



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

Application No:	DM/22/00209/OUT
Full Application Description:	Outline application with some matter reserved (Appearance, Landscape and Scale) for up to 20 Self-built residential dwellings (C3) with associated works.
Name of Applicant:	Mr and Mrs Bell, LCC Bell Developments Ltd
Address:	Land To The West Of Dunelm Stables Thornley DH6 3BN
Electoral Division:	Trimdon and Thornley
Case Officer:	Leigh Dalby (Principal Planning Officer) Tel: 03000 261 959 Email: leigh.dalby@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The Site

1. The application site comprises largely of open fields within the general settlement envelope of Thornley. The application site measures approximate 1.74ha and forms phase 3 of the wider residential self-build development. The site is to the south western edge of the settlement and was previously used for horse stabling and a private trotting track and grazing land. To the north of the site are residential properties and Dunelm Road from where the access is taken to the site, to the south and east of the site is open countryside with a new residential development further to the west.
2. There are bus stops within walking distance of the site where a various bus services operate throughout the day to the main local conurbations of Durham

City, Sunderland and Hartlepool, along with various smaller settlements. In addition, the site lies relatively close to community facilities such as schools, shops and health care facilities.

The Proposal

3. The proposal seeks outline planning permission for the development for 20no. self build residential dwellings (Use Class C3) including details of the access and layout with all other matters reserved.
4. The application has been brought to the Planning Committee for consideration in accordance with the Council's scheme of delegation due this being a major development.

PLANNING HISTORY

5. The following application are considered relevant to the site history for this application:
 - DM/17/01959/OUT - 19 Self build plots with vehicular and pedestrian access and demolition of 84 Dunelm Road (outline with some matters reserved) Approved 7th December 2017.
 - DM/20/00214/OUT- Outline application for the erection of 14no. self build plots including layout and access (Phase two) with some matter reserved.. Approved. 12th March 2021.

PLANNING POLICY

NATIONAL POLICY

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social, and environmental, each mutually dependent.
7. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'. The following elements of the 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 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.
11. NPPF Part 6 – Building a strong, competitive economy. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.

17. NPPF Part 15 - Conserving and Enhancing the Natural Environment - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

LOCAL PLAN POLICY:

18. The following policies within the County Durham Local Plan are considered relevant in terms of this proposal:
19. Policy 1 (Quantity of Development) outlines the levels of employment land and housing delivery considered to be required across the plan period.
20. Policy 6 (Development on Unallocated Sites) supports 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.
21. 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.
22. 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.
23. 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.

24. 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.
25. Policy 26 (Green Infrastructure) states that development will be expected to maintain and protect, and where appropriate improve, the County's green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
26. Policy 27 (Utilities, Telecommunications and Other Broadcast Infrastructure) supports such proposals provided that it can be demonstrated that there will be no significant adverse impacts or that the benefits outweigh the negative effects; it is located at an existing site, where it is technically and operationally feasible and does not result in visual clutter. If at a new site then existing site must be explored and demonstrated as not feasible. Equipment must be sympathetically designed and camouflaged and must not result in visual clutter; and where applicable it proposal must not cause significant or irreparable interference with other electrical equipment, air traffic services or other instrumentation in the national interest.
27. Policy 29 (Sustainable Design) requires all development proposals to achieve well designed buildings and places having regard to SPD and sets out 18 elements for development to be considered acceptable, including: 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.

Provision for alterations and extensions to residential property to be sympathetic to existing building and character and appearance of area

Provision for signage, adverts, street furniture and public art to be appropriate and sympathetic to users and local setting and not detrimental to visual amenity or public highway safety

Provision for 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.

Provision for new major residential development 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'.

28. 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 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 locating of 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.
29. 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.
30. Policy 33 – Renewable and Low Carbon Energy – states that renewable and low carbon development energy development in appropriate locations will be supported. In determining planning applications for such projects significant weight will be given to the achievement of wider social, environmental and economic benefits. Proposals should include details of associate developments including access roads, transmission lines, pylons and other ancillary buildings. Where relevant, planning applications will also need to include a satisfactory scheme to restore the site to a quality of at least its original condition once operations have ceased. Where necessary, this will be secured by bond, legal agreement or condition.
31. 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
32. Policy 36 Disposal of Foul Water states that all new development should adopt the hierarchy of preference.

33. 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.
34. 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.
35. 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.
36. 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 or deterioration of irreplaceable habitats will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.
37. Policy 42 Internationally Designated Sites states that development will be refused where it cannot be ascertained, following appropriate assessment, that there would be no adverse effects on the integrity of the site, unless the proposal is able to pass the further statutory test of 'no alternatives' and 'imperative reasons for overriding public interest'.
38. Policy 56 (Safeguarding Mineral Resources) states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area. This is unless it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value, provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact, the non-minerals development is of a temporary nature that does not inhibit extraction or there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral or it constitutes exempt development as set out in the Plan. Unless the proposal is exempt development or temporary in nature, all planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.

