



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No: 7/2012/0103/DM

FULL APPLICATION DESCRIPTION: Outline application with details of layout, access and scale, for the erection of four dwellings including the demolition of 14 North Road

NAME OF APPLICANT: Mrs Maughan

ADDRESS: Land at 14 North Road, Spennymoor, Co Durham, DL16 6EW

ELECTORAL DIVISION: Tudhoe

CASE OFFICER: Mark O'Sullivan, Planning Officer
03000 261056, mark.o'sullivan@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site is situated on 0.28 hectares of land and comprises an existing bungalow fronting North Road with 2 storey flat roof extension on the south elevation and undeveloped garden land to the rear. Located within the Spennymoor residential settlement, this site is bordered to the north and south by neighbouring residential development. The site looks across to allotment land on the east side of North Road and to the west of the site is a public right of way and public open amenity space.
2. The existing garden space currently comprises a number of trees, ponds and soft landscaping features and a disused air raid shelter, none of which are protected.
3. Outline planning permission is sought to demolish the existing dwelling and erect four dwellings on the site including the rear garden space. Shared vehicular access would be created to the southern boundary of the site serving all proposed

properties. A number of existing trees and landscaping features would need to be removed or pruned to facilitate this development.

4. Details of site layout, access and scale have been submitted to show how the four dwellings would be accommodated. These would be 2.5 storey houses with footprints of 10 x 8 metre, and a maximum height of 8.6 metres. Details of the design and landscaping of the site are reserved for subsequent consideration.
5. The application has been referred to committee at the request of Councillors Foster and Graham, the Electoral Division Members. Concerns have been raised regarding highway safety, impact on the character of the area, overdevelopment and conflict with planning policies.

PLANNING HISTORY

6. There is no recent planning history associated with the application site.

PLANNING POLICY

NATIONAL POLICY

7. The Government has now published its *National Planning Policy Framework (NPPF)*, which replaces a number of *Planning Policy Statements and Guidance notes*. The Framework sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities. The Framework sets out the presumption in favour of sustainable development. In terms of implementation, the Framework sets out that for the 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. In particular it is of note that at paragraph 12, it is highlighted that the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The NPPF can be accessed at:

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

REGIONAL PLANNING POLICY

8. *The North East of England Plan - Regional Spatial Strategy to 2021 (RSS)* July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.
9. In July 2010 the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated

as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when Orders have been made under section 109 of the Localism Act 2011, and weight can be attached to this intention. The following policies are considered relevant:

10. *Policy 2 (Sustainable development)* requires new development proposals to meet the aim of promoting sustainable patterns of development.
11. *Policy 4 (The sequential approach to development)* requires a sequential approach to the identification of land for development.
12. *Policy 7 (Connectivity and accessibility)* planning proposals should seek to improve and enhance sustainable internal and external connectivity and accessibility of the North East.
13. *Policy 24 (Delivering sustainable communities)* planning proposals, should assess the suitability of land for development and the contribution that can be made by design.

The above represents a summary of those policies considered most relevant. The full text can be accessed at:
<http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>

LOCAL PLAN POLICY:

14. *E15 (Safeguarding of Woodlands, Trees and Hedgerows)* expects development proposals to retain important groups of trees and hedgerows wherever possible and replace any trees which are lost.
15. *H17 (Backland and infill housing development)* sets criteria for new backland and infill housing development.
16. *H18 (Acceptable uses within housing areas)* establishes acceptable uses within housing areas.
17. *D1 (General principles for the layout and design of new developments)* requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.
18. *D3 (Design for access)* seeks to ensure new development makes satisfactory provision for all road users and pedestrians.
19. *D5 (Layout of new housing development)* sets criteria for the layout of new housing developments.
20. *SPG Note 3 (The layout of new housing)* sets amenity/privacy standards for new residential development.

