Neighbourhood Plan in the decision-making process at this time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

36. *Highway Authority* – The submitted Transport Assessment (TA) is accepted. Necessary mitigation would be secured by condition on the wider network in the form of a new mini roundabout junction on Tyne Road. The proposed single site access onto Tyne Road shows adequate visibility splays and therefore no objections have been raised on highway grounds.
37. *Drainage and Coastal Protection* – Further information has been submitted to indicate that SuDs are to be included in the form of detention basins, permeable paving, filter strips and swales. Whilst this is generally acceptable for the purpose of an outline

application the swales identified would not be in compliance with the Council's requirements. Notwithstanding this a conditional approach can be applied to secure a detailed surface water management scheme.

38. *Coal Authority* – Advise that there is a history of past coal mining activity which poses a risk to the development site, therefore in order to verify the ground, intrusive ground investigation works are required in order to determine the exact situation in respect of coal mining legacy issues within the site.
39. *Sport England* – Have assessed the proposals and agreed that the submitted light assessment in relation to the floodlighting on the nearby sports pitches demonstrates that the measured levels of 'light trespass' at the Proposed Development would be acceptable.
40. In addition to the above, they have also assessed information regarding potential noise impact and are satisfied that residential development can take place on the application site without it prejudicing the use of the artificial grass pitches subject to conditions requiring noise mitigation.

INTERNAL CONSULTEE RESPONSES:

41. *Spatial Policy* – Do not object to the proposals. They note that the site is within the built-up form of the settlement. However, the Derwentside Local Plan housing requirement has expired and therefore NPPF Paragraph 11 is engaged.
42. Notwithstanding the above, relevant remaining saved Local Plan policies must still be afforded some weight. Simply because the Paragraph 11 is engaged does not mean that they are irrelevant or are of no weight. The acceptability of the development will therefore rest on the consideration of potential benefits and harm.
43. *Environment, Health and Consumer Protection (Nuisances)* – Officers have undertaken a technical review of information submitted in relation to the likely impact upon amenity. The information submitted indicates that the development is likely to breach the thresholds within Technical Advice Notes which indicates that the development may, without further controls, lead to a significant impact with regard to noise.
44. The assessment demonstrates that noise from the sports ground will lead to a likely significant impact to any residential properties to the south and south east of the proposed development site. Considering both Paragraph 180 and 182 of the NPPF, noise impacts should be avoided on new developments and they must also be able to integrate effectively with existing community facilities such as sports grounds. As such the applicant has identified noise mitigation options which would relate to the erection of an acoustic fence or a buffer zone/separation area. Officers consider that the mitigation is acceptable and would not object to the proposals subject to a condition which secures the necessary mitigation measures.
45. Officers have also assessed the submitted light impact which has been considered acceptable subject to condition.
46. *Environment, Health and Consumer Protection (Contaminated Land)* – Raise no objections subject to a contaminated land condition.
47. *Design and Conservation* – Have no objection to the principle of housing development from a design perspective however any detailed application for the development of the site should reconsider the layout parameters ensuring outward-looking development

which retains existing landscape features and provides strong built frontage to pedestrian and vehicular routes through the site.

48. *Landscape* – Raise no objections as sensitively detailed development should not conflict with the character of the area. However, at the detailed stage officers will require plans that defines and dimensions the extent of areas occupied by the root protection areas of mature trees and hedging worthy of retention. In addition, the future layout should exclude private gardens from trees and hedges scheduled for retention.
49. *Education* - Based on the projected rolls of the schools, taking into account the likely implementation of the development, build out rates and other relevant committed development it is anticipated that there will be sufficient space to accommodate the pupils generated by the development in primary and secondary schools and no further mitigation is required in this instance.
50. *Ecology* – Officers note that there are no ecological constraints on the site, or any protected species or designated sites impacts. The development would however, result in a net loss of biodiversity without compensation. As there are no guarantees that features such as SUDs would deliver for biodiversity, a financial contribution of £13,326 would be required as mitigation.

EXTERNAL CONSULTEE RESPONSES:

51. *Northumbrian Water Limited* – Note that the application contains a submitted drainage strategy, however, the connection points and discharge rates have not yet been assessed in relation to their capacity to treat the flows from the development. Therefore, a condition is requested which requires details of foul and surface water treatment.
52. *National Health Service* – State that the local practices will need to maintain/improve their access as a result of the development and a contribution of £53,130 toward this would be required.
53. *Durham Constabulary Architectural Liaison* – Informal advice has been given regarding street lighting, parking, play areas and footpaths and request that the development is carried out in according with the building regulations in order to ensure security.

