

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/00609/FPA
FULL APPLICATION DESCRIPTION:	Erection of 65 no. dwellings with associated works
NAME OF APPLICANT:	Gleeson Developments Ltd
ADDRESS:	Land At Cain Terrace And Henderson Avenue Wheatley Hill Durham
ELECTORAL DIVISION:	Trimdon and Thornley
CASE OFFICER:	Tim Burnham, Planning Officer, 03000 263963 tim.burnham@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site relates to three parcels of land which are intersected by Henderson Avenue and Cain Terrace towards the western side of Wheatley Hill, within the settlement boundary.

2. Land levels on site slope downwards from south east to north west. Historic mapping data shows housing development on the application site from about 1940/50. In recent times housing has been largely cleared from the site. The western side of the site has been completely cleared and grassed, while the eastern side of the site still retains three semi detached dwellings. Only one of these dwellings is occupied, with the adjoining semidetached dwelling boarded up. Towards the middle of the site, two unoccupied and boarded up properties remain. At the top of the site a pair of semidetached properties remain, with one property boarded up and one appearing abandoned. In a wider context further residential development sits to the north, west and south of the site. To the east sits Wheatley Hill Primary School.

The Proposal

3. The planning application seeks full planning approval for the erection of 65 residential dwellings with associated car parking areas, gardens, fencing and landscaping. The dwellings would run in essentially a north/south direction, following the grain of the existing roadways that are in place. In terms of property breakdown, proposed are 18 No. 2 bedroom semi detached, 30 No. 3 bedroom semi detached and 17 No. 3 bedroom detached dwellings.

4. The application is referred to the Planning Committee as it constitutes a major proposal.

PLANNING HISTORY

5. Notification was given in 2011 relating to the demolition of properties on the site. No objections were raised to this by Officers.

PLANNING POLICY

NATIONAL POLICY

6. 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.

7. 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'

8. The following elements are considered relevant to this proposal;

9. *NPPF Part 1 – Building a Strong and Competitive Economy.* The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

10. *NPPF Part 4 – Promoting Sustainable Transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.

11. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing applications should be considered in the context of the presumption in favour of sustainable development. A wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.

12. *NPPF 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.

13. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.

14. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

15. *NPPF 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/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY: (District of Easington Local Plan)

16. 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.

17. 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.

18. 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.

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

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

21. 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.

22. Policy 75 - Provision for cyclists and pedestrians will be reviewed to provide safe and convenient networks.

EMERGING POLICY:

23. 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:

24. Policy 15 Development on Unallocated Sites

All development on sites that are not allocated in the County Durham Plan or in a Neighbourhood Plan, will be permitted provided the development:

a.

Is appropriate in scale, design and location to the character and function of the settlement;

b.

Does not result in the loss of a settlement's last community building or facility (of the type which is the subject of the proposal) unless it can be demonstrated that it is no longer viable or has not been purchased by the community following the procedures set out in the Community Right to Bid;

c.

Is compatible with and does not prejudice any intended use of adjacent sites and land uses; and

d.

Would not involve development in the countryside that does not meet the criteria defined in Policy 35 (Development in the Countryside).

25. Policy 20 Green Infrastructure

Development will be expected to conserve, and where required improve and extend, the County's green infrastructure network. Development proposals will be permitted where they meet the standards of open space provision set out in the Open Space Needs Assessment (OSNA).

Development proposals that would result in the loss of existing green infrastructure will be refused unless:

a.

The affected site or feature does not have a significant recreational, cultural, ecological, landscape or townscape value;

b.

The affected site can be demonstrated to be surplus to local requirements; or

c.

A compensatory amount of green infrastructure of an equivalent or better quality can be provided in the local area.

Development proposals that would result in the loss of a Local Green Space (LGS) identified in a Neighbourhood Plan will be refused unless:

d.

It is for essential facilities for sport and recreation which do not compromise the function(s) of the LGS; or

e.

It consists of the replacement or limited extension of existing structures upon the site.

Development will be expected to maintain or improve the permeability of the built environment and access to the countryside for pedestrians, cyclists and horse riders. Proposals that would result in the loss of, or deterioration in the quality of, existing Public Rights of Way (PROWs) will not be permitted unless equivalent alternative provision is made. Where diversions are required, new routes should be direct, convenient and attractive, and should not have a detrimental impact on environmental or heritage assets.