The above represents a summary of those policies considered most relevant. The full text, criteria, and justifications of each may be accessed at <http://www2.sedgefield.gov.uk/planning/SBCindex.htm>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

21. *The Highway Authority* has raised no objections to this application. A request to increase the width of the proposed shared driveway to 4.8 metres has been accepted by the applicant who has submitted amended plans showing this detail. If approved, engineers advise that vehicular access crossing works must be constructed in accordance with requirements of Section 184(3) of the Highways Act, 1980.
22. *The Coal Authority* concurs with the findings of the submitted coal mining risk assessment in terms of the need for appropriate intrusive site investigation works to be undertaken prior to the commencement of development and remedial works. No objections are therefore raised to the application subject to the imposition of an appropriate planning condition.
23. *Spennymoor Town Council* has raised no objections to this proposal.

INTERNAL CONSULTEE RESPONSES:

24. *The Ecology Section* raises no objections to the proposal subject to the imposition of a condition to ensure adherence to the use of the method statement outlined within the submitted Bat Risk Assessment if the proposal is approved.
25. *The Arboriculture Officer* has no objections to the proposal, although has recommended that Tree Preservation Orders (TPO's) be placed on the trees that would remain. It is also suggested that conditions be imposed relating to the laying of a cell web system for hard standing areas in the vicinity of a number of retained trees.

PUBLIC RESPONSES:

26. The application has been advertised by means of site notice and by neighbour notification letters.
27. Twelve letters of objection have been received from ten local residents (some residents having sent more than one letter). Objections have been raised in terms of the principle of development and conflict with relevant national planning policies, the perceived impact on the character of the neighbourhood in terms of the scale of development and the impacts upon wildlife and the loss of trees. Implications for the amenity of residents is a concern, in terms of loss of privacy and overlooking, together with disturbance to neighbours caused both during development and upon completion from an increase in vehicle movement through the site, while concerns are raised in terms of the site access and impacts upon highway and pedestrian safety. A number of other issues including waste disposal, site security, and the provision of unsold housing stock elsewhere in the town, flooding and the accuracy of the submitted reports have been raised.

28. Other matters including loss of view, impact on property values and party wall issues, are not considered to be material planning considerations to which weight can be apportioned in the determination of the application.

APPLICANTS STATEMENT:

29. The site lies well within the development boundary of Spennymoor as set out in the local plan; therefore there is no conflict with broad planning policy or use of the land. The scheme has been designed in accordance with the local plan and in particular with accordance with policy number H17 (Backland and infill housing development).

30. With regards to highway safety, site lines from the proposed access point on the B6282 are well in excess of the County Highways department's requirements for a development of this type. The existing vehicular access has been modified and widened to comply with Section 184(3) Highways Act 1980 to allow for easier access and egress from the site, as well as comply with the minimum visibility splay of 43 metres along North Road.

31. The addition of a footpath to the southern boundary allows for safe pedestrian access and circulation around the site.

32. With regards to amenity and privacy standards, proposed dwellings are located "in such a way that the existing trees are utilized as screening; in addition to this the minimum distances between dwellings are in excess of those set out in the local plan.

33. The dwellings are designed as 2.5 storey houses and have a smaller footprint than the existing dwellings on North Road and Westmorland Road, which keeps the proposed scale of the development in keeping with the local vernacular.

34. The site has been fully utilized, making use of the existing trees as natural screens. All of the dwellings have substantial gardens and the existing flora will be utilized wherever possible around the site to minimize the impact of development on the locality.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file.

PLANNING CONSIDERATIONS AND ASSESSMENT

35. 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 key issues are the principle of the development, impact on the character of the area, impact on residential amenity, highway safety, flooding, drainage, ecology and arboriculture implications.

