

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/15/02993/FPA
FULL APPLICATION DESCRIPTION:	Disused Infant School site; to be redeveloped to provide 21 houses; consisting of 3 and 4 bed detached; semi-detached and terrace units.
NAME OF APPLICANT:	Mr Stephen Jackson, Prince Bishop Homes
ADDRESS:	Plawsworth Road Infant School Plawsworth Road Sacriston
ELECTORAL DIVISION:	Sacriston
CASE OFFICER:	Steve France Senior Planning Officer Telephone: 03000 264871 steve.france@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. Plawsworth Road Infant School is a now redundant block of one and two storey buildings of 1960s design, set within a small, square shaped campus that includes hard and soft surfaces and a number of mature trees. The site boundaries are a mix of established hedging and fencing.
2. The site is surrounded by residential development, three sides of which are 1960s and 1970s detached and semi-detached dwellings, with the remaining boundary to properties on Plawsworth Road being immediate post war semis set in generous gardens. Only those dwellings to the north face towards the site, separated by a 17m wide area of grassed public open space. Dwellings across the proposed shared access road back towards the site.
3. The school was accessed via a cul-de-sac serving Rosewood Close, the 4.8m wide vehicular carriageway allowing for on-street parking, with an off street parking bay capable of accommodating around 8 cars also serving the existing dwellings. All dwellings in this street have off-road parking consisting a garage and private drive. The cul-de-sac leg serving the school has a footway on one side only.
4. The site is 0.25 miles east of the crossroads at the village centre which offers a wide range of commercial and community buildings, including a small supermarket and the Community Centre. There are good public transport links to surrounding settlements – Sacriston being only 1.8 miles from the edge of town Arnison Centre/Mercia Retail Parks on the near edge of Durham City, and 3.5 miles from the centre of Chester-le-Street. Sacriston is categorised as a Small Town / Larger Village in the County Durham Settlement Study 2012.

The Proposals

5. The application proposes a residential development of 21 detached and semi-detached dwellings formed in two rows, mirroring the form of the surrounding estate. The site is 0.52ha in size. A slightly relocated centralised site access serves those dwellings at the rear of the site on an extended cul-de-sac. A footway will be provided along the front of the site along with a new unallocated visitor car parking space. All dwellings have small front and rear gardens and off-street parking. Unallocated visitor parking is also provided within the scheme.
6. Existing boundary hedging on the non-roadside boundaries is to be retained; however the majority of trees on the site are proposed removed, the exception being six mature trees on the south-east boundary.
7. The development is presented by the applicants as a form of affordable housing. The applicants are a subsidiary of Derwentside Homes and set out an 'intermediate model' of affordable housing aimed at households with incomes of £20-£25k who are unable to access the housing ladder. Family housing is proposed. All financial surpluses from the development would be recycled back to Derwentside Homes to invest in the further provision of similar developments or Homes and Communities Agency (HCA) grant funded affordable housing by the parent company. The proposed 'intermediate affordable housing' of Prince Bishop Homes requires no grant input from the HCA.
8. The site is owned by the Council.
9. The application is reported to Committee, being classified as a 'major' development.

PLANNING HISTORY

10. None relevant.

PLANNING POLICY

NATIONAL POLICY

11. 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.
12. 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'. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy 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 below.

The following elements of the NPPF are considered relevant to this proposal;

13. *NPPF Part 4 – Promoting Sustainable Transport.* Notes the importance of transport policies in facilitating sustainable development and contributing to wider sustainability and health issues. Local parking standards should take account of the accessibility of the development, its type, mix and use, the availability of public transport, levels of local car ownership and the need to reduce the use of high-emission vehicles.
14. *NPPF Part 6 – Delivering a wide choice of high quality homes.* Housing applications should be considered in the context of a presumption in favour of sustainable development. Local Planning Authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create inclusive and mixed communities. Policies should be put in place to resist the inappropriate development of residential of residential gardens where development would cause harm to the local area. Paragraph 55, within this part of the NPPF seeks to promote sustainable development in rural areas, stating that housing should be located where it enhances or maintains the vitality of rural communities – for example developing within groups of smaller settlements that mutually support each other’s services. Local planning authorities are advised to avoid new isolated homes in the countryside unless there are special circumstances, such as a defined functional need, to secure the future of heritage assets, or where a ‘truly outstanding or innovative’ design of ‘exceptional quality’ can be argued to; reflect the highest standards of architecture; significantly enhance its immediate setting; and be sensitive to the defining characteristics of the local area.
15. *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.

