

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO: 7/2011/0281/DM
FULL APPLICATION DESCRIPTION: Development of former Shafto House Aged Persons Home to provide 19 dwellings.
NAME OF APPLICANT: Gleeson Homes and Regeneration
ADDRESS: Shafto House, Shafto Way Newton Aycliffe, County Durham DL5 5QR
ELECTORAL DIVISION: Aycliffe East

CASE OFFICER: David Walker
Senior Planning Officer
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DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site comprises the land and buildings associated with the former Shafto House Aged Persons Home which closed in August 2010. The existing buildings on site which consist of a mix of two storey and single storey development have been secured to prevent vandalism. There are a number of existing trees within the site and a hedgerow is located along the eastern boundary of site.
2. The site lies to the east of Shafto Way and the remaining three sides are bounded by two storey housing. Vehicular access to the Aged Persons Home is gained from a road to the north of Greathead Crescent and a small car parking area is located to the rear / east of the building.
3. The site is located approximately 475 metres to the east of Newton Aycliffe Town Centre whilst a small parade of shops at Neville Parade are approximately 300 metres to the south. The site is well served by public transport.
4. The application seeks planning permission for the erection of 19 low cost family dwellings. The proposed housing which would be two storeys consists of a mix of semi-detached and detached properties. The layout has been designed so that access for the new housing would be taken from the existing road to the rear of Greathead Crescent. The dwellings would be constructed from brickwork with tiled roofs of a similar colour to the neighbouring properties.
5. This application is supported by a Design and Access Statement, Planning Statement Phase 1 Ecological Survey and Bat Report, Statement of Community Involvement, Tree Survey, Affordable Housing Statement and Geoenvironmental Appraisal.
6. The application is reported to committee as it falls within the definition of major development.

PLANNING HISTORY

7. As outlined above this site was formerly utilised as an Aged Persons Home, however, this site

has not been the subject of any other planning applications of relevance to this proposal.

PLANNING POLICY

NATIONAL POLICY

8. Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning system.
9. Planning Policy Statement 3: Housing sets out the governments policies on housing development. Presumption in favour of development is given for schemes that are on brown field land within existing settlements.
10. Planning Policy Statement 9: Biodiversity and Geological Conservation: sets out planning policies on protection of biodiversity and geological conservation through the planning system.
11. Planning Policy Guidance note 13: Transport sets out the government's policies on transport with particular emphasis on reducing the dependence on the use of the private car.
12. Planning Policy Statement 22 (Renewable Energy) sets out the governments policies on the use of renewable energies

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

REGIONAL POLICY

13. The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.
14. In July 2010 the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when the forthcoming Local Government Bill becomes law, and weight can now be attached to this intension. The following policies are considered relevant.
15. Policy 2 (Sustainable Development) sets out that proposals should seek to promote sustainable development through social, economic and environmental objectives.
16. Policy 3 (Climate Change) sets out the regional policy on contributing to the mitigation of climate change and assisting adaptation to the impacts of climate change.
17. Policy 4 (Sequential Approach to Development) provides that a sequential approach to the identification of land for development should be adopted to give priority to previously developed land and buildings in the most sustainable locations.
18. Policy 7 (Connectivity and Accessibility) seeks to minimize the need to travel by promoting

public transport, travel plans, cycling and walking. Green Travel Plans are encouraged.

19. Policy 8 (Protecting and Enhancing the Environment) seeks to protect and enhance the environment. This in part should be achieved through promoting high quality design in all development and that it should be sympathetic to the surrounding area.
20. Policy 24 (Delivering Sustainable Communities) seeks to ensure that all development within the Region should be designed and located to deliver sustainable communities.
21. Policy 35 (Flood Risk) requires consideration to be given to the flood risk implications of development proposals.
22. Policy 38 (Sustainable Construction) sets out the regional policy to support sustainable construction in planning proposals.
23. Policy 39 (Renewable Energy Generation) requires at least 10% of the energy requirements of development proposals to be met by decentralized and renewable or low carbon sources.

