

# COMMITTEE REPORT

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## APPLICATION DETAILS

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APPLICATION NO:	3/2012/0308
FULL APPLICATION DESCRIPTION:	Demolition of existing buildings and erection of 9no. dwellings
NAME OF APPLICANT:	Hartgate Developments
ADDRESS:	Former Builder's Merchant, Lydgate Lane, Wolsingham
ELECTORAL DIVISION:	Weardale
CASE OFFICER:	Colin Harding <a href="mailto:colin.harding@durham.gov.uk">colin.harding@durham.gov.uk</a> 03000263945

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## DESCRIPTION OF THE SITE AND PROPOSALS

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### The site

1. The site comprises the currently unoccupied Weardale Building Supplies Ltd, which ceased trading from the site in 2009 and has stood vacant since. It lies in a semi rural location on the edge of Wolsingham but within the defined limits for development as shown on the Proposals Map which accompanies the Wear Valley District Local Plan. There is currently a large disused brick building and semi-derelict barn on the site with grounds comprising mainly of hardstanding with some storage of building materials. The site extends to about 0.38ha in area.
2. To the south west and west of the application site there are residential properties along Lydgate Lane. To the north east and south east there is open countryside. The vehicular access is taken from Lydgate Lane at the south west corner of the site.
3. The site levels are such that the site rises gradually from the road side and then slopes steeply upwards towards the rural area beyond the site. The change in levels is significant. There is a brick wall to the front of the site with railings above. The remainder of the site is enclosed by a mix of walls and fences.

### The Proposal

4. The application seeks planning permission for demolition of all existing buildings and the erection of 9no. dwellings.
5. The site layout has been largely informed by the topography of the site, with the smaller dwellings (plots 1 – 5) being situated towards the front of the site, with the larger detached dwellings (plots 6 – 9) being located at the rear of the site, at a higher level beyond a retaining wall.
6. The proposed dwellings have been designed by a number of different architects as it is the intention to dispose of the site on a plot by plot basis, however, there

are a number of key design themes which are in evidence throughout the development, such as stone heads and cills, mullions, stone construction and gable roofs.

7. Vehicular access is to be taken from the south west of the site in order to serve plots 6 – 9. Plots 1 – 5 will be accessed from Lydgate Lane directly.

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## **PLANNING HISTORY**

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8. The site has a long standing history of approved residential development. Residential development was first approved in 1984. Outline permissions were then granted in 2006 and again in 2010, as detailed below:

3/2010/0057 – Renew outline planning permission 3/2006/0950 for residential development – Approved 20.04.2010

3/2006/0950 – Residential Development Outline – Approved

3/1984/0005 Site for residential - Approved 20.02.1984

3/1983/0385 Site for residential - Refused 25.07.1983

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## **PLANNING POLICY**

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### **NATIONAL POLICY:**

9. On March 27th 2012 the Government published the *National Planning Policy Framework* (NPPF). The framework is based on the policy of sustainable development and establishes a presumption in favour of sustainable development. Three main dimensions to sustainable development are described as economic, social and environmental factors. The presumption is detailed as being a golden thread running through both the plan making and decision-taking process. This means that where local plans are not up-to date, or not a clear basis for decisions, development should be allowed. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise. Planning Policy Statements and Planning Policy Guidance Notes are cancelled as a result of the NPPF coming into force. The Regional Spatial Strategy remains part of the Development Plan until it is abolished by Order using powers within the Localism Act.
10. Chapter 4 promotes sustainable transport and requires new development to be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Chapter 6 encourages the delivery of a wide choice of quality homes and Chapter 7 attaches great weight to the importance of good design.

### **REGIONAL PLANNING POLICY**

11. *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.