The principle of development

36. The National Planning Policy Framework (NPPF) sets out the Government's overarching objectives for the planning system, promoting sustainable development as a key objective. It is noted that the NPPF does not change the statutory status of the development plan as the starting point for decision making. It should also be noted that the NPPF replaces PPS1 and PPS3, and the letter to Chief Planning Officers: New powers for local authorities to stop 'garden-grabbing' (15 June 2010) should no longer be considered as material planning considerations.
37. Whilst paragraph 53 of the NPPF explains how local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area, there is no specific policy at this time excluding backland or garden development. Each application therefore needs to be considered on its own merits, taking into account the sustainability of the site, contextual fit, scale and design.
38. In addition to the NPPF's presumption in favour of sustainable development, the RSS, through policies 2, 4 and 24 set out sustainable housing objectives, paying regard to a sequential approach to site selection in the delivery of new housing across the region, in achieving sustainable development objectives. In particular, sites that are previously-developed or sites within existing built-up areas are sequentially preferable.
39. At a local level, Policies H17 and D5 of the Local Plan support new residential development in existing residential areas where they can achieve a satisfactory means of access and parking provision, satisfactory amenity and privacy for both the new dwelling and existing adjacent dwellings and where development is in keeping with the scale and form of adjacent dwellings and the local setting of the site. Furthermore such development must not significantly harm the living conditions for nearby residents.
40. The application site is located within the Spennymoor residential framework as identified in the Local Plan and is occupied by an existing dwelling house and extended garden space. Although it would not constitute previously developed land according to the definition outlined within the NPPF, the site is located in close proximity to the commercial centre of Spennymoor, key access routes and employment opportunities. It is therefore considered that the proposed development would be located in a sustainable location with regard to the NPPF and RSS Policies 2, 4 and 24, which establish sustainable housing objectives. Furthermore, the sustainable nature of this centralised site within an established settlement would satisfy RSS Policy 7 in relation to connectivity and accessibility.
41. In summary, it is considered that the provision of additional infill dwellings within the established settlement limits is acceptable in principle and as such the scheme represents a sustainable form of development that accords with the NPPF's presumption in favour of sustainable development. On balance, such considerations should be seen to outweigh any presumption against this development in terms of the part Greenfield nature of the site and unsold housing

stock elsewhere. Any recommendation for refusal based solely on the argument that there are existing unsold properties nearby would be poorly founded and unreasonable.

Impact on the character of the area

42. North Road is predominately residential in nature, with properties overlooking a busy carriageway and allotment land beyond to the east. The proposed nature of the development would see the removal of an existing dwelling house and its replacement with a new dwelling housing (occupying a smaller footprint) to facilitate access to garden land to the rear. This garden land cannot presently be viewed from North Road without accessing through private property.
43. The proposed replacement dwelling house fronting North Road would respect existing development to the north and south both in terms of siting and scale. It would not be of a significantly larger footprint that would detract from the character of the street scene and would also retain a strong forward building line with neighbouring development. The proposed dwelling would extend up to 8.6m in height to the ridge and would respect the height of 2 storey developments to the north and south. Details of design are to be assessed at a later stage, although it is expected that a high standard of design would be required, commensurate with surrounding building styles and incorporating sympathetic materials and finishes.
44. With regard to the proposed backland development, it is noted that much of this would remain obscured from view from the key vantage point along North Road to the east. Although these properties would be viewed from public land to the west, this would be against the backdrop of relatively modern designed buildings along Westmorland Road to the west. It is not considered that the proposed dwellings would appear significantly incongruous in this setting.
45. With regard to the height of the proposed backland dwellings, no objections are raised over the scale, which would again remain sympathetic to existing two storey developments in the local setting, respecting existing ridge heights without resulting in any significant degree of overlooking/overshadowing, or a form of development which would detract from the character of this area.
46. Furthermore, no objections are raised over the density of this development given the scale of surrounding plots to the north, east and west. The proposed backland dwellings would occupy footprints similar to neighbouring residential plots. Further control of soft landscaping details would help to soften the visual impact and integration of the development.
47. Although some local concern has been raised over the impact on the character of this street scene caused by an increase in the number of bins and waste disposal activities it is considered that there would be enough space within the curtilage of each dwelling to store waste until relevant collection days when bins are moved into the main collection area with all other neighbouring bins.
48. In view of the above, no overriding concerns are raised over the impact of this development on the character of the surrounding area and having regard to the

principles of good design set out within the NPPF and Local Plan Policies H17 and D1.