PUBLIC RESPONSES:

54. The application has been advertised by way of a press and site notice, and individual notification letters to neighbouring residents. Two letters of representation have been received.
55. One letter from a nearby resident has been submitted which relates to residential amenity and privacy distances to the existing properties and queries whether this would be taken into account with a further query raised in regards to site levels.
56. Stanley Learning Partnership also comment that the emergency access should be located to the north of the site in order to avoid conflict with school traffic.

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

APPLICANTS STATEMENT:

57. This is an opportunity to unlock a 3ha brownfield site at Tyne Road, Stanley for housing development that could deliver up to 110 homes. The edge of town centre site is in a residential area and presents a sustainable location with neighbouring schools and walking routes to services, retail and employment within the town. The site is well connected by road and bus to neighbouring settlements and employment centres in Durham, Gateshead and Team Valley.
58. The former School of Technology was demolished in 2014 and since then the site has remained derelict and undeveloped. The site has been previously marketed however had little interest. By securing outline planning for the housing and full permission for car parking re-provision, alongside addressing off site transport improvements works and onsite drainage improvements the opportunity to unlock this site will be maximised. By enabling development the visual amenity of the area will be greatly uplifted and will inevitably enhance regeneration and economic development within the town, helping to diversify the housing mix and boost investment within this area of Stanley.
59. The site lies adjacent to South Stanley Infant and Nursery School, South Stanley Junior School and Stanley Community Events. These organisations will maintain access to their respective buildings through the existing private access road to the south of the site via Tyne Road and car parking currently within the 3ha housing site will be re-provided to ensure provision is maintained.

PLANNING CONSIDERATIONS AND ASSESSMENT

60. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision making. Other material considerations include representations received. In this context, as the residential development part of the application is outline with all matters reserved apart from access, it is considered that the main planning issues relate to the principle of the development, highway safety and access, landscape and visual impact, residential amenity, ecology, drainage and flood risk, planning obligations and other issues. The main planning issues for the full application for the replacement car parks are highway safety and sustainability.

The Principle of the Development

61. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Derwentside District Local (DDLDP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF.
62. The DDLDP was adopted in 1997 and was intended to cover the period to 2006. However, NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired depending on the circumstances. Paragraph 213 also sets out that due weight should be given to existing policies,

according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

63. Policy GD1 of the DDLP sets overarching principles that all development should comply with, including locational characteristics to ensure that development relates well to existing settlement patterns and is located to reduce the need for additional car journeys. Policy GD1 is considered consistent with the NPPF in this respect and up to date, as it is not based on time-limited information.
64. Saved DDLP Policy H05 specifically relates to development of small housing sites (less than 0.4ha) and is not, therefore, applicable to this application.
65. Given the age of the Derwentside Local Plan its housing policies cannot be considered as up to date due to the out of date evidence base, and the emerging County Durham Plan is not sufficiently advanced to be afforded any weight in the decision-making process at the present time. Therefore, although the site is within the built up form of the settlement, given that the DDLP's housing requirement has expired NPPF Paragraph 11 is engaged.
66. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:-
 - i) approving development proposals that accord with an up to date development plan without delay; or
 - ii) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - iii) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or,
 - iv) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
67. For the purposes of Paragraph 11(d), Policy GD1 is considered the most relevant for determining the application. However, given the lack of up to date housing policies the acceptability of the development must be considered in the context of Paragraph 11(d) of the NPPF, as above.
68. As there are no policies in the NPPF which protect areas or assets of particular importance and which provide a clear reason for refusing the development, then the acceptability of the proposed development rests on whether any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits. Clearly, this assessment can only be considered following an examination of all of the issues within the planning balance.

Housing Land Supply

69. Paragraph 73 of the NPPF maintains the requirement for Local Planning Authorities (LPAs) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

