

# COMMITTEE REPORT

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## APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/21/03498/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	21no. 2 bed and 2no. 3 bed wheelchair adaptable dormer bungalows with parking and associated landscaping
<b>NAME OF APPLICANT:</b>	Believe Housing
<b>ADDRESS:</b>	Land north of Tintern Road, St Helen Auckland, Co Durham
<b>ELECTORAL DIVISION:</b>	West Auckland
<b>CASE OFFICER:</b>	Mark O'Sullivan, Senior Planning Officer, 03000 261056, mark.o'sullivan@durham.gov.uk

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## DESCRIPTION OF THE SITE AND PROPOSALS

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1. The application relates to a rectangular grassed area (some 0.8Ha) located to the north of Tintern Road, St Helen Auckland. Melrose Drive is located to the east and Leazes Lane to the west, with the wider setting predominately residential in character comprising terraces of two storey dwellings. The site was previously occupied by residential properties, demolished sometime between 1980 and 1994, with the land having been left to grass since this time. The site presently forms amenity grassland as reflected within the Councils open space needs assessment.
2. Planning permission is sought for the provision of 23no. wheelchair adaptable bungalows. 21no. of these would be 2-bed, 3 person bungalows, and the other 2no. 3-bed, 5 person dormer bungalows. The proposals include associated off street parking and landscaping. An existing substation within the site is to be retained, with an existing public footpath which crosses through the site to be relocated.
3. The application is submitted by Believe Housing (a registered provider of social housing) in response to a recent assessment of housing need and demand in St Helen Auckland for affordable wheelchair adaptable bungalows. The survey established demand for both general need family and elderly/disabled dwellings. All dwellings would be provided for affordable rent.
4. The application is being reported to the Planning Committee in accordance with the Council's Scheme of Delegation as it falls within the definition of major development.

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## PLANNING HISTORY

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5. Consent was previously for the demolition of 50no. dwellings and 9no. garage blocks on land at Tintern Road with the area subsequently cleared.

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## PLANNING POLICY

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### NATIONAL POLICY

6. A revised National Planning Policy Framework (NPPF) was published in July 2021. 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.
7. *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.
8. *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.
9. *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.
10. *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.
11. *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.
12. *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.

13. *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.
14. *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.
15. *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 Page 73 pollution and land stability and remediating contaminated or other degraded land where appropriate.

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

#### **NATIONAL PLANNING PRACTICE GUIDANCE:**

16. 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; climate change; design process and tools; determining a planning application; effective use of land; healthy and safe communities; land affected by contamination; natural environment; noise; 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 (CDP)

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

of developments to meet the needs of older people and people with disabilities and the circumstances in which the specialist housing will be supported.

19. *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.
20. *Policy 21 (Delivering sustainable transport)* requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
21. *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.
22. *Policy 26 (Green infrastructure)* seeks to resist development proposals which would result in the loss of open space or harm to green infrastructure assets unless the benefits of the development clearly outweigh that loss or harm and an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements. Where valued open spaces or assets are affected, proposals must incorporate suitable mitigation and make appropriate provision of equivalent or greater value in a suitable location. Where appropriate there will be engagement with the local community.
23. *Policy 29 (Sustainable Design)* requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable, including: making positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape proposals. Provision for all new residential development to comply with Nationally Described Space Standards, subject to transition period. Policy 29 also required major developments to appropriately consider the public realm in terms of roads, paths, open spaces, landscaping, access and connectivity, natural surveillance, suitable private and communal amenity space that is well defined, defensible and designed to the needs of its users. Also new major residential development is required to be assessed against Building for Life Supplementary Planning Document, to achieve reductions in CO2 emissions, to be built to at least 30 dwellings per hectare subject to exceptions. All new development to achieve BREEAM minimum rating of 'very good'.
24. *Policy 31 (Amenity and pollution)* sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community

facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.

25. *Policy 32 (Despoiled, degraded, derelict, contaminated and unstable land)* requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
26. *Policy 35 (Water management)* requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.
27. *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.
28. *Policy 39 (Landscape)* states that proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts.
29. *Policy 40 (Trees, woodlands and hedges)* states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
30. *Policy 41 (Biodiversity and geodiversity)* restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as are biodiversity net gains. Proposals must protect geological features, have regard to Geodiversity Action Plans and the Durham Geodiversity Audit and where appropriate promote public access, appreciation and interpretation of geodiversity. Development proposals where the primary objective is to conserve or enhance biodiversity or geodiversity will be permitted if they comply with other local plan policy. Development proposals which are likely to result in the loss of

deterioration of irreplaceable habitats will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.

31. *Policy 56 (Safeguarding mineral resources)* seeks to restrict planning permission for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area, or which will sterilise an identified 'relic' natural building and roofing stone quarry unless specific circumstances apply.
32. Residential Amenity Standards SPD (2020 Adopted version) – Provides guidance on the space/amenity standards that would normally be expected where new dwellings are proposed.

