

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/20/03621/FPA
FULL APPLICATION DESCRIPTION:	Refurbishment into 5 individual self-contained flats
NAME OF APPLICANT:	Durham County Council
ADDRESS:	Former Community Health Clinic School House Front Street Wheatley Hill
ELECTORAL DIVISION:	Trimdon and Thornley
CASE OFFICER:	Jennifer Jennings Planning Officer Telephone: 03000 261057 jennifer.jennings@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site consists of a detached property located on a rectangular plot of land at Front Street, Wheatley Hill. Formerly operating as a community health clinic, it is a two-storey rendered building with a flat roof forward extension along its frontage abutting the main street, containing curtain walling and a central door area. The two-storey element consists of a dual pitched slate roof and domestic style windows. To the rear are two two-storey extensions.
2. The land to the rear of the building consists of a hardstanding area, providing parking facilities and bin store, and a grassed area beyond. A low level brick boundary wall surrounds the perimeter of the land, with access into the parking area taken from Dennis Street to the west.
3. The site is located within the local commercial centre of Wheatley Hill (as defined by Policy 9 of the CDP), but is surrounded by residential properties to the west of the site, a small industrial park with small workshop units to the north east and east and commercial properties across the Front Street to the south. A wooded area exists to the north of the site.

The Proposal

4. This application seeks planning permission to convert the building into five individual self-contained dwellings on behalf of Housing Solutions, with two of the flats being DDA compliant. The majority of the works would be internal but some amendments would be made to the external appearance through addition of new windows and doorways and the land to the rear would be upgraded with new tarmac and concrete paving.

5. This application is being considered by Committee at the request of a Local County Councillor and Parish Council.

PLANNING HISTORY

6. None relevant.

PLANNING POLICY

NATIONAL POLICY

7. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:
8. *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.
9. *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.
10. *NPPF Part 5 – Delivering a wide choice of high quality homes.* The Government advises Local Planning Authority's to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
11. *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.
12. *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.

13. *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.
14. *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.
15. *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.
16. *NPPF Part 15 - Conserving and enhancing the natural environment.* Planning policies and decisions should contribute to and enhance the natural and local environment.

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

NATIONAL PLANNING PRACTICE GUIDANCE:

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; historic environment; design process and tools; determining a planning application; flood risk; healthy and safe communities; land affected by contamination; 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:

The County Durham Plan

26. *Policy 6 Development on Unallocated Sites* states that the development of sites within the built up area that are not allocated in the plan or in a neighbourhood plan will be permitted provided they accord with all relevant development plan policies and meet specific criteria in relation to existing permitted uses, coalescence of settlements, loss of land with identified value such as in relation to ecology or recreation, is appropriate, is not prejudicial to highway safety, has good access to sustainable modes of transport to relevant services and facilities, does not result in the loss of the settlements last community building, minimises vulnerability and provides resilience to impacts resulting from climate change, maximises the effective of previously developed land and where appropriate reflects priorities for urban regeneration.

27. *Policy 15 Addressing Housing Need* notes the need to increase the range and quality of housing provision within the County and with regard to meeting the needs of older people and people with disabilities states that 66% of dwellings on sites of 5 dwellings or more must be built to Building Regulations M4(2) (accessible and adoptable dwellings) standard.
28. *Policy 19 Type and Mix of Housing*. Advises that on new housing developments the council will seek to secure an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations and the opportunity to facilitate self build or custom build schemes.
29. *Policy 21 Delivering Sustainable Transport* states that all development shall deliver sustainable transport by (in part) ensuring that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestions or air pollution and that severe congestion can be overcome by appropriate transport improvements.
30. *Policy 25 Developer Contributions*. Advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.
31. *Policy 29 Sustainable Design* details general design principles for all development stating that new development should contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities.
32. *Policy 31 Amenity and Pollution* states that new development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and should be integrated effectively with any existing business and community facilities.
33. *Policy 32 Despoiled, Degraded, Derelict, Contaminated and Unstable Land* states [in part] that development will not be permitted unless the developer can demonstrate that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities.
34. *Policy 36 Water Infrastructure*. Advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and waste water infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

35. *Wheatley Hill Parish Council* objects to the application. They state that the Front Street of Wheatley Hill is not an appropriate location to house the homeless, as the street is a mix of residential and commercial and attracts congregations of local youth causing persistent problems with anti-social behaviour. Vulnerable people living in this area in the past have been targeted by local youths making them more vulnerable to these issues. Further concern is raised that homeless people have complex needs and there are no proper services or assistance to offer support to future occupiers.
36. Issues are raised regarding safeguarding given the close proximity of primary schools and elderly. It is further noted that Wheatley Hill has limited public amenities to be of any support to future occupiers. There is additional concern over the transparency of the application as the supporting documents were not clear as to the intentions and no prior consultation with the Parish or community took place. In addition consultation letters were sent to addresses which are known to be empty properties.
37. *The Highway Authority* raise no objections to the proposals.