70. Within County Durham all the extant development plans are more than five years old and their housing figures need revising so the starting point for calculating land supply will be local housing need using the Government's standard methodology. The 'Pre Submission Draft' County Durham Plan (CDP) was subject to consultation in January 2019 and was submitted for Examination in June 2019. The CDP sets out that housing need in County Durham is based on the minimum assessment of Local Housing Need adjusted for recent past delivery. The housing need for County Durham is, therefore, 1,308 dwellings per annum (dpa). At this time, the Council is able to demonstrate 6.37 years supply of deliverable housing land against this figure. The Council also has commitments of an additional supply beyond the deliverable 5-year supply period.
71. In a written representations appeal involving a site in Esh Winning, the Inspector took the view that housing supply had not been demonstrated by the Council in the terms of paragraph 74 of the NPPF. However, the Planning Inspectorate have subsequently confirmed that the Inspector misapplied Paragraph 74, as it was impossible for the Council to have an Annual Position Statement in place at the time of the appeal. In addition, in three further, more recent, written representation appeals, the Inspector outlined that there are also the requirements of Paragraph 73 under which councils are required to identify annually a supply of housing sites to provide a minimum of 5YHLS, set against local housing needs where strategic policies are more than 5 years old. The Council's approach to demonstrating a 5YHLS is, therefore, considered to be appropriate in the circumstances, and in line with the requirements of the NPPF.
72. The Government has also recently published its Housing Delivery Test (HDT) results alongside the publication of the update NPPF in February 2019. The HDT outcome for the Council indicates that housing delivery has been above the requirement over the last three years, which is evidence that delivery of housing on the ground is on track and exceeding our housing targets.
73. To summarise, the Council's position is that, in line with Paragraph 60 of NPPF and national planning guidance, the housing need in County Durham and, as set out in the emerging CDP, is 1,308 dpa and a supply of 6.37 years of deliverable housing can be demonstrated. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is clearly less than in instances where such a healthy land supply position could not be demonstrated.

Locational Sustainability of the Site

74. DDLP Policy GD1 amongst its advice states that the form of development should be appropriate to the sites location and located to conserve energy. The justification to the policy states that development should be carefully located to reduce the need for additional car journeys and should be easily accessible and capable of being served by public transport. DDLP Policy TR2 requires that development proposals would have satisfactory access to the public transport network. DDLP Policy TR3 requires that the needs of cyclists are taken into account as part of new developments. These policies are considered consistent with the NPPF, which also seeks to promote accessibility by a range of methods, and accordingly, they can be given full weight in considering the application. Specifically, the NPPF at Paragraph 103, sets out that the planning system should actively manage patterns of growth including, to promote walking, cycling and public transport use. Significant development should be focused in locations which are, or can be made, sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Further to this, Paragraph 110 of the NPPF sets out that applications for development should give priority to pedestrian and cycle movements and facilitate access to high quality public transport. Decisions should address the connections between people and places and the integration of new development into the natural and built environment.

75. The County Durham Settlement Study 2018 is an evidence-based document which seeks to provide an understanding of the number and range of services available within the settlements of County Durham. The site lies in South Stanley which forms part of the Stanley Cluster comprising of eight named areas. Although historically settlements in their own right, they all effectively function as part of Stanley. The Stanley Cluster is ranked 7th within the County based on the services and facilities within the area and is, therefore, considered capable of accommodating appropriate housing growth.
76. However, although the Stanley Cluster is, in general, considered to be served by an appropriate range of services and amenities, consideration is required to be given as to the ability of future occupiers to access these services and amenities. In this respect, the application is accompanied by a Transport Assessment and Travel Plan, which assesses the accessibility of the site to local services and facilities, by foot, bicycle and bus, as well as impacts upon the highway network in terms of vehicular traffic.
77. In terms of distances to services and amenities, the applicant makes reference to a range of distances that are generally considered acceptable set out in the Chartered Institute of Highways and Transportation (CIHT) documents including 'Guidelines for Providing for Journeys on Foot' and 'Planning for Walking', The Department for Transport's 'Manual for Streets', along with work undertaken by independent consultants. In general, it is considered that a walking distance of 1650-2000m or a 20-minute walk is considered at the upper end of what future residents could be expected to walk, taking into account topography and desirability of routes.
78. In this respect, it is noted that there are numerous facilities located within this area of Stanley such as convenience stores, schools, public houses and open space typologies that would be accessible. In terms of access by bus, there are existing stops on Tyne Road directly outside of the site with frequent services to destinations including Stanley Centre with links to Consett, Sunderland and Chester-le-Street. Taken in the round, it is recognised that the site is located on a frequent bus route and would be within an appropriate walking distance to local services and amenities. It is also noted that offsite highway measures/improvements are proposed as part of the application and are discussed in more detail in the Highway section of the report.
79. Given the above, the proposal is considered to be in a highly sustainable location within the built-up area of South Stanley and is on a vacant brownfield site which was previously occupied by Stanley Community Centre. It is also considered that the development would promote accessibility by a range of methods in accordance with policies GDP1 and TR2 of the DDLP and Paragraphs 103 and 110 of the NPPF. These are considered to represent significant positive impacts to be weighed in the planning balance.