Quality of Green Infrastructure

New or improved green infrastructure in developments should:

f.

Be incorporated into designs at an early stage in the planning process;

g.

Contain a network of pedestrian and cycle routes linked to existing open space, the countryside and other destinations;

h.

Be appropriate to its context having regard to the landscape, townscape and ecology of the locality and where appropriate the setting of heritage assets;

i.

Fulfil the needs of diverse user groups and be resilient to the pressure of use;

j.

Have regard to public safety and the need to 'design out' crime;

k.

Contribute to the creation of high quality and locally distinctive places;

l.

Incorporate native species and habitats that can contribute to local ecological networks;

m.

Incorporate existing trees and other green infrastructure features;

n.

Help to mitigate flood and drought and manage water quality;

o.

Provide ecosystem services such as urban cooling and wind alleviation; and

p.

Be resilient to drought, heat and flood

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> in relation to the Easington Local Plan and <http://durhamcc-consult.limehouse.co.uk/portal/planning/ps/> in relation to the County Durham Plan.

CONSULTATION AND PUBLICITY RESPONSES

CONSULTEE RESPONSES:

26. Highways Development Management has no objections to the application.
27. Northumbrian Water has stated that they will require a detailed scheme showing disposal of surface and foul water at the site.
28. The Environment Agency has offered no objection to the application.
29. The NHS has made no comment in relation to the application, and the Ramblers Association have raised no objections.

INTERNAL CONSULTEE RESPONSES:

30. The Council's Landscape section has been consulted on the application and has made suggestions on how the proposed landscaping could be improved.
31. Environmental Health has raised no objections.
32. The Council's Archaeology section have raised no objections.
33. Planning Policy consider that the principle of the proposal is acceptable.
34. The Councils senior tree officer has raised no objections to the development or the removal of existing trees on the site.
35. The Council's drainage engineer has requested that a detailed surface and foul drainage design should be submitted in relation to the site.
36. Ecology Officers have raised no objections to the proposal. They have confirmed that a Licence will be required from Natural England prior to the demolition of one of the existing blocks of dwellings.
37. The Councils Contaminated land Officer has offered no objection to the application as they consider that as the site has only been previously developed for housing the development does not pose a risk to human health.
38. The Councils Schools organisation manager has raised no objection to the application and stated that no additional school spaces are required in association with this application.
39. Durham County Council street scene section has offered no objections to the application.
40. The sustainable travel section has offered no objections in relation to the development of this site.
41. Design and Conservation have made suggestions as to alterations to the scheme in terms of materials and mix and positioning of house types.

42. The Housing development and delivery team have considered the submitted viability assessment and have agreed that the provision of affordable housing is not viable at this site.

43. The sustainability section has raised no objections to the proposal.

44. Economic Development: No objections.

PUBLIC RESPONSES:

45. One letter of support has been received in relation to the application, although the letter expresses concerns that an opportunity to lay existing overhead power lines to the ground would not be taken. A letter of objection has been received on behalf of five residents local to the site. The letter expresses concern over the description of the site as uninhabited and seeks clarification regarding the neighbour consultation that has been undertaken. Concerns are expressed that the development will compound an alleged problem of speeding cars on Quilstyle Road near to the site.

46. It is suggested that the number of houses is too great and that the development will have a negative impact upon the community. Concern is expressed that the properties will not be owner occupied and will be rented out to un-suitable tenants that would bring about problems relating to anti-social behavior.

APPLICANTS STATEMENT:

47. This planning application has considered all relevant planning policy matters in respect of the proposal bringing forward residential development. At a national, regional and local planning policy level, there remains a priority for development in urban areas on previously developed land to which this site of 1.39 hectares of brownfield land would accord. There is a strong local and political will to see this important site brought forward for development, which will provide much needed regeneration in Wheatley Hill.

48. The site lies within a residential area in close proximity to services and facilities including access to sustainable travel options including bus services.

49. The proposal integrates well into the locality through the design proposals which accords with National Planning Policy. In addition, the development proposes to seek to achieve a reduction in CO2 emissions.

50. All criteria required to be complied with in Saved Policies requirements have been taken into account through the evolution of the scheme, resulting in a well-designed proposal that responds to the specifics of the site, both in terms of layout but also the design of the elevational treatment. It must also be noted that the proposals aim to deliver quality new homes to local people in addition to providing much needed new housing in this location.