39. There is no relevant neighbourhood plan within this area.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY AND INTERNAL RESPONSES:

40. The following comments were received following consultation with Statutory and Internal consultees.

41. Highway Authority – The proposal is for an extension to the site for up to 20 more units.

I would request that the applicant provides a drawing showing the expected adoption limits of roads and footways (Section 38 drawing) In addition, a drawing showing the swept path for a DCC standard refuse wagon should be provided.

The layout shown on the 'Proposed Site Plan' drg. no. 1976-21-101 indicates positions of visitor parking bays which are poorly distributed. Visitor parking bays should have a 1 metre hardened strip around the edge as a minimum to avoid vehicle occupants stepping onto grass/mud when boarding/alighting vehicles.

Some driveways depicted on the drawing could lead to an additional vehicle being parked resulting in overhanging of footways or carriageway. This is visible at Plots 5 & 6, Plots 7 & 8 and Plot 14.

Private shared drives should have a refuse bin collection point as close to the rear of the adopted footway. The collection point must be of sufficient size to accommodate the number of bins associated with the properties.

42. Lead Local Flood Authority (LLFA) – We advise that the proposed surface water management proposal is an acceptable sustainable solution, and we therefore have no objection in principle. The individual plot soakaways are to be approved by a Building Control Authority, and the soakaways serving the highway are to be approved by the Adopting Authority
43. Environmental Health (Noise Action Team) – No objections subject to conditions
44. Environmental Health (Contaminated Land) – No objection subject to conditions
45. Landscape Section – The site is visible from Crossways Court to the west, from Hilltop Bungalows to the north and from the new housing to the east. Views into the site from the Multi-User Railway Path to the south and from the A181 road to the south-east are filtered by existing deciduous trees, with visibility increasing during the winter months. Visual effects brought about by the development would

therefore be likely to be substantial adverse, significant and permanent at close range and slight adverse and permanent from areas outside the settlement.

Design Considerations - The proposed layout shows relatively dense development cells with a small amount of public open space, structure planting and a landscape buffer. Should the principle of development be acceptable, the development should be reviewed to incorporate street trees and open space, given the lack of open space within the previous housing phases and considering the previous land use of the site.

The mature trees and hedgerow which forms the southern site boundary would become the new settlement boundary. The proposal plans show development plots extending to this boundary. There is evidence of hedge removal on the Phase 1 self-build development to the east which is now completed. This scenario must not be allowed to happen on the proposed application site, so this boundary feature needs to be protected and retained.

46. Tree Section - The site has hedges and trees along its southern boundary. The proposed site plan shows several properties close to this southern boundary.

In order to fully assess the impact the development would have on these trees and hedge, it would be prudent to provide an arboricultural Impact Assessment, identifying the trees and hedges on a plan, along with their Root Protection Areas. Should there be any areas of conflict, these should be clearly identified as well as describing methods of mitigation.

47. Ecology Section – Confirm that applicants have evidenced that net gain can be achieved, however a condition is necessary to ensure bird and bat boxes are installed in each dwelling, and that at reserved matters stage 40 number trees are provided.
48. Education Authority –Based on the projected rolls of the schools, taking into account the likely implementation timeframe of the development, build rates and other committed development there would not be sufficient space to accommodate pupils generated by the development, whilst maintaining a 5% surplus.
49. In order to mitigate the impact of the development a contribution of £49,662 (3 x £16,554) would be required to facilitate the provision of additional teaching accommodation.
50. Archaeology Section – Request a written scheme of investigation be submitted .

NON-STATUTORY RESPONSES

51. The following comments were received following consultation with non-statutory consultees:
52. NHS – No objection.

PUBLIC RESPONSES

53. The application has been publicised by way of site notice, press advert and 78no. notification letters sent to neighbouring properties. In response 1no. letters of support was received stating that the site would be ideal for family homes.

APPLICANTS STATEMENT:

54. The proposal is for 20 self-build residential plots, which represent the third and final phase of development at Dunelm Stables, building upon the success of phases 1 and 2.
55. Take up of the self-build plots continues to be a great success. This is evident on the ground, and reserved matters applications continue to be submitted, alongside a growing list of enquiries for phase 3. The applicant plays a vital role in the delivery of the self-build units as they continue to provide the essential infrastructure required, including highways and drainage, to enable the self-build plots to be built out.
56. As established with the phase 1, and more recently, the phase 2 development, the principle of new housing in this location is supported by the Local Planning Authority. In this instance the site is adjoined by built form on three sides and effectively represents in the infilling of the remaining space and consolidation of the settlement.
57. The nature and character of development proposed is entirely in keeping with the already approved phases of development, being self build plots. The submitted layout plan provides comfort that the amount of development proposed can be accommodated on the site whilst providing high quality amenity space and enhanced habitats.
58. The applicant has engaged fully with the officers throughout the application process and has responded positively and promptly to any queries raised.
59. They continue to deliver a genuine self-build scheme, despite all the challenges along the way, which has brought numerous benefits to the village of Thornley. Approving this third and final phase of development will allow the applicant to maintain this positive contribution.

