

## COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/20/00830/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	New residential three bedroom detached bungalow with detached garage.
<b>NAME OF APPLICANT:</b>	Mrs J Dickinson
<b>ADDRESS:</b>	Land at 27 Blind Lane, Chester-le-Street.
<b>ELECTORAL DIVISION:</b>	North Lodge Louisa Ollivere Planning Officer
<b>CASE OFFICER:</b>	Telephone: 03000 264878 <a href="mailto:louisa.ollivere@durham.gov.uk">louisa.ollivere@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. Located to the north of Chester-le-Street centre, the proposal site is situated within the garden of 27 Blind Lane, and located immediately adjacent to, but not within, the North Durham Green Belt. The site is located at the end of a cul-de-sac serving seven properties, including the host property, dating to the 1970s. The site is bounded by residential properties to the south and west, and open countryside and the A1(M) motorway to the east and north. The site falls within the Chester-le-Street settlement boundary, as designated in the Chester-le-Street District Local Plan Proposals Map, with services and schools located a short distance away. Bus stops are located approximately 400m to the west of the site on North Road, with eight-times hourly Monday-Saturday services to Newcastle city centre, and Chester-le-Street and Gateshead town centres.

#### The Proposal

2. Permission is sought for the erection of a detached bungalow, and detached garage. The property would broadly be constructed of brick with roof tiles to match the host property, as well as matching windows and doors, gates and an area of hardstanding for vehicles within the curtilage of the site. A substantial garden area would bound both sides of the property, whilst the levels difference to the north is noted, secured via a 0.5m high wall. It is noted planning approval has been granted for residential development at the site on four previous occasions.
3. This application is reported to Committee upon the request of Councillor Craig Martin due the need for the public within the vicinity to have further input and for the application to have further scrutiny.

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## PLANNING HISTORY

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4. 08/00074/FUL Proposed erection of one detached bungalow and detached garage (Approved).
5. 2/11/00057/EOT Application for the extension of time limit for the implementation of previously approved planning application 08/00074/FUL - Erection of one detached bungalow and detached garage (Approved).
6. DM/14/00324/FPA Erection of detached bungalow and garage (Approved).
7. DM/17/00999/FPA Erection of detached bungalow with detached garage (Approved).

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## PLANNING POLICY

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### NATIONAL POLICY

8. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
9. The NPPF requires local planning authorities to guide development towards sustainable solutions whilst taking local circumstances into account, to reflect the character, needs and opportunities of each area.
10. In accordance with paragraph 213 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.
11. The following elements of the NPPF are considered relevant to this proposal;
12. *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.
13. *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.

14. *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.
15. *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.
16. *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.
17. *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.
18. *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.
19. *NPPF Part 15 - 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. Amongst other aims decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site to impacts that could arise from the development. Noise should be mitigated and reduced to a minimum potential adverse impact to avoid noise giving rise to significant adverse impacts on health and quality of life. Decisions should ensure that new development can be integrated effectively with existing businesses. Existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development the applicant should be required to provide suitable mitigation.

## **NATIONAL PLANNING PRACTICE GUIDANCE:**

20. The newly introduced National Planning Practice Guidance (NPPG) both supports the core government guidance set out in the NPPF, and represents detailed advice, both technical and procedural, having material weight in its own right. The advice is set out in a number of topic headings and is subject to change to reflect the up to date advice of Ministers and Government.
21. *Design: process and tools* – sets out guidance for well-designed places, advises how to make decisions about design, details tools for assessing and improving design quality and promotes effective community engagement on design.
22. *Climate change* - Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. Planning can also help increase resilience to climate change impact through the location, mix and design of development. Reflecting the 'golden thread' of the NPPF, sustainable development is key.
23. *Flood Risk and Coastal Change* - The general approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. Application of the sequential approach in the plan-making process, in particular application of the Sequential Test, will help ensure that development can be safely and sustainably delivered, and developers do not waste their time promoting proposals which are inappropriate on flood risk grounds.

