

Planning Services

COMMITTEE REPORT

AGENDA ITEM NUMBER:

APPLICATION DETAILS

APPLICATION NO:	PL/5/2010/0497
FULL APPLICATION DESCRIPTION	ERECTION OF 14 NO. DWELLINGS AND ASSOCIATED ROAD IMPROVEMENT WORKS
NAME OF APPLICANT	HARWORTH ESTATES
SITE ADDRESS	VILLAGE FARM, THE VILLAGE, MURTON SR7 9RP
ELECTORAL DIVISION	MURTON
CASE OFFICER	Barry Gavillet 0191 5274305 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

- 1 This site is located within the settlement boundary of Murton and comprises a former village farmstead and field. There are several agricultural buildings on the site along with the original farmhouse, which would be retained. To the north and east of the site there are residential properties, to the west of the site there is a nursing home and other residential dwellings and to the south is the village green and war memorial which is a listed building. There are a number of facilities within the proximity of the site including a post office, newsagents, bus stops and a school. The site area is 0.6 hectares.

Proposal:

- 2 This application proposes a residential development of 14 dwellings along with associated road improvement works. Whilst this is an outline application, detailed information in relation to layout and access have been submitted with the application and their approval is sought through this application. Appearance, landscaping and scale will all need to be dealt with through a further reserved matters application. Access to the site would be off Gregson Terrace to the south of the site, it is proposed to upgrade this road to adoptable standards as part of the scheme. The dwellings would all have off street parking and private gardens and the layout would include an area of public open space to the north west of the site which would give pedestrian access to shops and bus stops on Wellfield Road. The density of the proposed housing would be 23 dwellings per hectare.

3 The application is being reported to committee as it is classed as a major application.

PLANNING HISTORY

None relevant.

PLANNING POLICY

4 NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.

Planning Policy Statement 3: Housing (PPS3) underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Statement 5: Planning for the Historic Environment (PPS5) sets out the Government's planning policies on the conservation of the historic environment.

Planning Policy Statement 9 (PPS9) sets out planning policies on protection of biodiversity and geological conservation through the planning system.

Planning Policy Guidance 16 (PPG16) sets out the Secretary of State's policy on archaeological remains on land, and how they should be preserved or recorded both in an urban setting and in the countryside.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

5 REGIONAL PLANNING POLICY:

Regional Spatial Strategy for the North East

Policy 2 - Seeks to embed sustainable criteria through out 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.

Policy 3 -The RSS recognises that climate change is the single most significant issue that affects global society in the 21st century. Policy 3 will seek to ensure that the location of development, encouraging sustainable forms of transport, encouraging and supporting use of renewable energy sources, and waste management all aids in the reduction of climate change.

Policy 4 - National advice and the first RSS for the North East advocated a sequential approach to the identification of sites for development, recognising the need to make the best use of land and optimize the development of previously developed land and buildings in sustainable locations.

Policy 8 - Seeks to promote measures such as high quality design in all development and redevelopment and promoting development that is sympathetic to its surroundings.

Policy 24 - Refers to the need to concentrate the majority of the Region's new development within the defined urban areas, and the need to utilise previously developed land wherever possible.

Policy 39 - Seeks to generate at least 10 percent of the Region's consumption of electricity from renewable sources within the Region by 2010 and aspire to further increase renewable electricity generation to achieve 20 percent of regional consumption by 2020.

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 the forthcoming Local Government Bill becomes law, and it is a matter for each Planning Authority to decide how much weight can now be attached to this intention.

6 LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 18 - Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.

Policy 24 - Development which adversely affects the character, appearance, special architectural features or setting of a listed building will not be approved. The retention of architectural or historic features will be encouraged. Demolition of a listed building will be only be allowed in exceptional circumstances.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

Policy 37 - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).

Policy 66 - Developers will be required to make adequate provision for children's play space and outdoor recreation in relation to housing development of 10 or more dwellings. Provision may be secured elsewhere if it is inappropriate to make provision at the development site.

Policy 67 - Housing development will be approved on previously developed land within settlement boundaries of established towns or villages provided the proposal is of appropriate scale and character and does not conflict with other policies in the plan.