The above 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/search.do?action=simple&searchType=Application>

PLANNING CONSIDERATIONS AND ASSESSMENT

60. The main planning considerations of this application are the compliance of the proposal with national and local planning policy, (the principle of housing development, sustainability of the site, planning obligations, viability), impact on highway and pedestrian safety, impact upon the visual amenity of the area,

landscaping, impact on the amenity and privacy of existing and future neighbouring land users, ecology and nature conservation, flooding and drainage and any other material planning considerations.

PRINCIPAL OF DEVELOPMENT

61. 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 this respect the development plan for the area consists of the policies contained within the adopted County Durham Plan (2020) CDP.
62. Policy 6 of the CDP supports development on sites which are not allocated in the Plan, but which are either within the built-up area or outside the built up area but well related to a settlement, stating that such development will be permitted provided it is compatible with uses 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.
63. As detailed above Policy 6 of the CDP permits development on unallocated sites provided it meets the criteria set out within the policy. In this regard it is considered that the proposal can draw in principle support from this policy given that it is within the built up framework, the site is located within close proximity to compatible residential uses and would not be prejudicial to any existing or permitted adjacent uses (criteria a), it is within the existing built framework of Trimdon and as such would not lead to coalescence with neighbouring settlements (criteria b), would not result in a loss of open land that has any recreational, ecological or heritage value (criteria c), would not result in the loss of a valued village facility (criteria g) and would make use of previously developed land (criteria l). Consideration of criteria d, e and f of policy 6 are considered elsewhere within this report. It is not considered that criteria h and j are relevant due to the outline nature of the proposal.
64. It is therefore considered that the principle of residential use in this location is acceptable subject to the relevant material considerations as set out below.
65. It is noted that the site is phase 3 of a wider development having been granted consent in 2017, and 2020 for the erection of 19mo. and 14no. dwellings.

SUSTAINABLE DEVELOPMENT

66. The overriding objective of planning is to contribute to the achievement of sustainable development; this objective is echoed in the NPPF particularly as the presumption in favour of sustainable development is the golden thread running through the NPPF. In applying the presumption and in viewing the Government

agenda to build more homes due regard must be had to the requirement to provide homes that meet the needs of the community and that are in the right location.

67. Considerable weight should be given to the fact that the authority can now demonstrate in excess of a five-year housing land supply but that does not override the requirement that is set out with the National Planning Policy Framework to ensure that development is sustainable. The NPPF paragraph 8 sets out the three dimensions that form sustainable development, namely, economic, environmental and social. The three roles are mutually dependent and should not be taken in isolation.
68. Critically, paragraph 11 of the NPPF states that, for decision-takers, applying the presumption in favour of sustainable development means approving development proposals that accord with an up-to-date development plan without delay. Whilst Paragraph 12 of the NPPF on the other hand stipulates that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
69. The proposed development is located within the envelope of the existing village with residential uses to the North and East. The site has easy access to sustainable transport links with a bus route and directly to the North of the site on Dunelm Road (B1279) with bus stops approx. 150m from the main entry to the estate providing direct access to main conurbations and attractions of Sunderland, Durham, Hartlepool, and the Arnison Centre as well as various other local villages and centres. The proposal will have easy access to the various amenities within the village such (shops, pubs and community facilities) and well as the facilities in the nearby neighbouring village of Wheatley Hill (approx. 2.0km). it is therefore considered that the site is a suitable sustainable location in line with section 2 of the NPPF and the aspirations of paragraph 79 of the NPPF in supporting the vitality and viable of communities.
70. Policy 15 additional requires that all housing developments provide a minimum of 66% of the units to be Building Regulation M4(2) compliant and 10% suitable for older persons. In this regard as the application is all matters reserved these matters are not known at this time, however, this element can be secured by planning condition.
71. Policy 19 of the County Durham Plan requires that developments 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. In this regard the development would provide the opportunity for a mix of dwelling types potentially including bungalows. It is therefore considered that the mix of dwellings within a self-build development is acceptable and in accordance with the provision of Policy 19.

Principle of development summary

72. In this instance, subject to the proposal securing the relevant planning contributions and obligations as required by policy 25 of the CDP then the application would be considered to be in general accordance with Policy 6 of the County Durham Plan and Section 9 of the NPPF.

Impact on the character and appearance of the streetscene

73. Policy 29 (Sustainable Design) of the CDP 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.
74. The application is outline with matters relating to the landscape, scale and appearance reserved for the later reserved matters stage. However, it is noted that the applications for the earlier phases of the development of the site has been supported by a design code statement which has specified the plot development ratio and a palette of finishing materials in order to ensure a uniform character and appearance to the properties across the site. It is therefore proposed to introduce a condition requiring the submission of a design code statement that will set the design principles of the site similar to that of the earlier phases to ensure that the character and appearance of the area is maintained.
75. It is therefore considered that subject to the proposed condition on a design code that the character and appearance of the site and wider area will be maintained and therefore acceptable in line with policy 29 of the County Durham Plan.

