

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/16/04083/FPA
FULL APPLICATION DESCRIPTION:	New care facility comprising of 10no. 2 Bed apartments with associated amenities (C2) (amended plans received 10/07/2017)
NAME OF APPLICANT:	Raebro Developments
ADDRESS:	Former Dene Valley Primary School, Gurney Valley, Close House, Bishop Auckland
ELECTORAL DIVISION:	Shildon and Dene Valley
CASE OFFICER:	Laura Eden Senior Planning Officer 03000 263980 laura.eden@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The 0.36 ha application site is located to the north of existing residential properties within Gurney Valley an area which forms part of larger group of settlements (Eldon Lane, Coronation, Coundon Grange, Eldon, and Close House) referred to as Dene Valley. The site is predominately brownfield having formerly been occupied by a primary school although there is a section of undeveloped land to the north of the site. The land slopes slightly from east to west and there is a historic access off the C129 Road. The site is enclosed with a variety of different boundary treatments including the original school wall, railings and gates along the road frontage. There are a number of trees within the site primarily located along the northern boundary. Further trees are located along the eastern boundary.
2. An existing property lies to the east of the site with further housing to the south and south west. A tree belt lies to the south east with open countryside to all other sides of the site.

The Proposal

3. Planning consent is sought for a new care facility that would provide 10 no. 2 bedroomed apartments with associated amenities including day lounge, laundry, offices and private gardens. The development comprises of a larger main block and a smaller building incorporating two properties. The buildings would be single storey and constructed from facing brickwork, concrete roof tiles with UPVC windows and heads and cills detailing. Access to the site would be taken from a new point on the C129 and 21 car parking spaces would be provided.
4. There have been amendments to the proposal as the application has progressed which have included moving the buildings further south to create a larger buffer

between the trees to the north, positioning the access road further away from the neighbouring property and additional car parking provision. The site forms part of a larger area of land which could form further phases of the development subject to the grant of planning consent.

5. This application is being reported to Planning Committee at the request of (former) Cllr Pemberton so that the concerns of local residents can be heard.

PLANNING HISTORY

6. There is no relevant recent planning history for the site however it was formerly occupied by a primary school which was demolished in the late 1990s.

PLANNING POLICY

NATIONAL POLICY:

7. 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 dependent.
8. The NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’.
9. The following elements are considered relevant to this proposal;
10. *NPPF Part 1 – Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
11. *NPPF Part 4 – Promoting Sustainable Transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
12. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing application should be considered in the context of the presumption in favour of sustainable development. A wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.
13. *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.

14. *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.
15. *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.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at: <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

Wear Valley District Local Plan (WVDLP) saved policies

16. Policy ENV1 – Protection of the Countryside. Sets out that the countryside should be protected and enhanced, development will only be allowed for the purposes of agriculture, farm diversification, or other compatible uses as defined by local plan policies.
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 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 in Policy GD1 and conforms to the other policies of the plan.
19. Policy H17 - Housing for the Elderly, Handicapped and Disabled – Planning permission will be granted for such proposals provided that the development site lies within the settlement boundary, close to access transport links, that satisfactory conditions are achieved for future occupants and it meets the criteria in Policy GD1.
20. 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.
21. Policy T1 – Highways - Sets out that all developments which generate additional traffic will be required to fulfil Policy GD1 and; provide adequate access to the developments; not exceed the capacity of the local road network; and, 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/article/3272/Wear-Valley-District-Local-Plan>

RELEVANT EMERGING POLICY

The County Durham Plan

22. 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 (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

23. *Highways Authority* – No objection to the development.

24. *Northumbrian Water* – No objection to the development on the provision that a condition relating to foul and surface water drainage is imposed.

25. *Police Architectural Liaison Officer* – The crime risk assessment for this proposal is low. There would be concerns if the existing access was to be used given its proximity to the junction however it is noted that the current proposal intends to move it further eastwards. No concerns are raised regarding the visibility of the new entrance.