INTERNAL CONSULTEE RESPONSES:

38. *Ecology* officers have raised no objections, noting that the building has been recently surveyed and is a low risk for bats.
39. *Environment, Health and Consumer Protection (Nuisance Action Team)* have raised no objections. The details submitted identified noise issues from the road and commercial properties. No concerns were raised regarding odour. A condition for details in relation to noise mitigation measures is advised.

EXTERNAL CONSULTEE RESPONSES:

40. *Durham Constabulary* – no response received at time of writing.

PUBLIC RESPONSES:

41. One letter of objection was received from the Wheatley Hill Community Association and a letter of concern was received from the local ward member.
42. The local ward member raised concerns regarding the level of consultation undertaken and noted that neighbour notification letters had been sent to known empty properties neighbouring the site.
43. The Community Association considered that wider consultation should have taken place. Concern has been raised over the impacts of this development on the Greenhills Centre which already has a high level of service users. Assurances are sought that proper safeguarding policies and procedures will be in place for the new homes with effective management on a day-to-day basis. Further concern was raised that the intended use of the building may have negative effects on service user footfall at the Greenhills Centre, as some may be concerned about attending. There is also concern raised in regards to ongoing anti social behaviour in the area which could be exacerbated by the new use.

APPLICANT'S STATEMENT:

44. There appear to be a number of misconceptions regarding this planning application. Firstly, it is not a specialist housing scheme as set out in the County Durham Plan. This accommodation is 5 individual flats to be reserved for homeless clients or those at risk of homelessness as defined under the Housing Act 1985. This is a very wide area in terms of provision not just homeless or rough sleepers. This also does not mean that clients likely to be placed there will have complex needs or a criminal record.
45. Wheatley Hill flats will be managed by County Durham Lettings Agency (CDLA), a department within Housing Solutions that provides housing to a wide range of clients. In order to qualify for a property clients must meet strict criteria and properties are visited on a regular basis, tenants offered housing management support in terms of paying bills, maintaining property standards as necessary and linking clients into employability and job search opportunities. This provision goes above and beyond what clients would receive if they were housed into mainstream housing. CDLA already have a number of properties dispersed across the County within local communities. CDLA are happy to give named contacts and contact details to local residents if they feel they need to arise any concerns when the properties are occupied.
46. As with any housing application within the private or social rented sector, for those subject to probation supervision, address checking is carried out prior to a client being offered a property. This takes into account offences, and locations of certain sites, such as schools and vulnerable clients and accommodation is then managed by the appropriate services.
47. Wheatley Hill flats are being developed as part of the Government's response to the Coronavirus pandemic under Next Steps Accommodation Programme (NSAP) funding. During this time the supply of housing available to those who find themselves in housing need has been limited due to the evictions embargo and the usual flow of available properties being disturbed. This coupled with the governments Everybody In response, where local authorities were requested to house all rough sleepers, has led to high numbers of individuals living in temporary accommodation and becoming street homeless.
48. Options for homeless clients are social or private rented sector or if they cannot access this for whatever reason, such as no previous tenancy history or insufficient finances the client faces rough sleeping.
49. Wheatley Hill does offer access to local shops and transport routes to access other facilities across the County. Comments that there are a lack of facilities could be replicated across and County Durham village but access to shops, food, and a transport network are available. As this provision is 5 general needs flats there is no evidence that clients will need additional assistance.
50. NSAP funding must be fully spent by 30th June 2021 and work must start on site by 31st March 2021 or the Council risk losing this pot of funding, having to repay this to central government. There will be similar further funding in 2021/22 that Durham will apply for but if this scheme does not go ahead it is likely we will be unsuccessful as been classed as undeliverable. This will therefore leave a large gap in necessary provision.

51. This provision is also providing 2 fully compliant DDA flats an area of huge need, as a single person accommodation. CDLA intends to prioritise clients that are more local to Wheatley Hill for these flats to they can continue to access family/friends support and maintain necessary links within the community.
52. Meetings did occur with local councillors last year prior to the planning application but as these flats are not specialist provision appropriate consultation has taken place.

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

PLANNING CONSIDERATIONS AND ASSESSMENT

53. As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In assessing the proposals against the requirements of the relevant planning guidance and development plan policies and having regard to all material planning considerations it is considered that the main planning issues in this instance relate to the principle of development, impact on the appearance and character of the area and impact on amenity of nearby and future residents and the wider community.

