

# COMMITTEE REPORT

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## APPLICATION DETAILS

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<b>APPLICATION NO:</b>	<b>DM/14/03871/OUT</b>
<b>FULL APPLICATION DESCRIPTION:</b>	<b>Outline application for 10no. properties (all matters to be considered except landscaping)</b>
<b>NAME OF APPLICANT:</b>	<b>Haswell Developments Ltd</b>
<b>ADDRESS:</b>	<b>Land between 3 Church Villas and 7 Rectory View, Shadforth, Durham</b>
<b>ELECTORAL DIVISION:</b>	<b>Sherburn</b>
<b>CASE OFFICER:</b>	<b>Chris Baxter Senior Planning Officer 03000 263944 chris.baxter@durham.gov.uk</b>

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## DESCRIPTION OF THE SITE AND PROPOSALS

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### The Site

1. The application site comprises of a parcel of land situated between 3 Church Villas and 7 Rectory View in Shadforth. The site is currently open agricultural land with the adopted highway bordering the site to the east. Open fields are located to the west. The residential properties of Rectory View are located to the north and properties of Church Lane to the south. The grounds of St. Cuthbert's Church are situated to the east beyond the highway. The application is located within the Shadforth Conservation Area.

### The Proposal

2. Outline planning permission is sought for 10no. residential units. All matters, except landscaping, are to be considered within this application. This therefore means that access, appearance, layout and scale are to be considered as part of this application. The proposed layout shows a row of detached and semi-detached properties along the main road. Access is to be taken directly from Church Lane and would lead to parking area to the rear of the properties. The proposed properties are to be simple two storey design, with red/brown facing brickwork, blue/grey Spanish slates, natural stone heads and cills, with brown upvc mock sliding sash windows. Car ports are also proposed to the rear of the properties.
3. The application is reported to the Planning Committee as it constitutes a major development.

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## PLANNING HISTORY

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4. Members may recall that outline planning permission was refused on this site at a planning committee in July 2014. The proposal was for 10no. residential units. Planning permission was refused for the following reasons:
  - The development is contrary to policies H3, H4 and H5 of the City of Durham Local Plan, as the site is located outside the defined settlement boundaries and the development does not constitute the definition of infill development; and
  - The proposed development would not preserve or enhance the character, setting or appearance of the Shadforth Conservation Area and would be in conflict with criteria detailed in Parts 11 and 12 of the National Planning Policy Framework.

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## PLANNING POLICY

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### NATIONAL POLICY:

5. 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.
6. 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'.
7. The following elements are considered relevant to this proposal;
8. *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 21<sup>st</sup> century.
9. *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.
10. *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.
11. *NPPF Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted..
12. *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.

13. *NPPF Part 12 – Conserving and Enhancing the Historic Environment*. Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its 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:**

### **City of Durham Local Plan**

14. *Policy E7 (Development Outside Settlement Boundaries)* advises that new development outside existing settlement boundaries will not normally be allowed. However, there are a number of exceptional circumstances where development outside existing settlement boundaries may be considered acceptable.
15. *Policy E22 (Conservation Areas)* seeks to preserve or enhance the character or appearance of conservation areas, by not permitting development which would detract from its setting, while ensuring that proposals are sensitive in terms of scale, design and materials reflective of existing architectural details.
16. *Policy H3 (New Housing Development within the Villages)* allows for windfall development of previously developed sites within the settlement boundaries of a number of specified former coalfield villages across the District, provided that the scheme is appropriate in scale, design location and number of units.
17. *Policy H4 (Villages with no Settlement Boundary, Ribbon Development and Sporadic Groups of Houses)* the extension or redevelopment of villages with no settlement boundary, of ribbons of development, or sporadic groups of houses will not be permitted. Infill housing at these locations will only be permitted if the development: comprises no more than a single dwelling infilling a small gap between existing buildings; and does not involve the development of an open space that is important to the street scene, and is appropriate in scale, form and materials to the character of its surroundings.
18. *Policy H5 (New Housing the Countryside)* sets out criteria outlining the limited circumstances in which new housing in the countryside will be permitted, this being where it is required for occupation by persons employed solely or mainly in agriculture or forestry.
19. *Policy H13 (Residential Areas – Impact upon Character and Amenity)* states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.
20. *Policy E14 (Trees and Hedgerows)* sets out the Council's requirements for considering proposals which would affect trees and hedgerows. Development proposals will be required to retain areas of woodland, important groups of trees,

copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.