## **LOCAL PLAN POLICY:**

24. The following saved policies in the Chester-le-Street Local Plan 2003 are relevant to the consideration of this application.
25. *Policy NE2 – Development beyond settlement boundaries* – outside of settlement limits development will be strictly controlled. Development should protect and enhance the character of the countryside and be consistent with maintaining the economic sustainability of agriculture and other rural businesses.
26. *Policy NE6 – Development affecting the Visual Amenity of the Green Belt* – Development within or conspicuous from the Green Belt will not be granted where the proposal by virtue of its scale, siting, materials or design is detrimental to the visual amenity of such.
27. *Policy HP6 - Residential within settlement boundaries* – Proposals for residential development will be permitted within the defined settlement boundaries of a number of listed settlements providing it is classed as previously developed land and meets the general criteria of Policy HP9.
28. *Policy HP9 - Residential Design Criteria (General)* - requires new development to; relate well to the surrounding area in character, setting, density and effect on amenity of adjacent property, to provide an attractive, efficient and safe residential environment, to provide adequate privacy and amenity, safe road access and retain existing landscape features.

29. *T6 – Provision for Public Transport: General* – Development proposals should be designed to encourage use of public transport and reduce reliance upon the private car by locating accesses close to bus routes and footpath links. Where new transport links are required an appropriate contribution will be sought from the developer through a Section 106 obligation.
30. *Policy T8 – Car Parking Provision* – States that new development should seek to minimise parking provision other than for cyclists and disabled users, other than in exceptional circumstances.
31. *Policy T15 - Access and Safety provisions in design* - Development should have safe access to classified road, should not create high levels of traffic exceeding the capacity of the local road network, and have adequate links to public transport, with consideration for cyclists and service vehicles and emergency vehicles.
32. *Policy T17 - General Policy* - All new developments should have regard to and be consistent with the provision of a safe and accessible transport network, in particular through reducing reliance on the private car, encouraging the use of public transport and promoting cycling and walking.

#### **RELEVANT EMERGING POLICY:**

33. The County Durham Plan (CDP) which in time will replace the existing saved Local Plans in County Durham commenced its Examination in Public (EiP) in Winter 2019. The programmed hearing sessions subsequently closed on 6th February 2020, and the Inspector's issued his post hearing advice on 20th February 2020. An amended CDP has been prepared to take account of the specific instructions from the Inspector, and all the minor/main modifications which the Council proposed following the hearing sessions and in response to the action points issued by the Inspector. Consultation on the CDP (Main Modifications) commenced on Tuesday 26th May and will last until 21st July 2020 (an eight-week period). All comments that are received during this consultation period will be sent to the Inspector to inform his final report. 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. Although the CDP is now at an advanced stage of preparation, it is considered that it should not be afforded any weight in the decision-making process until the Inspector's final report has been received.

*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at*

<https://www.durham.gov.uk/article/3267/Chester-le-Street-Local-Plan>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **STATUTORY RESPONSES:**

34. Highways Officer– Has no objections to these proposals. The proposed development shall not be brought into use until a new access crossing has been

constructed in accordance with submitted and approved plans. The Officer recommends an informative be added that the site access crossing onto Blind Lane must be constructed in accordance with the requirements of Section 184(3) of the Highways Act 1980 and to ensure that that no doors or gates to open outwards towards the public highway and that all drainage from these proposals should be dealt with at source and not discharged onto the public highway.

35. Northumbrian Water – Northumbrian Water actively promotes sustainable surface water management across the region. They advise that the developer should develop their surface water drainage solution by working through the following, listed in order of priority:

Discharge into ground (infiltration)

Discharge to a surface water body

Discharge to a surface water sewer, highway drain, or another drainage system

As a last resort, discharge to a combined sewer.