Landscaping

76. Policy 39 (Landscape) of the CDP 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.
77. The Council's Landscape Section have raised concerns in relation to the affects the proposal will have at a local level and the potential encroachment on the hedgerow to the South, and that the development would create a new settlement boundary; they raise concern over the visibility of the site from various locations particularly during the winter months along with issues with the landscape on the site.
78. In regards whilst it is acknowledged that the development will be visible and have some affect on the appearance of the landscape, this development needs to be read in connection with the existing built framework of the area. The proposed

application sites between two existing residential developments and will complete the gap, which is currently present. Given the existing built framework in close proximity to this site it is considered that the impacts will not be so significant to warrant refusal on landscape grounds. In addition, a condition will be imposed to ensure that the hedgerow to the south is retained. As such it is considered that the development would be acceptable in accordance with Policy 39 of the and paragraph 130 of the NPPF subject to appropriate consideration at the reserved matters stage of the final landscaping.

Planning Obligations

79. Policy 25 of the CDP relates to planning obligations and set out requirements for new development to contribute towards the provision and or improvement of physical, social and environmental infrastructure depending on the nature and local/strategic needs. In this in accordance with Policy 25 (Planning Obligations), Policy 15 (affordable housing) and Policy 26 (Green Infrastructure), the development will need to provide certain contributions.
80. Policy 15 of the CDP requires that a development of this nature will be necessary to provide a contribution towards affordable housing. As this site is within a low viability area, 10% of affordable homes would ordinarily be required. NPPF paragraph 64c recognises that the specific requirement for 10% affordable home ownership does not apply on self-build sites, however, affordable provision is still applicable to such schemes in line with para 63 of the NPPF which states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
b) the agreed approach contributes to the objective of creating mixed and balanced communities.
81. The applicants and the LPA have entered into lengthy discussions in relation to the contribution necessary for affordable housing. The applicant had previously sought to deliver affordable housing onsite for the earlier phases 1 and 2 on the wider development; however, the applicant now proposes a single off-site monetary contribution to the Council to provide affordable housing. In consultation with the Council's Affordable Housing Team a figure of **£253,281.00** has been agreed and would be secured via a s106 agreement.

Open space / Green Infrastructure

82. Paragraph 98 of the NPPF states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and that planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. The Council prepared its Open Space Needs Assessment (OSNA) in 2018 as part of the preparation of the County Durham

Plan and as such it is considered that this is the most up to date assessment of need for the purposes of Paragraph 98 of the NPPF.

83. Policy 26 (Green Infrastructure) of the CDP states that development will be expected to maintain, protect, and where appropriate, improve the County's green infrastructure network. In accordance with Policy 26 and having regards to the Councils Open Space Needs Assessment (OSNA) it is required that the development should provide onsite amenity open space, along with offsite contributions towards allotments, parks, and play space within the local electorate division.
84. Due to the size of the development, it is required to provide onsite amenity space equivalent to 660m² in area. The submitted details show that the development proposes to provide an area of amenity open space which is approximately 800m² in area, therefore this element of the Green Infrastructure contribution has been met. The remaining offsite elements would be secured via a developer contribution of **£31,482.00** towards enhancement, maintenance or provision within the vicinity of the development
85. Policy 25 of the CDP requires new development to mitigate any matters necessary to make the development acceptable through either planning conditions or planning obligations.

Education provision

86. Paragraph 95 of the NPPF confirms that the government places great importance to ensure that sufficient choice of school places is available to meet the needs of existing and new communities and requires LPAs to proactively meet the requirement. The Councils Education team have confirmed that there is insufficient existing educational provision within secondary provision within the area to the extent that a contribution is necessary of **£49,662** to mitigate the impact on the development to provide towards additional teaching accommodation.

Health Contributions

87. Paragraph 34 of the NPPF required Local Authorities to have regard to setting where contributions are necessary within the Local Plan. In this regard Policy 29(f) of the CDP requires that developments should contribute to healthy neighbourhood and consider the health impacts and needs of the existing and future users. The local NHS Clinical Commissioning Group (CCG) have confirmed that no contribution is necessary to provide sufficient local health service facilities to accommodate future residents of the development.

Developer contribution conclusion

88. As detailed above it is considered that the proposal is in accordance with Policies 25 and 26 of the CDP to mitigate the impact on the development subject to the completion of a s106 agreement to secure the obligations.

Impact upon Residential Amenity

89. Policy 29 (Sustainable Design) of the CDP 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. Provision for 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.
90. In addition to the above policies within the CDP, the Local Authority has adopted a residential design SPD which sets out the Councils expectation in relation to privacy distances and private outdoor amenity space (Gardens). In this regard the development would need to achieve a minimum of 21.0m between two storey buildings, 18.0m between single storey buildings and provide rear gardens with a minimum dimension of at least 9.0m.
91. The above policies and SPD are in broad accordance with paragraph 130 of the NPPF which requires that planning decisions should ensure that developments will create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
92. It is acknowledged that given that the application seeks outline planning permission with the final design matters reserved for consideration at a later stage. Therefore, the final siting, design and location of windows will be considered at reserved matters stage and as such it is not appropriate to assess the proposal against these considerations at this stage to ensure the residential amenity of existing and proposed residents will be acceptable. However, the layout to be approved shows that the proposal can in the whole achieve the necessary sufficient privacy distances, it is noted that plots 17 and 18 do fall marginally below these separation distances at approx. 20m, however para. 3.7 of the Residential Amenity SPD confirms that the privacy distances are not intended to be rigidly applied and that they can be relaxed where mitigation can be provided. In this regard it is considered that the reduction in 1m from the 21m privacy distance can be appropriately mitigated at the reserved matters stage with appropriate landscaping and boundary treatments.
93. The submitted layout shows that the privacy distances to the existing residential properties can be achieved and that the site could accommodate the proposed 20no. dwellings listed in the application description it is therefore considered that the development is satisfactory in regards to the policy requirements of Policy 29 of the CDP and the residential amenity standards SPD.