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.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

7 STATUTORY RESPONSES:

Parish Council – no objections

Northumbrian Water – no objections subject to drainage conditions

8 INTERNAL CONSULTEE RESPONSES:

Sustainability Officer – No objections

Environmental Health – Contaminated land studies required

Tree Officer – No objections subject to tree protection

Design Officer – Existing farm buildings should be assessed for retention, some concerns regarding layout

Planning Policy – No objections. The site is available, achievable and deliverable.

Ecology Officer – No objections subject to mitigation in ecology report being adhered to.

Archeaology Officer – No objections subject to conditions requiring monitoring work.

9 PUBLIC RESPONSES:

The application has been advertised by way of a press notice, site notice and letters to surrounding residents. Two letters of objection have been received from members of the public. The main issues raised in these responses are that the public open space would create a place for anti-social behaviour, the upgrading of the road would cause parking problems and an increase in traffic and that the development would have an adverse impact on the setting of the listed war memorial.

10 APPLICANTS STATEMENT:

The application site is situated in a sustainable location, on previously developed land within the settlement of Murton and is within close proximity to public transport links, schools and local shops.

The proposed high quality housing allocates generous plot sizes for each dwelling and offers a variety of house types. The character of the proposed dwellings complements their immediate surroundings, as it consists of predominantly family type dwellings.

An area of public open space has been incorporated into the housing scheme. The open space will provide an amenity area for existing local residents and residents of the new dwellings. This open space will be landscaped and overlooked by existing and proposed dwellings and this would act as a deterrent to those wishing to congregate and create nuisance or disturbance.

Access into the site will be from Gregson Terrace, to the south, which will be upgraded to adoptable standards as part of the proposal. The upgrading of this road will clearly improve access for both existing residents at Gregson Terrace and residents of the proposed new dwellings. The proposed upgrading of the road would include the removal of a very small part of Murton Village Green to the south of the site. The applicant is currently in discussion with the Parish Council regarding this matter. The Parish Council support this application.

The grasscrete track across the village green was created for larger vehicles to gain access to Village Farm. As a result, the grass has not properly established along the track and therefore, appears as a major visual intrusion into the village green. The grasscrete track will be removed as part of the proposal, thereby, improving the overall appearance of the village green.

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.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=111394>. Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below

PLANNING CONSIDERATION AND ASSESSMENT

As this application seeks outline planning permission with access and layout being the only matters for which permission is sought, the main planning considerations are the principle of the development in terms of accordance with planning policy, the layout of the development and impact on surrounding occupiers and the street scene, highways issues, other site specific issues and public responses.

11 Principle of the development and planning policy

The proposed development is considered to be in keeping with the relevant Development Plan Policies. Relevant National guidance in relation to new housing development is found within PPS1: Delivering Sustainable Development and PPS3: Housing. Government policy requires a sequential approach to the identification of housing sites, which prioritises land in sustainable urban areas. In this instance this application relates to a site within a predominantly residential area, which is situated within the settlement boundary of Murton. The proposals are therefore considered to accord with the general principles of national planning policy.

The Regional Spatial Strategy for the North East provides a sequential approach for development in Policy 4. Although this relates to the identification of land for development in Local Development Frameworks it can also be seen as relevant where there is insufficient allocated land for development. The policy promotes previously developed sites within urban areas as being the most sequentially preferable locations for development. If such locations do not exist, the development plan should consider, in sequence; other suitable locations within urban areas; suitable sites and locations adjoining urban areas; and suitable sites in settlements outside urban areas. As this application relates to a sustainable site situated within the settlement of Murton, it is considered to accord with the general principles of RSS in terms of a sequential approach for development. The aims of this policy are reflected in other national policies, therefore the potential abolition of Regional Strategies would not affect the outcome of this application.

The former District Council considered that housing development should normally only be approved on sites within the towns and villages of the former District, this is reflected in the saved Local Plan Policies. There are a number of reasons for this: mainly that new development within the settlements helps to maintain the compact and coherent village form, which is most appropriate for the support of shops and facilities and which promotes sustainable forms of development.

Policy 67 of the Local Plan states that housing development will be approved on previously developed sites within settlement boundaries of established towns and villages. Although the application site is part brownfield and part greenfield, policy officers consider the site to be in a sustainable location within the settlement boundary. It is therefore considered that the proposal satisfies these criteria and is considered to be in accordance with policy 67 of the Local Plan.

