
APPLICATION DETAILS

APPLICATION NO:	7/2013/0409/DM
FULL APPLICATION DESCRIPTION:	Demolition of Thurlow Grange and construction of 21no. dwellings
NAME OF APPLICANT:	Livin
ADDRESS:	Thurlow Grange, Thurlow Road, Sedgefield, Co Durham
ELECTORAL DIVISION:	Sedgefield
CASE OFFICER:	Mark O'Sullivan, Planning Officer, 03000 261056, mark.o'sullivan@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application relates to the former Thurlow Grange sheltered housing site (area of 0.74Ha) located towards the south eastern fringe of Sedgefield. The site is bordered to the north and east by residential development comprising of short terraced rows of bungalows. To the south beyond the public highway and boundary hedgerow there is open countryside, with landscaped grassland and a duck pond to the west, extending into the historic gardens of the Grade II Listed Ceddesfield Hall and Sedgefield Conservation Area. Limited views are achieved of the Grade I Listed St Edmunds Church to the north west of the site across landscaped parkland.
2. Planning permission is sought for the demolition of the existing Thurlow Grange sheltered housing scheme and the development of 21no. dwellings. These would be made up of a mix of 11no. two bed bungalows (terraces and semi-detached pairs), and 10no. two bed apartment blocks built over two storeys and framed around central parking forecourts and landscaped garden areas.
3. Vehicular access to the development would be gained from Thurlow Road to the south of this site via existing and newly created access points.
4. This application is being reported to Planning Committee as it falls within the definition of major development.

PLANNING HISTORY

5. The applicants carried out pre-application discussion with the Local Planning Authority and submitted an informal scheme for independent review to the North East Design Review and Enabling Service (NE DRES). NE DRES is an organisation set up to achieve high design quality in the built environment and provides advice on the architecture, landscape, urban design and climate change impacts of master plans and development proposals. The submitted scheme reflects the advice offered by this panel.

PLANNING POLICY

NATIONAL POLICY

6. In March 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; economic, social and environmental factors. The presumption is detailed as being a golden thread running through both the plan-making and decision-taking process.
7. 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.
8. The following elements of the NPPF are considered relevant to this proposal:

Part 6 - Delivering a wide choice of high quality homes. To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.

Part 7 – Requiring good design. 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.

Part 11 – Conserving and enhancing the natural environment. The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity.

Part 12 – Conserving and enhancing the historic environment. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

LOCAL PLAN POLICY:

9. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policies will depend upon the degree of consistency with the NPPF. The following policies of the Sedgefield Borough Local Plan are considered relevant.

Policy 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.

Policy D3 (Design for access) seeks to ensure new development makes satisfactory provision for all road users and pedestrians.

Policy D5 (Layout of new housing development) sets criteria for the layout of new housing developments.

Policy 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.

Policy E23 (Priorities for environmental improvements) seeks to encourage improvements to the built environment supporting the re-use or demolition of vacant sites.

Policy H8 (Residential frameworks for larger villages) establishes residential development as an acceptable use within the identified residential framework of Sedgefield.

Policy H14 (Maintenance and improvement of housing stock) seeks to support the improvement of housing stock through the redevelopment, conversion or modernisation of buildings.

Policy H17 (Backland and infill housing development) sets criteria for new backland and infill housing development.

Policy L2 (Open Space in New Housing Development) sets out minimum standards for informal play space and amenity space within new housing developments of ten or more dwellings.

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 in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://planning.wearvalley.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=69842>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

10. *Sedgefield Town Council* – Has no objections to the proposal.
11. *Highway Authority* – Has no objections, subject to the imposition of conditions relating to highway improvement works.
12. *Northumbrian Water Ltd* – Has no objections.

INTERNAL CONSULTEE RESPONSES:

13. *Design and Historic Environment Section* – No objections.
14. *Spatial Policy Section* – No comments received.
15. *Landscape Section* – No objections, subject to a condition requiring the submission of a detailed landscape scheme and control over means of enclosure.

16. *Ecology Section* – No objections, subject to adherence to the mitigation measures detailed within the submitted ecological report.
17. *Arboriculture Officer* - No objections, subject to the imposition of a condition requiring the prior approval of protective fencing details and plans for trees to be retained.

