

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/15/00373/OUT
FULL APPLICATION DESCRIPTION:	Outline application for up to 32 no. dwellings and public amenity space with access considered (all other matters reserved)
NAME OF APPLICANT:	Mr A Ward
ADDRESS:	Shittlehopeburn Farm Stanhope Bishop Auckland DL13 2YL
ELECTORAL DIVISION:	Weardale
CASE OFFICER:	Tim Burnham Senior Planning Officer 03000 263963 tim.burnham@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site comprises approximately 1.5 hectares of agricultural grazing land located adjacent to the A689 between a recently built affordable housing development named Centenary Close (to the north) and Shittlehope Burn Farm (to the south) at East End Stanhope. There is a large modern agricultural building in the south of the site. Adjacent to this is a vacant former Council depot which has outline approval for 3 dwellings. The buildings at Shittlehope Burn Farm also have an extant planning approval for conversion to 2 residential dwellings. There is a further 1.5 hectares of agricultural land associated with the development site to the west, beyond which lies The River Wear. The Bondisle Works lies approximately 60m across the fields to the north west of the site.
2. Despite comprising of agricultural land, the site still falls mostly within the development limits, apart from a small area to the south. The site is however currently allocated as industrial land in the Wear Valley District Local Plan.
3. The application seeks outline planning consent for up to 32 dwellings with consideration also being given to access at this stage. The vehicular access would be taken through the Centenary Close estate to the north. As part of the scheme it is proposed to offer up the associated land to the west for public recreation and amenity use and this would be secured by a S106 legal Agreement.
4. The application is reported to the Planning Committee in accordance with the Scheme of Delegation because the development is classed as a major application.

PLANNING HISTORY

5. There is no previous planning history on the application site, but as mentioned above there are unimplemented but extant planning approvals for residential development at Shittlehope Burn Farm and the adjacent former Council Depot. The already completed development to the north at Centenary Close was approved in 2013 and is a wholly affordable housing scheme of 23 dwellings.

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). However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.
7. *NPPF Part 1 – Building a Strong, Competitive Economy.* Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
8. *NPPF Part 4 – Promoting sustainable Transport.* 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. On highway safety, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
9. *NPPF 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. *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 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.

13. *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.
14. *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 those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

LOCAL PLAN POLICY:

17. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant to the application, however, 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. :-
15. *Policy ENV1: Protection of the Countryside:* The District Council will seek to protect and enhance the countryside of Wear Valley. Development will be allowed only for the purposes of agriculture, farm diversification, forestry or outdoor recreation or if it is related to existing compatible uses within the countryside as defined in other Local Plan policies.
16. *Policy ENV3: Areas of Landscape Value:* Development will not be allowed which adversely affects the special landscape character, nature conservation interests and appearance of the Area of Landscape Value identified on the Proposals Map.
17. *Policy GD1: General Development Criteria* 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.
18. *Policy BE17: Areas of Archaeological Interest:* When development is proposed which affects areas of archaeological interest, as identified on the Proposals Map, an archaeological assessment will be required, before planning approval is given. Where possible the remains will be preserved in-situ.
19. *Policy H3: Distribution of Development* New development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map development will be allowed provided it meets the criteria set down in Policy GD1 and conforms to the other policies of this plan.

20. *Policy H15: Affordable Housing*: The District Council will, where a relevant local need has been established, seek to negotiate with developers for the inclusion of an appropriate element of affordable housing on development sites.
21. *Policy H22 Community Benefit* On sites of 10 or more dwellings the local authority will seek to negotiate with developers a contribution, where appropriate, to the provision and subsequent maintenance of related social, community and/or recreational facilities in the locality.
22. *Policy H24: Residential Design Criteria* New residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.
23. *Policy I2: New Industrial Allocations & Policy I6 Local Industrial sites*: The Plan allocates approximately 80 hectares of new industrial land, as shown on the Proposals Map, to help facilitate economic growth and employment generation in the District throughout the plan area/period. The Policy identified this site for development as a local industrial estate
24. *Policy T1 General Policy – Highways* All developments which generate additional traffic will be required to fulfil Policy GD1 and i) provide adequate access to the developments; ii) not exceed the capacity of the local road network; and iii) be capable of access by public transport networks.