Principle of the Development

54. The County Durham Plan (CDP) was adopted in October 2020 and as such represents the up to date local plan for the area and the starting point for the determination of this planning application. Consequently, the application is to be determined in accordance with relevant policies set out within the CDP.
55. The NPPF is a material planning consideration. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up to date development plan without delay.
56. The application site is located within the settlement of Wheatley Hill. It is not allocated for housing within Policy 4 of the County Durham Plan (CDP). Development of housing on unallocated sites within the built-up area should be assessed and determined against Policy 6. This policy sets out the following criteria:

The development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are either (i) within the built-up area; or (ii) outside the built-up area (except where a settlement boundary has been defined in a neighbourhood plan) but well-related to a settlement, will be permitted provided the proposal accords with all relevant development plan policies and:

- a. is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;
- b. does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;

- c. does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
- d. is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement;
- e. will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;
- f. has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;
- g. does not result in the loss of a settlement's or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;
- h. minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;
- i. where relevant, makes as much use as possible of previously developed (brownfield) land; and
- j. where appropriate, it reflects priorities for urban regeneration.

57. The proposal is within the built up area and therefore is acceptable in principle, subject to assessment against the various criteria in a) – J) above. The proposal would not result in inappropriate ribbon or backland development. The site is noted as being highly sustainable, being central to a small range of facilities and with ready access to sustainable modes of transport. Although a former health clinic building, its loss to become housing would not impact on essential neighbourhood facilities in the area as a new clinic has been established further west of the site some four years ago. The re-use of this derelict building, is therefore considered to be an improvement to the amenities of the area, contributing to a degree to urban regeneration, particularly as the current structure has been prone to vandalism and attracting anti-social behaviour.
58. However, the objections raised consider the re-use of the building to house homeless clients as inappropriate in its current location. The concerns raised relate to the potential for this use to exacerbate problems of anti-social behaviour, already considered to be of significant issue in this location. In addition concerns are raised that insufficient support services exist in this area for the potential complex needs of future occupiers of the flats.
59. The applicant was notified of the issues raised and provided clarity in terms of likely tenancy at the flats, confirming that the accommodation was to meet needs of people at risk of homelessness, as defined under the Housing Act 1985 which has a broader definition than just rough sleepers. On this basis, there is no greater likelihood that clients would have complex needs or a criminal record than any other tenancy. It was further clarified that the properties would be managed by County Durham Lettings Agency, a department within Housing Solutions in Durham County Council, who vet and manage all future tenants as well as provide a range of support services.

60. It should be noted the proposals are presented as a scheme for the creation of five dwellings and fall to be considered under the remit of policy 6. The proposals are identified as meeting the criteria listed within this policy with the proposed C3 use class deemed acceptable. Although there are concerns over the potential tenancy, there are limits to the extent of control that can be afforded through the planning system in respect of this as the planning system cannot control the type or identity of residential occupiers. Given the number of dwellings to be created, there is no requirement for an affordable housing contribution, but the dwellings are nonetheless intended to meet an identified housing need. In addition whilst the M(4) building control requirements for disabled access to all new properties does not apply in this case, as conversion works are exempt from this requirement, the proposals are seeking to provide two units as fully DDA compliant.
61. Subject to other considerations below the proposals are considered to be in accordance with policy 6 of the CDP.

Impact on the character and appearance of the area

62. Policy 6 of the CDP requires that development be appropriate in terms of scale, design, layout and location to the character, function, form and setting of, the settlement. It also states that development would not be approved where it would result in the loss of open land that has recreational, ecological or heritage value or contributes to the character of the locality which cannot be adequately mitigated or compensated for.
63. The proposals intend to reinstate the existing building on site, making good existing external render and roof materials where required. The existing curtain walling to the front would be replaced with matching render and would include two new windows and doors to serve the new dwellings. A new external door to the rear is proposed along with two new windows on the side elevation facing Dennis Street. The rear tarmac yard area would be renewed with removal of spiked security fencing.
64. Overall the proposed works to renew the disused building would be a visual improvement, with works considered appropriate to the existing design and appearance and in keeping with the wider area, in accordance with policy requirements.

Impact on amenities of existing and future residents

65. Policy 29 requires that all development achieves well designed buildings and places having regard to supplementary planning documents and: e) provide high standards of amenity and privacy and minimises the impact of development upon the occupants or existing adjacent and nearby properties.
66. Policy 30 states that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. The proposal will also need to demonstrate that future occupiers of the proposed development will have acceptable living or working conditions. Proposals which will have an unacceptable impact such as through overlooking, visual intrusion, visual dominance, or loss of light, noise or privacy will not be permitted unless satisfactory mitigation measures can be demonstrated whilst ensuring that any existing business and / or community facilities do not have any unreasonable restrictions placed upon them as a result.