<https://www.durham.gov.uk/cdp>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

33. *Town Council* – No comments received.
34. *Highway Authority* –The footway reconstruction, relocated footway and new footway link would be subject to a Section 278 of the Highways Act Agreement. Footways will need to be constructed to DCC adoptable standards. The provision of EV spaces within the development should be controlled by condition.
35. *NWL* – No objections, subject to a condition ensuring the approved development is implemented in line with the drainage scheme contained within the submitted document entitled 'Drainage Strategy, 17 September 21'.
36. *The Coal Authority* – No objections, subject to condition.

### **INTERNAL CONSULTEE RESPONSES:**

37. *Spatial Policy* – The site is located within the settlement of Bishop Auckland and formerly contained housing, cleared between 1980-1994, With the site landscaped in the intervening period. Redevelopment of the land parcels can be justified under Policies 6 and 26 of the CDP subject to securing the open space mitigation and local support for the scheme. There are no policy objections to this proposal.
38. *Ecology* – No objections, subject to the conditioning of the recommendations detailed in Section E of the Ecological Impact Assessment report. Habitats to be lost are of low distinctiveness, and the overall results of the metric show a biodiversity small loss.
39. *Contaminated Land* – No objections, subject to conditions with respect land contamination.
40. *Noise* – The information submitted demonstrates that the application complies with the thresholds stated within the TANS. This would indicate that the development will not lead to an adverse impact. No objections raised, subject to condition regarding sensitive construction measures.
41. *Landscape* – No arboricultural or landscape objections are raised, subject to control of hard and soft landscape details by condition.

42. *Education* – Taking into consideration the nature of the dwellings proposed and the intended occupants, no educational contributions would be required in this instance.
43. *Affordable Housing* – No comments received.
44. *Design and Conservation* – No design objections.
45. *Drainage* – No objections. The proposal is acceptable with respect to a sustainable solution to surface water management. Surface water drainage hydraulic calculations should be submitted for approval in digital format together with the Engineering Layout Plan identifying all cover, invert, and finished floor levels prior to commencement.
46. *PRoW* – No objections. There are no public rights of way across the site. There are a number of surfaced and adopted paths on the site, managed by the Highways team.
47. *Sustainability* – No comments received.

#### **NON-STATUTORY RESPONSES:**

48. *NHS* – The increase in resident population arising from an additional 21no. dwellings would have a material effect on the local GP surgeries and their abilities to provide care, with a subsequent requirement for NHS contribution in this case. A calculated fee of £10,143.00 would be applicable, payable through s106 agreement should approval be granted.

#### **PUBLIC RESPONSES:**

49. The application has been publicised by way of site notice, press advertisement and neighbour notification letters. No objections have been received in response to this consultation exercise.

#### **APPLICANTS STATEMENT:**

50. I am writing on behalf of Believe Housing, registered social landlord with over 18,000 properties across west, central and east County Durham. Believe have set an ambitious objective to build 1250 affordable homes over the next 5 years. The proposal is to deliver 23 much needed 2 and 3-bedroom bungalows for affordable rent at Tintern Road, St Helen Auckland. These will be let through the Durham Key Option choice-based lettings system. The provision of much needed housing, which suits the requirement of the County's ageing population will be of a great benefit to the local area.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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51. 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 relate to the principle of development, loss of open space, landscape impact, scale/design, privacy/amenity, highways, flooding and drainage, ecology, land stability and planning obligations.

## The principle of the development

52. The application is to be determined in accordance with relevant policies set out within the CDP. Paragraph 11c of the NPPF requires applications for development proposals that accord with an up to date development plan to be approved without delay.
53. The NPPF seeks to boost significantly the supply of housing, as well as using land that is physically well related to existing settlements. Part 11 (Making effective use of land) seeks to promote an effective use of land in meeting the need for homes. Meanwhile Part 5 clarifies the Government's objective of significantly boosting the supply of homes, and that the needs of groups with specific housing requirements are addressed. Paragraph 61 sets the requirement for the size, type and tenure of housing needed for different groups in the community to be reflected in planning policies.
54. CDP Policy 19 seeks 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.
55. CDP Policy 6 supports the development of sites which are not allocated in the plan or a Neighbourhood Plan within a built up area which accord with all relevant development plan policies, and which:
  - is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;
  - does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;
  - does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
  - is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of the settlement;
  - will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;
  - 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;
  - where relevant, makes as much use as possible of previously developed (brownfield) land;
56. Current proposals seek consent for the erection of 23no. affordable, wheelchair adaptable bungalows comprising 21no. 2-bed, 3 person bungalows, and 2no. 3-bed, 5 person dormer bungalows, with associated off street parking and landscaping. Such mix would support the principles of CDP Policy 19.
57. The site is located within a residential setting on land which historically contained houses, as shown on historic mapping (circa 1980 – 1994). Following clearance of

the site, the land was left to grass over and has since become an established area of open amenity space serving surrounding residential properties. The presence of desire lines across the site indicate that members of the public walk across and use the land, and the site is formally recognised as amenity open space within the Open Space Needs Assessment (OSNA) (ref: OSNA791)