Impact on residential amenity

49. With regard to the layout of the proposed dwellings, no objections are raised in terms of the strong forward building line fronting onto North Road which is to be retained, or the separation distances to be achieved between existing and proposed dwellings which are in excess of the minimum guidelines as set out within SPG Note 3. A distance of approximately 60 metres is to be retained between the rear elevation of the replacement dwelling fronting onto North Road and opposing dwellings to the west. Meanwhile a separation of 20 metres is to be retained between the rear facing elevation of numbers 15 and 16 North Road and the side gable elevations of the nearest proposed dwellings to the west.
50. Owing to the orientation of the dwellings, there would be no primary elevations directly overlooking neighbouring properties within short distances, with submitted plans showing some existing boundary vegetation to be retained in part, ensuring some degree of screening around the site. The applicant would be required to accord with approved plans, with additional control over landscaping imposed at the reserved matter stage. As such the amenity of residents in terms of overlooking would be safeguarded.
51. A number of concerns have also been raised over the impact of the proposed development on neighbouring amenity in terms of disturbance caused during the construction period. Whilst some level of disturbance and disruption may occur during the construction process the applicant would be encouraged to adhere to good practices in terms of working hours and on site conditions including site security throughout the development.
52. Concerns have also been raised by immediate neighbours over the impact of development on their property boundaries. It is noted that any party wall issues cannot be considered as material planning considerations although the applicant would be reminded to adhere to the provisions of the Party Wall Act at all times. In terms of proximity to neighbouring property to the north and south, it is noted that the main dwelling houses are not built right up to their boundaries with the application site, maintaining an acceptable degree of separation from the proposed access road and new development. The movement of vehicles using the proposed shared access would not be excessive such that this would unacceptably impact on the living conditions of neighbouring residents. All the proposed dwellings would benefit from a sufficient level of front and rear private amenity space without encroaching into neighbouring curtilages and details of means of enclosures and landscaping details be included with any recommendation for approval.
53. In view of the foregoing, this proposal satisfactorily achieves sufficient private amenity space to the front, rear and sides, and without resulting in any substandard separation distances between dwellings. In this respect, this application is considered to accord with Policies H17, D5 and SPG3 of the Local Plan regarding the layout of new dwellings.

Highway Safety

54. The Highway Authority has raised no objection to this proposal, advising that the vehicular access onto the B6288 North Road can achieve the 2.4 x 43 metres junction site visibility splays in both directions, together with a 4.8 metre wide drive, which is therefore acceptable.
55. In arriving at this decision, consideration has been given to the likely usage of this shared driveway in terms of the four proposed dwellings, parking provision and in-curtilage turning facilities/manoeuvrability space as well as emergency access. The proposed dwelling fronting onto North Road would have four car parking spaces, with the other three dwellings having potentially six car parking spaces, which is deemed to be acceptable in this location. The proposals are therefore considered to accord with Policy D3 in this regard.

Flooding and Drainage

56. The NPPF requires a proactive approach to flood risk in assessing new developments. The application site is not located within any known flood risk area with it noted that not all of the site will be replaced with hard standing or developed over. In order to ensure no increased risk of flooding, any approval should be carefully conditioned to control the use of permeable materials in areas of hard standing to avoid increased run-off.
57. The proposed application is infill in nature, and as such, it would integrate into existing drainage systems which currently serve this area. It is not considered that a net increase of three dwellings would result in any unacceptable impact upon existing drainage capacities which could justify refusal in this instance.