12. 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 now be attached to this intention. The following policies are nevertheless considered relevant;
13. *Policy 2 Sustainable Development* seeks to embed sustainable criteria throughout the development process and influence the way in which people take about where to live and work; how to travel; how to dispose of waste; and how to use energy and other natural resources efficiently.
14. *Policy 4 The Sequential Approach to Development* advocates a sequential approach to the identification of sites for development, recognising the need to make the best use of land and optimise the development of previously developed land and buildings in sustainable locations.
15. *Policy 7 Connectivity and Accessibility* seeks to promote the need to reduce the impact of travel demand particularly by promoting public transport, travel plans, cycling and walking, as well as the need to reduce long distance travel, particularly by private car, by focusing development in urban areas with good access to public transport.
16. *Policy 8 Protecting and Enhancing the Environment* seeks to promote measures such as high quality design in all development and redevelopment and promoting development that is sympathetic to its surroundings.
17. *Policy 33 Biodiversity and Geodiversity* seeks to enhance and protect internationally and nationally important sites and species, developing habitat creation whilst seeking to reduce the spread of, and eliminate, invasive species
18. *Policy 38 Sustainable Construction* sets out that in advance of locally set targets, major developments should secure at least 10% of their energy supply from decentralised or low-carbon sources.

**LOCAL PLAN POLICY:**

19. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are considered relevant in the determination of this application:
20. *Policy GD1 (General Development Criteria):*  
All new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
21. *Policy H3 (Distribution of Development):*  
New development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map, development will be allowed provided it meets the criteria set down in Policy GD1 and conforms to the other policies of this plan.
22. *Policy H24 (Residential Design Criteria):*

New residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.

23. *Policy T1 (General Policy – Highways):*  
All developments which generate additional traffic will be required to fulfil Policy GD1 and :
- i) provide adequate access to the developments;
  - ii) not exceed the capacity of the local road network; and
  - iii) be capable of access by public transport networks.

*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.planningportal.gov.uk/england/government/en/1020432881271.html> for national policies; <http://content.durham.gov.uk/PDFRepository/WearValleyDistricLocalPlanMarch1997.pdf> for Teesdale District Local Plan as amended by Saved and Expired Policies September 2007.*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

24. *Wolsingham Parish Council* object to the proposal, raising concerns over the directing of surface water runoff into Trodbeck, which is prone to flooding. Furthermore they raise concern over the use of the adjoining field for access as this may be the precursor for further development in this field.
25. The *County Highway Authority* raise no objections to the proposal, noting that a new 1.8m wide footway will be installed across the frontage of plots 1 to 5. A slightly smaller footway (1.2m wide) will be constructed east of the main vehicular access point and carried on to a point where a crossing can be made to the existing footway on the southern side of Lydgate Lane. Sight visibility from the proposed site access will be an improvement on that existing at the commercial premises currently and will be in accordance with recommended guidance. Parking provision is adequate at the dwellings however plots 2 to 5 should have an associated planning condition removing Permitted Development rights for future conversion of the garage to prevent loss of the parking. In order to achieve sight visibility to the east from the adoptable access road the drystone wall is to be set back and rebuilt up to a point 15m east of the existing field gate (see site plan, drawing no. 1). The enlarged verge area between the set-back dry stone wall and Lydgate Lane carriageway is part of the visibility splay and should be submitted for adoption.
26. *Northumbrian Water* raise no objection as the applicant is proposing to take surface water to a water course and only foul water will enter the public sewage system.
27. The *Environment Agency* have no comment to make, noting that the proposal falls outside the scope of their consideration.

### **INTERNAL CONSULTEE RESPONSES:**

28. The *County Ecologist* has no objections to the proposals.

## **PUBLIC RESPONSES:**

29. Notification letters were sent to neighbouring properties and 12no. letters of objection have been received from nearby properties.
30. The concerns of local residents relate to the proposed building line, overlooking due to proximity of proposed houses to existing, noise disturbance and claustrophobic feel to Lydgate Lane, access, the possibility of the proposed access road being a precursor for further development in the adjacent field, exacerbation of existing surface water flooding problems including sewage backing up into houses, and the size of the proposed dwellings being out of scale and character with those in the vicinity