#### **INTERNAL CONSULTEE RESPONSES:**

36. Trees Officer: Advises that the proposed garage will be located close to the boundary which, on the Highway side contains roadside trees and hedges. It is noted that overhang from the trees are currently across the boundary and that the proposed garage will require these to be cut back and will in the future be problematic for the structure.
37. The Officer advises that foundations for the garage will need to be on pile or raft foundation complying with chapter 4.2 building near trees as roots from DCC vegetation may be problematic in terms of future movement and root encroachment. The Officer advises that DCC will not remove highway trees to suit the application.
38. The Officer advises that it would be beneficial that the structure is moved away from the boundary as this will allow maintenance and reduce problems with overhang touching and causing damage to the roof. Unless moved to a distance outside the rooting area of highway trees, it is advised that foundations must comply with chapter 4.2 guidelines.
39. The Officer advises that trees within the property curtilage do not warrant tree preservation orders and that DCC will not be seeking to place any on this property.

#### **PUBLIC RESPONSES:**

40. 15 letters of consultation were sent out to surrounding residents. This has resulted in 5 letters of objection from local residents.
41. The concerns of local residents are summarised as follows:
- The lack of neighbour consultation.
  - The build is likely to interfere with the tree roots and the hedgerow.
  - The trees play an important role in enhancing the local landscape and help against noise and pollution from the A693.
  - The proposed development will have a serious effect on the current access arrangements if the hammer head is used as off-site parking for the development. Service vehicles and visitors to the neighbouring properties would then have to reverse onto Blind Lane, a very busy and fast arterial road,

or undertake 3 point turns which would risk damage to pavements, driveways and/or vehicles. This may prevent deliveries to the street's residents. The request that the integrity of the turning bay must be preserved.

- Design should be in keeping with the existing bungalows.

*The above is not intended to list every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:*

<https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?keyVal=Q7REE1GD0ER00&activeTab=summary>

## **APPLICANTS STATEMENT**

42. The proposed bungalow at this site has been approved several times before, and all details remain the same, so I am hopeful that it will again be given approval.
43. The planned property is in keeping with the rest of the estate being a one level detached dwelling with a separate garage and open aspect. Building materials and design match those of the other bungalows in the street. Due to the private position at the very end of the street, there would be minimal disruption during building. All service utilities are already in place in the existing property.
44. The completed bungalow would provide spacious ground floor accommodation in a quiet, private cul-de-sac in a location well suited for commuting north or south on the A1, and also close to the ample shopping and leisure facilities in Chester-Le-St, Durham and Newcastle. Public transport links are good with many bus stops in walking distance, and a railway station only 2 miles away. It would be both an attractive and practical place to live.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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### The Principle of the Development

45. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, whether this is a sustainable location for housing development, the impacts upon residential amenity and the economy, design and the impacts upon the character of the area, highway safety and whether appropriate drainage can be achieved.

### The Development Plan

46. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The NPPF was updated in February 2019. The overriding message remains that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.

47. In accordance with paragraph 213 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.

## The Principle Issues

### Engagement of paragraph 11 of the NPPF

48. The proposal would be in conflict with the most relevant saved local Plan policy HP6 (Residential development within settlement boundaries) as this is not a brownfield site. However, this policy is inconsistent with the NPPF and also out-of-date, therefore, the weight to be afforded to this policy is reduced and paragraph 11 of the NPPF is engaged.
49. Paragraph 11 of the NPPF advises that where the policies which are the most important for determining the application are out of date that planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.
50. As specific policies in the Framework do not indicate that the development should be restricted the acceptability of the proposal rests on an assessment of whether any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### Locational Sustainability

51. Paragraph 108 of the NPPF advises that when considering new development, it should be ensured that there are appropriate opportunities for sustainable transport modes to be taken up. There are bus stops with regular services within reasonable walking distance of the site and the town centre is within 650m. The proposed site can therefore be considered to be moderately sustainable as there would not be heavy reliance on the private vehicles for accessing employment and services.
52. It is accepted that the proposed development would result in greenhouse gas emissions. However, it is considered that such emissions are likely to be relatively lower than would be the case for alternative, less sustainable locations.