NATIONAL PLANNING PRACTICE GUIDANCE:

16. 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.
17. *Natural Environment* – Section 40 of the Natural Environment and Rural Communities Act 2006, which places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector.
18. *Design –The importance of good design.* Good quality design is an integral part of sustainable development. The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, plan-makers and decision takers should always seek to secure high quality design, it enhancing the quality of buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing.
19. *Planning obligations* - Planning obligations mitigate the impact of unacceptable development to make it acceptable in planning terms. Obligations should meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and

kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework.

LOCAL PLAN POLICY:

20. The following are those saved policies in the Chester-le-Street District Local Plan relevant to the consideration of this application. They are given weight proportionate to their consistency with the NPPF:
21. *Policy HP6 – Residential within settlement boundaries* – identifies Sacriston as a settlement where residential development will be allowed on non-allocated sites that are previously developed land and meet the criteria of Policy HP9.
22. *Policy HP9 – Residential Design Criteria (General)* – requires new development to; relate well to the surrounding area in character, setting, density and effect on amenity of adjacent property, to provide an attractive, efficient and safe residential environment, to provide adequate privacy and amenity, open space and play provision, safe road access and retain existing landscape features.
23. *Policy HP13 – Affordable Housing* – the Council will seek to negotiate affordable housing within windfall sites, with Chester-le-Street falling within the Northern Delivery Area where a 15% provision is required.
24. *Policy RL5 – Provision in New Developments* – subject to dwelling sizes and types proposed, and the level of local provision, there is a requirement for children’s play space and informal open space to be provided within the site for land developed or redeveloped for residential purposes.
25. *Policy T8 – Car Parking Provision* – States that new development should seek to minimise parking provision other than for cyclists and disabled users, other than in exceptional circumstances.
26. *Policy T15 – Access and Safety provisions in design* – Development should have safe access to classified road, should not create high levels of traffic exceeding capacity, have good links to public transport, make provision for cyclists and service vehicles and have effective access for emergency vehicles.
27. *Policy T17 – General Policy* – All new developments should have regard to and be consistent with the provision of a safe and accessible transport network, in particular through reducing reliance on the private car, encouraging the use of public transport and promoting cycling and walking.

RELEVANT EMERGING POLICY:

The County Durham Plan

28. 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.

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.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

29. *Highways* – Following accommodation of amendments to the detailed layout and access suggested by County Highways Engineers, they have confirmed no objections to the current access and layout.
30. *Northumbrian Water* – have confirmed no issues with the application, subject to any approval being conditional on the submitted drainage strategy which details agreed discharge points into the public sewer and discharge rates.
31. *Coal Authority* – have no objections.
32. *Sacriston Parish Council* - writes to note they are aware of the objections of local residents and echo the concerns in particular relating to the unsafe access onto Plawsworth Road, and the capacity of the access road.

INTERNAL CONSULTEE RESPONSES:

33. *Spatial Policy Officers (Policy)* – consider the starting point for determining the acceptability of this proposal is the Chester-le-Street Local Plan. They consider that the scheme accords with the overall aims of the Plan as the site is brownfield, within a sustainable main settlement. The site is rated as suitable through the SHLAA owing to its location within an established residential area. The NPPF states that Local Planning Authorities should approve applications that accord with the framework, unless there are material issues that suggest otherwise. The Framework promotes sustainable development which is encapsulated through the key economic, environmental and social measures of sustainability.
34. The NPPF clarifies that housing applications should be considered in the context of this presumption and that policies relating to housing supply cannot be considered up-to-date if there isn't a demonstrable five-year supply of deliverable housing sites. While this places greater weight on approving schemes they must nonetheless be in accordance with Framework taken as a whole. Whilst ideally housing delivery ought to be planned and debated through the plan-making process, the delays associated with the County Plan, and on the balance of other policy considerations, it is considered that any prematurity argument in relation to the County Plan is inappropriate in this case, given the scale of the scheme and its overall conformity with the NPPF.
35. It is concluded that the site is well located in relation to existing services and can be viewed as according in many respects with the delivery of sustainable development, as set out in the NPPF. A potential area of concern relates to the delivery of affordable housing and this issue is addressed separately. Subject to resolution of this issue, Officers are of the view that the scheme would deliver benefits that would outweigh potential harm, in accordance with the tests set down in the NPPF.