*The above represents a summary of those policies considered most relevant. The full text can be accessed at:
<http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>*

LOCAL PLAN POLICY

24. As this application is located within the former Sedgefield Borough Council area the Local Plan Policies are those 'saved' Policies contained within the Sedgefield Borough Local Plan (1996).
25. Policy D1 General Principles for the Layout and Design of New Developments sets out several key principles for the layout and design of new developments.
26. Policy D2 Design for People requires developments to take account of personal safety and security of property, access needs of users and provision of appropriate facilities such as toilets, baby changing facilities, public seating etc.
27. Policy D3 Designed with pedestrians, cyclists, public transport aims to ensure that new developments are accessible and safe for pedestrians, cyclists, public transport, cars and other vehicles.
28. Policy D5 (Layout of New Housing Developments) sets out principles which should be applied to new housing developments to ensure they provide a safe and pleasant environment in which to live with access routes that are safe and accessible for all users.
29. Policy H19 (Housing for Particular Groups) encourages developers to provide an appropriate variety of house types and sizes including the provision of affordable housing where a need is demonstrated.
30. Policy E15 (Proposals affecting Trees) expects development proposals to retain important groups of trees and hedgerows wherever possible and replace any trees which are lost.
31. Policy L1 (Provision of Open Space) seeks to ensure that sufficient open space is provided to meet the needs of the former Sedgefield Borough.
32. Policy L2 (Open Space in Housing Developments) sets standards for provision of open space and play facilities within new residential developments.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

33. *Great Aycliffe Town Council* has expressed disappointment that no provision has been made for bungalows within the scheme and has noted local residents concern about the lack of parking provision in this area a situation that would be exacerbated by the additional housing proposed. Apart from those observations the Town Council has no objection to the proposal.
34. *The Environment Agency* has made no comment on this proposal.
35. *Northumbrian Water Limited* has no objection to this proposal.
36. *Police Liaison Officer* has commented that the overall crime risk for this development should be low and the site layout was considered acceptable. It was, however, suggested that security for vehicles would be increased were the garages to be increased in width to a minimum of 3 metres to encourage secure parking with internal fencing being further improved.
37. *Highway Authority* has confirmed that the level of car parking provision within the scheme and highway design is deemed acceptable subject to the new access road and abandonment of the existing vehicular access being carried out under the appropriate highway legislation.

INTERNAL RESPONSES:

38. *Environmental Health* has no objection to this proposal but has suggested that the applicant submit a noise and dust assessment to safeguard residential amenity during construction works and that working hours during the construction works be restricted. The Geoenvironmental Appraisal submitted with the application has been checked and found to be acceptable.
39. *Design and Conservation* has stated that although this is a prime residential site with good opportunities to redevelop for residential use this scheme was considered to be unacceptable in its present form. It was felt that the layout should be revised so that the layout presents a stronger building line along Shafto Way and reflects the traditional character of the New Town. It was also felt that the house type design should be improved and simplified the layout revised so that more of the existing trees within the site which contribute to the street scene are retained with more planting encouraged in the prominent front garden.
40. *The Landscape Section* has stated that he is unable to support this proposal. Concern has been raised that the layout has taken no regard to the existing trees on site and it is feared that the loss of tree cover proposed would detrimentally affect the visual appearance of the area when viewed from Shafto Way and the adjacent housing. Concern was also raised that the design and layout should be improved to allow greater planting along Shafto Way and to ensure that the mean of enclosure on the prominent frontages be improved.
41. *Tree Officer* objects to this proposal re-iterating those concerns of the Landscape Officer regarding the layout and proposed loss of trees within the site. It was stated that the tree survey undertaken failed to identify the better trees on site so that the layout can be designed to incorporate these into the development.

42. *The Ecology Section* welcomed that an ecological assessment had been undertaken in respect of this proposal. But a number of concerns were originally raised regarding the methodology used for the bat survey works undertaken. Additional information has subsequently been provided satisfying these earlier concerns. No objection is raised although it is recommended that the mitigation detailed within the supporting ecological report be the subject of a planning condition.
43. *The Low Carbon Section* has stated that this scheme would need to satisfy the RSS requirement of 10% renewable energy within this development proposal.