INTERNAL CONSULTEE RESPONSES:

26. *Planning Policy* – It is advised that the development would not accord with Policy H3 of the WVDLP as the site lies outside the residential framework for Coundon. This is considered to be a housing supply policy so is not up-to-date in the context of NPPF para 49 and in this instance the proposal should be subject to the planning balance test contained within Paragraph 14 of the NPPF. The proposal will add diversity to housing tenure and makes efficient use of a previously-developed site in an existing urban area. A development of this nature is therefore considered to be acceptable in principle, subject to the acceptability of detailed matters.

27. *Design and Historic Environment Section* – No objection

28. *Children and Adult Services* – No comments received

29. *Ecology* – No objections to the development on the basis that the risk to protected species is low however recommend an informative relating to breeding birds

30. *Environmental Health (Contaminated Land)* – Satisfied with the submitted report and its recommendations suggests a condition is imposed covering the change of use to a more sensitive land use

31. *Environmental Health (noise)* – No objections to the development on the provision that a construction management plan is provided via condition. Suggested that the site access could be located further west away from the adjacent dwelling.

32. *Landscape* – The main features of the site are the existing trees and the roadside boundary. Following amendments to the scheme the proposal is considered to be acceptable although tree protection measures and landscaping scheme need to be detailed.

33. *Arboriculture* - The proposed development site contains several trees which make a positive contribution to the surrounding area. The development has moved further away from the trees to allow an adequate buffer however tree protection measures should be provided via condition.

PUBLIC RESPONSES:

34. The application has been advertised by a press notice, site notice and letters to neighbouring residents. Comments have been received from (former) Cllr Pemberton requesting that the application is heard at committee so that the concerns of local residents can be heard. Two local residents have objected to the proposal and this is a summary of the main points raised:

- Unclear who the end user would be and if this would be the best location for their care/rehabilitation
- The development will increase traffic levels giving rise to highway safety concerns
- Considered that the proposed new access is unsafe
- Insufficient/linked transport links and local amenities
- Concerns that 'phase 2' proposals are not detailed and that discussions with the Council have already taken place. Developing the site in stages is piecemeal development and could be seen as a way to avoid developer contributions.
- Whilst Durham County Council is not the applicant it is currently the owner of the land and therefore will gain financially if approval is granted.
- Concerns that the development will not be entirely built on what was previously developed land and the resultant loss of a portion of land that is greenfield.
- The proposal is contrary to the development plan
- Concerns regarding to the proximity of the access road to the adjacent property and resultant loss of amenity
- Landscape impact
- Impacts on ecology
- Loss of view, outlook and privacy
- Light pollution
- Inadequate consultation
- Considered that the submitted surveys are inadequate
- The proposal does not reflect the marketing information when the land was placed for sale

APPLICANT'S STATEMENT:

35. None received.

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://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

36. 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, impact on the character and appearance of the surrounding area, access and highway safety, residential amenity, and other material considerations.

Principle of development

37. Policy H3 of WVDLP sets out that new development should be located to the towns and villages best able to support it, setting out limits of development. Dene Valley is one of the villages identified in the policy, however the development conflicts with this saved policy being located outside of the residential framework. In turn there is also conflict with policy ENV1 in respect of development in the countryside. Policy H17 of the WVDLP provides support for the provision of residential and nursing homes and other accommodation for the elderly, handicapped or disabled again if they are located within the settlement limits and close to public transport routes.

38. Notwithstanding the above, WVDLP housing policies were based on an assessment of housing need at that time therefore the relevant policies are considered to be out of date in the context of paragraph 14 of the NPPF. This states that 'at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development' and for decision makers this means that where relevant policies are 'out of date' that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies the NPPF as a whole, or specific policies in NPPF indicate the development should be restricted. Consequently, it is considered that in this instance, the proposal should be subject to the planning balance test as contained within Paragraph 14 of the NPPF.

