

# COMMITTEE REPORT

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## APPLICATION DETAILS

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<b>APPLICATION NO:</b>	DM/15/01710/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Erection of 56 bed residential care home, with associated car parking and infrastructure
<b>NAME OF APPLICANT:</b>	HMC Properties Limited
<b>ADDRESS:</b>	Site Of Former Police Station, Central Avenue, Newton Aycliffe, Co Durham, DL5 5RW
<b>ELECTORAL DIVISION:</b>	Aycliffe East
<b>CASE OFFICER:</b>	Steven Pilkington, Senior Planning Officer, 03000 263964, <a href="mailto:steven.pilkington@durham.gov.uk">steven.pilkington@durham.gov.uk</a>

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## DESCRIPTION OF THE SITE AND PROPOSALS

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1. The application site measures 0.35 ha and is located on the edge of Newton Aycliffe town centre. The site formed part of a rectangular police landholding and has been recently cleared following the demolition of the 3 storey police station. The site lies within the town centre, for planning purposes although it is surrounded by a mix of developments including commercial, educational and residential uses. Central Avenue is located immediately to the north west which provides vehicular access to the site, beyond this lies the commercial centre of Newton Aycliffe and a range of retail and commercial premises including car parking public library and a magistrates court. Newton Aycliffe fire station is located on the north east boundary of the site and the playing fields associated with Sugar Hill Primary School are located to the south east. Residential dwellings within Church Close are sited adjacent to the south west boundary
2. Planning Permission is sought for the erection of a 56 bed care home with associated living/dining areas, support facilities and landscaped garden space. The building would be arranged in an L shape on the site and would measure a maximum 46m in length by 44m in width. The building would be predominantly two storey, although some storage laundry and office rooms are proposed in part of the roof space, facilitated by a three storey gable feature at the main entrance to the building. The building would be brick built with rendered panels grey tiled pitched roof and a high proportion of glazing. 16 car parking spaces are proposed to the front of the main entrance off Central Avenue along with bin storage and cycle parking provision.

3. This application is being reported to Planning Committee as it falls within the definition of a major application

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## **PLANNING HISTORY**

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4. The site has been recently cleared following the demolition of the former 3 storey police station which dated from the 1960's. Approval was granted for the demolition of this building in September 2014 under prior notification procedures

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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'. The following elements of the NPPF are considered relevant to this proposal.
7. *Part 1 – Building a strong, competitive economy.* 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 a low carbon future.
8. *Part 4 – Promoting sustainable transport.* Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
9. *Part 6 - Delivering a wide choice of high quality homes.* To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
10. *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. *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. *Part 10 – Climate Change.* Meeting the challenge of climate change, flooding and coastal change. Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
13. *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 and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

#### **NATIONAL PLANNING PRACTICE GUIDANCE:**

14. The newly introduced National Planning Practice Guidance (NPPG) both supports the core government guidance set out in the NPPF, and represents detailed advice, both technical and procedural, having material weight in its own right. The advice is set out in a number of topic headings and is subject to change to reflect the up to date advice of Ministers and Government and is referenced where necessary within the report.

#### **LOCAL PLAN POLICY:**

15. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policies will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report, however, the following policies of the Sedgefield Borough Local Plan are considered relevant.
16. *Saved Policy E11 – Safeguarding sites of Nature Conservation Interest* – Sets out that development detrimental to the interest of nature conservation will not be normally permitted, unless there are reasons for the development that would outweigh the need to safeguard the site, there are no alternative suitable sites for the proposed development elsewhere in the county and remedial measures have been taken to minimise any adverse effects.
17. *Saved Policy E15 – Safeguarding woodlands, trees and hedgerows* – Sets out that the council expect development to retain important groups of trees and hedgerow and replace any trees which are lost.
18. *Saved Policy E18 – Preservation and Enhancement of Conservation Areas* – Requires that development proposals preserve or enhance the character and appearance of Conservation Areas