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/media/3403/Wear-Valley-local-plan-saved-policies/pdf/WearValleyLocalPlanSavedPolicies.pdf>

RELEVANT EMERGING POLICY:

The County Durham Plan -

25. 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 and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council is to withdraw the CDP from examination, forthwith. In the light of this, policies of the CDP can no longer carry any weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

26. *Environment Agency*: No objections to development subject to conditions relating to surface water run-off and finished floor levels
27. *Natural England*: No objections.
28. *Northumbrian Water*: No objections, drainage condition requested.

29. *Highways Authority*: No objection subject to condition requiring details of highways construction at new access point to centenary close.

30. *NHS*: No objection

INTERNAL CONSULTEE RESPONSES:

31. *Planning Policy*: No objections.

32. *Housing*: Suggested that commuted sum be provided in relation to the provision of affordable housing.

33. *Trees*: No objections, trees would require adequate protection during any development.

34. *Landscape: Section*: No objections.

35. *Environmental Health*: No objections but noise assessment previously undertaken in 2014 in relation to Centenary close will require to be updated in relation to this development.

36. *Sustainability Section*: Questions over sustainability of site but it may be possible to mitigate this should sustainability be built into the development. Objection has to be offered in the absence of this information, but would accept the placing of a condition of a sustainability statement.

37. *Archaeology*: No objections, condition suggested.

38. *Contaminated Land*: No objections, advise a conditional approach in relation to land contamination.

39. *Drainage and Coastal protection*: No objection.

40. *Education*: This proposed development will not impact on school places. There are sufficient Primary and Secondary School places to accommodate the additional pupils likely to be produced.

41. *Public Rights of Way*: No objection subject to upgrade of public right of way within site ownership.

42. *Ecology*: No objections.

43. *Design and Conservation*: No objection.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at http://plan-1:8080/IDOXSoftware/IG_search?app_id=1002&FormParameter1=DM%2F15%2F00373%2FOUT

PUBLIC RESPONSES:

44. The application has been publicised by way of press and site notice, and individual notification letters to neighbouring residents. There were no comments received.

APPLICANTS STATEMENT:

45. The application now under consideration is the end product of a Pre-Application Enquiry which was submitted in September 2012 which has enabled extensive and productive dialogue to take place with planning and landscape officers in particular. In many ways, the application can be seen as a second phase of development, this time for market housing, to complement and support the affordable homes development for 23no. houses which has already been constructed and occupied on the applicant's land.
46. This outline planning application, identifying the potential for some 32 dwellings, provides an opportunity for complementary housing on land which is well-related to Stanhope, on which a variety of house types can be provided for the local market in Weardale. It has the potential to be a quality residential development within the existing settlement limits of Stanhope, and a sustainable scheme supporting and maintaining the existing range of services and facilities in the town.
47. Importantly, also, much effort has been directed towards ensuring the development is one which sits well within the landscape, and a considerable benefit arising from this is the inclusion within the proposals of a large area of land adjacent to the river which will become accessible for the general community as well as assisting in assimilating the development into its surroundings.
48. This is a proposal for new housing and a large area of community accessible amenity space which will become a significant asset to Stanhope and Weardale. It is deliverable as well as being sustainable and it is hoped that Members of the Committee will support this view in granting outline planning permission.

PLANNING CONSIDERATIONS AND ASSESSMENT

49. 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 development, landscape impact, highway safety, flood risk, archaeology and ecology.