Highway safety and access

80. DDLP Policy TR2 sets out that planning permission for development will only be granted where the scheme incorporates a clearly defined and safe vehicle access and exit, satisfactory access onto the public transport network and satisfactory access onto the adopted highway. The supporting text of policy TR2 also sets out that a proposal will not be granted unless adequate traffic flows can be maintained. Policy TR2 is considered consistent with the NPPF, which also seeks to ensure that a safe and suitable access can be achieved and, therefore, it can be given full weight in considering the application. The NPPF, at Paragraphs 108 and 109, also sets out that when considering development proposals, it should be ensured any significant impacts from the development on the transport network (in terms of capacity and congestion), can be cost effectively mitigated to an acceptable degree. Development should only be

prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

81. Paragraph 111 sets out that all developments that would generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. In this respect, the application is accompanied by a Transport Assessment, which assesses the impacts of the development, concluding that there would be no impact on the capacity of the wider highway network.
82. The proposed site access is taken from the existing access on onto Tyne Road which provides adequate visibility splays and is considered acceptable by highways officers, footway links the wider network have also been shown on the indicative plan.
83. In terms of the impact on the wider network, highways officers have considered the Transport Assessment. The application includes a proposal to introduce a mini roundabout at Tyne Road/ Wear Road junction to address potential issue of queuing traffic impacting on flows into the A693 roundabout from the east.
84. The proposal is predicted to generate 66 trips at the am peak and 73 at the pm peak. This prediction is based on rates provided to the consultant by highways officers and replicate those used for other applications in the area, they are therefore considered acceptable. The greatest impact would be the pm trip generation adding to existing west bound queuing on the A693. It is estimated this could be in the region of an additional 34 peak hour trips which is also acceptable.
85. Modelling of the junction at which the development trips could have a material impact has been undertaken. In particular the proposed roundabout at the Tyne Road/ Wear Road and the existing A693 roundabout included trips through the junctions from consented development at The Middles, Aldi and McDonalds as well as the proposed development trips.
86. A trip distribution exercise indicates that approximately 34 trips will be added to the A693 west bound leading into the A693 roundabout junction. This link already experiences congestion and delay during the pm peak hour. However, as a result of mitigation with the mini roundabout the impact from the right turn queue to Tyne Road backing to the A693 roundabout will be removed. As such whilst the addition of more traffic to the saturated west bound leg of the A693 has the potential to add an average of two extra vehicles to the queue at peak, this is not considered enough to have a significant or material impact. Weighed against the additional traffic on the A693 is the ability for traffic to flow better at the Wear Road / Tyne Road roundabout, potentially reducing impact on the A693.
87. Officers therefore do not object from a highway capacity perspective subject to conditions being imposed relating to offsite highway improvements.
88. Overall, it is considered that the proposed development can be served by an appropriate means of vehicular access in accordance with Policy TR2 of the DDLP. The development would not have any severe impact on the traffic flows and operation of the A693 Roundabout or thereby lead to an unacceptable adverse impact on highway safety in accordance with Paragraphs 108 and 109 of the NPPF and policy TR2 of the DDLP.

Landscape and visual impact

89. DDLP Policy GDP1 sets out that general development principles including, that development proposals should be well related to the existing environment and take account of the presence of natural features, requiring the protection of the existing landscape. This policy is considered consistent with the NPPF, particularly the advice at paragraph 127.
90. Landscape officers have noted that the site's visual prominence, overall 1:10 gradient and terraced profile present both problems and opportunities for a housing layout. Sensitively detailed development at the density proposed would be locally transformative but not necessarily in conflict with the character of South Stanley in the context of the surrounding development pattern.
91. The Design and Access Statement describes proposed public open space, green boundaries, tree and hedge retentions and new planting to enhance and mitigate in pursuit of visual amenity value, townscape character and ecological potential, appropriate details will be required at the reserved matters stage. Also for consideration at the reserved matters stage would be the precise detail of the layout and the appearance of the dwellings proposed.
92. Overall, having regard to the advice of the Council's Landscape Officer and the outline nature of the housing development element of the proposal, it is considered that the development would not create any significant landscape harm and is sensitively related to the existing settlement pattern. With further consideration at the reserved matters stage, the proposals would accord with Policy GDP1 of the DDLP in this respect, and paragraph 127 of the NPPF.