PUBLIC RESPONSES:

44. This planning application has been advertised via a press notice, the posting of site notices and via direct neighbour notification. As a result one written representation has been received objecting to this proposal.
45. The householder from No. 5 Greathead Close has expressed major concerns regarding the proposed access serving the proposed development. This road lies to the rear of Greathead Close and it has been stated that this is already heavily congested and is potentially dangerous particularly at weekends. It was, therefore, suggested that the development opens out directly onto Shafto Way. If the access is to be taken from the rear of Greathead Close that the road be upgraded to include a pavement on each side of a single carriage road with further designated parking places for the present residents. It was also stated that a number of similar houses are already for sale within Newton Aycliffe and it was suggested that smaller homes suitable for older couples would be more appropriate in this location.

APPLICANTS STATEMENT

46. This proposal seeks planning consent for the residential redevelopment of the former Shafto House Aged Persons Home. The sustainable location of the site and its position within an existing residential area means that it is considered to be entirely suitable for the proposed residential use.
47. The planning application seeks consent for 19 low-cost family dwellings. Given the site area of 0.41 hectares, 19 dwellings would result in a net density of approximately 46 dwellings per hectare (dph). This density is considered appropriate given the location of the site, the type of housing proposed and the nature of existing adjacent housing.
48. The layout has been designed to ensure that the proposed housing interacts well with adjacent development, whilst also creating an attractive environment within the site itself. The properties on plots 1 to 4, at the junction between Shafto Way and Backhouse Walk, face out of the site across a shared driveway. In conjunction with the two detached dwellings at the site entrance off Backhouse Way, this helps to ensure a good level of integration with the site's surroundings. Within the site, the remaining 15 dwellings are laid out around the internal access road. The majority of dwellings are semi-detached, with dedicated parking facilities for each house.
49. In keeping with the majority of nearby housing, all of the 19 proposed dwellings will be two storeys in height. The separation distances between the proposed and existing dwellings will ensure that the development does not have any detrimental impact on adjacent housing with regard to loss of amenity.
50. The proposed layout seeks to retain as many of the existing trees as possible, particularly along the northern and eastern boundaries between the site and neighbouring properties. In addition,

the majority of the existing hedgerow along the eastern boundary is to be retained and managed. Replacement tree planting will take place around the internal access road, as well as along the main site frontage with Shafto Way.

51. In keeping with the relatively modern New Town design of Newton Aycliffe, it is proposed to use a variety of contemporary house designs within the site. The two-storey dwellings will all have pitched roofs with gable ends, and will be constructed using a traditional palette of materials. The dwellings will use uPVC windows, doors and rainwater goods, with detailing to include canopies over the front doors and soldier brick courses to frame the window openings.
52. The proposed garages will reflect the appearance of the houses, being constructed from matching materials and with traditional pitched-roof design. The gardens will be enclosed with a combination of a kick rail fence for the four properties facing the shared access fronting Shafto Way and a 1.8m wall and vertically boarded fencing. With post and wire fencing used to separate the individual plots.
53. Vehicular access to the site will be taken from Backhouse Walk to the south, which in turn links to Shafto Way. Within the site, a total of 34 designated parking spaces are to be provided within the site, with an additional 4 garage spaces provided. The site is in a highly accessible location, being less than 475m from Newton Aycliffe Town Centre and 300m from the local shopping facilities on Neville Parade.
54. With regard to public transport, the bus stops adjacent to the site provide direct services to Newton Aycliffe Town Centre, as well as Darlington and Bishop Auckland.
55. The proposed development will make use of modern building techniques to ensure that the highest standards of construction are achieved. Through a combination of high quality materials and good levels of insulation, the housing will seek to minimise energy use to at least the levels required by Part L of the Building Regulations.
56. In summary it is maintained that throughout the preparation of the scheme for the regeneration and redevelopment of the former Shafto House site, careful regard has been had to issues of design, access and sustainability. As a result the proposals will serve to create an attractive residential development which will integrate with the surrounding area.
57. That this development will improve the character of the area by providing modern forms of low-cost housing, and redeveloping what is currently a derelict and partly vandalized site. Within this context we consider that the proposals accord with the Government guidance relating to design, since it will deliver an opportunity to improve the character and quality of an area in a manner that would protect the amenity of the existing residential area.
58. The overall aim of the design proposals has been to create a modern, diverse, aesthetically pleasing residential environment where the residents will feel a sense of 'belonging' and this will impact positively on the broader community. Furthermore, as set out in the Statement of Community Involvement, the development has the strong support of the local community.