19. *Saved Policy H22 – Residential Care and Nursing Homes* – Sets out that planning permission will normally be granted for sheltered accommodation, residential care homes and nursing homes within the residential framework of larger villages, subject to providing a satisfactory vehicular access, does not affect the amenity of local residents.
20. *Saved Policy S1* – Seeks to protect the retail functions of town centres by promoting appropriate town centre uses, including retail and office, recreation and community developments of an appropriate scale
21. *Saved Policy S2* – Sets out that within Town Centre planning permission will normally be granted for appropriate uses, including shops, community uses, leisure facilities and hotels. Providing they are not detrimental to the main shopping function of the town the policy identifies that other uses including, residential institution may be considered acceptable.
22. *Saved Policy D1 – General Principles for the layout and design of new developments* – Sets out that all new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
23. *Saved Policy D2 – Design for people* – Sets out that the requirements of a development should be taken into account in its layout and design, with particular attention given to personal safety and security of people.
24. *Saved Policy D3 - Design for access* - Requires that developments should make satisfactory and safe provision for pedestrians, cyclists, cars and other vehicles.
25. *Saved Policy D5 – Layout of housing development* – Requires that the layout of new housing development should provide a safe and attractive environment, have a clearly defined road hierarchy, make provision for appropriate areas of public open space either within the development site or in its locality, make provision for adequate privacy and amenity and have well designed walls and fences.

#### **EMERGING PLAN:**

26. In considering this proposal due regard should be had to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act (2004) which requires that proposals be determined in accordance with the statutory development plan, unless other material considerations indicate otherwise. In respect to this part of County Durham the statutory development plan currently comprises the 'saved' elements of the Sedgefield Borough Local Plan that are consistent with the National Planning Policy Framework (NPPF). Due regard should also be had to relevant parts of the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG) as a material consideration. In conjunction with these material considerations regard should also continue to be had to the most up to date relevant evidence base.
27. 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. The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. However, the Inspector's Interim Report which followed, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. In the light of this, policies that may be

relevant to an individual scheme and which are neither the subject of significant objection nor adverse comment in the Interim Report can carry limited weight. Those policies that have been subject to significant objection can carry only very limited weight. Equally, where policy has been amended, as set out in the Interim Report, then such amended policy can carry only very limited weight. Those policies that have been the subject of adverse comment in the interim report can carry no weight in the development management process.

*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://content.durham.gov.uk/PDFRepository/SedgefieldLPSavedPolicies.pdf>  
and  
<http://durhamcc-consult.limehouse.co.uk/portal/planning/>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

28. *Highway Authority* – No objections following the submission of amended plans, to ensure adequate cycle parking provision. It is recommended that a detailed travel plan is developed and approved by condition.
29. *Northumbrian Water Limited* – Request a condition requiring details of foul and surface water disposal to be submitted.
30. *Great Aycliffe Town Council* – Offer no comments or objections.

### **INTERNAL CONSULTEE RESPONSES:**

31. *Planning Policy* – Advise that the proposal would add diversity to housing tenure in Newton Aycliffe and would contribute towards creating a socially inclusive community while making efficient use of a previously-developed site in an existing urban area. Subject to satisfactory vehicular access, parking, servicing and amenity areas in accordance with Policies D3 and D5, the development is considered acceptable in principle and should be encouraged as it will help provide a wider range of housing choice for varying ages and householder types the locally and contribute towards the aims of sustainability in accordance with Policy H22 of the Local Plan and emerging County Durham Plan Policy 31. The site is located within the defined Town Centre set out in the Sedgefield Local Plan Proposals Map, However the evidence base used to inform the County Durham Plan proposes to remove this site out of the town centre boundary based on the development patterns of the existing town centre, growth rates and provision across the county. The site is therefore not required to contribute to the retail function of the town centre.
32. *Design and Historic Environment Section* – Offer no objection to the development, while design modifications are suggested.
33. *Landscape Section* – Offer no objection, but advise that a detailed planting scheme should be submitted for approval, to be controlled by condition.
34. *Arboricultural Officer* – Advise that existing trees on site have been damaged during the demolition process with roots exposed and severed. It is likely that these trees will begin to decline in two or three years and should be replaced.