51. The applicants have undertaken considerable pre-application dialogue with architects, local residents, consultants and relevant officers at the Council to ensure that the scheme not only delivers high quality design, but also responds to the aspirations of the local community. Indeed, the proposals have been amended several times prior to the formal planning submission, to take into account the concerns and comments made by local residents.

PLANNING CONSIDERATIONS AND ASSESSMENT

52. 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 development, highway safety, impact upon the character and appearance of the area and residential amenity, and Ecology interests.

The Principle of the Development

53. The site is located within the existing settlement boundary of Wheatley Hill and has been previously used for housing, the majority of which has now been demolished. The western part of the site has been grassed over as houses in this part of the site appear to have been removed some time ago. Officers therefore consider the site part Greenfield and part Brownfield.

54. The development of the site would be acceptable in relation to Policy 1 of the District of Easington Local plan in that the location is within the settlement boundary, would provide well designed dwellings that embody the principles of energy conservation, would provide safe access for vehicles and pedestrians, would incorporate a high standard of design and landscaping and would safeguard the visual and general amenity of people living and working within the vicinity of the site.

55. The site is considered to be a sustainable location for new residential development as required by the National Planning Policy Framework. Public transport would be available to residents of the new development while the site would also be positioned close to a range of services and shops that are available within Wheatley Hill. The application would be substantially in accordance with Policy 67 of the District of Easington Local Plan which encourages housing development on previously developed sites. Although part of the site may be considered greenfield by current definitions, the approach of the National Planning Policy Framework regarding sustainability would now take precedence over this, given the site is in a sustainable location.

56. The western side of the site has been identified within the Strategic Housing Land Availability Assessment (SHLAA) as an amber site and has not been put forward as a preferred housing site under the emerging County Durham Plan. It seems a main part of the reason for not doing so was due to concern over open space provision in the local area. The SHLAA assessment does however suggest that there is a surplus of open space within the area and suggests that one or more of the 'amber' Wheatley Hill sites could be developed for housing.

57. Officers acknowledge the need to retain a degree of open space in Wheatley Hill and open space at the current time is still provided at land to the east of Wheatley Terrace and land to the south of Meadow View along with the recreation ground to the east of Woodland Avenue.

58. While it would be ideal to be able to look at all the open space available and plan accordingly, Officers have to come to a recommendation on this application as it has been presented. Officers' view is that the application is acceptable in terms of loss of open space.

This is partly because the application simply proposes to replace development that has historically occupied the site and partly because other suitable open space is currently available for use within the local area.

59. Officers are aware that one of the properties which remain on the site is occupied by an elderly tenant. It is understood that this matter is being dealt with sensitively by Officers within the relevant council section and that efforts are being made to re home the tenant in the immediately surrounding area.

60. In relation to public comment regarding the neighbour notification, Officers consider that a thorough consultation exercise has been undertaken which has included the posting of site notices and the sending of letters to properties which bound the application site. Properties within the red line boundary have not been consulted on the planning application as this is considered to be the responsibility of the applicant and/or landowner. It is understood that those residents located within the site have been made aware of the proposals through other means.

Highways Issues

61. Policies 36 and 37 of the Easington Local Plan state that satisfactory and safe provision shall be made for pedestrians, cyclists, public transport, cars and other vehicles. The NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

62. The dwellings proposed on the site would be accessed from the existing roadways that traverse the site. Highways Development Management has raised no objections to this application and is satisfied with the proposed arrangement. Off street parking is included to the dwellings and Highways Officers have confirmed the proposed parking provision would meet the council's guidelines.

63. The application is therefore considered to accord with the NPPF and the Easington Local Plan in this respect.

Impacts upon Character and appearance of the Area and residential amenity

64. Policy 35 of the Easington Local Plan relates to the design and layout of development. The policy states that development will be required to embody the objective of energy conservation and the efficient use of energy, reflect the scale and character of adjacent buildings and the area generally particularly in terms of site coverage, height, roof style, detailed design and materials, provide adequate open space and landscaping and be acceptable in terms of privacy, visual intrusion and noise.

65. Main facing distances between properties proposed on the development are 21metres or greater. The properties proposed to the western side of Henderson Avenue would be set 21metres from the east facing rear elevations of existing properties on Quetlaw Road. Existing properties to the north and south of the site on Quilstyle Road and Jack Lawson Terrace are set at angles to the development site and the relationship between these properties and those proposed would be acceptable. Some proposed properties would have ground floor side windows although these would not be large and would be set well within the respective plots. Side windows at first floor level would serve bathrooms and would be classed as windows serving non habitable rooms.