[The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file.](#)

PLANNING CONSIDERATIONS AND ASSESSMENT

59. In assessing the proposals against the requirements of the aforementioned planning policies, and having regard to all material planning considerations the main planning considerations in this case concern the principle of the development, the layout and design of the proposal

including the loss of tree cover, the impacts on the neighbouring properties, access and car parking issues and protected species.

Principle of residential development

59. Planning Policy Statement 1 (PPS1) Delivering Sustainable Development and Planning Policy Statement 3 (PPS3) Housing both seek to facilitate and promote sustainable and inclusive patterns of housing development. The key principles include addressing the causes of potential impacts of climate change by encouraging patterns of development which reduce the need for travel and seeking to make best use of limited resources, such as, building housing at higher densities on previously developed land rather than at lower densities on Greenfield sites.
60. These principles are also supported by a range of policies set out within the Regional Spatial Strategy (RSS) Policies 2, 3, 4, 7 and 24 seek to provide a sequential approach to the identification of land for development giving priority to previously developed land and buildings in the most sustainable locations.
61. The application site is well served by a range of retail, leisure, and community facilities available in Newton Aycliffe Town Centre, many of these facilities are in walking distance. This site is also well served by public transport.
62. The redevelopment of this existing brownfield site, bounded by residential development, for residential purposes therefore accords with sustainable development principles set out in both National and Regional Policy.

Layout and Design

63. PPS1 Sustainable Development states that good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning. It is therefore of key importance that new development should be of a high quality of design.
64. These sentiments are re-iterated in Policy 8 of the Regional Spatial Strategy which seeks to protect and enhance the environment. This in part should be achieved through promoting high quality design in all development and that it should be sympathetic to the surrounding area.
65. Policies D1, D5 and SPG 3 of the Local Plan seek to ensure the layout and design of new developments are in keeping with the surrounding area and achieve satisfactory privacy and amenity of the neighbouring residents.
66. The overriding principles of the design policies of the Local Plan requires new housing development to have an attractive appearance, be durable, function well for their users and be designed to relate well to the surroundings of the site and the landscape setting.
67. Although the applicant has been unable to fundamentally revise the initial layout to safeguard the existing planting fronting Shafto Way modifications have been agreed to the layout and house types to present a more defined building line facing onto Shafto Way and provide an active frontage to those houses facing onto Shafto Way and the highway to the rear of Greathead Close. The number of house types proposed within the site has been reduced with those retained being more akin to the style of the existing terraced housing in this area, as suggested by the Design and Conservation Section.
68. The original means of enclosure have also been revised and additional planting incorporated along the frontage of the site to further improve the visual appearance of the proposed

development.

69. Concern has been raised that the proposed layout does not pay sufficient regard to the retention of key trees within the site which contribute to the visual amenity of the site. Whilst the positive contribution that several of the trees make is acknowledged, however, it should be noted that the trees in question are not protected by a Tree Preservation Order and these could be removed at any time. The applicant has stated that to modify the layout to safeguard the four white beam trees fronting Shafto Way would alter the layout to such a degree that this already marginal site would become wholly unviable. It has, however, been suggested that both on and off site planting could in time help compensate for the loss of these trees and make a valued contribution to the street scene of the area. As such, it has been suggested that a commuted sum be provided to the Local Planning Authority to facilitate off site planting. This suggestion is considered to be an acceptable solution which makes best use of this vacant brown field site whilst also helping to ensure a high quality street scene.
70. Notwithstanding the initial concerns of the Design and Conservation and Landscaping Section it is considered that the improvements negotiated in relation to the siting and design of the proposed housing accords with PPS1,PPG3, RSS Policy 8 and Policies D1 and D5 of the Local Plan. It is also felt that the mitigation of the additional tree planting is satisfactory and the benefits arising from the redevelopment of this vacant brownfield site would outweigh these concerns.