35. Sustainability Section – Advise that the brownfield site is centrally located, close to the main transport hub for the town and other services and amenities such as GP surgeries, the leisure centre and shops. On this basis no objections are raised in terms of sustainability, however a condition is recommended requiring the submission of a scheme to secure embedded sustainability and minimise carbon consumption.
36. *Contaminated Land Section* – Advise that as there would be a more sensitive end use further consideration should be given to potential land contamination issues to be secured by condition.
37. *Ecology Section* – Offer no objection while highlighting consideration should be given to the retention of trees on the site.
38. *Environmental Health Unit* – Offer no objections in principle to the development, but highlight that the site is in a high noise location, potentially prone to loud impulse noise from the sirens at the nearby fire station. The proposed end users are likely to have specific requirements including protection from loud noises likely to disturb sleep both during the day and night. A noise impact assessment and appropriate mitigation measures are therefore recommended to be secured by condition.
39. *Drainage Section* – Advise that surface water discharge should be restricted to brownfield runoff rates and that a scheme of drainage should be secured and approved by condition.

#### **PUBLIC RESPONSES:**

The application has been publicised by way of press and site notice, and individual notification letters to neighbouring residents. Four letters.

40. of objection have been received raising the following concerns
  - The proposal is not considered appropriate given its commercial designation and town centre location, the site should be used for similar uses to enhance the town centre.
  - Increased traffic due to the numbers of visitors and staff generated from the 56 bedrooms, lack of onsite car parking.
  - Proximity of the home to a busy road and the potential conflict with future occupants.
  - The proposed building will be an eyesore and does not relate to the surrounding area.
  - Concerns regarding potential loss of amenity due to proximity to residential properties to the development
  - Concerns are also raised regarding the positioning of potential external lighting on the building and the potential loss of residential amenity.
  - The development would result in the loss of mature trees on site which provide screening for residential properties.

*The above is not intended to list every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at: <http://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NML9FKGDKCI00>*

#### **APPLICANTS STATEMENT:**

41. The site is a brownfield site located on land formerly occupied by Newton Aycliffe Police Station. The Police Team moved out of the buildings (which dated back to the 1960's) in February 2011 after they were deemed unfit for purpose. The site has

been unused since it was vacated by the Police. The existing buildings were demolished and the site cleared in April 2015. The site was bought by the applicant in May 2015.

42. Located within Newton Aycliffe Town Centre, the site sits on the boundary of late C20th residential development and mixed town centre commercial development. It has excellent public transport links, with bus services running in both directions along Central Avenue, stopping 100 metres from the site entrance.
43. The proposed care home will help infill a gap in the Central Avenue street frontage. Since the demolition of the Police Station, there has been an 83 metre long void in the street elevation. The new building will repair this hole in the urban grain for this particular area of Newton Aycliffe. The home will offer a combination of accommodation, supporting services, assistance and specialist healthcare that can be tailored and evolve to meet the individual care needs of the residents. Care and support services will be available 24 hours a day to meet all of the residents needs in a way that retains the dignity and independence of each resident and encourages the involvement of the residents' family, neighbours and friends. This proposal has been designed to exceed the current and anticipated future legislation. The accommodation and services standards for all Helen McArdle Care homes are set well above the current National Minimum Care Standards.
44. The development will respect and complement the scale of the existing Central Avenue streetscape and the further surrounding residential developments. It will amount to an efficient and effective use of land that provides a new care home that is appropriate with the scale, massing and urban grain of the locality. It will sit comfortably within its built form and landscape context. It will provide good physical relationships between the proposed home and the existing buildings adjacent to and surrounding the site and the provision of garden space at both the south-west and south-east of the building will ensure that residents are afforded a high level of amenity that will provide for the comfortable enjoyment of the home whilst not having a detrimental effect upon the existing neighbours.
45. The residents of the home are likely to come from the local community. It is most likely that the proposed care home will become a fully integrated part of the local community, providing long term care for local people. It is often said that civilized society is defined by the way in which it looks after its children and the elderly. It is sincerely hoped that this new facility will reinforce those values by becoming an important part of those facilities needed to look after an ageing population on a long term basis.
46. We therefore request that the application is approved.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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47. 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 principal planning issues raised relate to the principle of development, impact on the visual amenity of the surrounding area, highway safety, amenity of adjacent land uses, ecological interests and other issues.