94. Policy 29(n) of the CDP requires major new residential development to be assessed against the Building for Life (BfL) supplementary document. However, the supporting text for this policy provides the context as to when this element of policy 29 is applicable, in this regard para. 5.298 of the CDP states that the requirement for a BfL should be in line with the Building for Life SPD which states that the BfL assessment is only applicable on scheme of 50 or more or sites of 1.5ha or more, or smaller scheme in sensitive locations. As this scheme is beneath 50 units, and not in a sensitive location the requirement for a BfL assessment is not necessary. However, a desk based assessment of the application was undertaken by the officer against the BfL scoring matrix (scoring 4 greens, 1 amber and 1 unknown). However, notwithstanding the above, this is element of Policy 29 is not relevant in the consideration of this proposal.
95. Policy 27 of the CDP requires that all new residential development should be served by high-speed broadband connections. The UK Government defines superfast internet as speeds in excess 24mbps. It is noted that the website for Ofcom (regulator for the communications services) provides a detailed internet speed checking service for locations within England. In this regard they confirm that the settlement, and the adjacent dwelling are by Superfast internet connections of upto 79mbps. It is therefore considered that the site is capable of achieving the requirement of Policy 27, subject to an appropriate condition to secure this matter.
96. Crime, and fear of crime are material planning considerations. Paragraph 92(b) of the NPPF states that planning decision should aim to ensure that developments provide health, inclusive and safe places that are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. In this regard it is considered that, given that this is an outline application with the majority of matters reserved that these matters will be considered in detail at the reserved matters stage. However, given the proposed use as residential in a residential area it is considered that in principle the proposal has the ability to meets the test of Paragraph 92 of the NPPF and Policy 29(m) of the CDP.
97. Policy 31 (Amenity and Pollution) of the CDP 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.
98. The Council's Env. Health officer has accessed the development and concluded that the proposal has the potential to cause a nuisance in relation to disturbance during the construction phase for existing nearby residents. However, they have confirmed that subject to planning conditions the nuisances can be adequately

mitigated. As such it is considered that the proposal is acceptable in relation to the impact on the surrounding residents subject to the requested conditions.

99. Therefore, it is considered that the proposal is acceptable in that there would not be any unacceptable impact upon residential amenity of future or existing residents in accordance with the aims of Policies 29 and 31 of the County Durham Plan, the Residential Design SPD and Sections 8 and 12 of the NPPF, subject to appropriate conditions.

Sustainability and Energy Efficiency

100. Policy 29 of the CDP criteria c and d require that developments should seek to minimise greenhouse gas emission by seeking to achieve zero carbon buildings and provide renewable and low carbon energy generation and should minimise the use of non-renewable and unsustainable resources.
101. As this is an outline application, these matters will be considered at the reserved matters stage, as such it is considered appropriate to secure these requirements by way of a planning condition.
102. In light of the above it is considered that the proposal is acceptable in regard to the provision of Policy 29 c d and o, subject to a planning condition requiring a detailed scheme to be submitted and agreed by the LPA in this regard.

Highway and Pedestrian Safety

103. Policy 21 of the CDP requires that all development ensures that any vehicular traffic generated by new development can be safely accommodated and have regard to Parking and Accessibility Supplementary Planning Document
104. The Council's Highway Engineers have assessed the proposal and requested that a plan showing the adoption limits to the roads and swept path of refuse wagons. This information has been supplied and agreed in principle. It is considered these details can be controlled and agreed by way of planning conditions to ensure that the site is constructed as agreed. It is therefore considered on the proposal can achieve a safe means of access. The scheme is therefore acceptable in this regard.
105. Policy 21(a) also requires that all development delivers, accommodates and facilitates investment in safe sustainable modes of transport for people with mobility issues or disabilities, walking, cycling, bus and rail transport. In this regard the proposal will be linked to the existing wider residential development and have access to the local sustainable transport links within the settlement..
106. In light of the above it is considered that the proposal is on balance acceptable in line with Policy 21 of the County Durham Plan, and Part 9 of the NPPF subject to the condition set out below.