### Residential Amenity

53. Chester-Le-Street Local Plan Policy HP9 requires proposals to avoid damage to neighbouring amenity and provide an attractive environment and adequate privacy and daylight. This policy is broadly consistent with the NPPF and NPPG. Section 11 Paragraph 117 of the NPPF requires planning decisions to ensure healthy living conditions and paragraph 122 emphasis the importance of securing healthy places.
54. The closest property to the application site is the host dwelling, and it is appreciated that a degree of overlooking may occur from the host dwelling into the

proposal site garden, however this overlooking will reduce in time as boundary hedging grows and it has been taken into account that there is a more private area of garden to the east side of the dwelling. Furthermore the position of the dwelling has twice been considered acceptable in this respect. It is acknowledged the windows in the host property facing the proposal site's western blank gable end are approximately 12 metres away, this exceeds the minimum 10m distance between single storey gables where one has a principal room window which is normally required within the adopted residential amenity standards SPD. Furthermore, these windows are at an angle and would not be directly facing in any case, therefore there would only be marginal impacts to the neighbouring property light and outlook. Given the above, it is not considered any significant amenity impacts would occur to neighbouring properties.

55. With regards to other amenity considerations, the residential amenity standards advise that developments should incorporate usable, attractively laid out and private garden space and generally require the length of gardens to be no less than 9m. Whilst this proposal would not have a long rear garden it would have two side garden areas of a reasonable size which are considered to be acceptable. The amount of garden land that remains for the host property would also be less than 9m in length however the size of the front and rear gardens would remain at an acceptable level similar to other properties on the estate.

#### Impacts upon character of the area

56. Chester-Le-Street Local Plan Policy HP9 requires developments to relate well to the surrounding area, respect its predominant character and street pattern, setting and density. This policy is broadly consistent with paragraph 127 of the NPPF which requires developments to function well and add to the overall quality of the area, be visually attractive, be sympathetic to the local character and history and to establish a strong sense of place.
57. Local residents are concerned about the design of the development not appearing in keeping. Whilst the design differs from the uniform design of the other bungalows on the estate in terms of development footprint and layout, this somewhat smaller and simpler design is considered acceptable given that it is sited at the end of the cul de sac. Furthermore it is of note that an identical design and has twice been considered acceptable under 2 previous permissions in recent years. The proposed materials are in keeping with the neighbouring properties. Overall the proposal is considered to be of a good standard of design and it is considered that the proposal would respect the local character.

#### Impacts on the Greenbelt

58. Chester-le-Street Local Plan Policy NE6 advises that development within, or conspicuous from, the Green Belt will not be granted where the proposal by virtue of its scale, siting, materials or design is detrimental to visual amenity of the Green Belt.
59. As the proposed site is within a garden of an existing property on an estate it will be seen in the context of the built development that surround it and which it reflects in terms of scale, siting and materials. Bearing this in mind it is not considered that there would be harm to the visual amenity of the adjacent Green Belt.

## Five Year Housing Land Supply

60. 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.
61. Within County Durham all of 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 'Preferred Options' (June 2018) stage of the emerging County Durham plan (CDP) is aligned with the standardised methodology and identifies a housing need figure of 1,368 dwellings per annum (dpa). The Council is able to demonstrate in excess of 6 years supply of deliverable housing land against this figure. 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. The boost to housing supply from the development of one dwelling should not therefore be given significant positive weight in the planning balance.

## Building a strong, competitive economy

62. Section 6 of the NPPF advises that significant weight should be placed on the need to support economic productivity. It is recognised that the development would be likely to support the local construction industry. However, in terms of construction this would only be short term and would not carry much weight in favour of the proposal.

## Impacts to trees

63. Chester-le-Street Local Plan Policy HP9 criteria xii advises that as far as possible, existing landscape features should be incorporated into developments, this would include trees. Paragraph 175 of the NPPF seeks to protect ancient and veteran trees. There are no trees on the site that would be likely to be affected. Whilst there are trees on the adjacent highway land that could be affected these would not be considered to be ancient or veteran trees or particularly worthy of Tree Preservation Orders but would be considered to be a roadside feature that DCC as highways authority would not be willing to remove. Trees Officers and local residents have identified that the close proximity of the trees as a potential problem and have raised concerns over their compatibility with the proposed garage and the need for their retention on visual and sound barrier grounds. In response the applicants have confirmed that the foundations for the garage will be on pile or raft foundation as advised by the Trees Officer to prevent future movement and root encroachment. Such measures would ensure the survival of the trees and are considered acceptable.