The Principle of Development

48. The application site is located within the town centre of Newton Aycliffe as defined by policy S1 of the Sedgefield Borough Local Plan. Within town centres, policy S1 seeks to protect the retail function by promoting appropriate uses, including retail and offices, recreation and community developments of an appropriate scale. Due to the inherent accessibility of town centres saved policy S2 also permits alternative uses at an appropriate scale including residential institutions, providing they are not detrimental to the main shopping function of the town centre.
49. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policies will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. It is considered that the general approach of policies S1 and S2 is constant with the NPPF which also seeks to protect the vitality and viability of town centres while recognising that other uses of a suitable scale may be considered appropriate.
50. In this respect, the site was previously occupied by a Police Station and the proposed development would therefore not result in the loss of a retail function. The site has also been recently advertised on the open market prior to and following the demolition of the Police Station and no proposals for retail uses came forward. In addition to this and as part of the evidence base of the County Durham Plan, a retail Town Centre Study has been undertaken which reviewed the boundaries of town centres to ensure their continued vitality and viability. In relation to Newton Aycliffe it is proposed to adjust the town centre boundary, removing the site from the designation in order to reflect the evolution of the town centre, growth rates, demand and provision across the county. This proposal has been taken forward in policy 26 (Retail Hierarchy and Development in Commercial Centres) of the County Durham Plan. Although limited weight can only be afforded to this policy the evidence base is considered sound and as advised by the planning policy section the site is not required to be safeguarded for future retail purposes.
51. In addition to protecting town centres, the NPPF states that it is important to help create sustainable, inclusive and mixed communities, which offer a choice of housing and lifestyle. Local Planning Authorities should ensure that new housing developments help to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics. The location of a residential extra care home within a main town like Newton Aycliffe with good level access to the town centre would help contribute towards this aim.
52. This approach is carried forward in the Emerging County Durham Plan under policy 31 (Addressing Housing Need) which seeks to meet the needs of the County's ageing population, and recognises that over the next few decades there will be a 'demographic shift' with the number and proportion of older people increasing. The provision of specialist housing is encouraged by Policy 31 for vulnerable people in appropriate locations where there is an appropriate need. The Older Persons Accommodation Strategy for County Durham identified a need for significantly more extra care schemes across the County and the proposal would contribute towards the level of provision.
53. Saved policy H22 of the Sedgefield Borough Local Plan supports the development of residential care homes in principle provided there is satisfactory vehicular access, parking, servicing and amenity areas in accordance with policies D3 and D5; the development does not adversely affect the amenity of nearby residents; and its location is such that noise and disturbance from existing surrounding uses would not be detrimental to residents.



54. Overall it is considered that the development would meet the key locational aims of the NPPF while not impacting on the retail function of the town centre improving the mix of housing in the area. In principle therefore the scheme is considered to accord with saved policies of the Sedgefield Borough Local Plan and emerging County Durham Plan and the National Planning Policy Framework.