PUBLIC RESPONSES:

18. The application has been publicised by way of press and site notices, and individual notification letters to neighbouring residents. No representations have been received in response to this consultation and publicity exercise.
19. Prior to the submission of the application, a community consultation event was carried out by Livin at Ceddesfield Hall, Sedgefield on 29 August 2013 which provided an opportunity for local residents to examine and discuss the scheme.

APPLICANTS STATEMENT:

20. The site currently houses the empty Thurlow Grange sheltered housing scheme, comprising previously developed land. The brief was to redevelop the site, taking account of its setting next to high quality open space, with modern older person accommodation, including the introduction of older persons two storey apartments in order to help meet the identified acute shortage of affordable homes in Sedgefield.
21. The proposals offer a mix of bungalows and flats designed to be suitable for older people for social rent and would be HCA grant funded, designed to Lifetime Homes standards and achieve code for sustainable homes level 4.
22. Although initial schemes met the technicalities of the brief, it was felt that they did not respond to the unique setting and nature of the site. As such the emerging scheme was taken to the North East Design Review Panel (NE DRES). The design strategy has evolved through a clear and considered response to the analysis of the site, the NE DRES report and the constraints and opportunities of the site.
23. The site is located in a sustainable location close to Sedgefield High Street and public transport links, and close to amenities which should encourage walking and cycling.
24. The proposals retain the existing grassed area and trees to the west of the site. There is opportunity to create areas of high quality landscaping in the courtyard and to the west of the site, enhancing views of the historic landscape and church.

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:

<http://planning.wearvalley.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=69842> and
<http://planning.wearvalley.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=72155>

PLANNING CONSIDERATIONS AND ASSESSMENT

25. 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, open space provision, and ecological and arboricultural implications.

Principle of development:

26. The National Planning Policy Framework (NPPF) sets out the Government's overarching objectives for the planning system, promoting sustainable development as a key objective.
27. Paragraph 49 of the NPPF explains how housing applications should be considered in the context of the presumption in favour of sustainable development. Furthermore, Paragraph 111 explains how planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed, providing it is not of high environmental value.
28. At a local level, saved policy E23 of the Sedgefield Borough Local Plan seeks to encourage improvements to the built environment through the re-use or demolition of derelict buildings, with saved policy H14 supporting the maintenance and improvement of the housing stock through granting permission for schemes which lead to the improvement of housing areas through the redevelopment, conversion or modernisation of buildings.
29. Saved policies H17 and D5 support new residential development on backland and infill locations where they can achieve a satisfactory means of access and parking provision, satisfactory amenity and privacy for both the new dwellings 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.
30. The application site comprises previously-developed land located within the Sedgefield residential settlement as defined by Policy H8 of the Sedgefield Borough Local Plan. It is therefore considered that the proposed development would be located in a sustainable and accessible location with regard to the NPPF and relevant local plan policies.
31. The redevelopment of this site for continued residential use is considered acceptable in principle. The removal of a former sheltered housing scheme and its replacement with modern housing would provide a range of affordable housing types for the elderly to meet current needs that would be owned and managed by a registered provider (Livin).

Impact on the character of the area:

32. Part 7 of the NPPF and saved Sedgefield Borough Local Plan Policies H17 and D1 seek to promote good design in new developments, ensuring a comprehensive and coordinated approach to new development which takes into account adjacent land uses and activities. The site is currently occupied by an empty sheltered housing scheme which detracts from the character of this area. Its demolition and replacement with a well designed residential development scheme is to be encouraged.
33. The density and scale of the proposed development would generally reflect the predominant character of surrounding residential properties which consist primarily of short terraces of bungalows. The scheme would blend with the surrounding development patterns whilst also providing a more contemporary feel. The provision of a large area of open space to the west of the development is also welcomed.
34. The layout and architectural concept has evolved since initial discussions commenced to more positively enhance the setting of the nearby Sedgefield Conservation Area

whilst preserving views of other designated heritage assets. Although samples of materials are still to be submitted and can be controlled by condition the outline material palette is considered acceptable.

35. Areas of landscaping would also be introduced into the scheme and a detailed landscape master plan has been submitted. Landscape officers raise no objections to the proposal which is considered to provide a well designed landscape approach which respects surrounding registered gardens and the view to the nearby Listed St Edmunds Church to the North West.
36. In view of the forgoing, this application is also considered to satisfy the objectives of Part 12 of the NPPF which seeks to ensure that Local Planning Authorities recognise the importance of heritage assets as an irreplaceable resource and conserve them in a manner appropriate to their significance.