39. Within the Durham County Council Settlement Study (2012) Dene Valley is classified within the Tier 4 – Medium-sized villages grouping and contains among other things small retail outlets, churches, clubs and community centres. Sustainable transport links are considered to be good with bus stops being located within close proximity to the development site. In assessing the sustainability of the site, it is considered that it performs well and future residents would have the opportunity to access a range of facilities and services without the need to utilise the private motor car.

40. Paragraph 111 of the NPPF encourages the effective use of land by using land that has been previously developed. Furthermore, paragraph 50 of the NPPF recognises the importance of helping to create sustainable, inclusive and mixed communities, which offer a choice of housing and lifestyle. It is considered that this development consisting of a predominantly brownfield site providing 10 assisted living units and located adjacent to an existing village with associated amenities and sustainable transport links would accord with the objectives of the NPPF.

41. The site is therefore suitably located and a development of this nature could be acceptable in principle, subject to the acceptability of detailed matters. Clearly, whether any benefits of the proposed development are significant and demonstrably outweighed by adverse impacts can only be considered following an examination of all of the issues within the planning balance.

Impact on the character and appearance of the surrounding area

42. The site is predominantly brown field with retained areas of hardstanding from the former primary school although it includes a wedge of land to the north has remained undeveloped and there are a number of trees located primarily along the northern boundary. The site is not within a locally or nationally designated landscape. Although the site lies outside the development limits, it is not considered to be viewed as part of the open countryside given its previous developed nature and relationship with the surrounding settlement and adjacent existing dwelling. As such it is not considered that re-development of this site would represent an intrusion into countryside. Whilst it would have been preferable for land referred to in earlier plans as 'Phase 2' of the development to have come forward first, this is not being progressed at this time and it is not considered that this alone would render the proposal unacceptable.
43. There is no specific architectural style in the area, however the proposed development is considered commensurate in scale and design with the surrounding developments. The former primary school was low rise and the provision of the single storey properties is considered acceptable and a condition can be imposed to secure details of final materials. The existing boundary wall would be made good and repainted with new piers to replicate to the existing being created at the revised access point. As such no design objection is raised to the proposal.
44. The buildings have been moved further away from the existing tree belt to the north which allows for a greater proportion of the previously undeveloped land to be retained and help to safeguard the future of the existing trees. On this basis neither the landscape nor arboricultural section raise any objection to the scheme subject to appropriate conditions. These would relate to a hard and soft landscaping scheme in addition to tree protection measures.
45. Overall it is considered that development of the site could be achieved without causing significant harm to the character and appearance of the surrounding area, in accordance with policies GD1 and H24 of the WVDLP and NPPF objectives in Part 7.

Access and Highway Safety

46. WVDLP policies GD1 and T1 require that development proposals achieve a satisfactory means of access onto the wider highway network as well as protecting highway safety in addition to adequate parking facilities. These policies are considered compliant with the NPPF Part 4. The NPPF advises at paragraph 32 that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
47. An appropriate means of access and internal arrangements have been secured in consulted with the Highways Authority. Car parking provision is considered to be adequate for the quantum of development proposed. Furthermore, the site is within close proximity of a bus stop and covered cycle storage is proposed to encourage cycling. On this basis no objection to the development is raised by the Highway Authority.
48. The Police Architectural Liaison Officer similarly raises no objection given the new site entrance is to be moved further away from the road junction and has no concerns regarding the visibility of the new entrance.
49. Overall it is considered that the development would not adversely impact on the highway safety and capacity of the surrounding road network. There is no conflict with WVDLP policies GD1 and T1 or NPPF Part 4 in this respect.