Access and Car Parking

71. The access to the site would be taken from the highway to the rear of Greathead Close, this would be a modified version of the access into the existing Aged Persons Home. Four of the properties would be accessed from a shared access fronting Shafto Way, one property would have an individual access whilst the remaining 14 properties would be accessed by a newly constructed internal access road. The access arrangements proposed are deemed acceptable in highway safety terms.
72. The 19 properties would be served by 34 parking spaces and 4 garages and the Highways Authority has confirmed that the on proposed level of on site car parking is satisfactory.
73. The occupiers of 5 Greathead Close have expressed concern regarding this proposal and the impact that this would have on the road to the rear of Greathead Close which is already congested particularly on an evening or weekend. It was therefore, suggested that either the main access be taken from Shafto Way or that additional parking be provided within the Shafto House site to provide car parking for existing residents.
74. Whilst Officers sympathise with the point made regarding on street car parking it should be noted that the Aged Persons Home itself prior to closure would have generated a significant degree of traffic as staff and visitors to the nursing home competed to use the small car park to the rear of the building. It is therefore considered than the proposed residential development which has been purposely designed to meet modern standards of vehicle ownership would be likely to cause less on street car parking to the rear of Greathead Close than the former Aged Persons Home.
75. Although at the time of writing this report the views of the Highway Authority are awaited in terms of the revised layout no objection was raised regarding the access or car parking arrangements in highway safety terms. It was commented that the works required to create the revised access and close up the existing access to the site and new internal road needed to be constructed to adoptable standards and the nearby road markings being repainted were necessary.

76. In conclusion, bearing in mind that the access and car parking provision on site are considered satisfactory by the Highway Authority and the previous use of this site as a 30 bed Aged Persons Home with restricted on site car parking it is considered that on street congestion arising from this proposal would not be so significant so as to justify refusal of this planning permission.

Privacy and Amenity

77. SPG3: Layout of New Development gives general advice which states that gable walls should be located at least 14 metres from the nearest habitable room window and window to window distances should be in excess of 21 metres. These distances are given as guide only and can be adjusted depending on the characteristics of the site.

78. The application site is bounded by housing on three sides with Creighton Crescent to the north, Backhouse Walk to the east and Greathead Close to the south.

79. Although some of the new housing would be closer than the existing Aged Persons the layout of the housing has also been specifically designed to respect the separation distances outlined within the SPG so as to safeguard privacy between the proposed housing and the existing properties.

80. Bearing in mind that the distances involved comply with SPG3 it is considered that this proposal is acceptable and any loss of residential amenity for existing householders would not be significant.

Mix of Housing

81. In order to promote strong and stable communities, PPS3 seeks provision of a wide mix of housing types and tenure which reflect local conditions and that a high quality of design is achieved in higher density developments.

82. The proposed development contains three house types including 2 & 3 bed semi-detached houses and 4 bed detached houses. This type of housing would help further diversify the housing mix in this area where the majority of the adjacent housing is terraced. It has been stated that Gleeson Homes specialise in providing low cost homes for local people and offer a range of incentives to both promote home ownership whilst also utilising legal covenants to ensure that these properties are not purchased speculatively and then sub let to third parties.

83. Although both the Town Council and one local resident suggested that the development would be suitable for Aged Persons accommodation it is considered that the development costs of the site which include the demolition of the existing building together with the reduction in unit numbers required to accommodate the larger foot print required for single storey accommodation would make this scheme unviable.

84. In respect of this application, it is felt that this proposal provides a suitable mix of housing types and sizes which would help diversify the housing stock available within this area and provide modern low cost homes for purchase by local people.

Affordable Housing

85. The County Durham Strategic Housing Market Assessment (SHMA) report was completed in 2008 and supplies the evidence base for a 20% requirement for affordable housing across the former district of Sedgfield area.

86. However, recent High Court judgments have underlined the need to consider factors such as economic viability in formulating policy targets, in accordance with Government guidance.
87. The applicants have submitted a viability assessment which demonstrated that the inclusion of affordable housing will make their scheme unviable. This has been independently assessed and found to be accurate.

