

# COMMITTEE REPORT

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## APPLICATION DETAILS

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| APPLICATION NO:               | DM/14/00052/FPA   |
| FULL APPLICATION DESCRIPTION: | Substitution of 31 housetypes and addition of 18 dwellings  |
| NAME OF APPLICANT:            | Persimmon Homes   |
| ADDRESS:                      | Land Off Station Road And East Of Salters Lane Including Site Of Former Fleming Hotel And Bruntons Garage, Shotton Colliery, Durham |
| ELECTORAL DIVISION:           | Shotton & South Hetton  |
| CASE OFFICER:                 | Laura Martin<br>03000 261958<br>Laura.martin@durham.gov.uk  |

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## DESCRIPTION OF THE SITE AND PROPOSALS

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### Site

1. The application site extends to approximately 5.3 hectares and occupies land on the north side of Station Road, Shotton, County Durham. The site previously contained a petrol garage and associated buildings as well as a Public House, which have all since been demolished. The site also extends northwards into greenfield land; as a result, the site is a mix of both brownfield and greenfield land. The settlement boundary of Shotton runs through the site, and as such the site is part within and part outside of the settlement boundary. There is no specific landscape designations associated with the site.
2. Recent residential development exists beyond the south eastern site boundary and a disused railway line, which forms a recreational route, abuts the north eastern boundary. A linear development of traditional 'Aged Miners' Homes' abuts the western edge of the site along Salter's Lane; further residential development containing a mix of terraced and semi-detached units exists to the south. Beyond the northern boundary is open countryside which is split between a tree plantation to the west and agricultural land to the east.
3. Part of the application site has been developed under previous approvals at the site and a number of the dwellings are now occupied.

### Proposals

4. The scope of the application is the alteration to 31 approved plots and the creation of 49 plots which has a net increase of 18 no. additional dwellings over and above the existing permissions at the site.
5. Landscape, boundary and materials will all be completed in accordance with the approved drawings and principles from the detailed application PL/5/2011/0438. This application was also subject to a S106 agreement which has been fully satisfied in terms of payment of contributions, however due to the additional 18 dwellings proposed a variation of this agreement will be required in respect of Affordable housing and playspace.
6. The application is brought before members for determination as it is classified as a major development.

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## **PLANNING HISTORY**

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PLAN/2004/0880 – Bruntons Garage, Residential Development, Withdrawn - 2004  
PLAN/2005/0106 - Bruntons Garage, Residential Development, Approved - 2005  
PLAN/2008/0163 – Bruntons Garage and Fleming Hotel, 34 Dwellings, Withdrawn – 2008  
PL/5/2011/0438-Bruntons Garage and Fleming Hotel, 175 Dwellings Approved 2012  
PL/5/2013/0210- Bruntons Garage and Fleming Hotel, Substitution of house type, approved 2013.

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## **PLANNING POLICY**

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### **NATIONAL POLICY:**

7. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
8. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'
9. The following elements are considered relevant to this proposal:
10. Part 1 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
11. Part 6 - To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
12. Part 7 - 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.

### **LOCAL PLAN POLICY:**

## District of Easington local Plan

13. 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.
14. Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.
15. Policy 17 - Development which adversely affects a wildlife corridor/link will only be approved where compensatory features are provided.
16. 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.
17. Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

### **EMERGING POLICY:**

18. The emerging County Durham Plan was Submitted in April 2014 ahead of Examination in Public. In accordance with paragraph 216 of the NPPF, decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. Further, the Planning Practice Guidance explains that in limited circumstances permission can be justifiably refused on prematurity grounds: when considering substantial developments that may prejudice the plan-making process and when the plan is at an advanced stage of preparation (i.e. it has been Submitted). To this end, the following policies contained in the Submission Draft are considered relevant to the determination of the application:
19. Policy 16- Sustainable design in the built environment  
This policy addresses the built environment and aims to ensure that all new development (e.g. extensions, alterations, changes of use of existing buildings) in County Durham achieves high standards of sustainable design. Applications for major new development must be accompanied by a full Sustainability Statement demonstrating how proposals will make a positive contribution to the character and sustainability of County Durham. A relevant supporting Sustainability Statement may be required for other development which raises particular planning or sustainability issues. In doing so applications should reference the principles of BREEAM to measure the inherent sustainability of a project.
20. Policy 18- Local Amenity  
Planning has an important role to play in making sure that new development does not have, and is not at risk from, adverse environmental effects. Ensuring a good standard of amenity for all existing and future occupants of land and buildings is a core planning principle of the NPPF. New and existing development should not contribute to, or be put at risk from, pollution or other sources of nuisance or intrusion which could adversely affect amenity. This policy outlines the considerations to be

taken into account in determining planning applications to ensure that amenity is protected from a wide range of potential environmental impacts.