Residential amenity

50. One of the twelve core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. WVDLP policies GD1, H17 and H24 require that satisfactory levels of amenity and privacy are achieved for both the new dwelling and existing adjacent dwellings. Minimum separation guidelines of 21m between facing principal elevations, 15m between principal and gable elevations. The policies are considered to be in accordance with the intentions of the NPPF.
51. The proposed layout achieves the aforementioned distances both internally and externally therefore it is not considered that any significant issues in terms of overshadowing, overlooking or overbearing impact would arise. Each of the new properties would benefit from private amenity space and an attractive outlook.
52. The Environmental Health Section has highlighted the potential for disturbance during the construction period, however this would be a relatively small scale development with short lived impacts. Conditions to control construction hours would be sufficient mitigation in this case. Whilst colleagues initially queried the proximity of the access road to the adjacent dwelling it is not considered that an objection could be sustained on these grounds on the basis that the site lies next to the C129, the site's previous use and proposed noise mitigation measures.
53. The neighbouring resident at no. 80 Gurney Valley has made a number of written representations including one on his behalf from his solicitor outlining his concerns regarding the development. Whilst these concerns are noted it is not considered that the level of amenity that is currently enjoy would be significantly compromised to an extent that would warrant refusal of the application. Given the separation distances are in excess of 50 metres it is not considered that the development would give rise to issues of overshadowing, overlooking or overbearing impact. It is not considered that light pollution arising from the development would be significant. Furthermore, loss of a view is not a material planning consideration.
54. There is no conflict with WVDLP policies GD1, H17 or H24 in this respect.

Other Issues

55. The submitted Phase 1 Contaminated Land Report makes recommendation for further Phase 2 Site Investigation including gas monitoring. The Contaminated Land Section is satisfied that this can be dealt with by a condition.
56. The site lies within an area defined as being at low risk from former coal mining activity therefore a standard informative would be imposed.
57. The Ecology Section consider that the risk to protected species is low therefore they have no objection however recommend an informative with regards to breeding birds.
58. The site is not in an area at risk from flooding and does not constitute major development therefore there is no requirement to consult the Local Lead Flood Authority. The detailed drainage scheme can be conditioned for further approval in conjunction with Northumbrian Water.
59. Whilst letters of objection have been received from two local residents the majority of the issues raised have been addressed within earlier sections of the report. Each

planning application must be determined of its merits therefore it is not relevant if the proposal does not reflect marketing information associated with a land sale. It is considered that the reports submitted in support of the application have been sufficient to allow officers to make a thorough and detailed assessment of the proposal. Furthermore, a public consultation exercise has taken place in the form of press and site notices in addition to direct neighbour notification letters in accordance with statutory requirements. No adverse impacts have been identified which would warrant refusal of the planning application.

CONCLUSION

60. The acceptability of the application falls to be considered under the planning balance test contained within Paragraph 14 of the NPPF and therefore in order to justify the refusal of planning permission any adverse impacts of a proposed development need to significantly and demonstrably outweigh any benefits.
61. In this instance the development would provide public benefits, the most significant of which, would be the provision of assisted living accommodation which broadens the range of housing options. It would also contribute towards the redevelopment of a predominately brownfield site and deliver some economic benefits from construction.
62. Overall, the proposal is considered to represent a sustainable form of development which offers significant socio-economic benefits in a sustainable location with access to services and via sustainable modes of transport. The scheme would relate well to the character and appearance of the area and is acceptable in all other respects subject to the imposition of conditions.
63. All representations have been carefully considered, however there have been no adverse impacts identified which would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole, and there is no conflict with the relevant policies of the WVDLP and NPPF.

RECOMMENDATION

That the application is **APPROVED** subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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. The development hereby approved shall be carried out only in accordance with the approved plans, specifications and conditions hereby imposed.

Phase 1 Desk Top Study Report by ARC Environmental dated 31/01/2017
Drg. no. AL(0)10 Rev. A Location plan received 11/07/2017
Drg. no. AL(0)11 Rev. C proposed site plan received 11/07/2017
Drg. no. AL(0)12 Rev. A Elevations received 11/07/2017
Drg. no. AL(0)13 Rev. A Roof plan received 11/07/2017
Drg. no. AL(0)14 Rev. A Proposed GA plans received 11/07/2017
Cycle Shelter detail received 08/08/2017

To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies GD1, H17, H24 and T1 of the Wear Valley District Local Plan.