66. The application proposes to line both sides of the existing streets with a range of residential properties. Six types of house type are proposed. All house types are two-storey with pitched roof with varying design features included. The form of the development would

be acceptable, sensibly lining either side of both streets and would be in keeping with the character of the locality.

67. Officers acknowledge concern from design and conservation relating to the mix of house types proposed, the materials proposed and certain small design features. However, Officers are also aware that the developer has a set program of design and materials that effectively represent the brand of the developer. Likewise, there is a desire on behalf of the developer to provide a mix of housing throughout the site so as not to concentrate one type of house in one part of the site.

68. Much of the housing stock in the locality seems to date from around 1940/1950 with red brick and red tiles dominating the local area. There is little variety or visual interest within the street scene. The dwellings are proposed to be constructed from a mixture of red and lighter colour bricks with either a red or dark grey roof tile. A contrasting brickwork detail would be provided to the dwellings. Whilst it is acknowledged that these materials are slightly different to those already in the area, Officers consider that they would offer an alternative feature and design to the area that in this location would not be unacceptable and would create some visual interest.

69. Small front gardens and parking areas are to be provided along with rear gardens. A suitable enclosure and boundary treatment scheme is proposed consisting of a mix of boarded and post and rail fencing. Driveways would be constructed of crushed aggregate with a tarmac strip close to the footway.

70. A soft landscaping scheme has been provided. Front gardens are to be laid to lawn with pathways to serve the properties. Tree planting is proposed to the eastern boundary of the site adjacent to the school and within the front gardens of certain properties on each street.

71. Officers acknowledge concerns from the Council's landscape section who suggest that an improved landscape scheme could be provided. However, in this location Officers consider the modest scheme acceptable. Given that there is no public open space provided the dwellings would fall into private ownership where the householder would then be able to implement their own planting should they wish. It is not considered appropriate to impose unnecessary requirements or restrictions on how private gardens should be planted.

72. Trees have been planted across the site in aid of improving the appearance of the area post demolition of previous houses on site. Tree Officers have not raised objection to the removal of these trees or further trees which are more mature in nature as they are not considered specimen trees that contribute significantly to the amenity value of the landscape.

Ecology

73. The presence of a European Protected Species (EPS) is a material planning Consideration. Policy 18 of the Local Plan seeks to conserve nature conservation assets and prevent harm to protected species through development. This aim is replicated through the NPPF most notably at paragraphs 118 and 119.

74. The Conservation of Habitats and Species Regulations 2010 make it an offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a license from Natural England. Accordingly, the Regulations have established a regime for dealing with derogations in the form of a licensing system administered by Natural England.

75. Notwithstanding the licensing regime, the Local Planning Authority must discharge its duty to have regard to the requirements of the Regulations/Directive in the exercise of its

functions. A Local Planning Authority failing to do so would be in breach of the Regulations. Specifically, where a likely interference to a European Protected Species is identified, the LPA must consider whether a developer might obtain an EPS licence from Natural England, which in turn calls for an application of the derogation tests. The derogation tests are threefold as follows:

- That there is no satisfactory alternative
- That the population of the species will be maintained at a favourable conservation status in their natural range
- That there are imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance to the environment

76. The applicant has submitted a bat report which has been assessed by the Council's ecology officers. The survey has found that a summer bat roost for a single pipistrelle bat is present at 15 Cain Terrace. Bats are a European Protected Species and therefore there is a requirement to obtain a licence from Natural England which has been highlighted in the mitigation section of the bat report which ensures that no demolition to buildings where the bat roosts are located will be carried out before the licence is obtained.

77. In applying the derogation tests, it is considered that there is no satisfactory alternative; in carrying out the demolition of the existing building, any bats present must be moved. It is also considered that the displacement of bats from the roost identified will not be detrimental to the overall population levels of the species in the area and that the proposed development will bring about overriding economic and environmental benefits. In particular, the direct and indirect economic benefits of housing development are well documented. The removal of a derelict building and the development of the site will result in a significant visual improvement to the streetscene. A condition will also be required which would ensure demolition and construction is carried out in accordance with the recommendations in the submitted bat report and that no demolition can be carried out until an EPS Licence has been obtained. Subject to this condition, it is considered that the proposals would be in accordance with saved policy 18 of the Local Plan and part 11 of the NPPF. It is also considered that as there is a possibility of an EPS licence being granted, the LPA has discharged its duties under the Directive and Regulations.