Principle of Development

50. The site is greenfield land, but the majority of it lies within the defined settlements limits of Stanhope. There is however a small part of the site to the south which lies beyond the settlement limits. It is also currently allocated as industrial land in the Wear Valley Local Plan. The proposal is therefore a departure to the Wear Valley District Local Plan, partly in respect of Policy H3 and wholly in respect of Policy I6, and consideration must be given to whether there are any other material considerations and benefits to outweigh this conflict.
51. The NPPF is an important material consideration. Section 6 of the NPPF seeks to significantly boost the supply of housing and states housing applications should be considered in the context of the presumption in favour of sustainable development. Para 22 states long term protection of sites allocated for employment should be avoided where there is no reasonable prospect of the site being used for that purpose and applications for alternative use should be treated on their merits.

52. The allocation of the site for industry in the Wear Valley Local Plan dates back to 1997 and no industrial use proposals have come forward in that considerable period of time. This indicates a lack of demand. The recent development of Centenary Close within the allocation and planning approvals for residential development immediately to the south of the site also represent a change in the context of the site that would be likely to inhibit the potential for industrial uses coming forward now on the rest of the site, because the two uses would be incompatible side by side. This was recognised in the Councils' recently conducted Employment Land Review and as a result the industrial allocation was not going to be carried forward into the County Durham Plan (CDP). Although the CDP is currently being given no weight, the Employment Land Review represents an up to date evidence base and site circumstances have clearly changed since the site was allocated for industry. Taking all this into account it is considered that the site's industrial allocation within the Wear Valley Local Plan is considerably out of date and there is little prospect of the site being used for that purpose. In accordance with NPPF paragraph 22 it is therefore appropriate to consider the site for housing purposes.
53. The housing policies of the Wear Valley Local Plan, including Policy H3 and the definition of settlement limits, date back to 1997 and are therefore considerably out of date and carry no weight. Following the recent High Court decision to quash the Inspector's Interim CDP Report the housing policies of the CDP can no longer be given any weight either. A revised CDP will be progressed in the coming months and will gather weight as it proceeds through the stages of plan preparation; however, in these circumstances the NPPF in para 14 advises that developments should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. The main purpose of the NPPF is to achieve sustainable development. This includes the provision of housing, the need to move towards a low carbon economy and the need to protect and enhance the natural environment.
54. The concern of the Sustainability Section in respect of the site's access to major services is noted, however, the County Durham Settlement Study identifies Stanhope as a Tier 2 Secondary Settlement, which indicates it has a wide range of local services and facilities and therefore it plays an important role as a local service centre within the wider rural Weardale area. It is a town capable of accepting new development, but there are however, in practical terms, very few opportunities for housing within the town because of landscape and heritage constraints. This is a site that lies adjacent to existing development and within walking distance of the facilities within the town. In addition it lies outside the conservation area and is not covered by any landscape designation. It does not therefore represent isolated development and is considered to be an ideal opportunity to provide new housing that would help to support the vitality and viability of local services in Stanhope, which also support the wider rural area, in accordance with NPPF para 55. A development of 32 dwellings represents a relatively small scale of development that would not prematurely undermine the Councils housing delivery strategy moving forward and would be a scale of development commensurate with the role of Stanhope in the settlement hierarchy of the County. It is therefore considered that the site represents a sustainable location for the proposed development and accords with the aims of the NPPF. This is a view shared by the Council's Planning Policy Section.
55. Wear Valley Local Plan Policy 15 seeks the inclusion of an appropriate element of affordable housing on development sites and the scale of development would normally be expected to make such provision, as advised by the Councils Housing and Planning Policy Sections. However, it is noted that the applicant has already released an area of land for the development of Centenary Close, which comprises 23 affordable dwellings, all built out and occupied. The number of affordable

dwellings in the Centenary Close development far exceeds the 6 affordable dwellings that would have been required cumulatively across both development sites and therefore it would not be reasonable to require additional affordable housing from this application.