36. The scheme should also address the requirement for Public Art and recreation and leisure requirements.
37. *Spatial Policy Officers (Viability Assessment)* – Following submission of additional detailed financial information, the viability case submitted with the application was considered reasonable and acceptable both on the basis and scope of the information presented and the conclusions of the assessment.
38. *Housing* – The Affordable Housing Team initially objected to the application on the basis that the Prince Bishops Model in its current form was not considered to meet the definition of affordable housing for the purposes of NPPF, noting that proposed changes by the Government that may accommodate it were not yet in place. Whilst the scheme is not accepted as full affordable housing the conclusions of Spatial Policy Officers’ assessment of the viability assessments have led to withdrawal of the objection to the proposals.
39. *Environmental Protection Officers (Contamination)* – ask for a condition to deal with detailed contamination issues before the development is commenced.
40. *Drainage and Coastal Protection* – make suggestions for good practice and request detailed reports for approval of drainage and run-off rates.
41. *Education* - The County Education Department has confirmed there are sufficient primary and secondary school places in the area to accommodate pupils from this proposed development therefore no contributions will be required for education.
42. *Sustainability* – noting the locational sustainability of the site in relation to both the village centre and nearby larger settlements, and the proposed ‘fabric first’ approach to design and materials specification some concern is offered to the regard given to renewable/low carbon technologies, however the application is concluded to be acceptable.

PUBLIC RESPONSES:

43. Four objections have been received to the proposals from local residents. The principal concern relates to the capacity of the existing roads to accommodate the additional traffic that would be generated.
44. Additional concerns relate to the loss of trees, potential loss of hedgerow, a claimed height difference between the site and existing properties, and disruption during building works both for residents, and one neighbour’s pond fish.
45. It is contended by one resident that the site has too many dwellings proposed – a 50% reduction being proposed, benefitting the developer over local residents. One correspondent complains at a lack of consultation by the developer.

APPLICANTS STATEMENT:

46. The applicant has not provided a Committee Report Statement in support of this application.

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 on the County Council’s Public Access website.

PLANNING CONSIDERATIONS AND ASSESSMENT

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 main planning issues in this instance relate to the principle of development in terms of both land-use and affordable housing, highways issues, and the privacy and amenity of existing and new residents.

Principle

48. In locational terms, the application proposes residential development on a brownfield site in an established urban area, with close access to the village centre and a wide range of facilities. Sustainability officers note easy access to surrounding main settlements with further services and facilities. The site is accepted as a 'sustainable' location for residential development, a factor of prime weight in the planning assessment, according therefore with the requirements of the NPPF and Policy HP6 of the Local Plan in the delivery of sustainable residential development.
49. The proposed form of development is two storey detached and semi-detached family orientated dwellings with 3/4 bedrooms, consistent with the form of the surrounding existing residential environment, if built at a higher density. The proposals are considered in accordance with Policy HP9's requirements for new development to 'relate well to the surrounding area' in character, street pattern, setting and density, in this regard.

Affordable Housing and Viability

50. The second area of principle to consider is that of the model of affordable housing proposed. The applicant has presented detailed viability assessments to show the usual forms of development with standard expectations of affordable housing provision do not allow the site to be developed in a financially viable manner. They offer their own interpretation of an 'intermediate housing' model as a viable alternative. The basic concept of the housing proposed is a form of rented accommodation that allows the occupants to move tenure into modern home ownership if they wish to do so. The schemes are built and marketed as 'tenure blind', with no identifiable differences between properties sold, rented or rent-to-buy. Residents are provided with stability and support whatever their choice of tenure, whether it be from surety of a consistent and fair landlord, or support to become 'mortgage ready' through a period of renting. Customers who do buy property they rent benefit from 'uplift', sharing 50% of any increase in the value of the property that has occurred in the minimum four year period the occupant has rented it. The applicant claims some principal High Street lenders will accept this discount as part of the mortgage deposit.
51. The housing model proposed does not meet the Council's interpretation of the definition of affordable housing set out in the NPPF – although this is under national review - therefore the applicants have sent a detailed financial viability case that argues that Council should accept this housing delivery model in lieu of the Council's usual approach of rigid interpretation of Affordable Housing, as the site and the development would be unviable otherwise.
52. The Council has a balance to achieve; as landowner being required to get best value from Council assets through land sales, and as Local Planning Authority to achieve maximum benefit to the surrounding settlement. These benefits may be