12 Layout, impact on surrounding occupiers and the street scene

The layout of the development is constrained by the shape of the site which is surrounded on all sides by other developments. The site is long and thin and therefore the layout of the proposed dwellings is guided by the need for adequate access, parking, amenity space and privacy distances. Although the design officer raises some concerns regarding the layout, it is considered that given the constraints of the site, the applicant has made best possible use of the site and that the layout is acceptable. It is noted that in all instances the privacy distances as set out in the Local Plan are met and that the size of private gardens is adequate. No existing dwellings outside of the development site would be adversely affected by the development in terms of loss of privacy, overshadowing or overbearing impact. In terms of impact on the street scene, it is considered that the proposal would enhance the street scene and surrounding area by creating a new frontage along the main road and the development would involve the creation of additional public open space. It is also considered that the retention of the farmhouse would enhance the development and make the building more prominent. The design officer has confirmed that the proposal would have no significant adverse impact on the setting of the listed war memorial. As such, it is considered that the proposals are acceptable in terms of layout, the impact on the street scene and surrounding occupiers in accordance with saved local plan policy 35.

13 Highways Issues

The highways officer has advised that the means of access and level of car parking provision are acceptable. There were no objections in terms of an increase in traffic or parking congestion. It has been pointed out that the upgrading of Gregson Terrace to adoptable standards would need to be carried out in agreement with the Council's highways officers. In summary, the proposals are considered acceptable in terms of access and parking and therefore are in accordance with saved policies 36 and 37 of the local plan.

14 Site specific issues

As mentioned earlier in the report, the design officer had requested the retention and conversion of the existing agricultural buildings. However, the applicant has produced structural engineers reports which conclude that these buildings are not in a suitable condition for retention, and the design officer has accepted these conclusions.

The archaeology officers requested that substantial archaeology works were carried out during the application process. The applicants have carried out this work to the satisfaction of the archaeology officers. However, it has been requested that should the application be approved, conditions should be imposed which would ensure that the site is monitored during construction and that any important finds are recorded.

In terms of childrens play space, saved policy 66 of the local plan states that "developers will be required to make adequate provision for children's play space and outdoor recreation in relation to housing development of 10 or more dwellings. Provision may be secured elsewhere if it is inappropriate to make provision at the development site". Although the

proposals involve the creation of open space to the north west corner of the site, this does not include any play equipment. As such, the applicant would need to enter into a Section 106 legal agreement to secure a financial contribution for the provision or improvement of off-site play areas.

Policy 39 of the Regional Spatial Strategy seeks to generate at least 10 percent of the Region's consumption of electricity from renewable sources within the Region by 2010 and aspire to further increase renewable electricity generation to achieve 20 percent of regional consumption by 2020. As such, a condition should be imposed to ensure 10 percent of the energy production on site comes from a renewable source.

15 Public responses

The main concerns raised by the two public responses are that the public open space would create a place for anti-social behaviour, the upgrading of the road would cause parking problems and an increase in traffic and that the development would have an adverse impact on the setting of the listed war memorial.

With regard to these issues, the highways officer has raised no objections in relation to parking problems or an increase in traffic, the design officer has no objections in relation to the setting of the listed building. The concern regarding anti-social behaviour is speculative; it is considered that the proposed open space would be naturally surveyed by overlooking properties and from Wellfield Road. On this basis, it is not considered that the concerns raised by residents should lead to refusal of planning permission.

CONCLUSION

16 In conclusion, it is considered that the proposal is in accordance with the relevant national, regional and local planning policies. The location of the proposed development is considered sustainable as it has good access to facilities such as shops, a post office, a school and bus stops. There would not be any adverse impact on the street scene including the listed war memorial or surrounding occupiers, all privacy distances both within the site and to surrounding properties are adequate. The layout of the proposal is considered acceptable given the constrained shape of the site, adequate amenity space has been provided and the highways officers have considered parking and access to be acceptable.