#### Visual Impact on Surrounding Area

55. Local Plan policy D1 requires that developments have an acceptable relationship with the surrounding area, while part 7 of the NPPF promotes good design that is visually attractive.
56. The proposal would redevelop a prominent site within the Town Centre which was dominated by the large three storey Newton Aycliffe Police Station. The building would be predominately two storey, although a part three storey element would be created over the main entrance way which is set back into the site. A two storey wing of the L shaped building would provide a frontage onto Central Avenue. Amendments have been secured to the design of the building to improve fenestration detailing on the elevation facing out onto Central Avenue, while the roof height of the building has been compacted to reduce the dominance of this element. The use of recessed and projecting elements, along with alternation in materials and variations in the roof profile would also help to break up the linear bulk of the building.
57. The building would have a domestic appearance constructed in red facing brick, with concrete roof tiles, and PVC windows rainwater goods and fascia details. This is considered acceptable given the prevalence of other brick build buildings within the vicinity of the site and proximity to existing residential developments.
58. A number of semi mature trees are present on site which are proposed to be removed to facilitate the development. Although these trees provide some localised screening they are not quality specimens and are not considered worthy of retention in their own right having a limited amenity value. A row of Swedish Whitebeam and Cherry trees are run along the edge of Central Avenue and provide a tree lined frontage that does contribute to the character of the surrounding area . Unfortunately these trees have been damaged during the demolition of the police station and on the advice of the Council's Arboricultural Officer are unlikely to survive. The applicant is therefore proposing to replant these as part of a wider landscaping scheme on the site and it is recommended that this is secured by condition.
59. Overall it is considered that the proposed development would be sympathetic to the character of the area in terms of the scale and design of the building and its relationship with Central Avenue, in accordance with policies D1 and H22 of the Local Plan and part 7 of the NPPF. Conditions requiring the submission of a comprehensive landscape scheme and to control the finer detailing of the dwelling are recommended.

#### Impact on amenity of adjacent residents and future occupants

60. Local Plan Policy D5 highlights that residential developments should protect the amenities of neighbouring uses and future occupants. Concerns have been raised regarding the impact of the new dwellings on adjacent residents.
61. Following the receipt of amended plans that repositioned the proposed building further from the south west boundary a distance of 24.4m would be achieved from the existing rear elevation of the nearest of the 3 No 2 storey properties in Church

Close that directly adjoin the site. Whilst this distance would be reduced to approximately 21m at one of the properties, due to the presence of a newly constructed rear extension, this would be in line with the minimum window to window separation distance advocated within the Local Plan. Design changes to the scheme have also been secured to reduce the perceived mass of the building, including a reduction in ridge height and the removal of a three storey gable feature on the elevation facing these properties. The use of recessed elements and render would also help to break up the extent and uniformity of the building. The proposed building would therefore be similar in scale, in terms of eaves height (5.5m), to a residential dwelling and notwithstanding the taller gable elements and the higher main roof which is positioned further away, the building to building relationships are on balance considered acceptable. It is also considered that the proposed building would not have a significant overshadowing or overshadowing effect given the orientation of dwellings and the pathway of the sun. Although existing trees on site are proposed to be removed in this general location which do provide a degree of screening, additional ornamental trees are proposed along the boundary that will progressively help to filter views. Landscape features including water features are proposed within the development, however it is considered that these would be unlikely to cause any significant loss of amenity and are commonplace in residential gardens.

62. The Council's Environmental Health Unit has recommended conditions relating to working hours and construction activities. However, these are matters which the planning system cannot reasonably prevent or control and there are controls outside of planning that deal with noise nuisance and other disturbance, which would be more appropriate than planning conditions. Local residents have raised concerns that any lighting installed on the building may have an impact on residential amenity. Although no lighting is detailed in the application, including ground based and lighting to be installed on the building, it is likely that the applicant would want to install some form of lighting for safety and decorative purposes. It is considered that any lighting could be installed in a way to protect the amenities of neighbouring residents, however it is recommended to attach a condition requiring details of any lighting for further approval.
63. The Environmental Health Unit offer no objections in principle to the development. However in order to protect future residents from potential noise generated by commercial operations and the adjacent fire station, it is recommended that a noise impact assessment be carried out and any necessary mitigation measures secured by condition. This is a precautionary measure and in the event that mitigation is needed this is likely to consist of improved glazing in certain elevations of the building.
64. The Council's Land Contamination Officer advises that the development would result in a more sensitive end user and therefore a site investigation secured by condition would need to be undertaken along with necessary remedial work.
65. Overall it is considered that the proposed development would not significantly impact on the level of amenity or privacy experienced by neighbouring residents. It is also considered that future residents would experience an appropriate level of amenity and that any noise impacts can be satisfactorily addressed. The scheme is considered to comply with policy D5 in this respect.

#### Highway Safety and accessibility

66. Saved Local Plan Policy D3 requires that development proposals achieve a satisfactory means of access onto the wider highway network while seeking to protect highway safety in terms of vehicle movements and traffic generation.