Residential amenity

93. DDLP Policy GDP1 requires development to protect the amenities of neighbouring occupiers and land users. DDLP Policy EN25 require that residential development will not be permitted on sites affected by unacceptable levels of pollution of adjoining land uses. DDLP Policy EN26 requires that developments protect the environment in terms of likely levels of air, noise, soil or water pollution. These policies are considered consistent with parts 12 and 15 of the NPPF, which require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.
94. The submitted masterplan sets out that separation distances in excess of 21m between habitable room windows to existing neighbouring residential dwellings can be achieved, which would prevent any loss of amenity/overlooking in this respect. Further scrutiny of this matter and the internal site layout would be given at the reserved matters stage.
95. A noise impact assessment has been submitted in support of the application, which considers the existing noise climate and impact on the development, particularly in relation to the existing sports pitches to the west of the site. The submitted noise assessment concludes that the sports pitches would not result in a nuisance to future occupiers subject to mitigation being put in place, such as an acoustic barrier. Environmental Health and Consumer Protection (Pollution) Officers have agreed with the conclusions of the Noise Impact Assessment and, subject to the imposition of conditions, offer no objections to the scheme in this respect. Sport England have also been consulted due to the proximity of the sports pitches and have also agreed the suggested conditions in relation to noise and confirm that light from the floodlit pitches would not result in harm to residents that would compromise the facilities.

96. In order to limit the potential disturbance for existing and future residents during construction, Environmental Health and Consumer Protection Officers recommend that a construction management plan be secured to deal with construction related impacts. Subject to the imposition of such a condition, construction related impacts could be adequately mitigated.
97. In relation to land contamination, the applicant has submitted a phase 1 desk top study and a site investigation and gas monitoring report, officers agree with the recommendations and therefore further site investigation work is recommended. A conditional approach to further land contamination investigations is required including site sampling in accordance with Part 15 of the NPPF.
98. Finally, an air quality assessment has been submitted as part of the development proposals. It is noted that during the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site, therefore a construction management plan is required to mitigate such impact.
99. A review of the dispersion modelling results indicate that impacts on annual mean NO₂ and PM₁₀ concentrations as a result of traffic generated by the development were predicted to be negligible at all sensitive receptor locations. Following consideration of the relevant issues, air quality impacts as a result of the operation of the development were considered to be not significant, in accordance with the IAQM guidance. Based on the assessment results, air quality issues are not considered a constraint to planning consent for the development.
100. Overall, the scheme would comply with DDLP Policies GDP1, EN25 and EN26 and Parts 12 and 15 of the NPPF and would not lead to a significant reduction in residential amenity for existing or future residents, subject to appropriate conditions.

Ecology

101. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them. DDLP Policy GDP1 requires the protection of designated sites, those species protected by the Wildlife and Countryside Act and that there is no harmful impact on the ecology of the District. This advice is considered consistent with the NPPF. Policy EN22 applies to a number of Sites of Nature Conservation Importance across the former Derwentside District and advises that development should only be permitted where it would not lead to the loss of, or significant harm to, said sites. The advice contained within Policy EN22 is considered consistent with that within the NPPF. However, it is noted that the justification to the policy considers potential further ecological site designations which have now occurred, and in that sense, the policy is not fully up to date and therefore weight afforded to the policy should be reduced.
102. The Councils ecologists have noted that there are no ecological constraints on the site, nor any protected species designated sites impacts. No concerns have been expressed in regards to impacts upon the any designated ecological sites in the vicinity of the site.
103. No interference with protected species is identified as a result of the development. A European Protected Species Licence is therefore not considered to be required as a result of the development having regards to the requirements of the Habitats Directive brought into effect by the Conservation of Habitats and Species Regulations 2017.
104. The development however would result in a net loss of biodiversity without compensation. Given that there are no guarantees that features such as SUDs that

would deliver for biodiversity a financial contribution of £13,326 toward ecology mitigation will be required. Subject to this contribution the proposals would be in accordance with Policy EN22 of the DDLP and part 15 of the NPPF.