Provision of Open Space and Play Areas

88. Policy L2 of the Borough Local Plan stipulates that housing developments should provide for open space at a minimum rate of 100 sqm of informal play space and 500 sqm of amenity space for every 10 dwellings. Plus a contribution towards the provision of new or improved equipped play areas and outdoor sports facilities to serve the development.
89. PPS3 which is more up to date generally, promotes higher housing densities, and it is rarely possible to meet the standards set out in Policy L2 of the Local plan.
90. To assess the degree of open space that should be provided on this site, due regard has to be given to requirements of PPS3, to current planning policy on open space, and also to the Council's Open Space Needs Assessment (OSNA). Paragraph 16 of PPS3 states that when assessing the design quality of a developer's proposed housing scheme, Local Planning Authorities are to consider the extent to which the proposed development provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies.
91. Whilst the quantity of open space is important it is also important to take into account the location of the existing open space within this settlement, the accessibility of this open space from the proposed development site and the actual needs arising from the development itself.
92. The application site is located within the Shafto St Marys Ward of Newton Aycliffe close to the common boundary with the Neville and Simpasture Ward. The OSNA has demonstrated that the Shafto St Marys is currently under represented in terms Parks and Gardens, Play Space, Semi Natural Green Space and Allotments. Neville and Simpasture being under represented in terms Parks and Gardens, Semi Natural Green Space and Allotments.
93. In this regard the applicant have acknowledged that the proposal to construct 19 dwellings on site would lead to additional demand on recreation and leisure facilities, however, they also point out that this demand needs to be considered in the context of the former use of the site - Shafto House previously accommodated 30 aged persons.
94. The applicants have, therefore, offered to play a commuted sum of £19,000 for use in either upgrading existing recreational facilities or providing off site planting within this area.
95. Bearing in mind the under provision of recreational / amenity open space within this part of Newton Aycliffe it is considered that a contribution of a commuted sum by the developer could be put to good use to either create new facilities or to enhance existing facilities within the area which would be beneficial not only the occupants of the new dwellings, but also the existing residents within this area. As such, this proposal is considered to accord with the provisions of Policies L1 and L2 of the Local Plan.

Impacts on Protected Species

96. As the now vacant Aged Persons Home is to be demolished as part of this proposal it was necessary to consider whether the proposal would have an impact on Bats, which are a species especially protected by law. PPS9 states that Local Planning Authorities need to ensure that developments do not have an adverse impact on protected species.
97. A Reasoned Risk Assessment was submitted with the application so the impacts of the development could be fully assessed and following the submission of additional survey information the Ecology Section are satisfied that the development will not have an adverse impact on any protected species. A condition has been proposed, however, to ensure that the development is carried out in accordance with the mitigation outlined in the risk assessment. This will ensure that the development is carried out in accordance with PPS9.

Energy Efficiency

98. The applicant has acknowledged the need to reduce energy consumption and make use of embedded renewable energy generation, however, detailed arrangements are yet to be prepared in relation to this particular site. As such, it is recommended that a planning condition be attached requiring the submission of details showing how these measures are to be implemented in accordance with Policy 39 of the RSS.

CONCLUSION

99. It is considered that the proposal will constitute the redevelopment of this existing brownfield site in a highly sustainable location that is well served by a range of retail, leisure and community facilities and public transport. The layout and design of the housing and means of enclosure for the development has been improved over that originally proposed and are now deemed satisfactory as are the means of access and car parking arrangements. The proposal will not have an unacceptable detrimental impact on the amenity of neighbouring properties. A commuted sum facilitated by way of a Section 106 agreement is also to be provided for the provision of off site recreational improvements and landscaping.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions and the applicant entering into a Section 106 Agreement in relation to the payment of a commuted sum to provide off site recreation provision and / or off site planting.