21. *Policy E15 (Provision of New Trees and Hedgerows)* states that the Council will encourage tree and hedgerow planting.
22. *Policy T1 (Traffic – General)* states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.
23. *Policy T10 (Parking – General Provision)* states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.
24. *Policy Q8 (Layout and Design – Residential Development)* sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.
25. *Policy Q15 (Art in Design)* states that the Council will encourage the provision of artistic elements in the design and layout of proposed developments. Due regard will be made in determining applications to the contribution they make to the appearance of the proposal and the amenities of the area
26. *Policy U8a (Disposal of Foul and Surface Water)* requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
27. *Policy R2 (Provision of Open Space – New Residential Development)* states that in new residential development of 10 or more units, open space will be required to be provided within or adjacent to the development in accordance with the Council's standards. Where there is an identified deficiency and it is considered appropriate, the Council will seek to enter into a planning agreement with developers to facilitate the provision of new or improved equipped play areas and recreational/leisure facilities to serve the development in accordance with Policy Q8.

## 28. Emerging Policy

The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. Paragraph 216 of the NPPF says that 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. However, the Inspector's Interim Report following stage 1 of the Examination process, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. The Council is currently considering the options available and in light of this it is considered that no weight should be afforded to the CDP at the present time.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

29. *County Highways Authority* has not raised any objections to the proposed scheme.
30. *Environment Agency* has not raised any objections to the application.
31. *Northumbrian Water* have not objected to the proposal subject to a condition requiring the submission of details of foul and surface water discharge from the site.
32. *Shadforth Parish Council* have raised concerns regarding the proposed scheme.

### **INTERNAL CONSULTEE RESPONSES:**

33. *Archaeology* has not raised any objections.
34. *Environmental Management* has not raised in objections in terms contamination, noise, light, smoke and dust.
35. *Sustainability Team* has not raised any objections.
36. *Ecology Team* has not raised any objections.
37. *Design and Conservation Team* has not raised any objections.
38. *Landscape Team* has not raised any objection.
39. *Tree Officer* has indicated that the trees on site should be retained.
40. *Spatial Planning Policy Team* has not raised any objections to the proposals.
41. *Public Rights of Way Team* has confirmed that there is an unregistered path which crosses through the southern fringe of the site and continues beyond the site alongside Shadforth beck.
42. *Drainage Officer* has not raised any objections to the scheme.

### **PUBLIC RESPONSES:**

43. A press notice was issued. Site notices were also posted. Neighbouring residents were notified individually of the proposed development. 58 letters of objection have been received. Ward Councillor Mr Stephen Guy has also raised objections to the scheme.
44. One of the main areas of objection is with regards to the principle of development, in that it does not constitute infill development and would be the development of greenfield land which is in the Green Belt, situated beyond defined settlement boundaries. The proposal is considered to be contrary to the emerging County Durham Plan, paragraphs within the NPPF as well as saved policies in the City of Durham Local Plan. It has been noted that the Council's Strategic Housing Land Availability Assessment has indicated that sufficient land has been identified for housing in the County. Some residents have indicated that there is no demand or

need for housing in the area whereas one comment states that social and affordable housing is required in the area. The application has also been described as being 'garden grabbing' and not sustainable development. There are concerns that the proposed properties are too small and the area actually needs larger family homes.