67. The site is served by an existing vehicular access, which would be retained and modified to allow a new separate pedestrian access. The access would lead to 16no. parking spaces, with provision for cycle and motorised scooter storage.
68. In considering the scheme the Highways Authority raise no objections to the access arrangements due to width of the access serving the site and its previous use. It is also advised that the level of car parking across the development would conform to 2014 DCC Parking and Accessibility Standards, while there are parking restrictions on Central Avenue. It is however requested that a detailed travel plan be implemented to help manage the various vehicle movements to and from the site.
69. While acknowledging the concerns raised by local residents regarding the level of parking provision on the site, based on the advice of the Highways Authority a reduction in highway safety would not arise. The proposal is therefore considered to comply with policy D3 of the Local Plan in this respect.

### Ecology

70. Paragraph 11 of the NPPF and policy E11 of the Local Plan requires that local planning authorities take into account, protect and mitigate the effects of development on biodiversity interests. The Ecology Section offers no objection to the scheme due to the cleared nature of the site. It is therefore considered that the granting of planning permission would not constitute a breach of the Conservation of Habitats & Species Regulations 2010 and the Planning Authority can satisfy its obligations under these.

### Flooding and Drainage

71. The NPPF requires that consideration be given to issues regarding flooding particularly from surface water run-off and that developments adequately dispose of foul water in a manner that prevents pollution of the environment. In consideration of the application Northumbrian Water raise no objections to the scheme, recommending a condition requiring the submission of details of foul and surface water drainage. The Council's Drainage Team advise a conditional approach utilising soakaways where appropriate. In view of these comments and given the previous developed use of the site, the proposal is considered acceptable subject to the submission and agreement of final drainage details.

### Other Issues

72. Planning plays a key role in helping to reduce greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development as set out in the NPPF. The development would be expected to achieve a proportion of its energy supply from renewable resources, or through an equivalent level through energy effect measures. A condition requiring this is recommended.

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## **CONCLUSION**

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73. The proposed scheme has been assessed against relevant policy documents and other material considerations and it is concluded that the proposal would bring a vacant site, back into productive use in a sustainable location and contribute to the housing mix in the area in line with the key aims of the NPPF. Despite the existing

town centre designation of the site it is not considered that the development of would adversely impact on the retail function of the town given the current retail offer and former use of the site.

74. The proposed development is considered sympathetic to the character of the area in terms of the scale and design of the proposed building which has been amended to improve its relationship with the surrounding area.
75. The development would be served by an appropriate means of access and would provide sufficient car parking in line the established parking standards such that highway safety issues would not arise.
76. The development would not significantly impact on the amenities of the neighbouring residents, while future residents would experience an appropriate level amenity subject to implementing measures to mitigate noise.
77. The scheme would not constitute a breach of the Conservation of Habitats & Species Regulations 2010 and the Planning Authority can satisfy its obligations under these.
78. There are no material consideration which indicate the scheme should be determined otherwise and therefore the application is recommended for approval.

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## **RECOMMENDATION**

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That the application is **Approved** 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:

Proposed Elevations North-West and North-East, 1 of 1 Drawing no. H130- [P]- 300 Rev P1, Dated 21.07.15

Proposed Elevations North-West and North-East 3 of 3 Drawing no. H130- [P]- 302 Rev P1, Dated 21.07.15

Proposed Elevations South-East and South-West 3 of 3 Drawing no. H130- [P]- 301 Rev P1, Dated 21.07.15

Site Plan, Drawing no. H138- [P]- 104 Rev P1, Dated 21.07.15

Ground Floor Plan, Drawing no. H138- [P]- 100 Rev P1, Dated 21.07.15

First Floor Plan, Drawing no. H138- [P]- 101 Rev P1, Dated 21.07.15

Second Floor Plan, Drawing no. H138- [P]- 102 Rev P1, Dated 21.07.15

Roof Plan, Drawing no. H103- [P]- 103 Rev P1, Dated 21.07.15

Proposed Bin Stores 2 of 1 Drawing no. H103- [P]- 108

Proposed Bin Stores 2 of 2 Drawing no. H103- [P]- 109

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies H22, D1, D2, D3 and D5 of the Sedgfield Borough Local Plan.*