Drainage and Flood Risk

105. Policy GDP1 (I) of the DDLP sets out that developments should make adequate provision for surface water and protect areas liable to flood from development. This element of the policy is considered broadly consistent with national advice within the NPPF and NPPG with regard to flood risk and management of surface water and can be afforded significant weight in the decision-making process. It is, however, recognised that national guidance promotes a sequential criteria-based approach to site selection which is not specifically referenced within Policy GDP1.
106. The application is accompanied by a flood risk assessment (FRA), which highlights that the the application site is within flood zone 1, land least prone to fluvial flooding. In reviewing the submitted FRA and Drainage Strategy, Drainage and Coastal Protection Officers advise that the Council's adopted SuDS Adoption Guide, sets out that development proposals should include a preliminary layout plan identifying surface water drainage runs and locations of swales, basis, filter strips and drains. Further details have been agreed with drainage officers in relation to drainage. However, it is necessary under condition and the reserved matters stage to resolve the final details of the drainage scheme, including the incorporation of SuDS features. Subject to such condition and control at the reserved matters stage it is considered that the proposals are in accordance with DDLP Policy GDP1 (I) and relevant paragraphs within Part 14 of the NPPF.

Planning Obligations

107. Paragraph 62 of the NPPF sets out that, where a need has been established, an appropriate level of affordable housing should be provided. The council's Strategic Housing Market Assessment is the evidence base used to inform the need for affordable housing. This document confirms that there is a net shortfall of affordable homes per annum and also provides evidence to inform the tenure split for affordable housing.
108. The site falls within a low viability area, this means that 10% of properties on the scheme would need to be affordable, this equates to 11 units if the site delivered 110 units. Paragraph 64 of the NPPF directs that 10% of the scheme is provided in the form of affordable home ownership. In this instance there would be no requirement to provide any affordable rented housing. However, as the council are both the applicant and the local planning authority, a S106 legal agreement cannot be used as the mechanism to secure the affordable housing. Therefore, legal officers have advised that as the Council as landowner can control delivery, an appropriate mechanism to secure the affordable housing would be the land sale documentation when the Council sells the land to a developer. Accordingly, the financial contribution equivalent of 10% affordable housing can be extracted and secured in this way, although slightly less weight can be given to this than would be the case if secured by S106 obligation. These monies can then potentially be utilised to provide the 10% affordable housing either on site or potentially offsite. This approach to the provision of affordable housing is considered justified in this instance having regards to NPPF paragraph 62 as the affordable housing cannot be secured on-site via the S106 obligation route.
109. DDLP Policy HO22 sets out that planning permission for new housing developments will be granted if the proposals include sufficient public open space and play areas in appropriate locations in accordance with specific targets or the developer agrees to make a financial payment in lieu of direct provision, where sufficient provision cannot

be made on site. These targets have been revised under the Council's Open Space Needs Assessment (OSNA) 2018, which is considered the most up to date assessment of need for the purposes of Paragraph 96 of the NPPF. Therefore, whilst the general thrust of Policy H022 is consistent with the content of the NPPF, the evidence base in respects to open space requirements has changed and, in that sense, the policy is not fully up to date.

110. The OSNA sets out the requirements for public open space on a population pro rata basis. For schemes of this size the OSNA recommends provision of functional amenity/natural green and a children's play space (not necessarily equipped) within the site envelope. This would equate to around 3630sqm (amenity/green space) and around 121sqm (play space) respectively which would be secured at reserved matters stage.
111. The remaining typologies (allotments, parks and recreation, youth/ play space) would be provided for by way of financial contributions towards existing open space areas, this would amount to a contribution of £162,866.
112. The NHS have been consulted as part of the planning process and have advised that a development of this size would put additional pressure on local services. On this basis a contribution of £53,130 would be required for an additional population of 254 people generated by the development. This would go toward improvement of GP access and upgrading of existing surgeries.
113. The Schools Places Officer has also been consulted on the application. The officer has confirmed that based on the projected rolls of the schools, taking into account the likely implementation of the development, build out rates and other relevant committed development it is anticipated that there will be sufficient space to accommodate the pupils generated by the development in primary and secondary schools and no further mitigation is required in this instance.
114. Again, a S106 legal agreement cannot be entered into in this instance. As a result it has been agreed that in the event of approval the above financial contributions would be paid prior to the issue of the planning permission. The financial contributions would then be ring fenced and utilised for their specific purposes.

Other issues

115. As noted previously, one letter from a nearby resident has been submitted which relates to residential amenity and privacy distances to the existing properties and queries whether this would be taken into account with a further query raised in regards to site levels. Although the indicative drawings show that distancing standards can be adequately achieved, this will be ensured when the layout is assessed at reserved matters stage.
116. Stanley Learning Partnership have also commented that the emergency access should be located to the north of the site in order to avoid conflict with school traffic. The indicative drawings have been amended which now shows the emergency access to the north, although again, this would be assessed at reserved matters stage.
117. As noted earlier in the report, there are sports pitches near to the proposed development which could potentially be compromised by residential development. Sport England have been consulted in this regard and have assessed both the submitted lighting and noise impact assessments. They conclude that subject to a condition requiring noise mitigation, the proposals are unlikely to compromise the ongoing use of the sports pitches and therefore raise no objection.