Trees

107. Policy 40 (Trees, Woodlands and Hedges) of the CDP 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.
108. The Council's Arborist has assessed the proposal and concluded that the scheme may impact tree and hedges to the boundary of the site and that an AIA and root protection plan would be necessary to assess the potential impact. However, the final design and location of each dwelling is reserved for consideration at a later stage. Therefore, it is proposed to require this information to be submitted with each reserved matters application on a plot by plot basis to assess the impact of each dwelling.
109. Therefore, in light of the above it is considered that subject to an appropriate condition to ensure an appropriate landscape scheme is submitted as reserved matter stage the proposal is in compliance with Policy 40 of the CDP.

Ecology

110. Policy 41 (Biodiversity and Geodiversity) of the CDP restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. 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 or deterioration of irreplaceable habitats will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.
111. In relation to the above a County Ecologist has considered the proposal and the submitted Environment impact assessment and Biodiversity Net Gain Assessment. The applicants have identified that there will be a BNG net loss within the development, and have provided information to show that the development can in principle achieve a net gain in bio-diversity from the installation of 1 no. Bird and 1 no. Bat box to be installed within the fabric of each plot and no less than 40 native trees across the site. These matters will be secured by planning condition and s.39 agreement to ensure compliance with this requirement.
112. It is therefore considered that the application is acceptable in accordance with Policy 41 of the County Durham Plan and Part 15 of the NPPF.

Drainage

113. 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.

114. Whilst 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.
115. The Council Drainage and Flooding section have assessed the scheme and concluded that the submitted surface water drainage scheme is acceptable, the the in plot soakaways being dealt with by Building Regulations.
116. It is therefore considered that the scheme in acceptable in relation to Policy 35 and 36 of the CDP subject to appropriate planning conditions.

CONCLUSION

117. In summary, it is considered that the proposal and site is acceptable in accordance the relevant policies as set out above subject to the relevant conditions.
118. It is therefore considered that the application on balance is acceptable in line with Policies 1, 6, 15, 16, 19, 21, 25, 26, 27, 29, 31, 32, 33, 35, 36, 39, 40, 41, 42 and 56 of the County Durham Plan and Parts 2, 4, 5, 6, 8, 9, 11, 12, 14 and 16 of the National Planning Policy Framework subject to the relevant conditions and contributions.

RECOMMENDATION

That the application be **APPROVED** subject to a s106 agreement to secure offsite affordable housing contribution of £253,281.00, £31,482.00 Green Infrastructure, and £49,662.00 secondary education, and enter into a s39. agreement to secure the management, maintenance and monitoring of BNG for a 30 year period and the following conditions:

1. Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters.

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

2. Approval of the details of scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained in writing from the Local planning authority before any development is commenced.

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

3. The development 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) 1, 6, 15, 16, 19, 21, 25, 26, 27, 29, 31, 32, 33, 35, 36, 39, 40, 41, 42 and 56 of the County Durham Plan and Parts 2, 4, 5, 6, 8, 9, 11, 12, 14 and 16 of the National Planning Policy Framework.

4. The development hereby approved shall comprise no more than 20no. dwellings (C3 use class).

Reason: To define the consent in the interests of proper planning.

5. No development other than site clearance or remediation works shall commence until a scheme to detail how at least 66% of the total number of units approved comply with Building Regulations M4(2) Accessible and Adaptable Dwellings shall be submitted for approval alongside an application for reserved matters for the scheme. 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.

6. A scheme detailing how at least 10% of the total number of units approved will be constructed to a design and type which meet the needs of older people, shall be submitted for approval alongside an application for reserved matters for the scheme. Thereafter the development shall be carried out fully in accordance with the approved details.

Reason: To meet the housing needs of older people and people with disabilities in accordance with Policy 15 of the County Durham Plan and Part 5 of the NPPF. Required to be pre-commencement to ensure that an acceptable scheme can be agreed and incorporated into the development before site works commence

7. No development shall commence until a scheme and supporting information detailing the full engineering details of the proposed 4.8m wide cul de sac road, 1.8m wide footway and vehicular access with turning head, double visitor & single parking layby which have been designed in accordance with the highway adoption standards has been submitted to and approved by the Local Planning Authority.

Thereafter the no development shall commence on any plot of land until the roads, footway and vehicular access has been constructed in accordance with the submitted and approved plans.

No residential properties shall be occupied until the roads and footways as approved are brought up to base course level. Prior to works on each plot starting details of each plot should be provided to include car parking and vehicle access arrangements.

Reason: In order to ensure a satisfactory form of development, and to ensure highway safety in accordance with policy 21 and 24 of the County Durham Plan.

8. No development shall commence until a written scheme of investigation setting out a programme of archaeological work in accordance with 'Standards for All Archaeological Work in County Durham and Darlington' has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

Reason: To safeguard any Archaeological Interest in the site, and to comply with Part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

9. No development shall commence until scheme for hedgerow protection has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and in accordance with BS 5837 2012.

Reason: In the interests of the appearance of the area and to comply with Part 7 of the National Planning Policy Framework.

10. 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 1 preliminary risk assessment (desk top study).

If the Phase 1 assessment identifies that further investigation is required a Phase 2 site investigation shall be carried out, 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 suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

11. 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 Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

12. 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.

13. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
 1. A Dust Action Plan including measures to control the emission of dust and dirt during construction.
 2. Details of methods and means of noise reduction/suppression.
 3. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
 4. Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
 5. Designation, layout and design of construction access and egress points.
 6. Details for the provision of directional signage (on and off site).
 7. Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.

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

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

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

Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre commencement to ensure that the whole construction phase is undertaken in an acceptable way.

14. Prior to the commencement of development, details of the existing and proposed levels of the site including any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Thereafter the finished floor levels required for the individual plots shall be submitted to and approved in writing by the Local Planning Authority on a plot by plot basis as part of the reserved matters. Such a scheme shall indicate the finished floor levels and levels of the garden areas of the individual plot and adjacent plots. Development shall be carried out in accordance with the approved details.

Reason: To take into account the position of the buildings and impact on adjacent properties and their associated gardens in accordance with Policy 29 and 31 of the County Durham Plan and to ensure that earth-moving operations, retention features and the final landforms resulting do not detract from the visual amenity of the area or the living conditions of nearby residents.

- 15 Prior to the submission of any Reserved Matters application(s), a Detailed Design Code shall be submitted to and agreed in writing with the Local Planning Authority. All applications for Reserved Matters approval shall thereafter be accompanied by a Design Statement which shall explain how the proposal conforms to the requirements of the approved Detailed Design Code.

Reason: To ensure a satisfactory form of development and to ensure compliance with Policy 29 of the County Durham Plan

- 16 Prior to the first occupation of any dwelling hereby approved all areas of curtilage parking shall be constructed from a permeable paving material the details of which shall be submitted to and agreed by the Local Planning Authority, and thereafter shall be retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure effective drainage measures and sustainable principles are adhered to, and to safeguard the proposed development from flood risk, whilst not increasing flood risk elsewhere.

- 17 The development shall not be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation agreed under condition 8. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To comply with Paragraph 199 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

- 18 Prior to the first occupation of the development hereby approved a scheme for the ongoing maintenance of the retained hedgerow and all landscape features and open space shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the agreed scheme shall be maintained in perpetuity.

Reason: In the interests of the visual amenity of the area and to comply with Policies 26 and 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

- 19 Details of all walls, fences, gates and other means of boundary enclosure to be constructed on the development up to the each individual plot shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling hereby approved. Thereafter prior to any individual plots being developed details of boundary enclosures shall be provided on a plot by plot basis as part of the reserved matters. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the amenity of the occupiers of the site.

20. No part of the development shall be occupied until vehicular and pedestrian access connecting the proposed development to the public highway has been constructed to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area

21. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development.

No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats.

Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.

Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area and to comply with Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

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

Reason: To ensure that surface and foul water are adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.

23. No development shall commence above damp proof course of any of the dwellings until such time as a scheme detailing the precise means of broadband connection to the site has been submitted to and agreed in writing by the local planning. Thereafter, the development shall be carried out in accordance with the agreed detail.

Reason: To ensure a high quality of development is achieved and to comply with the requirements of policy 27 of the County Durham Plan.

24. The surface water management scheme for the proposed development shall be implemented in accordance with the proposed drainage plan - Ref: H77326-JNP-90-XX-DR-C-2006 Rev. P01 26th January 2022, and thereafter maintained and retained for the lifetime of the proposal

REASON: To ensure effective drainage measures and sustainable principles are adhered to, and to safeguard the proposed development from flood risk, whilst not increasing flood risk elsewhere.

25. Prior to the first occupation of any dwelling hereby permitted details of 1no. electric vehicle charging point and location per dwelling shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details and retained in perpetuity

Reason: To ensure a satisfactory form of development in accordance with Policy 21 of the County Durham Plan and Section 9 of the NPPF.

26. The reserved matters application for each plot shall be supported by a detailed scheme to minimise greenhouse gas emissions, with the aim of achieving as close as possible a zero carbon buildings. The scheme shall include, but not be limited to, provision of renewable and low carbon energy generation. The agreed renewable and low carbon energy measures shall thereafter be installed in accordance with the approved details thereafter.

Reason: To comply with requirements to minimise greenhouse gas emissions in line with details set out in policy 29c) of the CDP

27. The external walls and roofs shall not be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority on a plot by plot basis. The materials shall accord with the agreed Detailed Design Code (as required by condition 15). Thereafter the development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development and in the interests of visual amenity and to ensure compliance with Policy 29 of the County Durham Plan.

28. The dwellings hereby approved shall not exceed two and a half storeys in height with a maximum height to eaves of 6.3 metres and ridge of 9.5 metres.

Reason: In the interests of visual amenity. and to set the scale of development

29. Any landscaping details required for the individual plots shall be submitted to and approved in writing by the Local Planning Authority on a plot by plot basis as part of the reserved matters. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the

development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

30. The reserved matters application for each plot shall be supported by details of 1no. Bat and 1no. Bird habitat within the fabric of each proposed dwelling. The agreed habitats shall thereafter be installed in accordance with the manufactures details and the approved details and shall be retained and available for use in perpetuity for the lifetime of the development..

Reason: To ensure adequate bio-diversity net-gain in accordance with policy 41 of the County Durham Plan and Part 15 of the NPPF.