56. Wear Valley Local Plan Policy H22 requires developments of 10 or more dwellings to either provide or make a contribution to the provision and subsequent maintenance of social, community and/or recreational facilities in the locality. Part of this application proposal includes making a large area of open space to the west of the site (approximately 1.5ha) publicly accessible for recreation and amenity use, which would be more than sufficient to meet the requirements of Wear Valley Local Plan Policy H22 and accords with the aims of NPPF Part 8. This would be secured in perpetuity through a section 106 legal agreement and maintenance responsibility would remain with the applicant.
57. Taking all the above into account, it is considered that while the development of this site for housing would not conform to the development plan in respect of its industrial allocation and location partly outside the development limits of Stanhope, the development plan is out of date in these respects and when assessed against all elements of sustainable development set out in the NPPF, it is considered that the scheme would represent an acceptable form of development. Therefore subject to a detailed assessment of the impacts of the development as appraised below, the scheme is considered acceptable in principle.

Landscape Impact

58. The site lies within an attractive rural landscape and adjacent to an Area of High Landscape Value designation. It does however fall within the settlement limits of Stanhope and is allocated for industrial purposes so it could potentially have been developed for industrial purposes, which normally comprises large industrial buildings of a much greater scale than housing and in lesser quality materials.
59. All detailed matters apart from access are reserved for future consideration so it is not possible to make a detailed landscape assessment of the proposal, however the site surroundings are becoming more residential in nature, with the Centenary Close development complete and extant planning approvals for residential use both at the former council depot and the existing agricultural barns, which sit to the south of the site. At present Centenary Close appears a little isolated, but it was the original intention that it formed part of this development proposal and therefore with this proposal now coming forward, it would help to better assimilate Centenary Close into a more coherent built form on the edge of the town. The area proposed as publicly accessible open space immediately to the west would ensure the development remained tightly contained between existing development and prevent encroachment into the Area of High Landscape Value designation. There would be opportunities for landscaping within this area.
60. The Landscape Section has noted that the proposals would have very localised impacts and would not have a significant effect on the wider Lower Weardale character area. These localised impacts would stem from the site altering substantially in character from the existing field. It is suggested however that these impacts would become less significant as structural planting associated with the landscaping scheme became established over time.
61. In the light of the absence of any landscape objections and being mindful that the site could have been developed for industrial purposes, it is considered likely that a residential scheme of the scale proposed could be successfully accommodated on

the site without detriment to the character and appearance of the area and adjacent landscape designations, subject to detailed consideration of scale, layout, appearance and landscaping. The application is therefore considered to accord with Policies GD1 and ENV3 in relation to general landscape impacts.

Highway Safety

62. Access is the only detailed matter for which approval is sought at this stage. The proposed vehicular access to the development would be taken from the existing head of the cul-de-sac within Centenary Close. Centenary Close has an access directly onto the A689.
63. The Highway Authority advises that the existing junction with the A689 is adequate to serve the additional development. It is not possible to comment on parking provision or internal alignments at this stage. The topography is such that it is likely that some further works would need to be carried out at the point where the new access road would join into Centenary Close to ensure compatibility with levels and adoptable highway requirements. A condition to show how this will be achieved will be necessary in this respect.
64. Overall based on the advice of the Highways Authority the proposal is acceptable in highways terms and complies with Wear Valley Local Plan policies GD1 and T1.

Flood Risk

65. Due to the close proximity of the site to the River Wear and Shittlehope Burn, a flood risk assessment (FRA) has been undertaken in support of the application. The FRA concluded that the development could be established with floor elevations above the 1:100 year flood level, including climate change allowance. Safe access/egress in terms of flood risk from the site can be achieved via existing access routes to/from the A689. This should therefore ensure that flooding does not occur to the properties proposed even if an exceptional flooding event were to occur.
66. Northumbrian Water and the Councils Drainage and Coastal protection team have offered no objections subject to the requirement for a detailed drainage design being submitted at the reserved matters stage. The Environment Agency has offered no objections.
67. The proposal complies with Wear valley Local Plan Policy GD1.

Archaeology

68. An archaeological assessment has been undertaken which has included field work at the site. This was requested as historic maps suggested the development site once hosted a WW1 prisoner of war camp.
69. The archaeological assessment explored remnants of this previous use but also considered neolithic and bronze age remains. The assessment notes that the WW1 camp was once a substantial building complex and foundations associated with the buildings were discovered, but no finds of significant note were made.
70. No archaeological resource was identified which requires preservation in situ, but the report recommended that further archaeological works would be required in relation to this development.