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) Planning Layout -	drwg.no.GH5: L: 01 rev.F (scale 1:500@A3)
(A4) Location Plan -	drwg.no.GH5: LOC: 01 (scale 1:1250@A4)
(A3) Soft Landscaping -	drwg.no.GH5: L: 02 rev.B (scale 1:500@A3)
(A3) Boundary Treatments -	drwg.no.GH5: L: 03 rev.B (scale varies@A3)
(A2) 201 -	drwg.no.201/1(B) (scale 1:100@A2)
(A2) 301 -	drwg.no.301/1(C) (scale 1:100@A2)
(A2) 401 -	drwg.no.401/1(B) (scale 1:100@A2)

(A3) Single Garage -	drwg.no.SD701	(scale 1:50 &100@A2)
(A3) Twin Garage -	drwg.no.SD702	(scale 1:50 &100@A2)
(A3) Hipped Twin Garage -	drwg.no.SD705	(scale 1:50 &100@A2)

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

4. Prior to the construction of the first dwelling a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local planning authority. The scheme shall consist of energy from renewable or low carbon sources provided on-site, to a minimum level of at least 10% of the total energy demand from the development, or an equivalent scheme that minimises carbon emissions to an equal level through energy efficiency measures. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to first occupation and retained so in perpetuity.

5 No development shall take place unless in accordance with the mitigation detailed within Section 8 of the Ecological Report (September 2011) including the use of the appended Method Statement submitted with the application including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance and adherence to precautionary working methods.

6. No scrub clearing or tree felling shall be undertaken during the bird breeding season(1 March -31 August inclusive) at any time during the construction phase unless a checking system has been undertaken by qualified ecologist prior to the commencement of works and no active nests are found.

7. Prior to being discharged into any watercourse, surface water or soakaway system, all surface water drainage from parking areas and hardstandings shall pass through an oil interceptor designed and constructed in accordance with a scheme to be submitted to and approved in writing by the Local planning authority.

8.The development shall not commence until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local planning authority. The approved scheme shall be implemented prior to the commencement of the development.

9. Notwithstanding the information shown on the submitted plans the development hereby approved shall not be occupied/brought into use until such time as the existing access to the site has been improved in accordance with a scheme to be submitted to and agreed in writing by the Local planning authority.

10. Before the dwellings hereby approved are occupied the garages, hardstandings and drives shall be constructed in accordance with the approved plans and details, and thereafter they shall be used and maintained in such a manner as to ensure their availability at all times for the parking of private motor vehicles.

11. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated on the approved tree protection plan as to be retained, are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with

BS.5837:2005.

No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree, without the prior written agreement of the local planning authority.

No removal of limbs of trees or other tree work shall be carried out unless approval has been sought and granted by the local planning authority.

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan, without the prior written approval of the local planning authority. Any agreed works must be undertaken in accordance with the National Joint Utilities Group ('Guidelines for planning, installation and maintenance of utility services in proximity to trees'), and BS 5837:2005 'Trees in Relation to Construction'

The tree works hereby approved shall be carried out in accordance with BS 3998 : Recommendations (2010).

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes A and E of Part 1 of Schedule 2 of the said Order shall be carried out.