Replacement car parks

118. Two proposed replacement car parks would be located to the south of the site, one with 28 spaces linked to the sports pitches and one with 24 spaces linked to the school giving a total of 52 spaces. It is intended that these car parks could be used by the public outside of school hours replace the existing car parking areas which had a total of 49 spaces. The route to the car parks would be to the south off Tyne Road East. Highways officers raise no objections to the location of the car parks and the number of spaces being provided. Therefore the car parks would be in accordance with Paragraphs 108 and 109 of the NPPF and policy TR2 of the DDLP. Conditions would be required which secured further detail of the car park construction and means of surface water treatment prior to leaving the site.

Planning Balance

119. The acceptability of the development should be considered in the context of Paragraph 11(d) of the NPPF as there are no relevant policies within the Local Plan which inform on housing. Furthermore, there are no NPPF policies that protect areas or assets of particular importance provide a clear reason to refuse the application and therefore in order to justify the refusal of planning permission any adverse impacts of a proposed development must significantly and demonstrably outweigh any benefits.

Benefits

120. The benefits of the scheme are the boost to housing supply which the proposed dwellings would provide, although the weight to be afforded to that boost is limited given the council's most recent position on 5 year housing land supply, the provision of affordable housing, the sustainable location of the development, the development of a brownfield site and the positive economic impacts both in terms of the construction phase of the development and in the longer term economic activity of the occupiers.

121. To a degree the development would provide direct and indirect economic benefits within the locality and from further afield in the form of expenditure in the local economy. This would include the creation of construction jobs, as well as further indirect jobs over the lifetime of the development. A temporary economic uplift would be expected to result from the development and expenditure benefits to the area.

Adverse impacts

122. No adverse impacts arising from the proposed scheme have been identified. Applying the titled balance test in paragraph 11, it is not considered that there are any adverse impacts which significantly and demonstrably outweigh the benefits and therefore planning permission ought to be granted.

CONCLUSION

123. Section 38(6) of the Town and Country Planning Act states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

124. The NPPF forms a material consideration and states at paragraph 11 that plans and decisions should apply a presumption in favour of sustainable development, and that for decision making this means:

c) approving development proposals that accord with an up to date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or,

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

125. As the result of the local plan context the NPPF indicates that the development should be approved unless there are specific policies within the NPPF that provide a clear reason for refusal, or where any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of doing so. There are no specific policies to which limb d(i) above relates which are applicable to the determination of this application.

126. The proposals involve the redevelopment of a former community centre site which is adjacent to established residential areas and there are a good range of facilities and services in the town to serve the development. The indicative scheme is considered to be good quality and in a sustainable location with a suitable access. It is compliant with all relevant saved local plan policy and in the context of paragraph 11, there are no adverse impacts that would significantly and demonstrably outweigh the benefits and is therefore recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of an internal transfer of funds within the Council to secure the following:

- i. £162,866 contribution towards enhancement or provision of play facilities in the Stanley Electoral Division.
- ii. £53,130 contribution toward healthcare provision in the Stanley Electoral Division.
- iii. £13,326 toward ecology mitigation.

and subject to a financial contribution the equivalent of 10% affordable housing provision so as to ensure the provision of discounted sale units to be secured through the sale documentation for the site/at the point of sale of the land

and subject to the following conditions:

1. Application for approval of reserved matters in relation to the housing development hereby approved shall be made to the Local Planning Authority before the expiration of three years beginning with the date of this permission and the development 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 date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. The development of the two car park areas depicted to the east of Stanley Community Football Centre on submitted plan A-200-01 Rev B hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

Potential Vehicular and Pedestrian Access A-200-03
Engineering Layout 1391472-DCC-HE-PA-01 Rev0

Reason: To define the consent and ensure that a satisfactory form of development is obtained, in accordance with Policies GDP1 and HO5 of the Derwentside District Local Plan.

5. No development shall take place until full engineering details of the site access onto Tyne Road has been submitted to and agreed in writing by the Local Planning Authority. No dwellings shall be occupied until the site access has been constructed and made available for use in accordance with the agreed details.