78. As mitigation, Officers understand that roosting opportunities have been implemented within the adjacent school. Further in terms of mitigation bat bricks would replicate the existing roosting opportunities and these are to be provided to plots 11 and 12 of the new development.

79. Ecology Officers have raised no objections to the application subject to adhering to the recommendations of the bat report relating to gaining a EPS licence and installing the relevant alternative roosting opportunities into the new dwellings.

Planning Obligations

80. Policy 66 of the District of Easington Local Plan generally requires the provision of children's play space and outdoor recreation provision or a financial contribution towards off site provision if on site provision is not feasible.

81. An affordable housing requirement of 10% provision on all developments is stipulated within the Strategic Housing Market Assessment and also reflected in the Draft County Durham Plan.

82. These contributions would normally be required through a section 106 agreement. In this instance, no section 106 agreement accompanies the application.

83. This development is being presented as being unable to provide through a section 106 agreement any affordable housing or contribution towards off site open space provision on grounds of financial viability.

84. When assessing the need for such requirements, any development that falls short of providing the required contributions must provide a comprehensive financial breakdown detailing why these requirements cannot be met. This financial breakdown has been submitted to Durham County Council and has been fully assessed. Based on the financial viability of the scheme, it is agreed by council officers that the provision of a contribution towards off site play space or affordable housing is not viable at any level.

85. Paragraph 173 of the NPPF stresses the importance of viability as a material planning consideration: "sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable". Paragraph 160 also advises that Local Planning Authorities must consider the needs of businesses and any changes in circumstances and "work closely with the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability".

86. Officers have acknowledged the content of the NPPF particularly at paragraph 173 detailed above and the need for obligations to take into account the economics of the development. The NPPF explains that the contributions should be requested in the context of the developer being able to achieve competitive returns and deliver the development.

87. The lack of affordable housing provision or financial contributions towards the provision of off-site open space is disappointing, however this must be balanced against the need for Local Planning Authorities not to overburden developers with planning obligations. Officers therefore raise no objection to the absence of the S106 contributions within this application for the reasons detailed above.

88. Notwithstanding these matters, Officers anticipate that the dwellings built under the scheme will be provided at reasonable prices within reach of the local population as per the applicant's business model which is to provide local people with quality housing that they can afford.

Other Issues

89. Along with Northumbrian Water, the Council's Drainage and coastal protection team have stipulated that agreement will need to be reached on a drainage scheme relating to foul and surface water at the site. A condition has been included relating to the submission of a drainage scheme.

90. Durham County Council has an aspirational target of 10% of any labour requirement associated with a development to be offered as new employment opportunities or training. With regards to this application the developer is targeting to create at least 1 apprenticeship opportunity and 1 school educational visit as identified in the submitted Training & Employment Management Plan dated 4th April 2014. Officers are able to accept this and raise no objections relating to these matters.

CONCLUSION

91. The proposals represent the development of a part greenfield, part brownfield site that has been previously used for housing. The development site is located within the settlement boundary of Wheatley Hill in a sustainable location and the development would reflect the scale and character of adjacent buildings and the area in general.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions

1. The development hereby approved shall be carried out in strict accordance with the following approved plans/documents:

SD703 REV A, SD700, Gravel Drive Details 28th March 2014

Bat Survey Report received 28th March 2014

Maximising Security through Design, Construction Management Plan, Flood risk assessment, Design and Access Statement, Affordable Housing Statement, Sustainability Statement, Parking Statement, Planning Statement, Statement of Community Involvement, Site Waste Management Plan, Ground Investigation Report, Training & Employment Management Plan received 28th March 2014

201/1E, 310/1C, 202/1E, 301/1F, 309/1C, 304/1D received 28th March 2014.

Bat Brick Details received 05th June 2014

Drawings GH36:L01A, GH36:L02A, GH36L:03A & GH36:L04A received 11th June 2014.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with parts 1, 4, 6, 7, 10, 11 and 12 of the National Planning Policy Framework and Policies 1, 18, 35, 36, 37, 66 and 75 of the District of Easington Local Plan.