21. **Policy 34- Type and Mix of housing**  
Within County Durham there is a need for a mix of homes of different types and tenures to meet the requirements of a range of household sizes, ages and incomes. There may also be an over or under-supply of a particular house type in an area. The 2013 Strategic Housing Market Assessment update (SHMA) identifies the need and demand for and the supply of specific types of housing in County Durham. The difference between the supply and demand identifies the imbalances in the housing stock by type (i.e. detached, semi-detached, terraced, etc.) and size (measured in number of bedrooms).
22. **Policy 39- Landscape Character**  
The Durham landscape is one of enormous contrast and diversity. From its western boundary high in the summit ridges of the North Pennines, to the limestone cliffs of the North Sea coast, remote moorlands and pastoral dales give way to fertile settled farmlands. This diversity is a product of both natural and human influences. The varied rocks, landforms and soils of the County and differences in climate between the exposed uplands and sheltered lowlands have influenced both the natural flora of the landscape and the way it has been populated, managed and exploited by its people over the centuries.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **23. STATUTORY RESPONSES:**

24. Parish Council- no comments
25. Northumbria Water- no comments
26. Environment Agency- raises no objections

### **27. INTERNAL CONSULTEE RESPONSES:**

28. Highways Section- raises no objections following the submission of an amended site layout plan.
29. Environmental Health Section- raises no objections
30. Landscape Section- requests additional information in relation to the landscaping scheme and means of enclosures.

### **31. PUBLIC RESPONSES:**

32. The application was advertised by means of a Press and Site notice along with a further 114 letters of notification sent to residents within the area. Two letters of objection have been received stating concerns relating to increase traffic movements, devaluation of property, need of a second access point to the estate and poor landscape treatment at the site relating to footways.

### **APPLICANTS STATEMENT:**

33. This development consists of a simple amendment to the original planning permission for 175 units on land off Station Road and East of Salters Lane, Shotton

Colliery. The application seeks approval for the alteration to 31 approved plots and the creation of 49 plots resulting in a net increase of 18 additional dwellings on the extant permission.

The additional units will consist of a mixture of 2, 3 and 4 bed properties in keeping with the original scheme. As set out within the "Materials Layout Plan" (DRG NO SS-002 Rev B), these units will utilise the same materials stipulated by the original permission so will be indistinguishable from the remainder of the wider development. Given the position of the proposed alterations and the location of the wider site in relation to the existing local community, it is not considered that the net addition of 18 units will significantly or detrimentally impact upon the amenity of neighbouring residents. By incorporating the existing design principles outlined within the original consent in terms of access, layout and landscaping it is considered that the proposed alterations will blend seamlessly into the streetscene. Detailed discussions have taken place with the Council's Principal Engineer Alan Glenwright with the plans being duly amended to resolve any highways concerns that he may have had, particularly in relation to car parking. As a result, Persimmon Homes are confident that the proposal will not further impact upon the capacity or safety of the surrounding highways network.

In line with Policy 31 of the Emerging County Durham Local Plan, the net additional units will provide a 10% affordable housing provision (2 units) on plots 185 and 186. These units will consist of 2 no. 2 bed dwellings measuring 746 sqft. These properties will be sold in full accordance with the obligations set out within the Deed of Variance to ensure the continued affordability for second and subsequent sales. This will ensure that the scheme will continue to provide an excellent range and choice of dwellings to satisfy current and future residential requirements within Shotton and also the wider County Durham area.

Also included within the proposed Deed of Variance is a requirement of £500 per additional dwelling towards an off-site play facility. This money will be used for the benefit of not only the proposed residents of the scheme but also the existing residents within the surrounding area whose children will have access to this play facility.

The proposal is therefore considered to be in-keeping with the approved scheme, whilst improving the marketability of the site. By incorporating established design principles from elsewhere across the site the development seeks to ensure the proposal makes a positive contribution to its locality and continues to support local needs.

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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 considerations relating to this application are the relevant principle of development, affordable housing, playspace, design and layout of development, highways issues and public responses.

### **Principle of development**

35. In terms of the principle of the development the site is located within a previously approved housing site on the edge of the village of Shotton. Although the majority of the site is outside of the settlement boundary the principle of development in this

location has already been accepted. Shotton is a large village with a range of facilities and as such a development of this nature is considered to be within a sustainable location and would be supported in terms of national guidance and local planning policy, in particular NPPF Part 6 – Delivering a wide choice of high quality homes and Policies 3 and 67 of the local plan.

### **Affordable Housing**

36. The District of Easington Affordable Housing Policy Statement requires affordable housing to be provided in developments of 15 houses or more. This application proposes 2 units to be provided on an affordable basis, equating to 10% of the 18 additional dwellings proposed which is in accordance with the requirements of the Council's up to date Strategic Housing Market Assessment
37. The units to be provided on an affordable basis are 2 two-bedroomed properties. It is proposed that the affordable housing will be provided through a shared equity scheme. The affordable housing requirements will be secured through the use of a S.106 Legal Agreement.