physical – i.e. the provision of open space / play space, or social i.e. the provision of accessible, low cost housing. These potentially conflicting requirements have implications as to how the financial justification is assessed. The submitted viability assessment would usually be assessed in detail by the Council's Asset Management Department, however with the Council being the landowner, there is a potential conflict of interest. This aspect of the assessment was therefore carried out by an officer with specialist knowledge and experience of the required assessments from the Spatial Policy team – hence the two responses from that team summarised above. The commercially sensitive assessment compared alternate viability scenarios, including the proposed Prince Bishop's Model, another and a standard commercial development approach. Initial assessments led to a requirement for additional detailed financial information which was assessed and the approach and conclusions found reasonable and acceptable.

53. The financial viability issues on site are such therefore that the usual expectations for affordable housing provision meeting the current definition of such in the NPPF are accepted as being likely to compromise the viability of the site for residential development. With the national imperative of providing new houses, this has led Officers to conclude an acceptance of the Prince Bishop's housing model on this site on the basis of the significant test in paragraph 14 of the NPPF; At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.... For decision-taking this means: where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: — any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or — specific policies in this Framework indicate development should be restricted. Whilst the Government has indicated their approach to affordable housing will be revised in the very near future (end January 2016), and the Council do not accept the Prince Bishop's model as intermediate Affordable Housing in its own right, the advantages of providing this form of low cost family housing combined with the acceptance of the development viability issues have led to the conclusion that this type of development is acceptable. That the surpluses from the development will be fed back to future developments by Prince Bishops Homes or Derwentside Homes of social housing is material to the conclusion reached.
54. The provision of affordable housing on the site would usually be secured through a s.106 agreement to ensure the provision is in perpetuity. This is not appropriate for the Prince Bishops' model. Ensuring the form of development proposed in terms of this tenure model can be ensured by the Council as landowner in the sale of the land.
55. Another dimension to the viability issues is the requirement for provision of on-site open space and play space, or monies in lieu of such. The requirement is for £1000 per dwelling. This is proposed addressed by the site sale value being reduced by the requisite amount and said monies being transferred to a fund protected for use in the immediate vicinity of the site in line with the usual system of s.106 monies – there being legal difficulties in imposing a s.106 requirement on the land-owner in this instance as it involves the Council effectively imposing a legal agreement on itself for what amounts to an internal transaction. The recommendation for approval is therefore made subject to Assets resolving to dispose of the land only in a way that secures the open space commuted sum for its intended purpose, and the provision of the Prince Bishops' 'intermediate model' of housing by the purchaser.

56. A major contention for local residents is the access to the site from Plawsworth Road using a cul-de-sac of perceived restricted capacity. This view is not shared by Highways Engineers who raise no objection to the proposals. The site in its previous use generated traffic as a school with particular peaks in vehicular movements at specific times of day. The vehicular carriageway of the cul-de-sac is a standard 4.8m width, with the development proposing a new footway along the site frontage and on-street general parking bays improving pedestrian safety. The vehicular highway width onto Plawsworth Road is slightly restricted for a short length as it passes between the older dwellings at the junction, 'Keep Clear' markings on the highway and visibility splay preventing obstruction to vehicles accessing the existing modern estate and the former school site. Parking provision within the development meets the required standards. The existing road layout serves 42 houses accessing onto the B6312 Plawsworth Road. Highways Engineers do not consider there to be a capacity issue. Officers believe the proposals accord with relevant policies T8 and T15 of the Development Plan, and that no viable refusal reason could be sustained on highways grounds.