58. Whilst a case could be made that the site can no longer be regarded as previously developed land on account that it was restored following the removal of earlier housing, it would nonetheless represent the efficient use of land in a suitable location which accords with Policy 6 and also the NPPF in terms of suitable location for houses. There would be no objections to the principle of infill residential development in this location with the application site located close to existing residential property and nearby shops and services, as well as public transportation links into nearby West Auckland and Bishop Auckland centres. Infill development of the site would also relate well to the existing settlement form.
59. Annex 2 of the NPPF sets out that to be considered deliverable, sites for housing should be available now and have a realistic prospect that housing will be delivered within 5 years. In particular where a site has planning permission for major development it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. Given the scale of the development proposed and the fact the site is already cleared, ready for development to commence, there is no reason to presume why this would not be the case, with it entirely reasonable to assume that the site could be built out in its entirety within the time periods required. The applicant is a social housing provider and there is an identified need for more affordable housing in the area, particularly bungalows. Believe Housing have confirmed that following approval, the scheme would be tendered via a mini tender process, and grant funding requested from Homes England to support deliverability.
60. In accordance with paragraph 11c of the NPPF, there are no policy objections to the principle of developing this site for housing subject to the following material planning considerations.

#### Loss of open space

61. CDP Policy 26 (Green Infrastructure) seeks to resist development proposals which would result in the loss of open space or harm to green infrastructure, unless the benefits of the development clearly outweigh that loss or harm, and an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements. Where appropriate there will be engagement with the local community.
62. The application site comprises land formerly occupied for residential use. Since its clearance, the site was left to grass and has been used as amenity open space ever since. The site is currently designated as open space within the Open Space Needs Assessment as amenity green space (ref: OSNA791).
63. Having already established that the principle of residential development on this particular site is acceptable, it would be necessary to test how valued the site is to residents of the local community as it has been used as public amenity space in the intervening period since demolition took place. In this respect it is noted that no public objections have been received regarding its future development following the result of neighbour notification letters, press and site notices in varying locations close to the application site. The open space in question is perhaps also not of the best quality, comprising uneven, maintained grassland in an elongated form, with no

features of note and adjacent to a number of estate roads. There are also alternative and more suitable areas of amenity space in close proximity.

64. An existing public footpath which currently crosses the site from north to south is to be stopped up and relocated several metres to the west in-between proposed plots 5 and 6.
65. For this reason, there would be no overriding objections to the loss of this open space for the purposes specified, consistent with the principles of CDP Policy 26. In order to justify residential development in this location, it would be necessary to secure contributions to improve the provision of amenity space within the local area which would help to compensate for the loss. Such considerations are discussed further in the planning obligations section of the report.

#### Landscape impact

66. CDP Policy 39 sets out that proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects, showing regard to the County Durham Landscape Character Assessment and County Durham Landscape Strategy, and contribute, where possible, to the conservation or enhancement of the local landscape.
67. CDP Policy 40 states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Proposals for new development will be expected to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate stand-off distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential.
68. No arboricultural or landscape objections are raised. Subject to control of hard and soft landscape details (by condition), the landscape and visual impacts of the development on significant trees and the surrounding area are considered to be negligible. The applicant is to be reminded by informative to pay particular attention to the arrangement of VP spaces to the front of the site ensuring easier of movement for pedestrians with mobility / eyesight issues. Notwithstanding this, the proposed development is considered acceptable in landscape terms, and would be in accordance with CDP Policies 39 and 40.

#### Scale/Design

69. General design guidance is set out in Part 12 of the NPPF and CDP policies 6 and 29 which seek to ensure good design in new developments. New development should be appropriate in terms of scale, design, layout, and location to the character, function, form and setting of the settlement. It 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; and also create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions and include appropriate and proportionate measures to reduce vulnerability, increase resilience and ensure public safety and security;

70. Submitted plans have addressed comments raised at the pre-application stage in relation to the proposed site layout. Dwellings provide an active street frontage to Tintern Road to the south and the applicant has proposed a contemporary approach to character and dwelling design, utilising a brick detail which aligns with the fenestration pattern and creates visual interest. No design objections are raised, with proposals to satisfy the provisions of Part 12 of the NPPF and CDP Policies 6 and 29.

#### Privacy/Amenity

71. Parts 12 and 15 of the NPPF, 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.
72. Policy 31 of the CDP seeks to support proposals only 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. The proposal will also need to demonstrate that future occupiers of the proposed development will have acceptable living and/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.
73. CDP Policy 29 requires all new development to comply with Nationally Described Space Standards (NDSS). All proposed dwellings would achieve an internal floor area of 73m<sup>2</sup> (in the case of the 21no. bungalows), or 105m<sup>2</sup> (in the case of the 2no. dormer bungalows). Dwellings would be constructed to current Building Regulations standard and satisfy the current minimum National Described Space Standards of 61m<sup>2</sup> and 93m<sup>2</sup> respectively.
74. The Councils Residential Amenity Standards SPD provides guidance on the space/amenity standards that would normally be expected where new dwellings are proposed. All new development, including new dwellings, will have some bearing on neighbouring properties and it is important to ensure that the impact does not result in a significant loss of privacy, outlook or light for occupiers of new dwellings and existing dwellings. The design and layout of new development should ensure that reasonable privacy and light is provided for surrounding residents and occupiers, particularly in relation to residential use and enjoyment of dwellings and private gardens. Spacing between the windows of buildings/dwellings should achieve suitable distances for privacy and light, whilst also preventing cramped and congested layouts.
75. The following minimum standards will be applied to new residential developments:
- Main facing elevation to main facing elevation containing window/s serving a habitable room:
- 21 metres between two storey buildings
  - 18 metres between bungalows
- Main facing elevation to gable wall which does not contain a window serving a habitable room:
- 13 metres to two storey gable