Impact on residential amenity:

37. Local Plan Policies H17 and D5 and Supplementary Planning Guidance Note 3 (SPG3) seek adequate amenity and privacy standards for existing and proposed dwellings when assessing new residential development.
38. The proposed dwellings would benefit from sufficient levels of private and public amenity space as well as satisfactory separation from existing neighbouring uses. The closest existing properties are to be located some 25m away to the east of the site and 15m to the north, with no directly overlooking windows or principal elevations located within close proximities. Within the site, minimum distances of 13m would be achieved between the rear elevation of the two storey apartments and the side gable elevation of proposed bungalow plot no.11 to the east, with 10m separation to be achieved between the rear elevations of plot no's 3 and 4, and 7 and 8, and the side gable elevations of plots 2 and 10 the west. There would be no side facing windows in these bungalows (plot no's 2, 10 and 11), which would prevent direct overlooking or loss of privacy and justifies the slightly substandard separation distances on this occasion. All other separation distances between opposing plot no's would exceed the minimum standards.
39. Areas of private amenity space would be enclosed by fencing in accordance with details to be agreed by way of condition.
40. This application is considered to be in accordance with saved Local Plan Policies H17 and D5, as well as SPG3 in this respect.

Highway safety:

41. Local Plan Policies H17 and D3 both seek to ensure new development achieves a satisfactory means of access, manoeuvring, turning and parking space for the number and type of vehicles using the development.
42. The Highway Authority notes that the existing Thurlow Grange development contains 31no. dwellings. These would be replaced with 21no. two bed dwellings (comprising apartments and bungalows) and an improved level of on-site car parking provision. Based upon Durham County Council's Residential Car Parking Standards (17 July 2013), this would require a minimum of 28no. car parking spaces across the site. The proposed scheme would provide 30no. car parking spaces and is therefore deemed to be acceptable.

43. The proposed car parking court arrangement between the block of 4no. apartments and Plot 1 to the south of the site would require a new 4.5 metres wide footway type vehicular access crossing to be constructed across the existing public footway. Sections of existing public footpath including lighting would also need to be removed to facilitate the development. As a result the existing public highway would need to be formally Stopped Under Section 247 Town and Country Planning Act 1990. Such details are to be controlled by way of condition.
44. Based on the information submitted, the Highway Authority raise no objections on highway safety grounds subject to the imposition of conditions controlling the above highway improvement works. The proposals are therefore considered to accord with Policies H17 and D3 in this regard.

Open space provision:

45. Saved Local Plan Policy L2 seeks to ensure the provision of open space within or adjacent to housing developments of ten or more dwellings. For every ten dwellings, a minimum of 100m² of informal play space and 500sqm of amenity space is required. In this case this equates to 210m² informal play space and 1050m² amenity space. Where this level cannot be provided, either fully or in part, an in lieu commuted sum equivalent to £1000 per dwelling, would be required.
46. The proposed layout would provide some public amenity space to the west of the site, providing an attractive buffer between the adjoining Ceddesfield gardens and duck pond. However such provision would not fully meet the aforementioned policy objectives, and following negotiations with the applicants, a commuted sum of £10,500 would be provided towards the improvement or provision of open space elsewhere. This would be secured by way of a S106 Legal Agreement in the form of a unilateral undertaking. A draft agreement confirming this figure has been submitted in support of the application.
47. A reduced fee has been agreed given the high quality of the open space to be provided and the nature of future occupants of this site who would all be elderly. Accordingly, the scheme is considered to comply with the provisions of saved Local Plan Policy L2.

Ecology:

48. Paragraph 11 of the NPPF requires Local Planning Authorities to take into account, protect and mitigate the effects of development on Biodiversity Interests. In this instance the applicant has submitted a bat risk assessment. The Ecology Section has raised no objections to the proposal based on the findings of this survey, subject to adherence to the mitigation and recommendations detailed within the survey report. The proposals are considered to satisfy the provisions of section 11 of the NPPF in this regard.