67. The proposals are located within a mix of commercial and residential uses. Directly east of the site are a range of industrial / workshop units, whilst a number of shops are located across the road, south of the site. To the west are a number of residential properties, some of which are noted as empty and boarded up.
68. In terms of impacts on neighbouring residents, the new use is not expected to create impacts that are out of keeping with the existing residential use in the area. Alterations to the building are limited, with the main potential impact relating to two new side gable windows looking out onto Dennis Street. However these windows at ground floor level would overlook the largely blank gable of no. 1 Alexandra Terrace. There are therefore no concerns regarding loss of privacy or overlooking to any existing residents or occupiers.
69. In terms of amenities of future occupiers at the properties, it is noted that the properties all meet the nationally described space standard for one bed flats, two of which would also be DDA compliant.
70. A noise assessment was submitted with the proposals, and this identified that the source of noise that could potentially be most problematic for future occupiers would be from the nearby garages east of the site, but only during business / daytime hours. Based on this, sound insulation measures would be required to mitigate these impacts. Environmental Health assessed the recommendations and requested that a condition be applied to any permission requiring a detailed scheme of noise mitigation be submitted. No issues were raised regarding odour from nearby businesses.
71. In consideration of the above, subject to a condition for details on noise mitigation, the proposals are considered to accord with policy 29 and 31 of the CDP.

Highway Safety and Access

72. Policy 6 requires that development will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity. Policy 21 states that development should: c) ensure that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestion or air pollution and that severe congestion can be overcome by appropriate transport improvements. In relation to parking the policy states that car parking at residential development should ensure that a sufficient level is provided for both occupants and visitors, to minimise potential harm to amenity from footway parking.
73. A large hardstanding area exists to the rear of the building that can suitably accommodate car parking as required. Suitable access can also be attained onto the main roads and the addition of five dwellings in this location would not be considered to create any significant notable difference to existing traffic in the area. In any case the site is well located in terms of access to sustainable transport modes with a regular bus service passing in front the property linking to a number of main towns.
74. Highways assessed the proposals and raised no objections. The proposals are therefore considered compliant with the relevant parts of policy 6 and 21 of the County Durham Plan.

Other issues

75. A number of concerns were raised regarding the extent to which the application had been publicised by the Local Planning Authority, in particular that a number of neighbour notification letters were sent to nearby properties that are known to be empty. It is advised that the extent of notification letters sent fully accords with the LPA's consultation policy and extended beyond the usual extent of notification to properties directly adjoining the site. In addition a site notice was posted adjacent to the site.
76. These two measures undertaken to publicise the proposals exceed the statutory minimum which requires either notification letters or a site notice to be posted and in this respect the LPA has fulfilled its responsibilities with regards to the publicity of the application in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended.
77. Further concerns were raised with regards the potential for the new occupancy of the flats to create safe-guarding issues for school children and other vulnerable adults in the area, as well as the impact on users of the existing Greenhills Centre. However there are limits to the extent that planning can control this, particularly as the scheme is considered against its acceptability as a C3 use class, which, as noted above, is in adherence with relevant policy. Notwithstanding this, further information from the applicant has clarified the extent to which future tenants are assessed and provided with support, and this does provide some assurance that negative impacts on the wider community should not arise. Accordingly, there is no evidence that the proposed use would give rise to the issues feared by residents.
78. Overall, the concerns of objectors have been taken into account, however, it is not considered that the concerns raised would warrant refusal of planning permission. The proposals have been identified as being policy compliant and the issues raised do not indicate any policy conflict in this case.

CONCLUSION

79. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.
80. In summary, policy 6 of the CDP sets out a number of criteria for development at unallocated sites within the CDP. In this instance, and for the reasons set out in this report, it is considered that on balance the proposed development complies with the criteria of policy 6. Paragraph 11 of the NPPF states that development proposals that accord with an up to date development plan should be approved without delay.

RECOMMENDATION

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

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

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

2. The development hereby approved shall be carried out in strict accordance with the 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(ies) 6 and 29 of the County Durham Plan and Parts 12 of the National Planning Policy Framework.

3. No development shall commence until a scheme of noise mitigation measures has been submitted to and approved in writing by the Local Planning Authority. The aim of the scheme shall be to protect future occupiers from road traffic/commercial noise and should ensure the following noise levels are achieved.

o35dB LAeq 16hr bedrooms and living room during the day-time (0700 - 2300)

o30 dB LAeq 8hr in all bedrooms during the night time (2300 - 0700)

o45 dB LAm_{ax} in bedrooms during the night-time

o55dB LAeq 16hr in outdoor living areas

The approved scheme shall be implemented prior to the beneficial occupation of the development and shall be permanently retained thereafter.

Reason: In the interest of the amenity of existing and future occupants in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required as a pre commencement condition to ensure that an appropriate scheme is agreed and can be implemented.

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

Statutory, internal and public consultation responses

The National Planning Policy Framework (2019)

National Planning Practice Guidance Notes

County Durham Plan

Residential Amenity Standards SPD (2020)