71. The Archaeology Section suggests that as POW camps of this period are very rare it is felt that any remains that may survive are worthy of efforts to record them prior to loss through development and recommends that a strip, map and sample is carried out in the area where features related to the camp were shown to be present. A condition requiring further archaeological survey is therefore considered necessary in accordance with NPPF Part 12 and Wear Valley Local Plan Policy BE17.

Ecology

72. The application has been accompanied by a Habitat and Protected Species survey.

73. The survey noted the existence of important habitat within 2km of the site, this most notably at SSSI sites on the moorland tops to the south west and north east. It is however stated that the development will not have a direct effect on these habitats. The habitat on the development site itself is improved grassland and bare earth, offering little wildlife potential. The existing large cow shed which is proposed for demolition has limited potential to host protected species.

74. The amenity space proposals, including landscaping, to the west would enhance biodiversity.

75. Both the Councils Ecology Section and Natural England have offered no objections to the application. The proposal complies with Wear Valley Local Plan Policy GD1 and the aims of NPPF para 118.

Other issues

76. A public right of way runs through the area which is to be dedicated as public open space. The right of way would not be obstructed, but the Public Rights of Way Section has recommended that the surface of the footpath within the public open space be upgraded. This would be beneficial to the use of the land as public amenity space and it would be expected to see details of this and any other works within the final landscape scheme, which is required to be submitted at the reserved matters stage.

77. The NPPF states that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The Pollution Control Section have visited the site and have stated that although odour could be detected from the nearby foundry to the north west of the site it was not at a level that would be classed as a statutory nuisance. Notwithstanding this, it is accepted that residential amenity thresholds can be lower than a statutory nuisance level. However, it is also noted that the foundry process has a permit issued by Durham County Council that controls odour emissions from the site and the Pollution Control Section have advised that odour from the foundry should not be offensive beyond its site boundary. The application site lies approximately 60m from the foundry, further than other existing properties. Taking all these factors into account, including the lack of concern from the Pollution Control Section it is considered likely that odour issues would not have an unacceptable impact on residential amenity for those living within the development.

78. An updated noise assessment will be required once there is a detailed scheme to determine whether any mitigation measures will need to be built into the development in relation to noise from nearby industrial uses. It is considered however that any such impact will be possible to mitigate to acceptable levels

through the provision of minor mitigation measures such as improved glazing and roof insulation. This can therefore be left to a condition.

79. 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. The scale of development would be expected to achieve a proportion of its energy supply from renewable resources, or through an equivalent level through energy effect measures to meet the aims of NPPF Part 10. A condition requiring this is therefore necessary.

CONCLUSION

80. Development of this site for housing would not conform to the development plan in respect of its industrial allocation and location partly outside the development limits of Stanhope, however, the development plan is out of date in these respects and when the proposal is assessed against all elements of sustainable development set out in the NPPF, it is considered that the scheme would represent a sustainable form of development, in accordance with the aims of the NPPF, and is therefore considered acceptable in principle.
81. The Highway Authority is satisfied that the proposed access is suitable to serve the proposed development.
82. The detailed design of the scheme will be assessed at the reserved matters stage, but the proposal is otherwise in general terms considered acceptable in respect of landscape impact, relationship with neighbouring uses, archaeology, flood risk and ecology.
83. The proposal is therefore considered acceptable in planning terms subject to the suggested conditions.

RECOMMENDATION

That the application be **Approved** subject to the completion of a Section 106 Legal Agreement to secure the land within the blue line boundary as public open space to be fully accessible for the public in perpetuity and for the applicant or successor in title to carry out full maintenance and management works on this land in perpetuity; and subject to the following conditions;

1. Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the 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 shall be made to the Local planning authority before 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 final approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last of the reserved matters to be approved.

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:

Site Layout (excluding detailed housing arrangement) and location plan received 11th February 2015.