Reason: In the interests of highway safety and to comply with Saved Policy TR2 of the Derwentside District Local Plan.

6. No development in relation to the housing development hereby granted outline planning permission shall be carried out until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:

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

8. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials
9. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;
10. Routing agreements for construction traffic.
11. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
12. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
13. Detail of measures for liaison with the local community and procedures to deal with any complaints received.

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

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

Reason: In the interests of residential amenity having regards to Policy GDP1 of the Derwentside District Local Plan and Part 15 of the NPPF. Required to be pre-commencement as construction activity mitigation must be agreed before works commence.

7. No more than 20 dwellings hereby approved shall be occupied until the mini roundabout junction on Tyne Road has been constructed in accordance with plan Ref: 1391472 DCC STANLEY HE PA 01.

Reason: In the interests of highway safety and to comply with Saved Policy TR2 of the Derwentside District Local Plan

8. No development in relation to the housing development hereby granted outline planning permission shall be carried out until a scheme of sound attenuation measures/layout to comply with the noise assessment [Apex acoustics 16/10/19, 7487.1 revision B] has been submitted and approved in writing by the local planning authority. The approved scheme shall be completed prior to the beneficial occupation of the development and shall be permanently retained thereafter.

Reason: In the interests of residential amenity and to comply with Saved Policy EN25 of the Derwentside District Local Plan.

9. No development shall commence until a land contamination scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and include a Phase 2 site investigation, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.

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

10. Remediation works shall be carried out in accordance with the approved Phase 3 remediation strategy (as necessary). The development shall not be occupied until

such time a Phase 4 verification report related to that part of the development has been submitted to and approved in writing by the Local Planning Authority.

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

11. No development shall commence until an intrusive site investigations study has been submitted to and approved in writing by the Local Planning Authority which confirms that no further work is required in order to discount the potential risk posed by probable shallow workings in the southern area of the site. Should the Local Planning Authority confirm, in response to the intrusive site investigations study that further intrusive investigative work be necessary, then no development shall commence until the revised intrusive site investigations study has been submitted to and approved in writing by the Local Planning Authority. Should the Local Planning Authority confirm following assessment of any intrusive site investigations study submission that mitigation measures are necessary in order to ensure that the site is stable and suitable for the development to commence having regards to shallow workings legacy issues then no development shall commence until a scheme of mitigation measures has been submitted to and approved in writing by the Local Planning Authority. Said mitigation measures must include a programme/timescales for the implementation and completion of those mitigation measures. The development must thereafter be completed in accordance with the approved mitigation measures.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Paragraphs 178 and 179 of the National Planning Policy Framework. . Required to be pre-commencement as the stability of the land for the development must be ensured prior to development being undertaken.

12. In undertaking the development that is hereby approved:

No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0730 to 1400 on Saturday.

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

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

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

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

13. No development shall commence in relation to the housing development hereby granted outline planning permission until a scheme for the provision of foul and surface

water drainage works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be developed in accordance with the Councils Sustainable Drainage Systems (SuDS) Adoption Guide 2016. The development thereafter shall be completed in accordance with the details and timetable agreed.

Reason: to ensure that surface and foul water are adequately disposed of in accordance with parts 14 and 15 of the National Planning Policy Framework. Required as a pre-commencement condition to ensure that an acceptable drainage scheme is incorporated into the development.

14. The reserved matters shall include on-site provision of 3630 sq metres of amenity/green space and 121 sq metres of play space respectively. This provision will be completed and available for use prior to the occupation of the first dwelling, and remain available for use thereafter.

Reason: In accordance with the Open Space Needs Assessment and in accordance with Saved Policy GDP1 of the Derwentside District Local Plan and parts 8 and 12 of the NPPF.

15. No development of the car parks depicted to the east of Stanley Community Football Centre on submitted plan A-200-01 REV B and hereby permitted shall commence until full construction details including means of surface water drainage have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and made available for use before the operation of the existing car parks ceases.

Reason: In the interests of highway safety and to comply with Saved Policies GDP1 and TR2 of the Derwentside District Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

BACKGROUND PAPERS

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

The National Planning Policy Framework (2018)

National Planning Practice Guidance Notes

Statutory, internal and public consultation responses

Derwentside District Local Plan



Planning Services

Hybrid planning application seeking outline planning permission for the erection of up to 110 dwellings, including means of access (all other matters reserved) and full planning permission for the formation of car park(s)

Former Stanley Community Centre, Tyne Road, Stanley

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Comments

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