- 10 metres to single storey gable

76. All 23no. bungalows would be arranged in a linear development form extending east-west across the site, with primary elevations facing north and south. A separation in excess of 21m would be maintained between the proposed front facing elevations and adjacent rear elevations of properties to the south. Likewise, sufficient separation in excess of the minimum would be maintained from properties to the north, east and west. Given the siting of the proposed dwellings in relation to nearest neighbouring dwellings (predominantly to the north of existing dwellings), and the fact that these dwellings would comprise bungalows, no adverse impact would be created in terms of overbearing impact and overshadowing.
77. All dwellings would benefit from private amenity space to the front and rear, with gardens to the north overlooking an area of landscaped open space. Enclosures are not specified and would be controlled via condition in the interests of amenity. Given the spacious site layout, there would be no requirement to remove permitted development rights by condition.
78. EHO's have also considered the proposals. The locality maybe regarded as a semi urban setting with other residential housing being near the site. There are no major road and officers are not aware of any Environmental matters which might impact on the development. Therefore, relevant impacts should be with reasonable parameters and comply with the thresholds, stipulated in the TANS (Technical Advice Notes). Considering, the scale of the development, the construction phase is likely to be relatively brief and assuming works are kept within suitable hours (via an appropriate condition), it is not expected that the impact of this phase likely to lead to a breach of the levels stated in the TANS.
79. The information submitted demonstrates that the application complies with the thresholds stated within the TANS. This would indicate that the development will not lead to an adverse impact. Furthermore, based on the information submitted with the application, the proposed development is unlikely to cause a statutory nuisance. Proposals are considered to satisfy the provisions of Parts 12 and 15 of the NPPF and Policy 31 of the CDP.

## Highways

80. NPPF Part 9 seeks to ensure that development 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. Policy 21 of the CDP seeks to 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. New developments should provide for appropriate, well designed, permeable and direct routes for walking, cycling and bus access, so that new developments clearly link to existing services and facilities together with existing routes for the convenience of all users.
81. Layout plans detail parking provision in the form of a single space for each of the 2 bed bungalows, and 2 spaces for each of the 3 bed units, along with distributed visitor parking laybys. This provision is in accordance with DCC Parking Standards and no highways objections are raised in this regard. Properties should be provided with charging points for electric vehicles and such detail can be controlled by condition.

82. As explained, an existing adopted public footpath which runs from Tintern Road northwards across the site will require Stopping Up. This footway is indicated on plans to be relocated to the position of the electric sub-station which is to be retained, and run above the underground cable, with the existing footway to be stopped up.
83. An existing footway along the northern side of Tintern Road is intersected by several vehicular crossings which remain from the former housing on the site. A reconstructed footway on this northern side is required adjacent to all parts of the development site and should incorporate the vehicular crossings for the various parking spaces. The footway reconstruction, relocated footway and new footway link would be subject to a Section 278 of the Highways Act Agreement. Footways will need to be constructed to DCC adoptable standards and it will be necessary for the applicant to enter into an agreement under Section 278 of the Highways Act 1980, in order to allow the required works within the existing highway to be carried out.
84. Highways officers have also requested a new connecting footway to be provided on the southern side of Tintern Road, eastward from Leazes Road for 70m to connect to the existing footway and incorporate dropped kerbs where necessary. This stretch of land falls outside of the application site red line boundary and applicants ownership and therefore there are no control mechanisms to effectively implement this request. Whilst the request for the footway as a potential benefit associated with the scheme is acknowledged, this is not considered essential to allow the development to proceed.
85. Subject to the above, proposals would satisfy the provisions of Part 9 of the NPPF and policy 21 of the CDP. It is not considered that the resulting traffic increase serving the site would give rise to a severe cumulative impact on the local road network, with sufficient off-street parking provision to be secured.

#### Flooding and Drainage

86. Part 14 of the NPPF seeks to resist inappropriate development in areas at risk of flooding, directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
87. Policy 35 of the CDP requires development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. Development in flood zones should not be permitted unless in exceptional circumstances. Regarding surface water flood risk, the management of water must be considered intrinsic to the overall development, with runoff rates carefully controlled. Policy 36 of the CDP requires proposals to the disposal of foul water, utilising the hierarchy of foul water.
88. The application is submitted alongside a flood risk statement and drainage strategy. Subject to the submission of necessary hydraulic calculations prior to the commencement of the development, no objections are raised. The submitted information is deemed to be satisfactory with respect to the management of surface water for the development with proposals considered to satisfy the principles of Part 14 of the NPPF and Policies 35 and 36 of the NPPF.