## **APPLICANT'S STATEMENT:**

31. All dwellings have private parking and amenity space within the site and as such, the impact on Lydgate Lane will be that of removing the use of the lane by the heavy goods vehicles which previously served the yard. Extensive consultation has taken place with DCC Highways' Department in preparation of the scheme and an independent highways engineer has been employed to advise on layout, adoptable road details and drainage. A comprehensive set of drawings has been presented as part of this application to reflect this consultation and, as a result, the matters relating to highways issues have been settled to the satisfaction of DCC Highway Department.
32. The site has an existing outline approval in place for residential development, first applied for in 2006. The outline was renewed in 2010 and remains in existence, the proposal indicating the development of ten dwellings. The development now being proposed is for nine dwellings and following consultation with the LPA, a requirement for affordable units on the site was deemed unnecessary due to the number of dwellings proposed. Being within the development limits of Wolsingham, the scheme is one which is seen as sustainable, as it benefits from a range of shops, primary and secondary schools, doctor's surgery, sports facilities, social and communal facilities as well as good, regular public transport links.
33. Extensive and detailed consultation with Northumbrian Water and the Environment Agency has taken place to ensure that the proposed development will not impact on the current drainage system. The applicant has been advised of requirements to improve the drainage in Lydgate Lane which it is prepared to do. Regrettably, assertions in relation to flood risk from this development taking place have been made in objections and publicly voiced in the press, but the technical evidence and design which has resulted from the consultation process with the Local Planning Authority has been fully accepted and agreed to by Northumbrian Water and the Environment Agency, and it is considered that there are no adverse planning grounds with regard to flood risk

*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 Spennymoor Council Offices..*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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34. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of the development, design and layout of development, residential amenity, highway safety, drainage and other issues.

#### Principle of development.

35. The site lies within the settlement limits for development as defined on the Proposals Map that accompanies the Wear Valley District Local Plan as Saved and Amended. Policy H3 of the Wear Valley District Local Plan seeks to ensure that all new residential development lies within existing settlements. The proposal therefore accords, in principle, with the objectives of Policy H3 of the Wear Valley District Local Plan.

36. Regards should also be had to the RSS and NPPF which both seek to ensure that new residential development is positioned in the most sustainable locations with preference given to brownfield land. Given that this site contains an industrial building and a large ancillary storage area it is clear that it is a brownfield site. Wolsingham is a town with a good range of local services and public transport where new development can be accommodated. The proposal of 9 dwellings is a small scale of development that could be accommodated in Wolsingham and would not prejudice the delivery of housing proposals identified in the emerging County Durham Plan.

37. It should also be noted that there is an extant outline planning permission for residential development on this site, which was originally approved in 2006 and extended in 2010.

38. Residential development in this location therefore remains acceptable in principle.

#### Design and Layout

39. In any scheme with several architects involved, it is always a challenge to ensure that continuity can be found throughout the design of the development. However, it is also important to remember that a high quality of design can be achieved without a slavish adherence to conformity. Individualism in a development such as this can be successful, providing key elements are common throughout the various house types.

40. It is considered that the proposed scheme is largely successful with regards to this. The houses at the front of the site, which would have a close relationship with existing properties, would demonstrate a much greater degree of uniformity than the larger, more bespoke properties at the rear of the site.

41. The key features that link the various designs together would reflect elements of the Wolsingham vernacular, namely stone and slate construction, with stone heads and cills, bay windows and gable ends. It is considered that these elements would tie the development together suitably and the proposal would be acceptable in respect of the scale and design of the dwellings.

42. In terms of layout, the site is largely constrained by the change in levels, with a retaining wall to be incorporated. This means that there is little flexibility in

positioning between the front and rear of the site. The applicant has chosen to locate the properties at the front of the site further forward than the existing building line in order to maximise the development potential of the site. The comments of local residents that the development should reflect the building line of the existing building on the site are noted, however, throughout Wolsingham, residential properties address the road quite closely and large front gardens are unusual. Furthermore, the existing builder's merchant building sits alone and does not form part of a larger urban grain. No.72 Lydgate Lane sits at an angle due to its corner position and as result does not particularly set a precedent for building line on this side of Lydgate Lane. Notably, houses to the south of Lydgate Lane do largely follow the common theme within Wolsingham of addressing the highway. The proposed building line would therefore not be harmful to the character of the area and accordingly is considered to be acceptable.