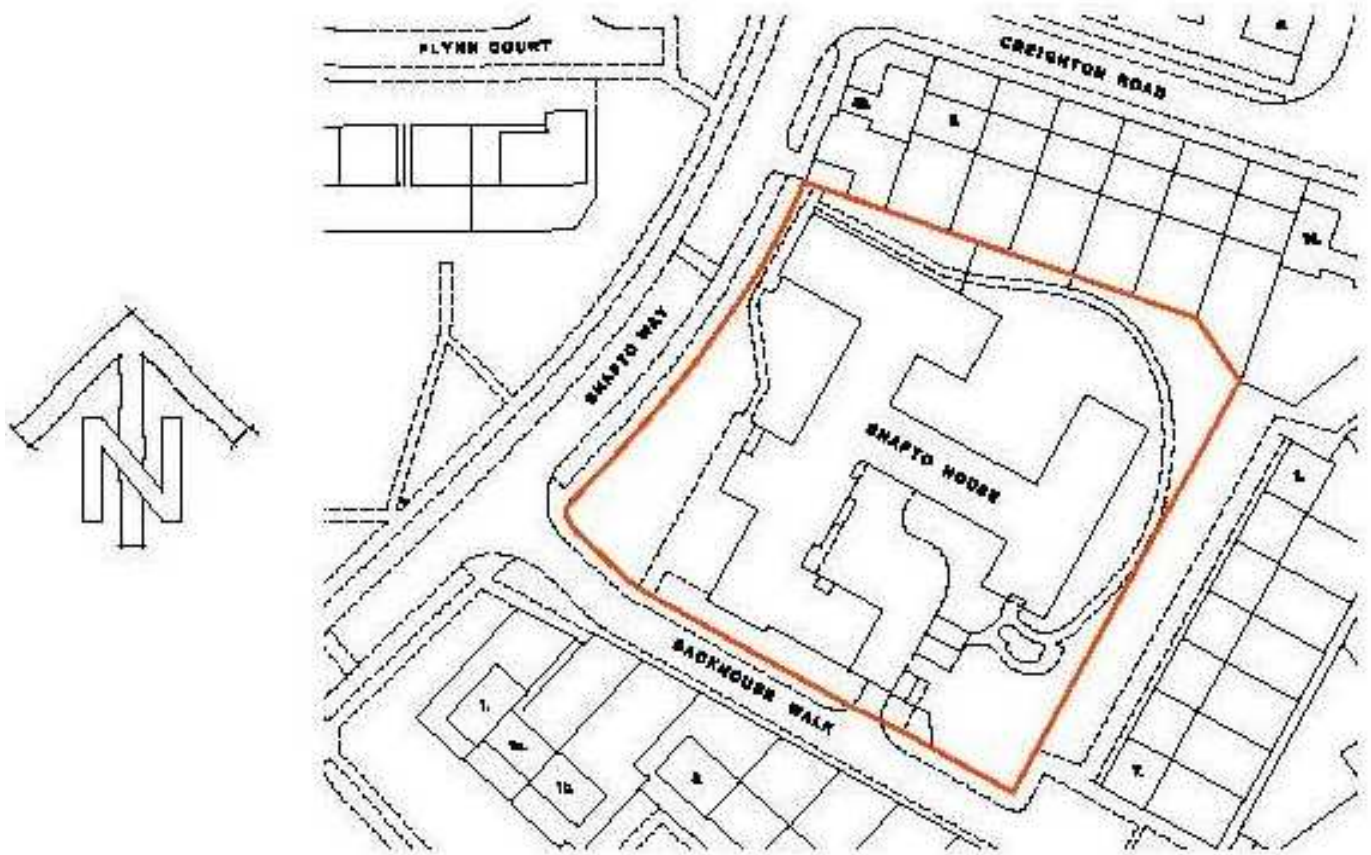
REASONS FOR THE RECOMMENDATION

88. The proposed residential development would represent the efficient and effective use of previously-developed land in a highly sustainable and accessible location, close to local amenities, public transport and educational facilities. The proposals are of an appropriate design, scale, layout and materials which would not result in significant adverse affects upon the residential amenity, fauna, or detriment to highway safety. As such the proposals are considered to comply with of Policies D1, D2, D3, D5, E15, L1 and L2 (which is a saved plan in accordance with the Secretary of States Direction under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004), Policies 2, 3, 4, 7, 8, 24, 38, and 39 of the North East of England Plan - Regional Spatial Strategy to 2021.

Notwithstanding the concerns raised regarding highway congestion in this area it is considered that the proposed development is satisfactory from a highway viewpoint and that the car parking arrangements would improve upon those conditions arising when the site was previously used as Aged Persons accommodation. The positive benefits of the scheme are, therefore, considered to outweigh any local congestion which may arise.

BACKGROUND PAPERS

- Submitted Application Forms and Plans and supporting documents
 - Planning Policy Statement / Guidance notes 1,3,9, 13 and 22
 - Regional Spatial Strategy
 - Sedgefield Borough Local Plan 1996
 - Consultation Responses
 - Public Consultation Responses
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Application No:	7/2011/0281/DM
Location:	SHAFTO HOUSE SHAFTO WAY NEWTON AYCLIFFE COUNTY DURHAM DL5 5QR
Proposal:	DEVELOPMENT OF FORMER SHAFTO HOUSE AGED PERSONS HOME TO PROVIDE 19 DWELLINGS