45. Another primary concern is the impact the development would have on highway issues. In particular the proposed access is considered dangerous and would compromise highway safety from the increase in traffic. The proposed parking is considered excessive by some objectors and others feel future residents would end up parking on the main road. There are also concerns that the proposed access has been specifically designed in order to provide access to the field to the rear of the site, which could lead to a further application for more houses. There are also concerns that the development would lead to further on street parking.
46. Concerns have been raised with regards to the adverse impact the development would have on the village, in particular the Shadforth Conservation Area. Some residents have indicated that the site is within, or partly, within the conservation area, therefore a full planning application should be submitted. There are concerns that the layout, design and density proposed would not be in keeping with the area. The loss of trees and hedging is also considered to be unacceptable.
47. Local residents have raised issues with the impact the proposals would have on residential amenity. Concerns are raised with regards to overlooking, loss of privacy, overshadowing, increase in noise levels and potential for light pollution. Comments from residents have also objected concerned that the proposal would have an adverse impact on flooding and ecology in the area. There is also a concern that a public walk way along the south of the site would be lost and the loss of some of the hedgerow is unacceptable.
48. It has been noted that previous planning applications has restricted development on this land. Comments received indicates that there are no renewable provisions included within the development and the point is also made that Northumbrian Water are unable to comment on flooding as insufficient details are provided. Finally, one local resident has indicated that the consultation period was too short and there was insufficient time for residents to comment.

#### **APPLICANTS STATEMENT:**

49. Crucially, the recent Inspector's interim report into the emerging County Durham Plan has effectively created a whole new scenario. By dismissing land allocations in the Green Belt he has effectively taken out some 4,000 units. This means the Council can no longer demonstrate a five year housing land supply. Moreover, the serious and significant shortfall in the five year supply means that substantial weight has to be afforded to a proposal (such as the current application) which helps meet the deficit. The consequence of not being able to demonstrate the minimum of a 5 year supply is that paragraph 49 of NPPF presumes that the housing policies of the LPA are out of date. Accordingly the presumption in favour of sustainable development is engaged (para. 47 NPPF), and the evidence needed to warrant refusal of consent would have to be compelling to displace the presumption.
50. Since the previous refusal the applicant has had regard for all the concerns expressed by local residents and has fully addressed those in the current application. Despite the numerous representations against the scheme (some of which do not constitute material planning considerations) the objectors fail to demonstrate evidentially that any harm caused would be so significant and compelling as to override the presumption in favour of development of this site.

51. None of the objectors has drawn a rational 'planning balance' that properly weighs the 'pros' and 'cons' of the proposed development. By contrast, the developer's Supporting Statement has undertaken such an exercise, in which each of the objections is addressed and, in turn, vitiated. What is signal is that the Council's professional officers (both 'Policy' and 'Development Management') acknowledge that, in both policy terms and the 'planning balance', the scheme is acceptable.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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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 principle of residential development of the site; highway and access issues; impact on surrounding area; affordable housing and section 106 contributions; and other issues. It is also considered necessary to provide clarification on the position with regards to local planning authorities receiving and determining outline planning applications within conservation areas.

### Clarification on outline applications within Conservation Areas

53. Several comments have been received indicating that the proposed scheme should be submitted as a full planning application given that the site is located within a conservation area. Planning legislation does not prevent the submission of outline applications or prevent a local planning authority from determining outline applications which are within conservation areas. All matters, except landscaping, has been applied for in this outline application, and Officers are satisfied that sufficient information has been submitted in order to make a full assessment of the proposals. It is noted this application is comparable with a full application because many full applications are not submitted with final landscaping details, and are usually approved with conditions requiring landscaping details to be submitted.

### Principle of development

54. The scheme proposes housing development on greenfield land that is located outside of the existing settlement boundary for Shadforth. Sites located outside of the settlement boundaries are treated against countryside policies and objectives, and there is a general presumption against allowing development beyond a settlement boundary. Consequently, the development of the site for housing would be in conflict with Policies H3, H4 and H5 of the local plan on account the proposal does not comprise previously-developed within the settlement, does not accord with the local plan definition of infill development, and does not have an agricultural workers requirement for the proposed housing. Therefore, there would need to be other material considerations to justify a departure from those policies.
55. A key material consideration in determining this application should be the NPPF. A strategic policy objective of the NPPF is to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs. Local planning authorities are expected to boost significantly the supply of housing, consider housing applications in the context of the presumption in favour of sustainable development, and create sustainable, inclusive mixed communities in all areas both urban and rural. Housing should be in locations which offer a range of community facilities with good access to jobs, key services and infrastructure.