43. The proposal therefore accords with local plan policies GD1 and H24, as well as with chapter 7 of the NPPF in respect of design, scale and layout.

### Residential Amenity

44. Because of the location of the site in relation to neighbouring properties and the scale of the development proposed, the potential impact on loss of privacy between the proposed dwellings and those opposite along Lydgate Lane has been identified as a key issue in relation to assessing any impact on residential amenity. Specifically, attention has been paid to the relationship between plots 1 – 5 and existing properties on Lydgate Lane. It is fortunate that several of the existing properties on Lydgate Lane present blank elevations towards the site, or are offset so as avoid direct views between habitable windows in the proposed development.
45. It is accepted however, that only 18m separation would exist between front elevation windows at Plot 4 and the windows in the front of the bungalow opposite, however the presence of a relatively high wall and the fact that no.71 is a bungalow means that direct views between windows are likely to be minimised, if not eliminated altogether. It is therefore considered that this window relationship is acceptable.
46. Plot 3 originally featured a bedroom window directly facing a habitable window at no.69 Lydgate Lane at a distance of 15m, which was considered unacceptable. Amendments have been secured which have relocated a bathroom to the front, incorporating obscure glazing, thus overcoming any privacy concerns. This relationship is now considered to be acceptable and the proposal as whole is now in accordance with Local Plan Policy H24.
47. With regards to separation distances within the proposal, it is considered that the orientation and location of properties within the site would result in acceptable levels of amenity within the site, satisfying the requirements of Local Plan Policy H24.

### Highway Issues

48. The scheme reflects pre-application discussions with the County Highways Authority. The vehicular access would achieve suitable visibility and would be an improvement on the existing access. The provision of a footway to the front of the site would be offered for adoption, thus also improving the current situation.

49. It is considered that 9 no. additional dwellings would not lead to unacceptable pressure upon the local road network, nor would it lead to highway safety issues, although a condition preventing loss of the parking provision on plots 2-5 is required as their loss could lead to pressure for on street parking and obstruction of the highway.
50. The comments received from residents on Lydgate Lane about utilising the existing hardstanding on the site, outside of the walls as an extended turning area are noted. Whilst the development would remove the ability for residents to utilise the hardstanding, it should be noted that the land being used is not part of the public highway and is private land, which they have no right to use. Essentially, the owners of the site could fence off this area of hardstanding without the requirement for planning permission. The loss of this additional turning space, whilst perhaps somewhat inconvenient to residents, is considered to not constitute sufficient reason to withhold planning permission.
51. Concerns have also been raised that the access includes a spur that could provide access for a future development on the field to the east. There are no plans to develop this site at the present time and each proposal should be considered on its merits. The presence or otherwise of a potential access would not prejudice the Local Planning Authority's ability to control development on this site and provides no indication as to the acceptability in principle of such a scheme were it to come forward in the future.
52. Having regards to the above, the application is considered to be in accordance with Policies T1 of the Wear Valley District Local Plan as Saved and Amended.

#### Drainage

53. One of the key concerns of many objectors has been that of surface water drainage. Houses on Lydgate Lane have suffered from flooding in the past and residents fear that the proposal would exacerbate these problems.
54. They have said that on previous occasions, sewage has backed up into houses as foul water and surface water both drain into the existing sewer system. It is proposed in this instance that surface water and foul drainage be drained separately, with surface water discharge being directed to Trodbeck. This is an arrangement that Northumbrian Water support.
55. It is also accepted that Trodbeck has been known to flood on occasion, however it should be noted the Environment Agency have not deemed it necessary to make comment on the application, noting that the proposal falls outside the scope of their consideration. The developer will however have to obtain a separate consent from the Environment Agency to discharge into a water course. Furthermore, the applicant has indicated that hardstandings within the site, other than the access road itself will be permeable in nature, allowing runoff to soak through. The proposed development would also introduce more soft landscaping onto the site because each dwelling would have a private garden. The main internal access road would also be built to adoptable standard incorporating road drainage. It is therefore considered that all these factors would in all likelihood mean that the flow of surface water from the site would be slower than at present because the site currently has more amounts of hardstanding and less site drainage. This would therefore represent a situation which is not materially worse than that which currently exists. Full details of hardstanding areas and their permeability, as well as the specific surface water drainage scheme for the site