### **Play Space**

38. Saved policy 66 of the District of Easington Local Plan states that developers should provide adequate recreation space in relation to new housing developments of 10 or more dwellings. Where it is inappropriate to make provision within the development site, it may be necessary to secure provision elsewhere. The current proposal includes no provision for play space; as such it is normal practice for the Local Planning Authority to enter into a S.106 agreement with the developer to secure a financial contribution in lieu of onsite play space provision, equating to a total of £9,000 based on £500 per dwelling. The secured finance would be used to improve existing play space within the Shotton Electoral Division. The applicant has agreed to enter into such an agreement.

### **Design and Layout**

39. It is considered that the design of houses is of good standard and an appropriate mix of house types and sizes have been chosen in order to give a variety of options to buyers and create an interesting street scene. The choice of materials and boundary enclosures has been previously agreed as part of the 2011 application although conditions will be required to ensure the additional dwellings are of similar appearance.
40. All distancing standards from the District of Easington Local Plan have been met both in relation to existing and proposed properties, which will ensure that there are no significant impacts on surrounding residents in terms of loss of light, loss of privacy or overshadowing. In all cases a minimum of 21 metres separates facing main elevations. The design of the new and substituted houses is in keeping with the previously approved houses and is sympathetic in terms of scale and architectural detail.
41. With regard to means of enclosures, these are detailed within the application and as such a condition regarding their submission is not required. Overall it is considered that the design and layout is acceptable and is in accordance with saved policies 1

and 35 of the District of Easington Local Plan and part 7 of the National Planning Policy Framework.

## Highways

42. The proposed access arrangements for the development are considered to be acceptable, and are in accordance with the arrangements in relation to the previous grant of planning permission on this site. The proposed parking arrangements are also considered to be acceptable and accord with the relevant development plan policies and current County Durham Parking standards. It is not considered that the proposed development will have any detrimental effects on the local highway network or highway safety to warrant refusal of the planning application.
43. In relation to the concerns expressed by the neighbouring properties in relation to the additional dwellings proposed, it is considered that additional 18 dwellings would not be significant in terms of traffic movements to warrant an additional access point at the site. In terms of overall traffic movements at the site, this would fully considered as part of the previous approval at the site which saw the introduction of the roundabout onto the junction with Salters Lane and Station Road. The Highways Authority have advised that the roundabout is capable of accommodating the additional movements and as such this is not considered to be an issue at the site.

## Public responses

44. In respect of the issues relating to highways raised by local residents these have been detailed in the highways section of the report. The only additional matter to be considered would be the devaluation of property. This however is not a material planning consideration which can be taken into account as part of the application process and as such the concerns are not relevant in the determination of the application.

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## CONCLUSION

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45. In conclusion the proposal is considered to accord with the relevant national planning guidance and development plan policies. The proposal involves a substitution of house type and the addition of 18 dwellings.
46. The proposed development provides for a mix of different house types in keeping with government policy, and accords with requirements to provide affordable housing. The design and layout of the proposed development are considered to be broadly acceptable. Due to the siting and design of the proposed development it is considered that any impacts on adjacent occupants will be limited and will be insufficient to warrant refusal of the application.
47. The proposed access and parking arrangements are considered to be acceptable and it is not considered that the proposed development will have any detrimental impacts on the local highway network or highway safety to warrant refusal of the application.
48. Taking all relevant planning matters into account it is considered that the proposal is acceptable given that it accords with both national and local policy. It is not

considered that the policies contained within the emerging County Durham Plan would conflict with the intentions of the existing local plan.

49. Subject to the suggested conditions, planning permission should be approved.

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## **RECOMMENDATION**

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That the application be **APPROVED** subject to the completion of a satisfactory Section 106 legal agreement securing a financial payment of £9,000 toward the upgrading or provision of play space and to ensure the delivery of 10% on site affordable housing and subject to 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. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan References; Design and access statement, Planning and Affordable Housing statement, Site Layout Plan with revisions A-P received 6/3/14, Chedworth Corner Rev c, Chedworth Rev H, Cherryburn Rev H, Hatfield Corner Rev E, Hatfield Rev K, SS-000, Moseley Rev G, Roseberry Rev N, SS-002, Souter Rev M, Single/Double garage, Rufford Rev M, Winster Rev P and SS-001.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 & 35 of the Easington Local Plan.

3. 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.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the Easington Local Plan.

4. 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 saved policies 1 and 35 of the Easington Local Plan.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within the 13 week target provided to the applicant on submission and in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

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## **BACKGROUND PAPERS**

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- Submitted Application Forms and Plans.
- Design and Access Statement
- Easington Local Plan 2001
- National Planning Policy Framework
- Consultation Responses



**Planning Services**

**Substitution of 31 house types and addition of 18 dwellings at Land Off Station Road And East Of Salters Lane Including Site Of Former Fleming Hotel And Bruntons Garage, Shotton Colliery, Durham**

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