Privacy and Amenity

57. The proposed development is of a higher density than its surroundings, but each dwelling benefits from both off-street parking and individual private gardens, giving the necessary level of amenity expected by new residents. The separation distances to existing residents generally meet the supplementary guidance set out in the appendices of the Development Plan, with one short distance to the east where a separation distance of 17m is proposed to one existing dwelling. The Council's exercise to compare the development plan policies with the NPPF found the relevant policy – HP9 - partially consistent with the national document, excepting the appendices which were too prescriptive. An objection has not been received from that dwelling, but has from the house next door which is set a further 3m back. The slight difference in levels in the eastern part of the site is not such that it would lead to an unreasonable height difference, but a condition is proposed applied to any approval that requires the finished floor level in relation to existing site levels to be agreed.

58. Whilst some of the separation distances do not meet the guidance set out in the policy appendix, the status of that policy is such that a more pro-development approach is recommended and the application is concluded acceptable in terms of the proposed privacy and amenity implications.

59. One resident has raised detailed and specific concerns regarding potential effects of development on their pond fish. This correspondent's details will be passed to the developer to allow them the opportunity to discuss any specific implications and mitigations. This level of detail is not one which would be addressed through a formal condition through the planning process – an informative can be attached to any approval to suggest contact between the developer and the relevant party.

Other Issues

60. With the Site Investigation assessed by Environmental Protection Officers, their request for a condition to cover Phase 2 site investigation and completion of any identified mitigation is considered to address potential contaminated land issues that might emerge on the site. The Coal Authority accept the Phase 1 assessment noting

that any additional requirements may be have to be addressed through the Building Regulation process.

61. Likewise, securing the details of the drainage scheme is considered capable of resolution by condition by Drainage and coastal Protection Officers. Northumbrian Water ask for the Site Plan Drainage Layout including discharge rates to be conditioned. A condition to meet both their requirements is appended below.
62. The loss of trees on the site is regretted. The trees are disposed around the site setting a backdrop to the school use. Whilst they are of intrinsic and ecological value, they are not protected and do not provide a level of general public amenity where they would be considered suitable for protection through a Tree Preservation Order. A condition is proposed to retain or replace existing hedging around the site boundaries.
63. Potential disruption to local residents during the build process is not a planning refusal reason – any issues in this regard are more appropriately dealt with through Environmental protection or Highways legislation.
64. Former requirements for Public Art are not considered NPPF compliant and would have further implications to the viability of the scheme.

CONCLUSION

65. In terms of principle, the application site is considered to be in a sustainable location with the development proposed on previously developed, 'brownfield' land. The viability arguments are accepted. The development delivers much needed residential development that both offers the opportunity of supported flexible low income access onto the housing ladder, and self-sustaining development for Registered Social Landlords. Surpluses from the scheme will benefit future Social Housing provision. The core advice in the NPPF is considered to allow this flexibility of approach, and the recommendation below reflects this.
66. Resident's principal concerns relate to highways issues – the applicant has responded positively to requests for detailed changes to the highways layout proposed on the site, with County Highways Engineers having no objections to the proposed additional traffic on the capacity of the existing roads, and the junction onto Plawsworth Road.
67. The usual requirement for open space / play space provision or monies in lieu of such will be dealt with through a reduction of the required amount to the sale price to the applicants – with said monies being transferred by the Council as landowner into a protected fund, ring-fenced for use in the local area, akin to the more usual s.106 procedure.
68. The housing model proposed by the applicants will be secured through the sale mechanism by the Council as land-owner.
69. The residential amenity issues raised and loss of trees have been assessed and are not felt to be of a degree that could sustain a refusal.

RECOMMENDATION

70. That the application be **APPROVED** subject to (a) the County Council as landowner first making arrangements to secure that the residential development of the land will be subject to the Prince Bishops' intermediate housing model; and that £21,000 of the sales receipt will be apportioned to the provision and/or improvement of public open space or play space within the vicinity of the site; and (b) the following conditions/reasons:

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:

- (00)302 Existing Site Plan
- (90)300 Rev.I (Site Layout Plan)
- (00)500 Rev.E 4 Bed House type
- (00)501 Rev.E 4 Bed House type
- (00)511 Rev.C 3 Bed House type
- Drainage Layout Plan 15690/C0002/P1

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with the proportionate weight given to saved Policies HP6, HP9, HP13, T8, T15 and T17 of the Chester-le-Street District Local Plan 2009, and the advice set out in the NPPF and NPPG.