can be secured by condition to ensure this is the case. For all these reasons, issues of drainage are not sufficient to justify refusal of the application.

## Other Issues

56. Issues of biodiversity are a material consideration, in accordance with Circular 06/05. All public bodies must have regard to the requirements of the Habitats Directive in the exercise of their functions where there is likely to be a disturbance (etc) to priority or protected species. The requirements of the Habitats Directive were brought into effect by the Conservation (Natural Habitats etc) Regulations 1994 and now the Conservation of Habitats and Species Regulations 2010. These regulations established a regime for dealing with derogations which involved the setting up of a licensing regime administered by Natural England. Under the requirements of the Regulations, it is a criminal offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England.
57. The applicants have included a full protected species survey which finds the risk to be minimal, subject to mitigation measures. The County Ecologist has considered the report and agrees with its findings. It is therefore considered that the proposed development does not represent a risk to ecology or biodiversity and that the Local Authority's responsibilities have been met in this regards.
58. To prevent unacceptable risks from pollution and land instability, the NPPF states that planning policies and decisions should ensure that new development is appropriate for its location.
59. Due to the previous use of the site, a ground investigation study has taken place with nothing untoward being found that would prevent the development of the site for residential purposes.
60. As the site is to be developed on a plot by plot basis, not a great deal is currently known about the proposed landscaping of the site, other than where proposed gardens are to be located. It is likely that these will be largely turfed lawn, however a condition is proposed to secure further landscaping details before each plot is developed.

## Conclusions

61. The proposed development is considered to represent an acceptable use of a brownfield site within Wolsingham. The design and layout of the proposed development is considered to be acceptable and issues of highways, drainage and other matters have been fully considered. Concerns raised in the objections have been taken into account, but have been found to be insufficient to justify refusal of the application. The application is considered to be in accordance with the NPPF and Policies, GD1, H3, H24 and T1 of the Wear Valley District Local Plan as Saved and Amended.

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## **RECOMMENDATION**

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That the application be **APPROVED** subject to the following conditions and reasons;

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

*Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 and Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

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

Plan Reference Number:	Date received:
Site Location Plan	6 <sup>th</sup> February 2012
Site Plan Proposed #1 1702/01	18 <sup>th</sup> July 2012
Highway Adoption Plan/02	18 <sup>th</sup> July 2012
Drainage Adoption Plan/6	18 <sup>th</sup> July 2012
Proposed Plans & Elevations Plots 1&2 112201G	18 <sup>th</sup> July 2012
Proposed Plans & Elevations Plots 2 & 5 1702/02	18 <sup>th</sup> July 2012
Proposed Plans & Elevation Plot 3 1702/02A	4 <sup>th</sup> October 2012
Proposed Plans & Elevations Plot 4 1702/04	4 <sup>th</sup> October 2012
Proposed Plans & Elevations Plot 5 17025/05	4 <sup>th</sup> October 2012
Proposed Plans & Elevations Plot 6	18 <sup>th</sup> July 2012
Proposed New Dwelling Centre Plot 112501F	18 <sup>th</sup> July 2012
Proposed Detached House and Garage Plot 8 1	18 <sup>th</sup> July 2012
Proposed Detached House and Garage Plot 8 2	18 <sup>th</sup> July 2012
Proposed Detached House and Garage Plot 8 3	18 <sup>th</sup> July 2012
Proposed Detached House and Garage Plot 8 4	18 <sup>th</sup> July 2012
Proposed Detached House and Garage Plot 9 1	18 <sup>th</sup> July 2012
Proposed Detached House and Garage Plot 9 2	18 <sup>th</sup> July 2012
Proposed Detached House and Garage Plot 9 3	18 <sup>th</sup> July 2012
Proposed Detached House and Garage Plot 9 4	18 <sup>th</sup> July 2012