## Ecology

89. Part 15 of the NPPF seeks to ensure that when determining planning applications, Local Planning Authorities seek to conserve and enhance biodiversity. Policy 41 of the CDP seeks to resist proposals for new development which would otherwise result in significant harm to biodiversity or geodiversity, which cannot be avoided, or appropriately mitigated, or, as a last resort, compensated for. Proposals for new development will be expected to minimise impacts on biodiversity by retaining and enhancing existing biodiversity assets and features and providing net gains for biodiversity including by establishing coherent ecological networks. CDP Policy 25 seeks to ensure that new development is only approved where any mitigation necessary to make the development acceptable in planning terms are secured through appropriate planning conditions or planning obligations.
90. The application is submitted alongside an Ecological Impact Assessment report and Biodiversity net gain assessment. The habitats to be lost to the proposals are considered to be of low distinctiveness, and the overall results of the metric show only a small net biodiversity loss resulting from the development, with no requirement for the applicant to secure a license for these works. Considering the habitats to be lost, ecology officers would be content in this instance for the proposed integrated bat and bird boxes, as mentioned in the Impact Assessment to address this minor loss, with such detail shown on submitted plans. No objections are raised on ecological grounds, subject to the conditioning of the recommendations detailed in Section E of the Ecological Impact Assessment report. Proposals would satisfy the provisions of Part 15 of the NPPF and Policies 25 and 41 of the CDP.

## Land stability

91. Part 15 of the NPPF seeks to prevent unacceptable risks from pollution and land instability. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Policy 32 of the CDP stipulates that development will not be permitted unless the developer can demonstrate that:
- a. any existing despoiled, degraded, derelict, contaminated or unstable land issues can be satisfactorily addressed by appropriate mitigation measures prior to the construction or occupation of the proposed development;
  - b. the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities; and
  - c. all investigations and risk assessments have been undertaken by an appropriately qualified person.
92. EHO's have assessed the available information and historical maps with respect to land contamination including the following report:
- Solmek (March 2021) Phase 1: Desk Study, Fountain Square, St Helen Auckland
93. Due to the previous developed nature of the site and its location within a coalfield high risk development area There is the potential for Made Ground and contamination on the site. EHO's agree with the findings and recommendations of the report and a contaminated land condition should apply to any permission granted.

94. With respect to Coal Mining legacy, Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The applicant has submitted a Phase 2: Site Investigation Report (June 2021), prepared by Solmek Ltd which is informed by a preliminary intrusive site investigation.
95. The Coal Authority concurs with the recommendations of the Phase 2 Report, that further intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. Based on this review of existing mining information, the Coal Authority raises no objection, subject to a suitable condition to ensure the investigations and any necessary remedial measures are undertaken. Conditions are required to be pre-commencement 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 183 and 184 of the National Planning Policy Framework. Subject to the above, proposals would satisfy Part 15 of the NPPF and Policy 32 of the CDP.

### Planning Obligations

96. Policy 25 of the CDP seeks to ensure that new development is only approved where any mitigation necessary to make the development acceptable in planning terms are secured through appropriate planning conditions or planning obligations. Developers will be required to enter into Planning Obligations which are directly related to the development and fairly and reasonably related in scale and kind to the development

### *Affordable Housing*

97. Paragraph 64 of the NPPF requires major development proposals to include at least 10% of the homes provided to be made available for affordable home ownership. Meanwhile, the Strategic Housing Market Assessment (SHMA) (2019) identifies the need for affordable housing within County Durham which it defines as one housing market area. The % of affordable housing required is set out in Policy 15 of the CDP, which based on viability evidence confirms that 15% is appropriate within this part of the County (which is regarded as a medium value area).
98. Policy 15 of the CDP requires applications for 10no. or more units to provide a percentage of Affordable Housing provision which is accessible, affordable and meets the needs of those residents unable to access the open housing market. As the proposed development is for more than 10no. dwellings, it exceeds this size threshold.
99. In medium value areas, on sites of 10no. or more units. 10% of the homes provided should be for affordable home ownership (starter homes, discount market sale housing and other affordable routes to home ownership). Any contribution above 10% should be provided as affordable housing for rent. In the case of this application, such provision equates to 3no. affordable units of which 2no. should be affordable home ownership and 1no. affordable rent.
100. The application for 23no. bungalows is submitted by 'Believe Housing' who are a registered provider. An affordable housing statement is provided in support of the application confirming a scheme of 100% affordable rented units. Although the proposed tenure mix is different to what would be required under Policy 15

(Addressing Housing Need) this enables the applicant to make a case, specifying that where it can be evidenced to the Council's satisfaction that this tenure mix would make the required affordable housing contribution unviable or that alternative affordable housing products are required to meet local needs, then proposals for an alternative tenure mix as proposed by the applicant will be considered.