RECOMMENDATION

17 That the application be **APPROVED** subject to the applicant entering into a Section 106 legal agreement and subject to the following conditions;

Conditions:

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

2. Application for approval of reserved matters shall be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - a) the expiration of five years from the date of this permission, or
 - b) the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
3. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan References, Location Plan - LO/104957/01, Indicitive Site Layout - 099-UKC-010-SK05
4. Notwithstanding any information submitted, development shall not commence until a scheme demonstrating how C02 reduction and energy efficiency measures will be incorporated into the approved development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with the approved scheme thereafter.
5. The development hereby permitted shall not be commenced until:
 - a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment. Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority if identified as being required following the completion of the desk-top study.
 - b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority.
 - c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority.
 - d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme.
 - e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material shall be agreed with the Local Planning Authority
6. Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

7. No development shall take place unless in accordance with the mitigation detailed within Section E of the protected species report 'A wildlife survey of Village Farm Murton' carried out by E3 Ecology Ltd, received on 19th October 2010.
8. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated in the approved arboricultural study 'Village Farm Murton', carried out by We Care Tree Care, received on 19th October 2010 as to be retained, are protected by the erection of fencing in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.
9. No development shall take place until a programme of archaeological work has been submitted to, and approved in writing, by the local planning authority. The programme shall include details of the following:
 - i. Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
 - ii. Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
 - iii. Post-fieldwork methodologies for assessment and analyses.
 - iv. Report content and arrangements for dissemination, and publication proposals.
 - v. Archive preparation and deposition with recognised repositories.
 - vi. A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
 - vii. Monitoring arrangements, including the notification in writing to the County Durham Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
 - viii. A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.The development shall then be carried out in full accordance with the approved details.
10. Prior to the development being first occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication. Reporting and publication must be within one year of the date of completion of the development hereby approved by this permission
11. 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. 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.

12. 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.

REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN	ENV18 - Species and Habitat Protection
DISTRICT OF EASINGTON LOCAL PLAN	ENV24 - Development Affecting Listed Buildings and their Settings
DISTRICT OF EASINGTON LOCAL PLAN	ENV35 - Environmental Design: Impact of Development
DISTRICT OF EASINGTON LOCAL PLAN	ENV36 - Design for Access and the Means of Travel
DISTRICT OF EASINGTON LOCAL PLAN	ENV37 - Design for Parking
DISTRICT OF EASINGTON LOCAL PLAN	GEN01 - General Principles of Development
DISTRICT OF EASINGTON LOCAL PLAN	HOU66 - Provision of outdoor play space in new housing development
DISTRICT OF EASINGTON LOCAL PLAN	HOU67 - Windfall housing sites
PLANNING POLICY STATEMENT/GUIDANCE	PPG16 - Archaeology and planning
PLANNING POLICY STATEMENT/GUIDANCE	PPS1 - Delivering Sustainable Development
PLANNING POLICY STATEMENT/GUIDANCE	PPS3 - Housing
PLANNING POLICY STATEMENT/GUIDANCE	PPS5 - Planning for the Historic Environment
PLANNING POLICY STATEMENT/GUIDANCE	PPS9 - Biodiversity and Geological Conservation
REGIONAL SPATIAL STRATEGY	Policy 2 - (Sustainable Development)
REGIONAL SPATIAL STRATEGY	Policy 24 - (Delivering Sustainable Communities)
REGIONAL SPATIAL STRATEGY	Policy 3 - (Climate Change)
REGIONAL SPATIAL STRATEGY	Policy 39 - (Renewable Energy Generation)
REGIONAL SPATIAL STRATEGY	Policy 4 - (Sequential Approach)
REGIONAL SPATIAL STRATEGY	Policy 8 - (Protecting and Enhancing the Environment)

2. In particular the development was considered acceptable having regard to consideration of issues of planning policy, layout and highways issues.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance
- Consultation Responses



Station Road North
10.24m 138.1m
Station Road South

GREGSON TERRACE

PARK LANE

CHURCH LANE

The Village Nursing Home

Aged Miners' Homes

Village Farm

War Memorial

Murton Inn (PH)

North Farm Surgery

Lea Freen

Colinbrook

Keldholm

Clark House

Calvert Terrace

Sheenwynds

Club

Wellfield Road

WELLFIELD CH

Garage

The Lodge

Henley Road

Lindholm

Craig Mole

Tudor Lodge

The Cottage

Postgate Chase

El Sub Sta

The Garth

Murton House

Burn Rae

137.8m

137.8m

133.6m

BM 133.75m

131.9m

136.1m

137.1m

132.1m