Arboricultural implications:

49. The Arboriculture Section raises no objections to this proposal subject to a condition requiring the prior inspection and approval of tree protection measures around this site. Subject to adherence to this condition, the proposals would accord with Policy E15 which seeks to ensure the retention and protection of important trees and hedgerows.

CONCLUSION

50. The principle of redeveloping this site for future residential use is considered acceptable given its sustainable location and previously developed nature. The proposal would provide an appropriate mix of housing in an accessible location which would enhance the character of the area.
51. Careful consideration has been given to the scale and design of the proposed development, its relationship to surrounding development including the impact on amenity/privacy standards. The proposed development is considered to satisfy highway safety requirements whilst taking account of ecological and arboricultural restraints.
52. Although the provision of public open space falls below the minimum requirements, the applicant has agreed a commuted sum with the Local Planning Authority agreed through a s106 legal undertaking.
53. No public objections are raised over this proposed development which is considered to accord with relevant national and local plan policies. Subject therefore to the imposition of appropriate planning conditions and completion of the legal agreement it is recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 Obligation to secure the payment of a commuted sum in lieu of adequate on site open space provision and the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. Development hereby approved shall be carried out in strict accordance with the following approved plans:
2310-D-00-103-Rev B (Proposed site plan), received 08 November 2013
2310-D-00-104-Rev A (Proposed site sections), received 08 November 2013
2310-D-00-110-Rev A (Ams House Bungalows, Elevations), received 08 November 2013
2310-D-00-111 (Ams House Bungalows, Floor Plans), received 27 September 2013
2310-D-00-120-Rev A (Semi-detached bungalows), received 08 November 2013
2310-D-00-130 (Apartment 1, south plans), received 27 September 2013
2310-D-00-131-Rev A (Apartment 1, south elevations), received 08 November 2013
2310-D-00-140 (Apartment 2, north plans), received 27 September 2013
2310-D-00-141-Rev A (Apartment 2, north elevations), received 08 November 2013
R/1502/1c (Landscape Masterplan), received 21 November 2013
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external 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 D1 (General principles for the layout and design of new developments) of the Sedgefield Borough Local Plan.

4. No construction or demolition work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated on the approved scaled tree protection plan as to be retained, are protected by the erection of fencing, placed as indicated on the plan, inspected by the local authority and agreed in writing as satisfactory. Fencing should comprise of 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.5837:2012 unless otherwise agreed by written consent of the local planning authority.

Reason: In the interests of the visual amenity of the area and to comply with policy E15 (Safeguarding of woodland, trees and hedgerows) 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 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; and, 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.

7. 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.

8. No development shall take place unless in accordance with the mitigation and recommendations detailed within part F of the protected species report 'Bat survey with CSH Appendix, Thurlow Grange, Sedgefield, Report No.5, November 13, E3 Ecology Ltd'.

Reason: To conserve protected species and their habitat in accordance with Part 11 of the NPPF.

9. The development hereby approved shall achieve a Code for Sustainable Homes minimum rating of level 4, in accordance with details that shall be submitted to and approved in writing by the local planning authority showing that: prior to the commencement of development, the development has been registered for formal assessment by a licensed Code assessor to achieve a Code for Sustainable Homes Design Certificate level 4; and, prior to the first occupation of the development, the development has achieved a Code for Sustainable Homes post construction certificate level 4, or alternative.

Reason: In order to minimise energy consumption in accordance with Part 10 of the NPPF.

10. The proposed car parking court arrangement between the block of 4no. apartments and Plot 1 will require a new 4.5 metres wide footway type vehicular access crossing to be constructed in the existing public footway. The new vehicular access crossing must be constructed in accordance with the requirements of Section 184(3) of the Highways Act 1980.

Reason: In the interests of highway safety in accordance with saved policy D3 (Design for access) of the Sedgefield Borough Local Plan.

11. Sections of existing public footpath including public lighting will need to be removed to facilitate the development and as a result existing public highway will need to be formally Stopped Under Section 247 Town and Country Planning Act 1990.

Reason: In the interests of highway safety in accordance with saved policy D3 (Design for access) of the Sedgefield Borough Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

In assessing the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner to seeking to resolve issues during the application process whilst ensuring the prompt determination of this application within the statutory determination period.