3. Notwithstanding any details of materials submitted with the planning application, no development shall commence on the erection of the care facility until full details and samples of external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies GD1, H17 and H24 of the Wear Valley District Local Plan.

4. Notwithstanding the details shown on the approved plans, no development shall commence on the erection of the care facility until precise details of all new fenestration, glazing, heads and cills have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies GD1, H17 and H24 of the Wear Valley District Local Plan.

5. No development shall commence until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

6. No development shall commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The full scheme, both pre-commencement and completion shall include the following, unless the Local Planning Authority confirms in writing that any part of sub-sections a, b, c or d are not required.

Throughout both the pre-commencement and completion phases of the development all documents submitted relating to Phases 2 to 4 as detailed below shall be carried out by competent person(s) and shall be submitted to and agreed in writing with the Local Planning Authority before development commences.

Pre-Commencement

(a) Phase 2 Site Investigation and Risk Assessment is required to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. Prior to the Phase 2 a Sampling and Analysis Plan is required.

(b) If the Phase 2 identifies any unacceptable risks, a Phase 3 Remediation Strategy detailing the proposed remediation and verification works is required. If gas protection measures are required a verification plan is required detailing the gas protection measures to be installed, the inspection regime and where necessary integrity testing programme. The installation of the gas membrane should be carried out by an appropriately qualified workforce and the verification of the installation should be carried out by an appropriately competent, experience and suitably trained person(s) (preferably independent to the installer) to ensure mitigation of the risk to

the buildings and the people who occupy them. No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority.

Completion

(c) During the implementation of the remedial works (if required) and/or development if any contamination is identified that has not been identified pre-commencement, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be carried out in accordance with part b of the condition and where necessary a Phase 3 Remediation Strategy shall be prepared in accordance with part c of the condition. The development shall be completed in accordance with any amended specification of works.

(d) 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. If integrity testing of the membrane(s) was required a verification pro forma should be included.

Reason: The site may be contaminated as a result of past or current uses and/or is within 250m of a site which has been landfilled and the Local Planning Authority wishes 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 in accordance with NPPF Part 11.

7. In undertaking the development that is hereby approved:

No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

Reason: In order to prevent noise disturbance in accordance with Policy GD1 of the Wear Valley District Local Plan.

8. No development work shall take place until all trees and hedges are protected by the erection of fencing and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar in accordance with BS 5837:2012. Protection measures shall remain in place until the cessation of the development works.

Reason: In the interests of the visual amenity of the area having regards to Policies GD1 of the Wear Valley District Local Plan and Parts 7 and 11 of the NPPF.

9. Prior to the commencement of works on the erection of any care facility a detailed landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority.

No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above.

Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats.

The landscape scheme shall include the following:

- Any trees, hedges and shrubs scheduled for retention;
- Details soft landscaping including planting species, sizes, layout, densities, numbers;
- Details of planting procedures or specification;
- Finished topsoil levels and depths;
- Details of temporary topsoil and subsoil storage provision;
- The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.
- The provision of any fences/enclosures or works to existing
- Full details of any regrading or alteration of levels on the site.
- Full details of the surfacing/hard standing proposed

The approved landscaping scheme shall be implemented and completed in accordance with the approved details in the first planning season following the substantial completion of the development. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area having regards to Policies GD1 of the Wear Valley District Local Plan and Parts 7 and 11 of the NPPF.

10. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, (or any Order revoking or re-enacting that Order with or without modifications), the premises shall be used for C2 use only.

