

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/17/01959/OUT
FULL APPLICATION DESCRIPTION:	19 self build plots with details of layout and access (outline)
NAME OF APPLICANT:	LCC Bell Development Ltd
ADDRESS:	Dunelm Stables, rear of Dunelm Road, Thornley
ELECTORAL DIVISION:	Trimdon and Thornley
CASE OFFICER:	Barry Gavillet, Senior Planning Officer, barry.gavillet@durham.gov.uk 03000 261958

DESCRIPTION OF THE SITE AND PROPOSALS

Site:

1. This application site lies outside of the settlement boundary of Thornley as defined in the District of Easington Local Plan. The overall extent of the site is approximately 4.09 hectares however the portion of the site to which this application relates is approximately 1.1 hectares. The site is to the south western edge of the settlement and was previously used for horse stabling and a private trotting track but is now vacant. To the north of the site are residential properties and Dunelm Road from where the access would be gained, to the south and east of the site is open countryside with new residential development further to the west.

Proposal:

2. Outline planning permission for 13 self build plots with details of the access and layout has already been granted on this site for residential development earlier this year, albeit on a slightly smaller footprint. The indicative drawings now show 19 self-build dwellings accessed off Dunelm Road to the north with an opportunity to link with a potential larger development on land to the west. The larger site of the former Dunelm Stables extends to the west and this, along with the current application site was assessed as being suitable for housing in the Councils Strategic Housing Land Availability Assessment (SHLAA), however the western part of the site is not subject to this planning application.
3. As discussed, the layout shows 19 detached dwellings which would be accessed from a new road off Dunelm Road to the north of the site. This access would involve the demolition of 84 Dunelm Road in order to create a suitable road width and visibility splay. The dwellings would all have front and rear garden areas along with garaging or off-street parking, The layout has been designed in such a way as to provide access to the west of the site to the remaining area of the former Dunelm Stables for further residential development in the future should this come forward.

4. This application is being reported to committee as it is classed as a major application.

PLANNING HISTORY

5. DM/16/02578/OUT - Residential development for 13 self build dwellings (outline) with details of access and layout. Approved.

PLANNING POLICY

NATIONAL POLICY:

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), 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.
7. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.

The following elements are considered relevant to this proposal;

8. NPPF Part 1 – Building a Strong and Competitive Economy. The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
9. 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.
10. 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.
11. 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.

12. 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.
13. NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change. Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.
14. 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:

District of Easington Local Plan

15. Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.
16. Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.
17. Policy 18 - Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.
18. Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
19. Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
20. Policy 37 - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).

21. Policy 66 - Developers will be required to make adequate provision for children's play space and outdoor recreation in relation to housing development of 10 or more dwellings. Provision may be secured elsewhere if it is inappropriate to make provision at the development site.

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 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. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight at the present time.

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:

23. None.

Internal Consultee Responses:

24. Highways officers have no objections subject to conditions requiring the construction of the access before construction works start on site and a requirement for suitable drive lengths.
25. Tree officers have no objections to the proposals.
26. Landscape officers have no significant concerns, a landscape scheme would be submitted as one of the reserved matters.
27. Education officers state that there are sufficient primary and secondary school places to accommodate the development.
28. Archaeology officers have stated that the trial trenching work carried out is acceptable and that no further work is required.
29. Ecology officers have no objections to the proposals and consider the demolition of 84 Dunelm Road to be of low risk to bats.
30. Environmental Health have requested a contaminated land condition.

Public Responses:

31. Northumbrian Water have no objections subject to a condition relating to foul sewage and surface water drainage.
32. 7 letters have been received from members of the public. One is a letter of support stating that the development would lead to investment in the village, that the village has a good choice of facilities and transport links and that individuals would be interested in purchasing a self build plot. Six letters of objection have been received, The main areas of concern are that the development would lead to an increase in traffic creating congestion and highway safety problems, particularly with regard to the nearby junction onto the B181. There is another specific concern from the residents of the properties close to the dwelling which is proposed for demolition in order to create the access. There are concerns that this would lead to noise and disturbance and that the demolition could lead to structural problems with their properties.