## Drainage Considerations

64. Chester-Le-Street Local Plan is silent in respect of flooding. Section 14 of the NPPF requires Local Planning Authorities to take full account of flood risk. Paragraph 163 advises that development should not increase flood risk elsewhere. The applicant has detailed that surface water drainage would be to the mains sewer which is contrary to the requirements of the County Durham Surface Water Management Plan. The Local Planning Authority are satisfied however that

a satisfactory surface water drainage arrangement could be achieved on this site and would therefore, in the event of approval, require a condition in relation to the submission of a surface water drainage scheme and implementation of agreed scheme on site. With such a condition it is considered the application gains the support of the NPPF in this respect.

#### Access/Parking/highway Safety

65. A range of transport policies apply to this scheme however only T6 and T15 achieve some consistency with national guidance. T6 requires development to be consistent with a safe and accessible public transport network and should help to encourage its use by all members of the public. T15 requires developments to have safe access, turning and manoeuvring space, acceptable levels of traffic, adequate links and access to and provision for public transport and consideration for pedestrians and cyclists. Paragraph 108 of the NPPF advises that appropriate opportunities to promote sustainable transport modes can be taken up, that a safe and suitable access to the site can be achieved and that any significant impacts can be cost effectively mitigated.
66. As detailed above it is considered that this is a moderately sustainable location with opportunities for residents to use sustainable transport modes. Whilst the residents of the estate have concerns over the potential for parking in the hammer head and the subsequent highways safety issues this could cause, the Highways Officer has no such concerns given the adequate level of parking on the site (3 spaces and a garage). This should reduce the likelihood of any parking over spilling onto the street. It is acknowledged that residents/delivery drivers etc have experienced issues in terms of being able to safely access and exit the street when persons have parked in the hammerhead however this is not within the remit the control of the Planning Authority. No concerns have been raised from Highways in relation to additional traffic associated with the dwelling. Bearing the above in mind it is therefore considered that in terms of Highways Safety the proposal is in accordance with the NPPF and Chester-Le-Street Local Plan Policy.

#### Other Issues

67. Residents have raised concerns over the lack of neighbour consultation however the consultation undertaken goes beyond statutory requirements.

#### The Balancing Exercise

68. The application brings the benefits of adding to the County's housing supply of dwellings in sustainable locations and aiding the local construction economy.
69. Conditions can ensure that there are no adverse impacts in relation to the highway, trees or drainage and all other issues are considered neutral.
70. This balancing exercise has led your Officers to the following conclusion.

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## CONCLUSION

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65. The conclusion of the balancing exercise of paragraph 11 of the NPPF is that there are no adverse impacts that would significantly and demonstrably outweigh the limited sustainable housing supply and economy benefits, when assessed against the policies in the Framework taken as a whole. Therefore, in accordance with paragraph 11 of the NPPF, the application should be approved.

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## RECOMMENDATION

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

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

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

2. The development hereby approved shall be carried out in strict accordance with the approved plans listed in Part 3 - Approved Plans.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy HP9 of the Chester-le-Street Local Plan.

3. The foundations of the garage hereby approved must be on pile or raft foundation complying with the technical requirements of the National House Building Council Standards 2020 chapter 4.2 building near trees.

Reason: In the interests of safeguarding trees on the highway verge in accordance with Chester-le-Street Local Plan Policy HP9 criteria xii.

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

Reason: to ensure that surface and foul water are adequately disposed of in accordance with 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.