56. Shadforth is recognised as a Small Village within the County Durham Settlement Study, in recognition that the village has some facilities but residents commonly need to travel to workplaces, schools and other facilities. There is a bus service which runs through Shadforth linking to nearby larger settlements including Durham City. The proposal would introduce new houses into Shadforth which could be considered a benefit as the houses would support existing facilities and services in the area as well as services in nearby villages. The NPPF promotes sustainable development in rural areas where housing is located would enhance or maintain the vitality of rural communities. In this respect it is considered that the proposed development can be classed as sustainable development, as the proposal would support the facilities and services within local community.
57. As previously stated, the application is considered to be contrary to policies H3, H4 and H5 of the local plan, as the site is located outside settlement boundaries and does not constitute infill development. In planning terms, it has generally been accepted that sites outside settlement boundaries are classed as being in the open countryside.
58. This proposal is not considered to be development encroaching into the open countryside as the site does form part of the existing built up area of Shadforth village. The site and the immediate surrounding area does have a linear built form which has a built up frontage within the village of Shadforth. The proposed linear development would link up the existing linear built form of the adjacent properties providing an established street frontage which would not encroach into the open countryside.
59. This proposal is finely balanced, given the development is contrary to policies H3, H4 and H5 of the local plan with the site being outside settlement boundaries and the development not constituting the policy H4 definition of infill development. The assessment of the proposal does need to be weighed against the benefits that the development would bring to the local community and the NPPF supports sustainable development where housing would enhance or maintain the vitality of rural communities. It is considered that the proposal would be in line with the sustainable principles of the NPPF. The development of the site is considered to be within the established linear built form of the village and would not constitute an encroachment into the open countryside.
60. On balance, given the proposal is considered to be in accordance with the sustainable principles of the NPPF, the proposed development is considered acceptable in principle.

#### Highway and access issues

61. Access into the site is proposed from Church Lane which leads to a parking area to the rear of the properties. 24 car parking spaces are proposed for the 10 properties which meets the highway parking standards. Given the access is supplying 10 properties, part of the access would be required to be formally adopted and this is shown on the proposed layout plan. The Highways Officer originally had concerns regarding the width of the access road however amended plans have been submitted showing the required width. The Highways Officer is satisfied that the scheme is acceptable and that there is sufficient parking provision provided. There have been concerns raised by local residents, that the proposed access has been specifically designed to allow for future access into the field to the rear which could accommodate further housing. Any further proposals for housing to the rear of this



site would require formal planning permission and would be subject of a separate application.

62. Overall, it is considered that sufficient parking provision is proposed and the access provides adequate visibility splays to ensure that highway safety would not be adversely compromised. The proposal is considered to be in accordance with policies T1 and T10 of the local plan.

#### Impact on surrounding area

63. Although this is an outline application, the applicant has requested that the access, appearance, layout and scale be considered at this stage. There is only landscaping which is reserved for future consideration. The proposed layout shows a row of detached and semi-detached properties running parallel with the main road. The access would come off the main road intersecting two properties leading to a parking area to the rear of the properties.
64. The proposed layout is considered suitable as it would match the existing housing arrangement on Church Lane and Rectory View. Parking would be located to the rear of the properties which would be mostly screened by the houses. The site does lie within the Shadforth Conservation Area and the impact the development has on the character and appearance of the conservation area is an important consideration. The general appearance of the built development in this part of Shadforth is a linear form with the properties stretched along Church Lane and Rectory View. The proposed development would reflect this linear form and it is not considered that this would adversely impact on the character of the conservation area. The proposed properties are of two storey design and would be constructed from red/brown brick work and Spanish slate. It is considered that the design of the properties and the proposed materials would not be too dissimilar from the existing properties to the north and south of the site. It is therefore considered that the proposals would provide a development which would blend in with the appearance of the surrounding properties and subsequently would preserve the character and appearance of the Shadforth Conservation Area.
65. In terms of residential amenity, the layout plan provides each property which adequate amounts of useable garden space. The primary outlook from the proposed properties are across the main road to the east and the fields to the west. There are no windows to habitable rooms proposed therefore this ensures that there would be no loss of privacy to neighbouring properties to the north or south. It is not considered that the proposed development would compromise residential amenity of neighbouring properties, and sufficient levels of amenity would be provided for future occupiers of the proposed properties.
66. It is considered that the proposed layout is acceptable and the development would blend in well with the existing linear form of the immediate built environment. It is considered that the proposal would preserve the character and appearance of the Shadforth Conservation Area. The proposal would be in accordance with policies E22, H13 and Q8 of the local plan and in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Section 106 contributions