Reason: To define the consent in respect of access and ensure that a satisfactory form of development is obtained in accordance with Policies GD1 and T1 of the Wear Valley Local Plan.

4. 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 Policy GD1 of the Wear Valley Local Plan and part 10 of the NPPF. The details are required before commencement as they relate to fundamental matters relating to flood risk which are matters that need to be addressed at the start of the development process.

5. All buildings shall be constructed with a finished floor level of at least 194.22m AOD.

Reason: To prevent the increased risk of flooding from any source in accordance with Policy GD1 of the Wear Valley Local Plan and part 10 of the NPPF.

6. No development shall commence until plans showing full engineering details of the proposed access road, including the layout, construction details and surfacing have been submitted to and approved in writing by the Local Planning Authority. The access road shall be completed in accordance with the approved details before any of the dwellings hereby approved is first occupied.

Reason: In the interests of Highway Safety and to comply with Policy GD1 of the Wear Valley Local Plan. The details are required before commencement as they relate to fundamental issues relating to the main site access which are matters that need to be addressed at the start of the development process.

7. No development shall commence until a scheme to embed sustainability and minimise Carbon from construction and in-use emissions has been submitted to and approved in writing by the Local Planning Authority. This should include in particular, options to heat the development by low/zero carbon technologies. Thereafter the development shall be carried out in complete accordance with the approved scheme and retained so in perpetuity.

Reason: In the interests of sustainable construction and energy generation in accordance with the aims of Policy GD1 of the Wear Valley Local Plan and Part 10 of the NPPF. The details are required before commencement as they relate to fundamental issues relating to the reduction in energy use at the site which are matters that need to be addressed at the start of the development process as such measures may be fundamental to the design of the dwellings.

8. No development shall commence until a Tree Constraints Plan and Arboricultural Implications assessment which is relevant to the detailed layout submitted under reserved matters has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting existing trees and hedgerows at the site in accordance with Policy GD1 of the Wear Valley Local Plan. The details are required before commencement as they relate to fundamental issues relating to the protection and retention of trees on the site which are matters that need to be addressed at the start of the development process, particularly as the layout of the site has not been finalised.

9. No development shall take place unless in accordance with the recommendations detailed within the Phase 1 habitat survey by All about Trees, 13th March 2015.

Reason: To conserve protected species and their habitat in accordance with Policy GD1 of the Wear Valley Local Plan.

10. No development shall take place before an acoustic report, in accordance with BS 8233 and the WHO Guidelines on community noise, has been submitted to and 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 road traffic noise and adjacent commercial developments and detail appropriate mitigation measures. The approved mitigation scheme shall be implemented prior to the first occupation of the dwellings hereby approved and permanently retained thereafter.

Reason: In the interests of the residential amenity of future occupants in accordance with Policy GD1 of the Wear Valley Local Plan. The details are required before commencement as they relate to fundamental issues relating to noise which are matters that need to be addressed at the start of the development process as the findings of the survey may influence the design and layout of the dwellings.

11. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a mitigation strategy document that has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

- i) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
- ii) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
- iii) Post-fieldwork methodologies for assessment and analyses.
- iv) Report content and arrangements for dissemination, and publication proposals.
- v) Archive preparation and deposition with recognised repositories.
- vi) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- vii) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- viii) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.

Reason: To comply with para 141 of the NPPF because the site is of archaeological interest. The details are required before commencement as they relate to fundamental issues relating to archaeological matters that need to be addressed at the start of the development process as archaeological evidence may be lost were this to be arranged post commencement.

12. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record.

Reason: To comply with para. 141 of the NPPF, which requires the developer to record and advance understanding of the significance of a heritage asset to be lost, and to make this information as widely accessible to the public as possible.