Applicants Statement:

33. The application submitted is to provide 19 No self build sites for individual self builders who want to design and build their own homes on fully serviced building plots.
34. The application is a revised enlarged site area from the previously submitted and approved scheme for 13 self build plots and the subject of planning application reference DM/16/02578/OUT. The above scheme was subject to a 106 agreement which has not been entered into, in the full knowledge that an enlarged scheme was to be submitted, and then a 106 agreement appertaining to the site to be constructed will be entered into, following approval of the same.
35. The land is located within the existing village of Thornley and has access to local facilities for shopping, doctors surgeries, chemist, and post office. The site is in proximity to a local bus routes, and Thornley is well served from public transport providing access to Durham City and Peterlee the major towns within the area and the wider village communities.
36. The proposal also satisfies the government's aspiration to double the number of custom and self build schemes by 2020, the proposal will also satisfy the requirement for the local authority to retain a register of individuals and associations who express interest in acquiring self build plots to build their own homes.
37. The site construction will provide all necessary infrastructure to the building plots, providing roads and footpaths to accord with county highway specifications, and will provide sufficient additional visitor parking within the site layout, again to comply with highways requirements.
38. The sites will also be fully serviced with electric, gas, water, drainage etc.
39. We have identified the build area of proposed dwelling footprints on the submitted plans, and provided a guide to individual design parameters, to enable some design guidance to the individual self builders and to attempt to control housing design without being too restrictive to individuality.

40. The outline proposal seeks permission for the new access and the estate layout with all other matters reserved for future planning applications.
41. The proposal provides a new access from Dunelm Road, which will be facilitated by demolishing the existing dwelling house situated at number 84 Dunelm Road Thornley, which we currently own, and therefore this improvement can be facilitated.
42. The site had been included within the SHLAA report for development of housing, and no significant local changes to the area or environment have been made, over the time period lapsed from the production of this report , and whilst it is accepted that this is no longer a working reference document similar to that of the Easington Local plan, which is also now expired but did support the principal of housing on this site, it is suggested that the past local plans should provide some weight of support for the current application.
43. The future plans are to extend the housing into the remaining 10 acres or thereabouts for private housing comprising 2,3,and 4 bedroom properties, all fully serviced with an approximate density of around 80 units. The scheme will provide sustainable homes well located within the commuter belt of Durham City, and having good access to the region's main truck roads of A1M and A19 affording good access to the south and north.
44. The proposal will also provide open green landscaped space, and the infrastructure therefore brings environmental enhancement. It is hoped that the surface water drainage design will incorporate grey water recycling and specialist consultants will be appointed to advise on this matter.
45. The above are our brief comments and provide our thoughts in relation to the scheme, and the reasons why we consider that this scheme proposal should receive the full support of committee, and to ratify the recommendation for approval submitted by the planning department and its officers along with their consultees, to which we understand also have no objections to the proposal.
46. We trust our application will receive the full support of members and we will be in a position to progress the development to the benefit of both the local and wider area.

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://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=10/00955/FPA>

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, layout, highways issues, developer contributions and public responses.

Principle of the development

The Development Plan

48. Planning permission has recently been granted on the site for 13 dwellings and this permission is still extant and so the principle of development has already been established, albeit on a slightly smaller site. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The District of Easington Local Plan (DLP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However, the NPPF advises at Paragraph 215 that local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF.
49. The DLP was adopted in December 2001 and was intended to cover a five year period. However, NPPF Paragraph 211 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired depending on the circumstances. This outline application proposes a scheme of 19 dwellings with associated access on land extending from the southern and western boundary of Thornley. This site lies outside the settlement boundary of Thornley as defined in the District of Easington Local Plan. Sites located outside settlement boundaries are treated as being in the open countryside, and there is a general presumption against allowing development beyond a settlement boundary (Saved Policy 3). Consequently, in strict planning terms the development of the site for housing would be in conflict with Saved Policy 3 of the Local Plan. However, only limited weight can be afforded to saved policy 3 because it must be considered to be out of date.
50. Saved Policy 35 requires the design and layout of new development to reflect the scale and character of adjacent buildings and the area generally, particularly in terms of site coverage, height, roof style, detailed design and materials. Schemes should provide adequate open space, appropriate landscape features and screening (where required) and development should have no serious adverse impact on the amenity of people living and working in the vicinity of the development site and the existing use of adjacent land or buildings in terms of privacy, visual intrusion, noise, other pollutants and traffic generation.
51. Saved Policy 36 requires the design and layout of development to provide safe, attractive and convenient footpath and cycleway links between the housing and shopping facilities, schools, public transport facilities, leisure facilities and places of employment where appropriate.
52. Saved policy 66 requires developers to provide adequate provision for children's play space and outdoor recreation open space in relation to new housing developments of 10 or more dwellings.
53. Subject to matters of access and layout discussed below, the site has scope to accord with the detailed requirements of saved policy 35 related to design, saved policy 36 relating to access and means of travel, and to the objectives of saved policy 66 relating to the adequate provision of recreational open space.