67. As the development is introducing 10 properties into the local community, a financial contribution towards open space and recreational facilities in the area is required as part of the application. The required contribution will be £1000 per house, therefore totalling an amount of £10,000. This contribution will be secured through a section

106 legal agreement. The Council also encourage the provision of artistic elements in the design and layout of new development. In accordance with Q15 contributions towards public art can also be secured through section 106 legal agreement. These contributions would help support and improve facilities within the surrounding locality for the benefit of occupiers of the proposed properties and also existing residents of the local community.

## Other Issues

68. The County Ecologist has assessed the proposal in terms of potential impacts on protected species and has not raised any objections. The Ecologist has further indicated that if the developer wishes to route surface water in to Shadforth Beck, then a Water Vole Survey of the stream would be required as the outfalls installations could impact on water voles. A condition is therefore recommended for a Water Vole Survey to be submitted at reserved matter stage to ensure that water voles would not be adversely compromised. It is noted that a condition is usually not recommended to safeguard protected species, however in this instance given the impact would only occur if drainage is to be directed towards the Beck it is considered an acceptable approach.
69. Concerns have been raised from residents with regards to flooding and drainage from the site. The Environment Agency and Northumbrian Water have been consulted on the application and no objections have been raised. A condition has been requested requiring details of foul and surface water drainage to be submitted and this condition is recommended. It is not considered that the proposed development would create any adverse flooding or drainage issues in the area.
70. Residents have raised issues that the proposal does not include any renewable provisions. As this is only an outline application it is not necessary for renewable details to be submitted. A condition is recommended for details of renewable and energy efficiencies to be submitted prior to works commencing.
71. Local residents have indicated that there is a well used footpath which runs along the south boundary of the site. The Council's Public Rights of Way Officer has confirmed that there is an unregistered path which crosses the southern fringe of the site and continues beyond the site alongside Shadforth Beck. The applicant has recognised the importance of maintaining this pathway and amended plans have been received which ensures that this pathway is retained and will be available to the public.

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## **CONCLUSION**

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72. The proposal is finely balanced, given the development is contrary to policies H3, H4 and H5 of the local plan with the site being outside settlement boundaries and the development not constituting the policy H4 definition of infill development. The assessment of the proposal does need to be weighed against the benefits that the development would bring to the local community and the NPPF supports sustainable development where housing would enhance or maintain the vitality of rural communities. It is considered that the proposal would be in line with the sustainable principles of the NPPF. The development of the site is considered to be within the established linear built form of the village and would not constitute an encroachment into the open countryside.
73. Sufficient parking provision is proposed and the access provides adequate visibility splays to ensure that highway safety would not be adversely compromised. The

proposal is considered to be in accordance with policies T1 and T10 of the local plan.

74. It is considered that the proposed layout, appearance and scale of the development is acceptable and the development would blend in well with the existing linear form of the immediate built environment. It is considered that the proposal would preserve the character and appearance of the Shadforth Conservation Area. The proposal would be in accordance with policies E22, H13 and Q8 of the local plan.

75. A contribution of £1000 per house totalling £10,000 from the developer would be secured through a Section 106 legal agreement. These contributions would help support and improve facilities within the surrounding locality for the benefit of occupiers of the proposed properties and also existing residents of the local community.