BACKGROUND PAPERS

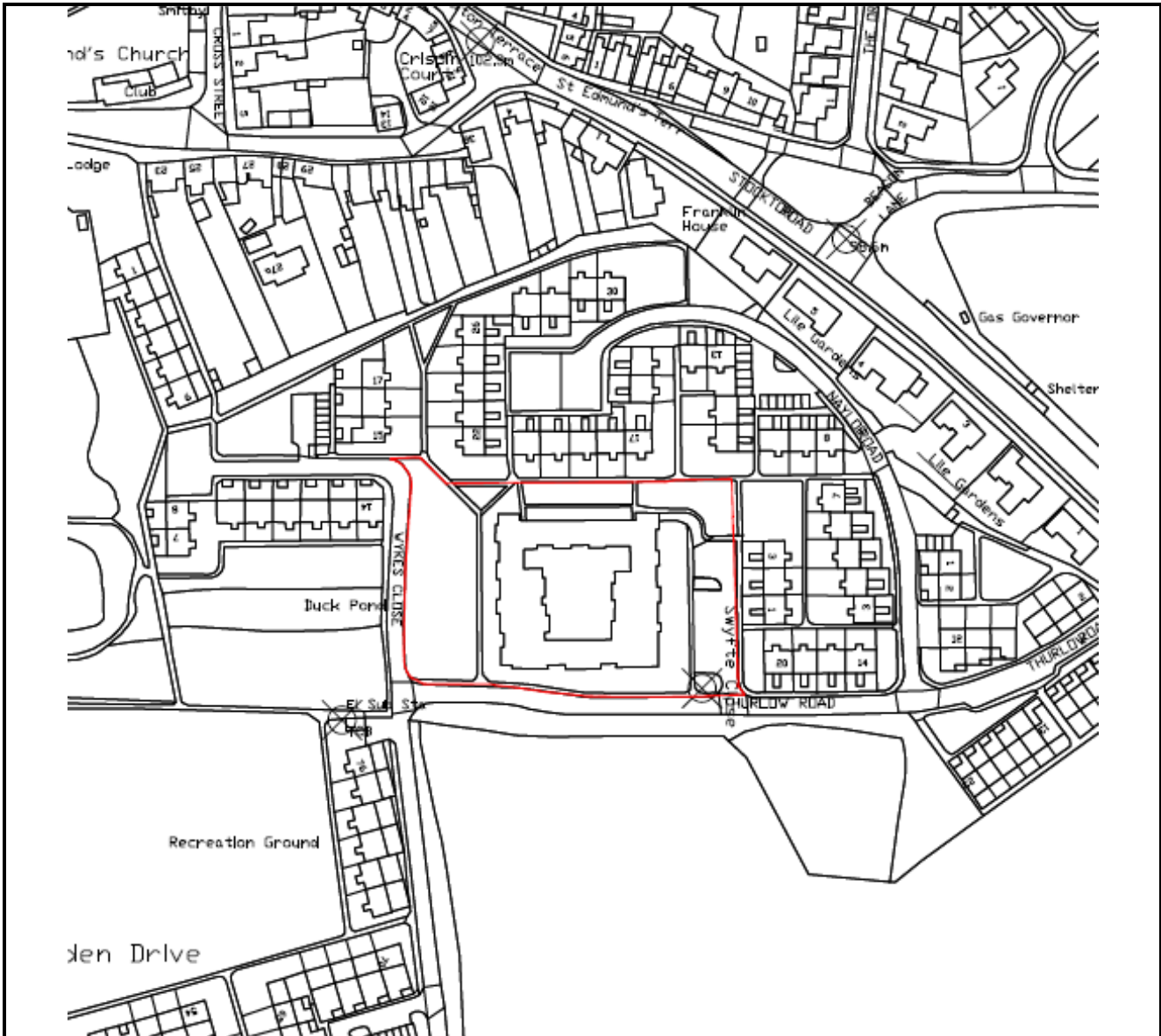
Submitted Application Forms, Plans and supporting documents

National Planning Policy Framework

Sedgefield Borough Local Plan 1996

Consultation response from the Highway Authority, NWL and NE DRES

Internal responses from Design and Historic Environment Section, Spatial Policy Section, Landscape Section, Ecology Section, and Arboriculture Officer



Planning Services

Demolition of Thurlow Grange and construction of 21no. dwellings

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Comments

Date 12 December 2013

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