3. Notwithstanding any details of materials submitted with the application, details of the external walling (including render colour) and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before the construction of any external wall of the development hereby approved. 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 policies H22 and D1 of the Sedgefield Borough Local Plan.*

4. Prior to the first occupation of the apartments hereby approved, an acoustic report, in accordance with BS 8233 and the WHO Guidelines on community noise, shall be submitted to and been approved in writing by the Local Planning Authority. The report shall establish whether sound attenuation measures are required to protect future residents from the transferral of sound from adjacent land uses and detail appropriate mitigation measures. The approved mitigation scheme shall be implemented prior to the first occupation of the apartments hereby approved and permanently retained thereafter.

*Reason: In the interests of the residential amenity of future occupants in accordance with policies H22, D1 and D5 of the Sedgefield Borough Local Plan.*

5. Prior to the commencement of development a detailed scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide detail for:-

- The planting of trees and / or shrubs (including species, sizes, numbers and densities) to improve the appearance of the development as indicated the Proposed Site Plan Drawing no. H138- [P]- 104 Rev P1, Dated 21.07.15
- The provision of any fences or walls (including retaining walls)
- Full details of any regrading or alteration of levels on the site.
- Full details of the surfacing any hard standing proposed

The approved landscaping scheme shall be implemented and completed in accordance with the approved details in the first planning season following the substantial completion of the development.

*Reason: In the interests of the appearance of the area and to comply with policies E18 and D1 of the Sedgefield Borough Local Plan.*

6. Before the development hereby approved is commenced, detailed drawings including sections showing the existing and proposed site levels and the finished floor levels of the proposed new building and those of existing neighbouring buildings shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed entirely in accordance with any subsequently approved submission.

*Reason: In the interests of the amenity of nearby residents/appearance of the area in accordance with policy D1 of the Sedgefield Borough Local Plan.*

7. No development shall commence until a scheme for the provision of surface and foul water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage shall be completed in accordance with the approved details.

*Reason: In the interest of the adequate disposal of foul and surface water in accordance with saved policy D1 of the Sedgefield Borough Local Plan and part 11 of the National Planning policy Framework.*

8. Prior to the commencement of the development a scheme to embed sustainability and minimise carbon from construction and in-use emissions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in complete accordance with the approved scheme and retained while the building is in existence.

*Reason: In the interests of sustainable construction and energy generation in accordance with the aims of Policy D1 of the Sedgefield Borough Local Plan and part 10 of the National Planning Policy Framework*

9. Prior to the commencement of the first use of the care home, a travel plan coordinator shall be appointed and contact details for this person shall be provided in writing to the Local Planning Authority. Within a period of six months of the first use of the care home a final Travel Plan, conforming to The National Specification for Workplace Travel Plans PAS 500:2008, Bronze Level, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented thereafter.

*Reason: to reduce reliance on the private motor car in accordance with policies D1 and D3 of the Sedgefield Borough Local Plan.*

10. Notwithstanding the submitted information, full details of external lighting, including light spread, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the approved details

*Reason: in the interests of residential amenity, in accordance with policy D1 of the Sedgefield Borough Local Plan*

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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The Local Planning Authority in arriving at the decision to approve the application has sought to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

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## **BACKGROUND PAPERS**

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Submitted Application Forms, Plans and supporting documents

National Planning Policy Framework

Sedgefield Borough Local Plan

Statutory responses from Highway Authority, Northumbrian Water Limited.