76. It is not considered that protected species and their habitats would be compromised as a result of the proposed development. Northumbrian Water and the Environment Agency have not raised any objections and it is considered the site would not be compromised in terms of flooding or drainage issues. The unregistered pathway along the south boundary of the site would be retained as part of the development.

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## **RECOMMENDATION**

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That Members are minded to **APPROVE** the application subject to the completion of a Section 106 Legal Agreement to secure a financial contribution towards the provision and enhancements to sports provision and recreational areas and public art in the locality; and subject to the following conditions;

1. Approval of the details of landscaping (hereinafter called “the reserved matters”) for the development shall be obtained from the local planning authority before the development is commenced. Approval of the reserved matters for the development thereafter shall be obtained from the local planning authority before development is commenced.

*Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.*

2. Application for approval of reserved matters for the development must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the first approval of the reserved matters.

*Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.*

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

<b>Plan Ref No.</b>	<b>Description</b>	<b>Date Received</b>
1	Location plan	23/12/2014
2 B	Proposed Site Layout Plan	12/02/2015
3	Proposed Street Scene Elevations	23/12/2014

4	House Type A and Car Port	23/12/2014
5	House Type B	23/12/2014

*Reason: To define the consent and ensure that a satisfactory form of development is obtained.*

4. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.

*Reason: In the interests of the appearance of the area and to comply with policy H13 of the City of Durham Local Plan.*

5. No development shall commence until details of means of enclosures shall be submitted to and approved in writing by the Local planning authority. The development shall be undertaken in accordance with the approved details.

*Reason: In the interests of the appearance of the area and to comply with policy H13 of the City of Durham Local Plan.*

6. Prior to the commencement of the development details of the surface treatment and construction of all hardsurfaced areas shall be submitted to and approved in writing by the Local planning authority. The development shall be undertaken in accordance with the approved details.

*Reason: In the interests of the appearance of the area and to comply with policy H13 of the City of Durham Local Plan.*

7. No development shall take place until a detailed scheme for the disposal of surface and foul water from the development hereby approved has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

*Reason: In the interests of the amenity of the area and to comply with policy U8a of the City of Durham Local Plan.*

8. No development shall take place until a water vole survey of the Shadforth Beck detailing mitigation measures has been submitted to and approved in writing by the local planning authority. The development and the mitigation measures shall be undertaken in accordance with the approved details.

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

9. Prior to the commencement of the development a coal mining risk assessment of the site shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

*Reason: In the interests of the stability of the site and to comply with policy H13 of the City of Durham Local Plan.*

10. Prior to the commencement of the development a scheme to minimise energy consumption arising from the occupation/operation of the development shall be submitted to and approved in writing by the local planning authority. The scheme

shall consist of energy from renewable or low carbon sources provided on-site, to a minimum level of at least 10% of the total energy demand from the development, or an equivalent scheme that minimises carbon emissions to an equal level through energy efficiency measures. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to first occupation.

*Reason: In the interests of sustainable construction and energy generation in accordance with the aims Policy U14 of the City of Durham Local Plan and Part 10 of the NPPF.*

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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.


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## **BACKGROUND PAPERS**

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Submitted Application Forms, Plans and supporting documentation  
City of Durham Local Plan 2004  
National Planning Policy Framework  
Internal consultee responses  
Public responses  
Responses from statutory and other consultees  
National Planning Policy Guidance



 <p><b>Durham</b> County Council</p> <p><b>Planning Services</b></p>	<p><b>10no. residential units (outline) at Land between 3 Church Villas and 7 Rectory View, Shadforth, Durham</b></p>				
<p>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</p>	<table border="1"> <tr> <td data-bbox="869 1608 1189 1653"> <p><b>Date</b> <b>10<sup>th</sup> March 2015</b></p> </td> <td data-bbox="1189 1608 1449 1653"></td> </tr> <tr> <td data-bbox="869 1653 1189 1765"></td> <td data-bbox="1189 1653 1449 1765"></td> </tr> </table>	<p><b>Date</b> <b>10<sup>th</sup> March 2015</b></p>			
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