101. The provision of 23no. affordable units for rent in this location is a notable benefit and is welcomed by the Council's Housing Development Team who are satisfied that these proposals would meet the affordable housing needs of the area. The Affordable Housing statement sets out that all units will be let as traditional affordable rented dwellings via Durham Key Options Choice Based Lettings service based on priority need. It is considered that the affordable rented product can be justified based on evidence of local housing need. It is also noted that the scheme will potentially deliver a greater percentage of affordable housing than the 15% required by policy which is a benefit. It is therefore not considered necessary on this occasion to request the applicant to provide a local housing need evidence base to support their proposals, justifying a scheme of 100% affordable rent product. Notwithstanding this, it will still be necessary to secure the requisite policy amount of 15% affordable housing to be retained in perpetuity via s106 so as to ensure that they remain affordable for future eligible households.

#### *Educational provision*

102. Paragraph 95 of NPPF state that the government places great importance on the availability of a sufficient choice of school places to meet the needs of existing and new communities and requires LPAs to seek this. However, taking into consideration the nature of the dwellings proposed and the intended occupants, no educational contributions would be required in this instance.

#### *Healthcare*

103. Local surgeries are part of CCG wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured. Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. The NHS advise that the increase in resident population arising from an additional 21no. dwellings would have a material effect on the local GP surgeries and their abilities to provide care, with a subsequent requirement for NHS contribution in this case. A calculated fee of £10,143.00 would be applicable, payable through S106 agreement should approval be granted. The applicant has agreed to enter into a S106 obligation to secure these funds to be paid in a single installment upon first occupation of the dwellings.

#### *Open Space contributions*

104. CDP Policy 26 requires proposals for new residential development to make provision for open space to meet the needs of future residents having regard to the standards of open space provision set out in the Open Space Needs Assessment (OSNA). The OSNA (2010) sets out the most up to date position in respect to open space provision across the county and provides a formula for calculating requirements on a site specific basis. As explained the site is presently classified as designated amenity green space (OSNA ref: OSNA791).
105. Given the scale and nature of the proposals, and the availability of open space surrounding the site, there is a requirement for contributions for off-site provision to offset the loss of open space. Based upon a scheme for 23no. dwellings, (generating a population of 51no. residents taking 2011 census data of 2.2 persons per

household), an off-site open space financial contribution of £40,315.50 is calculated. The applicant has agreed to enter into a S106 obligation to secure these funds to be paid in a single installment upon first occupation of the dwellings.

## Sustainability

106. CDP Policy 29 requires all development proposals to minimise greenhouse gas emissions, by seeking to achieve zero carbon buildings and providing renewable and low carbon energy generation, as well as minimise the use of non-renewable and unsustainable resources. In supporting documentation it is explained how Believe Housing are targeting this scheme as a potential fully electric development utilizing air / ground source heat pumps with improved levels of thermal insulation and airtightness.
107. The applicant confirms that the proposed development would comply or exceed current Building Regulations, specifically Part L and F at the time of construction. The sustainability of the development is a key consideration for Believe, owing in part to the long term commitment the organisation has to the community. Endeavour will be undertaken towards meeting CDP Policy 29, however due to the current economic situation, specifically in relation to the current cost of building materials and labour, these may have implications upon the final design. This proposal would be subject to a cost viability study and therefore commitment to the above can only be made once the scheme has been tendered following receipt of planning permission. Notwithstanding this, all bungalows would incorporate increased levels of thermal insulation to the roof, walls and floor, above building regulations, to improve the thermal insulation and reduce air changes to the bungalows. This will reduce energy usage, CO2 emissions and energy cost for future residents.

## Other matters

### *Accessible and adaptable homes*

108. CDP Policy 15 includes a requirement for sites for 5 or more dwellings to ensure 66% of the dwellings proposed are built to Building Regulations Requirement M4(2) (accessible and adaptable dwellings) standard. In this instance 66% would equate to 15no. of the 23no. proposed dwellings. Furthermore, on sites of 10 units or more, a minimum of 10% of the total number of dwellings on the site should be of a design and type that will increase the housing options of older people. These properties should be built to M4(2) standard and would contribute to meeting the 66% requirement set out above. They should be situated in the most appropriate location within the site for older people. Appropriate house types considered to meet this requirement include:
- level access flats;
  - level access bungalows; or
  - housing products that can be shown to meet the specific needs of a multi-generational family.
109. In supporting documentation it is explained how all wheelchair adaptable bungalows would ensure level access from each in-curtilage disabled parking bay to the principal entrance. Level access would be provided to the main entrance with bungalows to offer internal wheelchair parking and charging areas. All bungalows are designed to comply with Building Regulation Approved Document part M3 wheelchair adaptable dwellings with increased internal door widths and wheelchair accessible wet rooms. Given the nature of the applicant (a social housing provider) and the intended occupant of these units, there is no reason to assume why such

standards cannot be achieved. This will meet and surpass the requirements of this aspect of CDP Policy 15 with no objections raised and will be ensured via condition.