Ecology

58. The Ecology Section has raised no objections to the proposal, subject to a condition ensuring adherence to mitigation measures outlined within the submitted ecological survey. In arriving at this recommendation, the Ecology Section has considered the concerns raised by neighbouring occupiers in terms of ecological impacts, finding that on the basis of the evidence submitted, the risk of presence and hence impact on bats is low, and that the method statement provided would address any residual risk. With respect to the submitted arboricultural report it is concluded that none of the trees proposed to be felled harbour any features which would render them likely to be used by bats. It is therefore concluded that any further surveys with respect to the trees would not be necessary.
59. With regard to Great Crested Newts, it is noted that while Natural England's guidelines state that a risk assessment or survey is usually required for sites within 500m of a pond the garden ponds within the application site are very small (and unlikely to support a breeding population). The nearest known record for the species is in excess of 600m to the west, with built up areas and busy roads, which would be a barrier for the migration/movement of newts. There are no known records or suitable habitat/ponds to the east of the site, and the immediate area does not show up on historical maps/aerial photos of there being any

historical ponds where newts could come from. Therefore the risk of Great Crested Newts being in the area, and hence inhabiting the ponds when they were dug, is low.

60. Although objectors have raised concerns regarding the impact on biodiversity, it is considered that subject to adherence to the proposed condition, the proposals would not have significant affects on biodiversity and the application would be considered to satisfy the provisions of paragraph 118 of the NPPF in this regard.

Arboricultural implications

61. The Arboriculture Officer has noted the application site does not contain any Tree Preservation Orders (TPO's), and having considered the submitted Arboricultural Implications Assessment, has raised no objections to the loss of those trees identified for removal. However, because the trees which would be retained are considered to screen and enhance the site from the north, south and the west, it is recommended that these are protected by way of a TPO. Conditions are also suggested relating to the laying of cell web system in close proximity to specified trees so as to avoid any significant root damage. It is also suggested that a number of mature shrubs and plants around the site to be removed, are stored and replanted around the development once completed. It is considered that such detail may be controlled through the imposition of an appropriate landscaping condition.

62. Subject to compliance with the above considerations, the proposals would satisfy the provisions of adopted Local Plan Policy E15 which seeks to ensure the retention and protection of woodland, important groups of trees, copses and hedgerows, seeking their replacement where possible.

CONCLUSION

63. The principle of infill residential development within an established residential settlement is considered acceptable given its sustainable location and compliance therefore with the aims of the NPPF and relevant development plan policies. The proposed scale and layout of the development is considered sympathetic to surrounding development and the local setting, without detracting significantly from the local street scene or character of the area. Furthermore, with no perceived impact upon highway safety, ecology or neighbouring privacy/amenity, this proposal is considered acceptable, and subject to the imposition of appropriate planning conditions, approval of the application is therefore recommended.

RECOMMENDATION

That the application be **APPROVED** subject to 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 and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of

approval on different dates, the date of approval of the last of the reserved matters to be approved.

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

2. Approval of the details of appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority before the development is commenced.

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

3. The development hereby approved shall be carried out in strict accordance with the following approved plans.
 - 420/01, Rev A (Proposed site layout), *received 30 April 2012*
 - 420/03 (Approximate eaves and ridge heights), *received 30 March 2012*

Reason: For the avoidance of doubt and in the interests of proper planning.

4. Notwithstanding any details of materials submitted with the application no development shall commence 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 Policy H17 (Backland and infill housing development) of the Sedgefield Borough Local Plan.

5. Prior to the commencement of the development details of means of enclosure shall be 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.

Reason: In the interests of the visual amenity of the area and to comply with policy H17 (Backland and infill housing development) of the Sedgefield Borough Local Plan.

6. No on site vegetation clearance shall take place during the bird breeding season (March to end of August inclusive), unless the project ecologist undertakes a checking survey immediately prior to clearance and confirms that no breeding birds are present. The survey shall be submitted to and approved in writing by the Local Planning Authority prior to the removal of vegetation during the bird breeding season.