BACKGROUND PAPERS

Submitted application form, plans supporting documents

The National Planning Policy Framework (2012)

National Planning Practice Guidance Notes

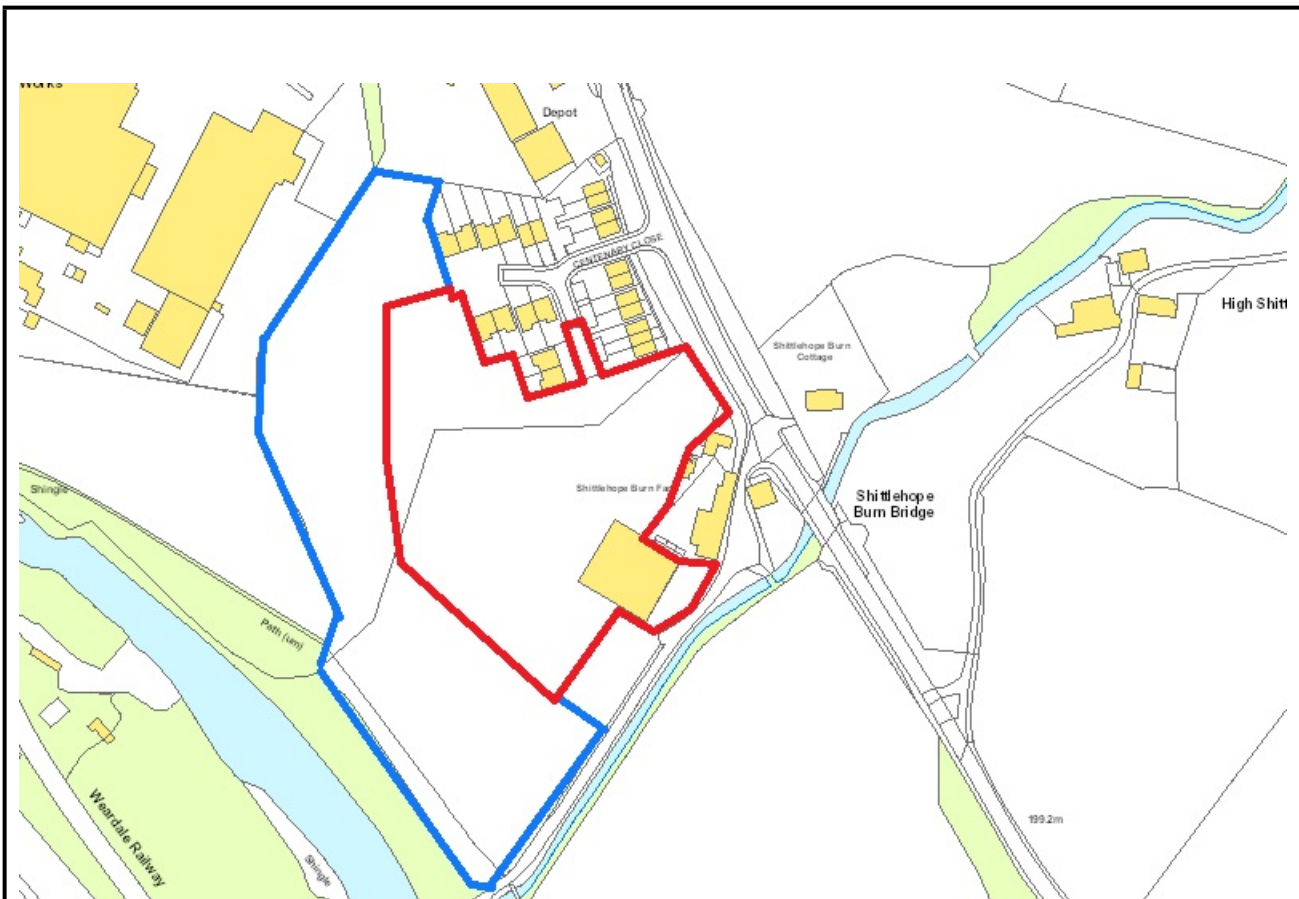
Wear Valley Local Plan

The County Durham Plan (Submission Draft)

County Durham Settlement Study 2012

Employment Land Review

All consultation responses received



Planning Services

Outline application with all matters reserved except access for up to 32 no. dwellings with public amenity space

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