### *Safeguarding mineral resources*

110. CDP Policy 56 seeks to safeguard mineral resources. Significant areas of the county fall into such mineral safeguarding areas, including the application site and wider area. Although a non-mineral development is proposed, it is not considered that the current proposals would sterilise this mineral resource taking into consideration the scale of the site, previous land use and the residential setting. No objections are raised in this regard.

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## **CONCLUSIONS**

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111. Planning permission is sought by Believe Housing for the erection of 23no. wheelchair adaptable bungalows comprising 21no. 2-bed, 3 person bungalows, and 2no. 3-bed, 5 person dormer bungalows, with associated off street parking and landscaping. All dwellings would be provided for affordable rent.

112. Consideration is given to the principle of the works proposed, open space and landscape impact, scale/design, residential amenity, highways, flooding/drainage, ecology, land stability and planning obligations. No objections have been received from consultees or the public, and it is considered that the proposals would satisfy the provisions of Parts 2, 4, 5, 8, 9, 11, 12, 14 and 15 of the NPPF and policies 6, 15, 19, 21, 25, 26, 29, 31, 32, 35, 36, 39, 40, 41 and 56 of the County Durham Plan and the Residential Amenity Standards SPD (2020 Adopted version). The application is recommended for approval subject to the following conditions and completion of a S106 obligation to secure the requisite affordable housing provision, healthcare and off site open space contribution.

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## **RECOMMENDATION**

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That the application be **APPROVED** subject to the completion of a Section 106 Obligation to secure the following:

- Provision of 15% affordable housing on site in perpetuity, equating to 3no. units;
- Financial contribution totalling £40,315.50 towards offsite open space and recreational provision, payable in a single instalment prior to the occupation of the first dwelling;
- Financial contribution totalling £10,143.00 towards improved healthcare provision in the local area, payable in a single instalment prior to the occupation of the first dwelling.

And the following conditions:

### 1. Time limit

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. Approved plans

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

2953.10.001A (Location Plan), received 07 October 2021  
2953.10.005E (Site layout), received 02 February 2022  
2953.10.020B (Plots 1, 2, 14, 15 plans/elevations), received 15 December 2021  
2953.10.021A (Plots 3-5, 8-10, 11-13, 16-21 plans/elevations), received 15 December 2021  
2953.10.022B (Plots 22 and 23 plans/elevations), received 15 December 2021  
2953.10.023B (Plots 6 and 7 plans/elevations), received 15 December 2021  
2953.10.024C (Street scene), received 15 December 2021  
Ecological Impact Assessment R02 (E3 Ecology), received 07 October 2021  
Biodiversity net gain assessment R01 (E3 Ecology), received 05 November 2021  
S210306 (Phase 1 Desk Study), received 07 October 2021  
S210306 (Phase 2 Site Investigation), received 07 October 2021  
JK-6400 rev3 (Flood risk assessment – Statement and drainage strategy), received 12 January 2022

*Reason: To define the consent and ensure that a satisfactory form of development is obtained.*

### 3. M4(2) standard

No development other than site clearance or remediation works shall commence until a scheme to detail how at least 15no. of the dwellings comply with Building Regulations M4(2) Accessible and Adaptable Dwellings has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

*Reason: In order to address housing need requirements in accordance with Policy 15 of the County Durham Plan.*

### 4. Materials to be agreed

Notwithstanding any details of materials submitted with the application no development shall be carried out above damp proof course level until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

*Reason: In the interests of the appearance of the area and to comply with Part 12 of the NPPF and policies 6 and 29 of the County Durham Plan.*

### 5. Enclosures

No development shall be carried out above damp proof course level until details of all means of enclosure are submitted to and approved in writing by the Local Planning Authority. The enclosures shall be constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate and retained thereafter.

*Reason: In the interests of the amenity and to comply with policy 31 of the County Durham Plan.*

### 6. EV spaces

Prior to the first occupation of the dwellings hereby approved, written and illustrative details of the number, type and location of Electric vehicle charging points (EVCP) shall be submitted to and approved in writing by the Local Planning Authority. The EVCP shall be installed prior to first occupation of the dwellings in accordance with the approved details, and maintained and kept in good working order thereafter as specified by the manufacturer.

*Reason: As required by the highway authority in accordance with Policy 21 of the County Durham Plan.*

### 7. Landscape details

No development shall be carried out above damp proof course level until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance

regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

*Reason: In the interests of the visual amenity of the area and to comply with Policy 31 of the County Durham Plan.*

#### 8. Landscape implementation

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

*Reason: In the interests of the visual amenity of the area and to comply with Policy 31 of the County Durham Plan.*

#### 9. Mitigation

No development shall take place unless in accordance with the recommendations detailed within the ecological impact assessment report rev02 (E3 Ecology, September 2021).

*Reason: To conserve protected species and their habitat in accordance with Part 15 of the NPPF and Policy 41 of the County Durham Plan.*

#### 10. SW drainage details

Prior to the commencement of the development hereby approved, surface water drainage hydraulic calculations shall be submitted for written approval by the LPA in digital format, together with the Engineering Layout Plan identifying all cover, invert, and finished floor levels. The development shall thereafter be carried out in accordance with the approved details.