Reason: To conserve protected species and their habitat in accordance with Paragraph 118 of the NPPF.

7. This permission relates to the erection of up to four dwellings with a maximum height above ground level of 4.8 metres to eaves level and 8.6 metres to the ridge.

Reason: To ensure that the proposed dwellings are in keeping with the scale and form of adjacent dwellings and the local setting of the site, in accordance with Policy H17 (Backland and Infill Housing Development) of the Sedgefield Borough Local Plan.

8. No development shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above.

Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats.

The landscape scheme shall include accurate plan based details of the following:

Trees, hedges and shrubs scheduled for retention.

Details of hard and soft landscaping including planting species, sizes, layout, densities, numbers.

Details of planting procedures or specification.

Finished topsoil levels and depths.

Details of temporary topsoil and subsoil storage provision.

Seeded or turf areas, habitat creation areas and details etc. Details of land and surface drainage.

Details of permeable surfaces

The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.

The local planning authority shall be notified in advance of the start on site date and the completion date of all external works.

Trees, hedges and shrubs shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with policy H17 (Backland and infill housing development) of the Sedgefield Borough Local Plan.

9. 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 H17 (Backland and infill housing development) of the Sedgefield Borough Local Plan.

10. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated on the approved tree protection plan (Arboricultural Implication Assessment, *Andrew Hampton, January 2012*), as to be retained, are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2005.

No operations whatsoever, no work to affect any tree, no alterations of ground levels, and no storage of any materials are to take place inside the fences.

No removal of limbs of trees or other tree work shall be carried out inside the fences.

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.

Reason: In the interests of the visual amenity of the area and to comply with policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

11. Prior to the commencement of the development hereby approved, details of a cell web system for hard standing areas within the vicinity of tree numbers 3, 7, 8, 52 and 53 (as identified within the submitted Arboricultural Implication Assessment, *Andrew Hampton, January 2012*), shall be submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the area and to comply with policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

12. No development shall take place unless in accordance with the method statement appended to the submitted Bat Risk Assessment (*Veronica Howard, January 2012*).

Reason: To conserve protected species and their habitat in accordance with Paragraph 118 of the NPPF.

13. Prior to the commencement of the development hereby approved, the applicant is required to undertake appropriate intrusive site investigation works as specified within section 6.0 of the submitted Coal Mining Risk Assessment (dated 23 March 2012). In the event that site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these works shall be undertaken prior to the commencement of any development.

Reason: To ensure the application site is, or can be made safe for the proposed development in accordance with the requirements of the NPPF.

14. The development hereby approved shall be drained using separate foul sewer and surface water drainage systems.

Reason: To prevent pollution of the water environment in accordance with the requirements of the NPPF.

REASONS FOR THE RECOMMENDATION

1. In the opinion of the Local Planning Authority the proposal represents an acceptable infill housing development in terms of its location within the settlement framework, and in terms of its impact upon the character of the area, access, parking, and the privacy and amenity of surrounding residents.
2. The decision to grant planning permission has been taken having regard to the National Planning Policy Framework, Policies 2, 4, 7, and 24 of the RSS for the North East and Policies E15, H17, D1, D3 and D5 of the Sedgefield Borough Local Plan, and to all relevant material considerations, including Supplementary Planning Guidance Note 3.
3. In arriving at this recommendation, all objections and other views expressed have been considered, however, on balance, they are considered to not be overriding in this case.

BACKGROUND PAPERS

Submitted Application Forms and Plans
National Planning Policy Framework (NPPF)
Regional Spatial Strategy
Sedgefield Borough Local Plan 1996
Consultation responses from the Highway Authority and the Coal Authority,
Internal responses from the Arboriculture Section and Ecology Section
Public responses from neighbouring residents



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Comments

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