54. Paragraph 14 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise):
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - i) 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
 - ii) specific policies in this Framework indicate development should be restricted.
55. Paragraph 47 of the NPPF requires Local Planning Authorities (LPAs) to maintain a five-year supply of deliverable sites (against housing requirements) thus boosting the supply of housing.
56. Paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development and relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites. In turn where a five year supply of deliverable housing sites cannot be demonstrated then Paragraph 14 of the NPPF is engaged, and an application is to be assessed in this context.
57. However, Paragraph 14 of the NPPF is, irrespective of the position on housing land supply, relevant to this application as policies for the supply of housing within the DLP are out-of-date where outlined below.

Five Year Housing Land Supply

58. The NPPF states that housing applications should be considered in the context of a presumption in favour of sustainable development and that if the Council cannot demonstrate a five year housing land supply, then housing policies in a Local Plan cannot be considered up to date.
59. In June 2016 consultation was carried out on the County Durham Plan Issues and Options, which presented three alternative assessments of housing needs, each based on average net completions up to 2033 (the end of the proposed plan period), these being:
- 1,533 dwellings per annum (29,127 houses by 2033)
 - 1,629 dwellings per annum (30,951 houses by 2033)
 - 1,717 dwellings per annum (32,623 houses by 2033)
60. As of April 2017 the Council considered that it had a deliverable supply of 10,234 (net) new dwellings for the next 5-year period. Set against the lowest need figure the Council took the position that it could demonstrate a supply of 4.91 years of deliverable housing land, against the middle figure around 4.51 years' worth supply and against the highest figure, 4.20 years of supply.

61. Whilst none of the three scenarios within the Issues and Options were publicly tested, they served to demonstrate that set against varying potential figures, the Council had a relatively substantial supply of housing at that time.
62. However, on 14 September 2017, the Government published a consultation document entitled "Planning for the Right Homes in the Right Places". That consultation introduced a standard methodology for calculating housing need. Applying that methodology for County Durham, the housing need figure would be 1,368 dwellings per annum. On that basis, the Council would therefore be able to establish a supply of housing land in excess of 5 years.
63. Case law indicates that the boost to housing supply is a material planning consideration which should be factored into the planning balance test under Paragraph 14.
64. Given that the most up to date OAN methodology is contained within a consultation draft only and the very recent publication of that document, the Council is yet to formalise its position on the issue of 5 year land supply. In the interim period until it does so, it is considered that the three scenarios identified in the Issues and Options stage can no longer be relied upon and accordingly, the weight to be given to any benefits a housing proposal might have in terms of the boost to housing supply ought to be less than if the Council were to continue to rely upon the Issues and Options scenarios where a 5 year supply could not be demonstrated.

Summary

65. The application site is on the edge of the built up area of Thornley, visible from the main road but partially screened by a row of mature trees. Since the recent development of the site to the west, development of this site would consolidate the existing settlement, creating a clear edge adjacent to an existing public footpath. Thornley is identified as a medium sized village in the County Durham Settlement Study and has a range of community facilities including shops, a school and retail units along with a good bus service.
66. The proposed housing site would extend southwards and westwards from Thornley into an area of open land which forms part of Dunelm Stables. This site forms part of a larger area of land, bounded by a public footpath to the south, which was assessed in the Councils Strategic Housing Land Assessment in 2013 and has a suitable (green) classification (SHLAA Ref 5/TH/06). Whilst this does not predetermine the outcome of any future planning application, it does suggest the larger site has the scope to satisfactorily accommodate new housing development. It is not considered that the development of the site would prejudice the future allocation or development of the remainder of the larger SHLAA site.
67. This outline application relates only to a part of the proposal assessed in the SHLAA, it represents a more modest housing proposal. It is a sloping site which is visible from the main road with a public footpath running along its northern edge. Both the larger site assessed in the SHLAA and also this smaller site is screened in the broader landscape by mature tree planting. There is established residential development to the north and east of the site and this modest scheme would form a coherent extension to the existing settlement. The site has reasonable access to a range of necessary facilities and services to meet daily needs, also helping to reinforce those that exist.

68. Applying paragraph 14 of the NPPF, the proposal represents sustainable development and there are no policies in the framework which restrict the proposal. Although less weight can be given to the boost of housing supply, the proposals would deliver self build dwellings, contributions toward play space and affordable housing. Therefore it must be approved unless any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits. Officers do not consider that there are any such disbenefits but it is appropriate to carry out this balancing exercise after consideration of all other planning matters set out in this report.