*Reason: In order to secure a satisfactory form of development in accordance with Policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies 2007.*

3. Development other than the provision of access and services shall not commence on each individual plot until samples of the external walling and roofing materials for that particular plot 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 order to secure a satisfactory form of development in accordance with Policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies 2007.*

4. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details shall include how the scheme shall be managed and maintained for the life of the development.

*Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and the NPPF.*

5. No development shall take place unless in accordance with the mitigation detail within the report "Bat Risk Assessment 70 Lydgate Lane, Wolsingham by Argus Ecology (April 2011)".

*Reason: In the interests of the conservation of protected species in accordance with the provision of the NPPF.*

6. Development other than the provision of access and services shall not commence on each individual plot until a detailed landscaping scheme has been submitted to and approved in writing by the local planning authority for that particular plot and the landscaping shall be carried out in accordance with the approved details.

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.

Seeded or turf areas, habitat creation areas and details etc.

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.

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. Trees, hedges and shrubs part of the approved scheme shall not be removed without agreement within five years and any trees etc which fail to establish or die within 5 years shall be replaced in the earliest planting season with another of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

*Reason: In the interests of the visual amenity of the area and to comply with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.*

7. Development other than the provision of access and services shall not commence on each individual plot until details of means of enclosure for that particular plot have been 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

*Reason: In the interests of the appearance of the area and to comply with Policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007*

8. Development other than the provision of access and services shall not commence on each individual plot until details of the surface treatment and construction of all hardsurfaced areas for that particular plot have been submitted to and approved in writing by the Local planning authority. All hardsurfacing shall be of a porous type. The development shall be undertaken in accordance with the approved details.

*Reason: In the interests of the appearance of the area and to comply with Policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007*

9. Construction works or deliveries shall not take place outside the hours of 08:00 to 18.00 Monday to Friday, 08.00 to 13.30 on Saturdays and not at all on Sundays or Bank Holidays.

*Reason: In the interests of amenity in accordance with Policy GD1 of the Wear Valley District Local Plan as Saved and Amended 2007*

10. During the course of construction, no waste materials shall be burned on the site.

*Reason: In the interests of amenity in accordance with Policy GD1 of the Wear Valley District Local Plan as Saved and Amended 2007*

11. Notwithstanding the provisions of the Town and country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) the proposed garaging facilities on plots 2-5 shall at all times be retained for the parking of motor vehicles and shall not be used for or converted into habitable residential living accommodation.

*Reason: To ensure adequate off street parking is retained in the interests of the highway safety and visual amenity and to comply with Policies GD1 and T1 of the Wear Valley District Local Plan as Saved and Amended 2007.*

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## **REASONS FOR THE RECOMMENDATION**

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This decision has been taken having regard to the policies and proposals of the North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008 and the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 where it is consistent with the National Planning Policy Framework.

The development is considered to accord with relevant Policies GD1, H3, H24 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The development represents an acceptable use of the land in principle with no harm caused to the character or appearance of the area, the amenity of adjacent occupiers, highway safety or protected species. With regards to protected species the development is considered to accord with the requirements of the 2010 Habitats Regulations.

The objections and concerns raised by local residents related to a variety of issues. These matters have been discussed and assessed within the report and officers consider the impacts of the revised development remain acceptable, in accordance with the provisions of the Development Plan and NPPF.

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## **BACKGROUND PAPERS**

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- Submitted Application Forms, Plans and Reports
- Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007
- National Planning Policy Framework.
- Consultation Responses
- Public Consultation Responses
- Regional Spatial Strategy for the North East