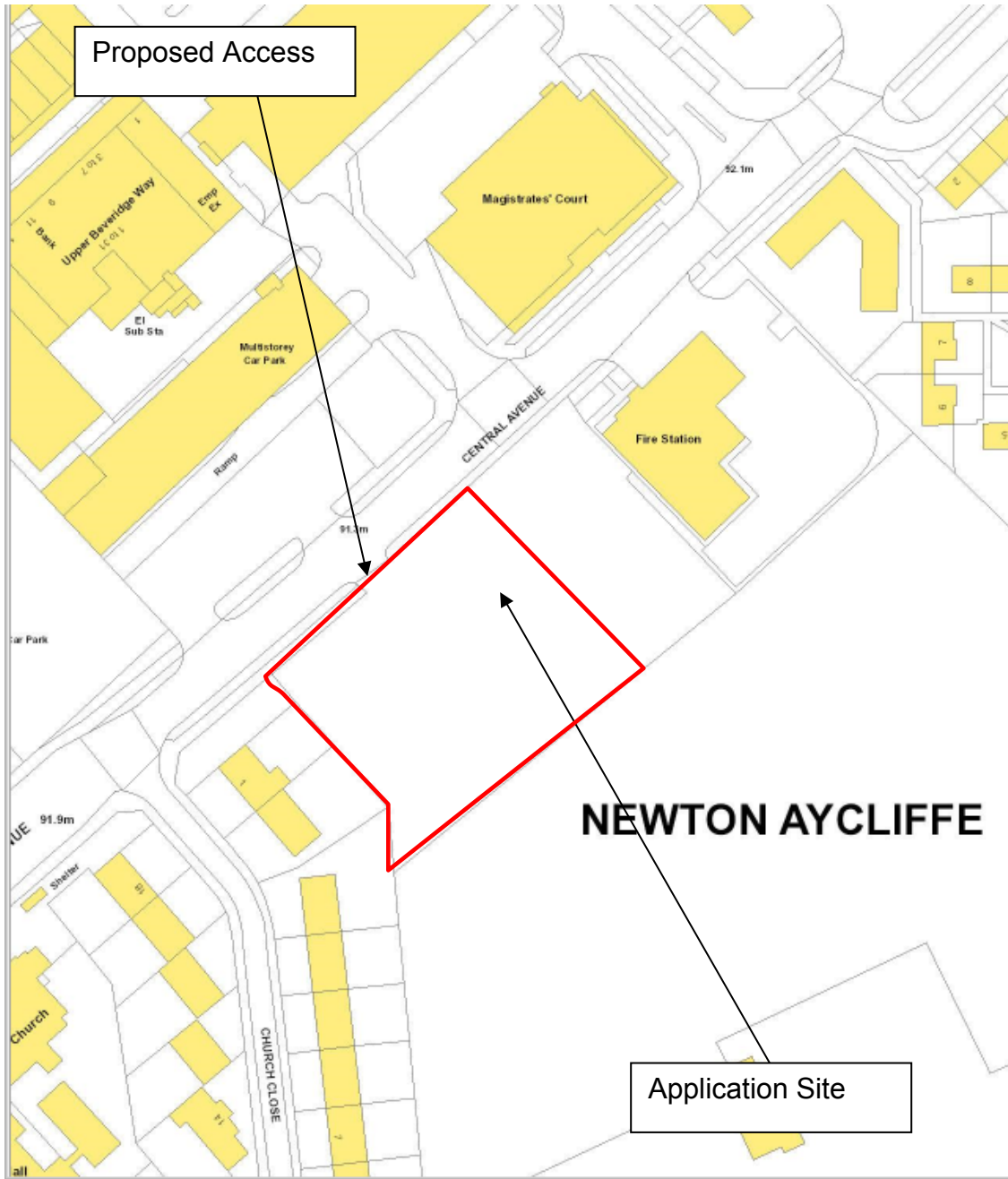
Internal responses from Highways Authority, Design and Historic Environment Section, Spatial Policy Section, Landscape Section, Archaeology Section, Environmental Health, Contaminated Land Section, Sustainability, Ecology Section and Arboricultural Officer.

Representations received from the public and other representative bodies

Retail and Town Centre Study 2009

Retail and Town Centre Study Update 2013

DCC Parking and Accessibility Standards 2014



**Planning Services**

Erection of 54 bed care home.

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**Comments**

**Date** 12<sup>th</sup> August 2015

**Scale** 1:1250