5. The proposed development shall not be brought into use until a new access crossing has been constructed in accordance with plans submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy T15 of the Chester-le-Street Local Plan.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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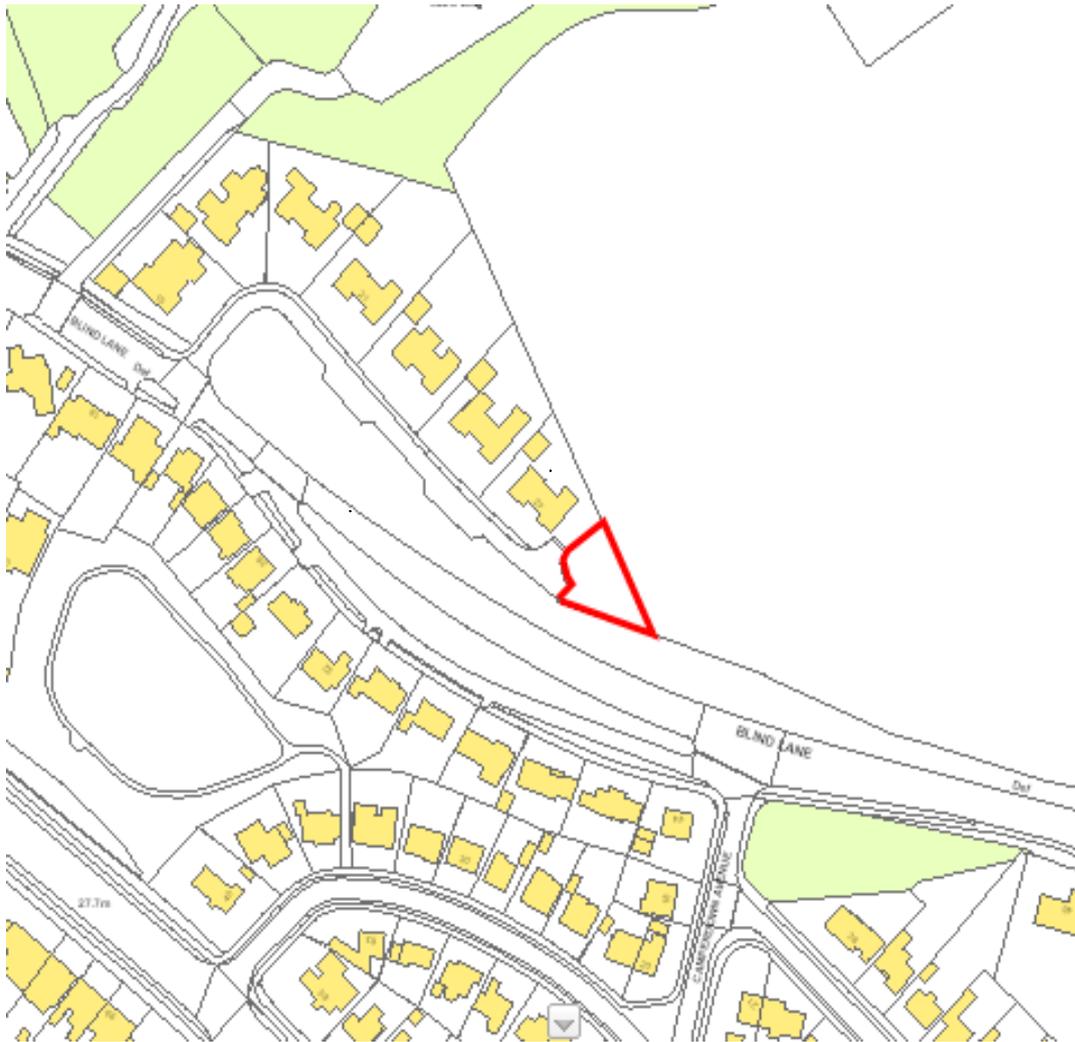
The Local Planning Authority in arriving at its decision to refuse the application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering 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.)

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## **BACKGROUND PAPERS**

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The National Planning Policy Framework (2019)  
National Planning Practice Guidance Notes  
Chester-le-Street Local Plan 2003 (saved policies)  
Statutory, internal and public consultation responses  
Submitted forms, plans and supporting documents



**Planning Services**

DM/20/00830/FPA

New residential three bedroom detached bungalow with detached garage.

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**Comments**

**Date** 16.06.2020

**Scale** NTS