3. Notwithstanding any details of materials submitted with the application the construction of the dwellings shall not commence until details of make, colour and specification of the external 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: To ensure a high quality of design and appropriate visual appearance in the development is obtained in accordance with the proportionate weight given to saved Policies HP6 and HP9, of the Chester-le-Street District Local Plan 2009, and the advice set out in the NPPF and NPPG.

4. Details of means of enclosure shall be submitted to and approved in writing by the Local planning authority before the construction of the unit to which it relates and thereafter constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate.

Reason: To ensure both residential amenity and that a high quality of design and appropriate visual appearance in the development is obtained in accordance with the proportionate weight given to saved Policies HP6 and HP9, of the Chester-le-Street District Local Plan 2009, and the advice set out in the NPPF and NPPG.

5. Prior to the commencement of construction of the approved dwellings' foundations, details of existing and proposed finished land levels on the east boundary of the site where shared with Springside shall be submitted to and approved in writing by the Local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure both residential amenity and that a high quality of design and appropriate visual appearance in the development is obtained in accordance with the proportionate weight given to saved Policies HP6 and HP9, of the Chester-le-Street District Local Plan 2009, and the advice set out in the NPPF and NPPG.

6. In terms of potential contaminated land issues,
Pre-commencement:

(a) A Phase 2 Site Investigation and Risk Assessment is required and shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

(b) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out by competent person(s). No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works.

Completion

(c) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11. (Further information is available under the policy document 'Development on Land Affected by Contamination' and 'Verification Requirements for Cover Systems'.)

7. In terms of drainage issues, the development shall be carried out wholly in accordance with the submitted 'Site Plan Drainage Layout 15690/C0002/P1' and the agreed discharge points into the public sewer & discharge rates contained therein. The floor level of all dwellings must be set a minimum of 150mm above the surrounding topography. Details of all surface water drainage proposals (drawings, calculations, site specific flood risk assessment and requests for consent to connect to or alter a watercourse) for this development should be submitted to the Council as Local planning authority for written approval before the commencement of development. The scheme shall be implemented in full accordance with said approval.

Reason: To ensure that flooding and drainage risks are fully identified and mitigated on the land in accordance with the advice in the NPPF

8. Before development operations on the site are commenced a landscaping plan indicating those trees and hedges on the site to be retained, and a scheme of root protection zones in accordance with the latest British Standard relating to Trees and Development must be submitted to and approved in writing by the Local planning authority. Said approved protective measures must be kept in place throughout the full development process. A full specification must be provided for all proposed new or replacement planting including details of a defined period of future maintenance.

At the same time, implemented in the first available planting season in full accordance with said agreement.

Reason: To ensure a satisfactory form of development is carried out in accordance with Policy HP9 of the Chester-le-Street District Local Plan 2009, and the advice set out in the NPPF and NPPG.

9. No construction operations, including the use of plant, equipment and deliveries, which are likely to give disturbance to local residents should take place before 0800hrs and continue after 1800hrs Monday to Friday, or commence before 0800hrs and continue after 1300hrs on Saturday. No noisy works should be carried out on a Sunday or a Bank Holiday.

Reason: In the interest of residential amenity

STATEMENT OF PROACTIVE ENGAGEMENT

71. The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)

BACKGROUND PAPERS

Submitted application form, plans supporting documents and subsequent information provided by the applicant.

The National Planning Policy Framework (2012)

National Planning Practice Guidance Notes

Chester-le-Street District Local Plan 2009

The County Durham Plan (Submission Draft)

The County Durham Strategic Housing Land Assessment

The County Durham Strategic Housing Market Assessment

County Durham Settlement Study 2012

Statutory, internal and public consultation responses



Sacriston



Planning Services

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Plawsworth Road Infant School
 Plawsworth Road, Sacriston, Durham
 DH7 6QH

Application Number DM/15/02993/FPA

Comments

Date 28th January 2016

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