*Reason: To ensure the satisfactory management of surface water for the development in accordance with Part 14 of the NPPF and Policies 35 and 36 of the NPPF.*

#### 11. Drainage strategy

Development shall be undertaken in line with the drainage scheme contained within the submitted document entitled 'Drainage Strategy, 17 September 21'. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 5802 and ensure that surface water discharges to the surface water sewer downstream of manhole 5806. The surface water discharge rate shall not exceed the available capacity of 2.5l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

*Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.*

#### 12. Coal mining

No development shall commence until;

a) further intrusive investigations have been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been undertaken on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

*Reason: In order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the NPPF.*

#### 13. Coal mining

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site

is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

*Reason: In order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the NPPF.*

#### 14. Contaminated Land (Phase 2-3)

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.*

#### 15. Contaminated Land (Phase 4)

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

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

#### 16. Construction

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 0800 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: In the interests of the privacy/amenities of neighbouring occupiers and to comply with Policy 31 of the County Durham Plan.*

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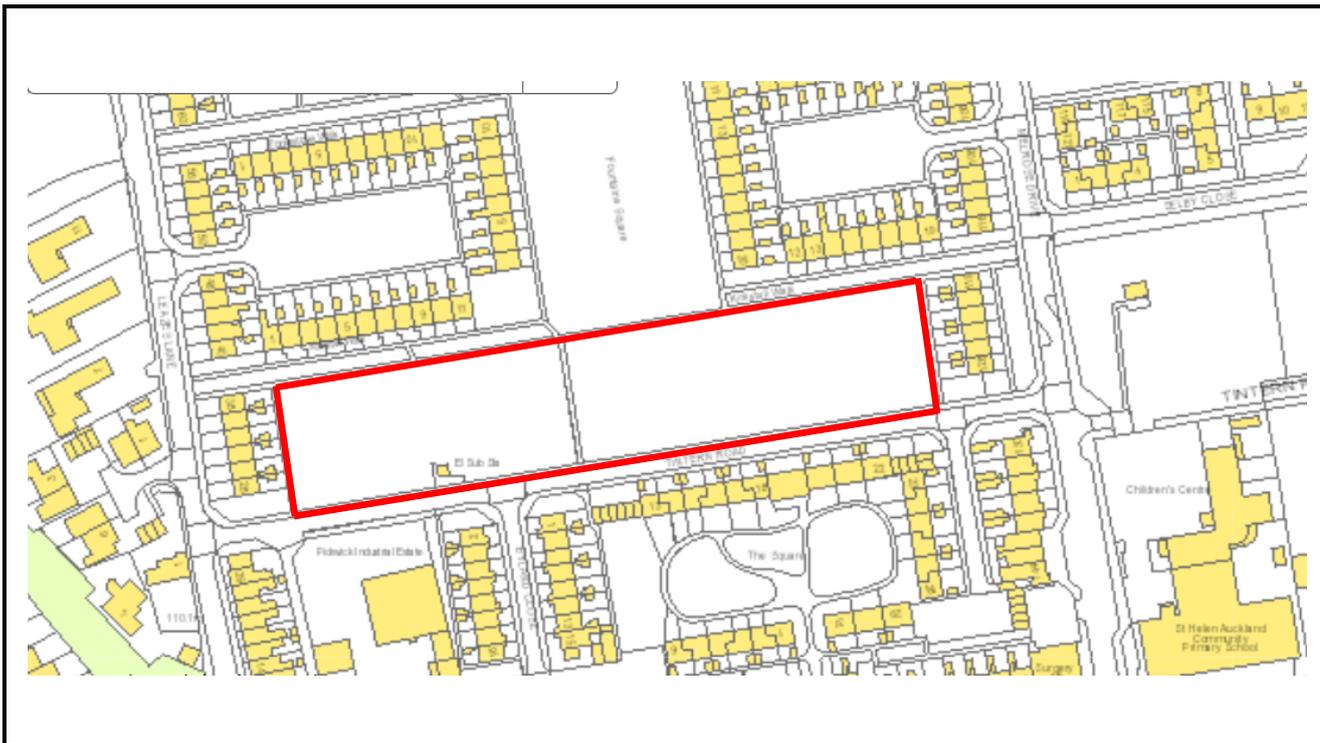
## **STATEMENT OF PROACTIVE ENGAGEMENT**

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The Local Planning Authority in arriving at its decision have, without prejudice to a fair and objective assessment of the proposals, issues raised, and representation received, sought to work with the applicant in a positive and proactive manner. The Local Planning Authority have sought to ensure that this application has been determined within a mutually agreed extended determination period. All pre-commencement conditions have been agreed in advance with the applicant as necessary.

## BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents  
 National Planning Policy Framework  
 The County Durham Plan (CDP)  
 Statutory consultation responses  
 Internal consultation responses  
 External consultation responses



**Planning Services**

21no. 2 bed and 2no. 3 bed wheelchair adaptable dormer bungalows with parking and associated landscaping

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**Comments**

**Date 17 February 2022**