31. Details of the reserved matters for landscaping shall include the species, size and location of not less than 40no. native trees to be planted in accordance with paragraph 4.4 of the submitted Biodiversity Net Gain Assessment April 2023.

Reason: To ensure adequate bio-diversity net-gain in accordance with policy 41 of the County Durham Plan and Part 15 of the NPPF.

32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), no development as detailed within Schedule 2, Part 1 of Class A, AA, B, C, D shall take place without the express grant of further specific planning permission from the Local Planning Authority.

Reason: In the interests of the amenity of the surrounding area in accordance of Policies 29 and 31 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification) and notwithstanding the agreed details under condition 15, no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenity of the surrounding area in accordance of Policies 29 and 31 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority 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

BACKGROUND PAPERS

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

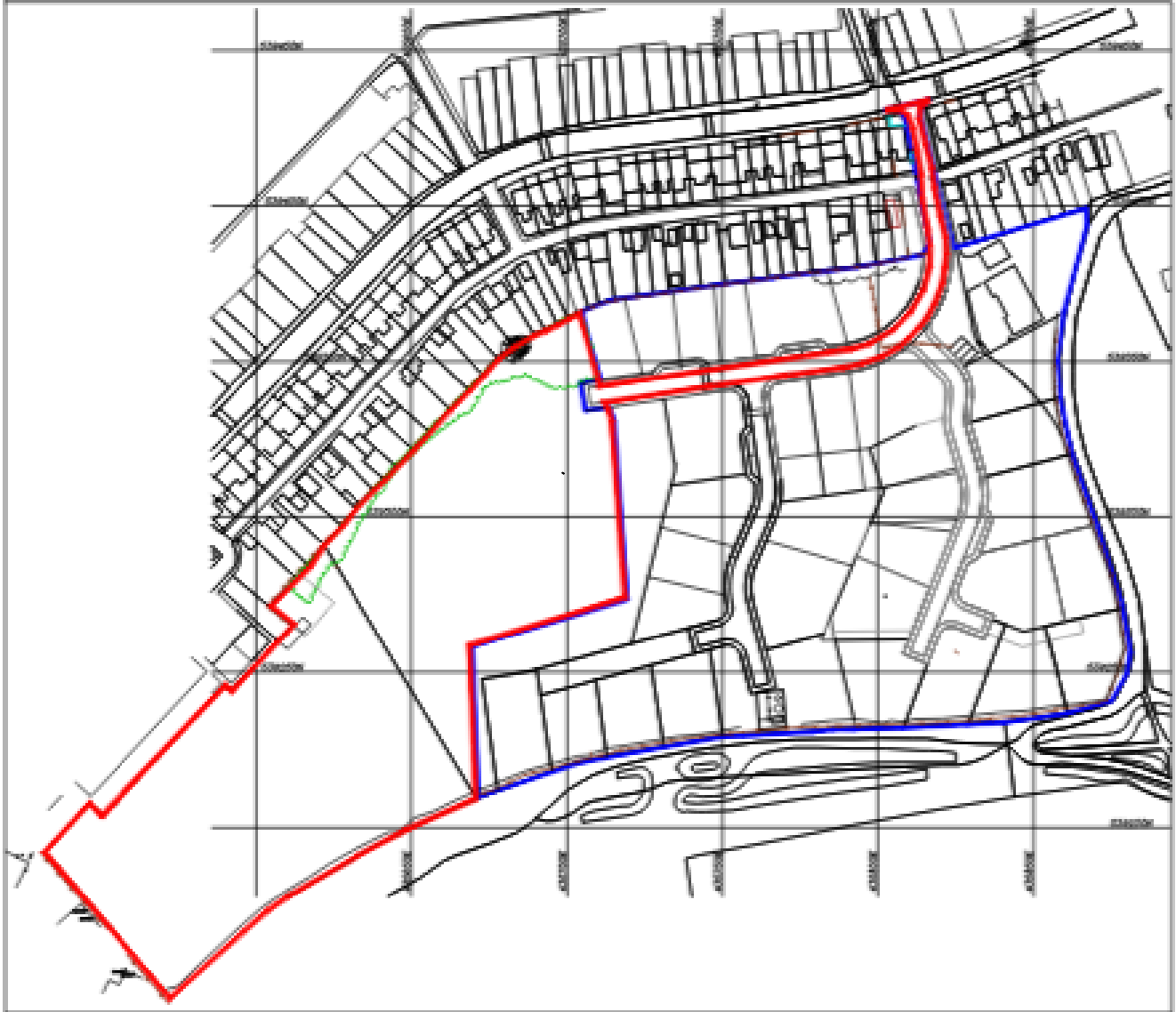
The National Planning Policy Framework (2021)

National Planning Practice Guidance Notes

County Durham Plan (2020)

Residential Amenity Standards SPD (2023)

Statutory, internal and public consultation responses



Planning Services

Outline application with some matter reserved (Appearance, Landscape and Scale) for up to 20 Self-build residential dwellings (C3) with associated works.

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Land to the west of Dunelm Stables

Date 26.04.2023

Scale NTS