2. No development shall commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any source in accordance with the National Planning Policy Framework and Policy 1 of the District of Easington Local Plan.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development (or occupation of buildings or commencement of use) and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity and to comply with Policy 35 of the Easington District Local Plan.

4. No development shall take place unless in accordance with the mitigation detailed within the Bat Report by Gary Shears including, but not limited to the obtaining of a European Protected species licence prior to the demolition of 15 Cain Terrace and the provision of bat bricks within the proposed dwellings at plots 11 and 12.

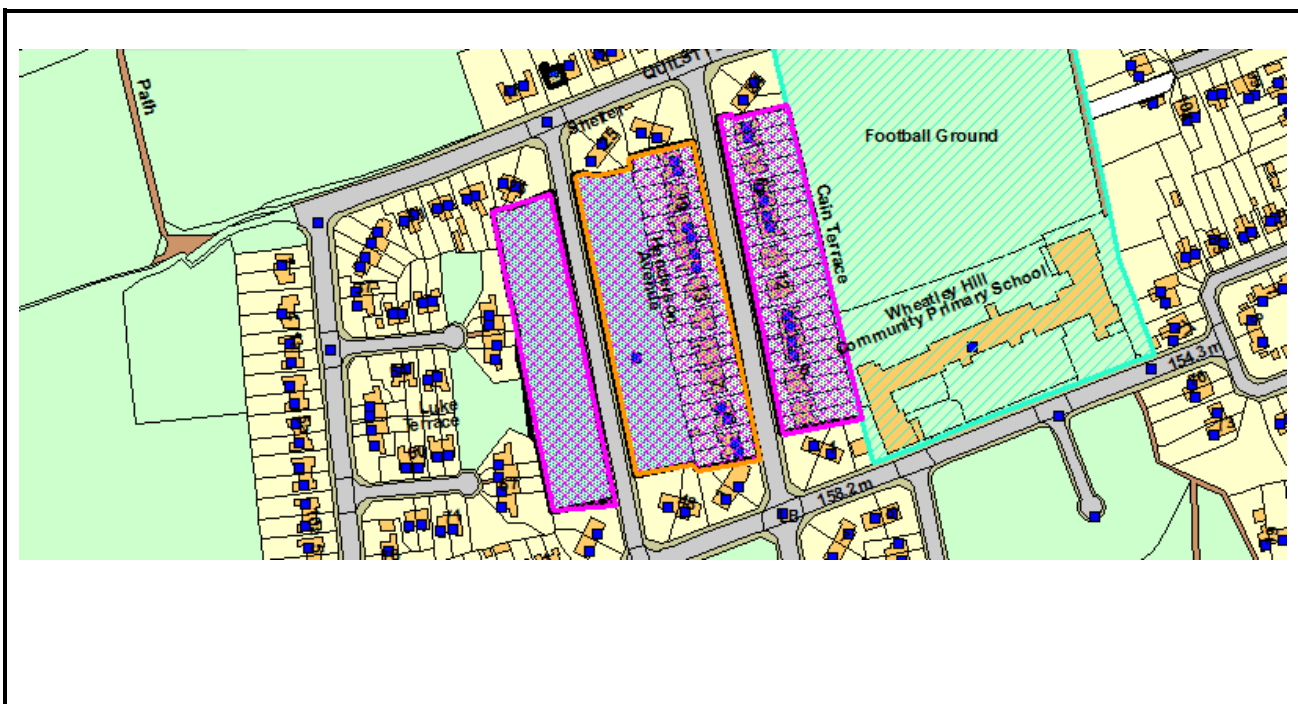
Reason: To conserve protected species and their habitat in accordance with Policy 18 of the Easington District Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

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 applicant has entered into a Planning Performance agreement with the Council in relation to this scheme and the application is being presented to committee in accordance with the timescales agreed within the agreement and within the designated time period for major applications.

BACKGROUND PAPERS

- Submitted Application Forms, Plans and supporting documentation
- District of Easington Local Plan
- National Planning Policy Framework
- Internal consultee responses
- Public responses
- Statutory responses
- County Durham Local Plan (Preferred Options)



Planning Services

Erection of 65 no. dwellings with associated works (revised ownership certificate submitted) (revised site plan, plot detailing and bat mitigation submitted 9th June 2014)

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright.
 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding.
 Durham County Council Licence No. 100022202 2005

Date 22nd July 2014