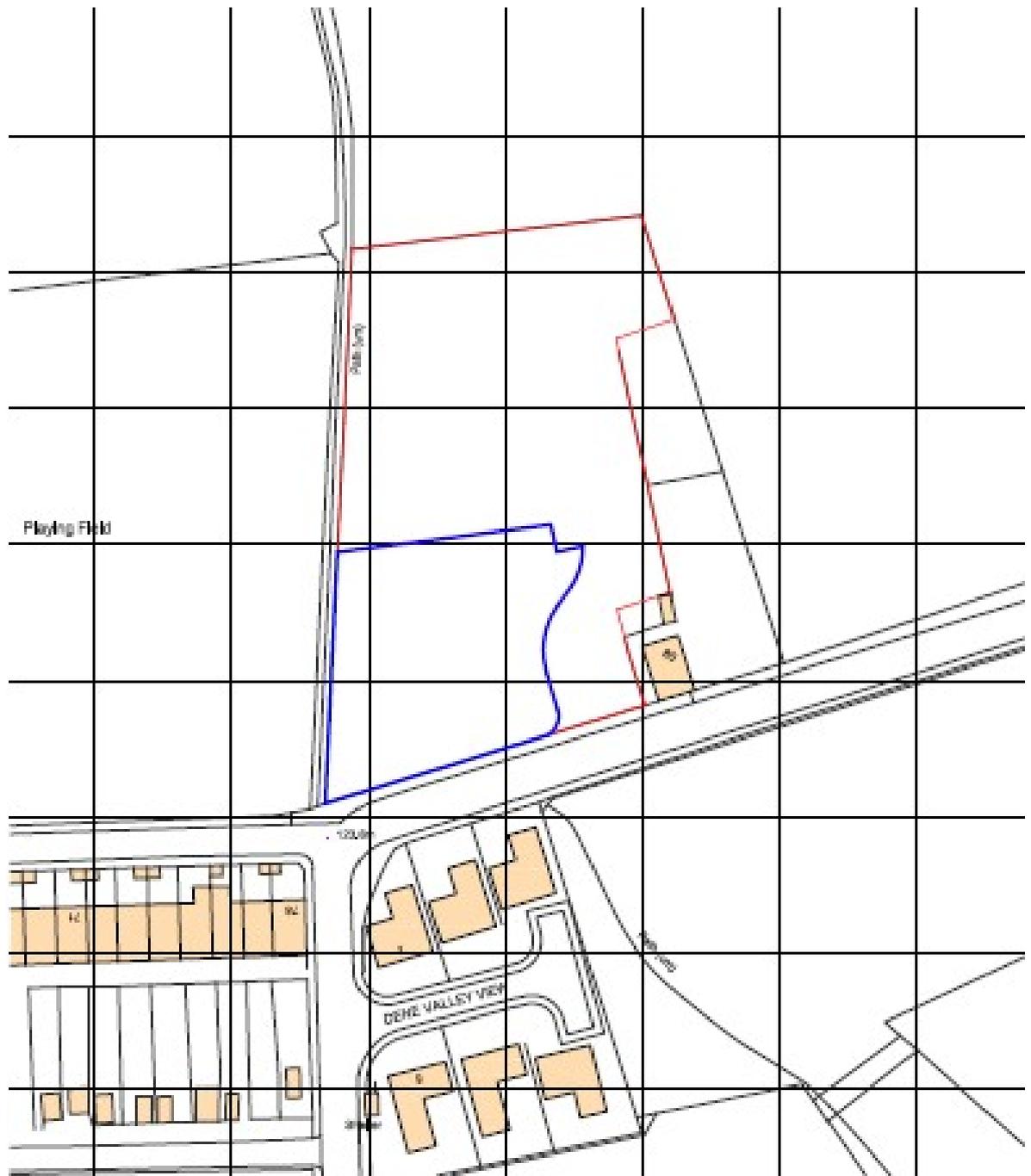
Reason: To define the consent and in order that the Local Planning Authority may exercise further control.

STATEMENT OF PROACTIVE ENGAGEMENT

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. Pre-commencement conditions have only been used where details are required at the start of the development process. (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
- Wear Valley District Local Plan
- Evidence Base Documents
- Statutory, internal and public consultation responses



Planning Services

New care facility comprising of 10no. 2 Bed apartments with associated amenities (C2) (amended plans received 10/07/2017)

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Former Dene Valley Primary School, Gurney Valley, Close House, Bishop Auckland
Ref: DM/16/04083/FPA**

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Date
21st September 2017

Scale
Not to scale