Layout

69. In terms of the impact on the amenity of existing residents who surround the site the distancing standards as set out in the District of Easington Local Plan are adhered to in all instances. There are some instances within the site where these standards are not met but these are considered minor and could be rectified when the reserved matters application is submitted. These standards state that a minimum of 21 metres between main elevations facing each other and 13 metres between main elevations and gables should be achieved in order to ensure there are no adverse impacts in terms of overlooking, loss of privacy, loss of light or overshadowing.

70. Details of appearance, scale and landscaping must be submitted with any future reserved matters application and therefore officers will have additional control over matters such as privacy, overshadowing etc. However on the basis of the layout plan provided, it is considered that the proposals would lead to a good quality housing scheme which would ensure adequate amenity space for existing and future residents. On balance, having regards to part 7 of the NPPF and the most applicable Policies of the District of Easington Local Plan officers raise no objections to the proposed layout having regards to the impact upon surrounding residents and character and appearance of the area.

Highways Issues

71. As noted earlier in the report, access to the site would be off Dunelm Road to the north which would be facilitated by the demolition of 84 Dunelm Road. Highways officers have commented that the new access is acceptable and the standard of car parking provision deemed to meet the minimum requirements outlined in Durham County Council's residential Car Parking Standards. It is noted however, that the new access from Dunelm Road to the site entrance would need to be constructed and ready for use before any other development is carried out. This would ensure that the site entrance would be suitable for construction traffic.

72. Highways officers offer no objections to the proposals subject to a condition requiring completion of the site entrance and a condition requiring suitable drive lengths. Therefore it is considered that with regard to highways issues that the proposals are in accordance with part 4 of the National Planning Policy Framework and saved Policies 36 and 37 of the District of Easington Local Plan.

Developer contributions

Recreation

73. Saved policy 66 of the District of Easington Local Plan states that developers will be required to make adequate provision for children's play space and outdoor recreation in relation to housing development of 10 or more dwellings. Provision may be secured elsewhere if it is inappropriate to make provision at the development site. On this basis the applicant has agreed to make a financial contribution of £500 per dwelling towards the provision or improvement of offsite recreation in the electoral division of Trimdon and Thornley.

74. The NPPF states that, in order to ensure a wide choice of high-quality homes, Local Planning Authorities should “plan for a mix of housing”, “identify the size, type and tenure of housing that is required in particular locations”, and “where affordable housing is needed, set policies for meeting this need on site”.
75. The County Durham Strategic Housing Market Assessment (SHMA) report was updated in 2016 and supplies the evidence base for 10% affordable housing across the East Durham Delivery Area (on sites of 15 dwellings/0.5 hectares), while the NPPF (Para 159) makes plain the importance of the SHMA in setting targets. The SHMA and the NPPF therefore provide the justification for seeking affordable housing provision on this site, which should be secured via S106 agreement.
76. Given that the site will be made up of self build plots (which themselves are in high demand) it is not considered appropriate to provide affordable housing on site. The applicant has agreed to provide a financial contribution of £89,151 toward offsite affordable housing in the Electoral Division. This figure has been calculated by the Councils Housing Development Team and is the equivalent of 10% affordable housing on site (or 2 units). Therefore the proposals are considered to accord with the requirements of the SHMA.

Public Responses

77. The main areas of concern are that the development would lead to an increase in traffic creating congestion and highway safety problems, particularly with regard to the nearby junction onto the B181. There are also concerns that the proposal would lead to a loss of view and privacy and that there are not enough facilities in the area to sustain the development. As detailed above, there are no highways concerns regarding the proposed development, no concerns regarding outlook and privacy and colleagues in spatial policy have confirmed that the village has adequate services and facilities to serve the relatively small proposed development. Should further applications be submitted in the future for the remainder of the former Dunelm Stables site to the west then these would be assessed on their own merits, taking into account the cumulative impact of new development.
78. As noted above, letters of concern have been received from properties close to the house which is proposed to be demolished to facilitate the access. It is acknowledged that this would lead to some noise and disturbance, and therefore a condition is proposed to ensure any demolition work is carried out during normal working hours in order to limit any noise and disturbance to the neighbour. Any impact upon the structural integrity of a neighbour's property is a civil matter between them and not something which weight can be afforded to in the determination of this application.

Paragraph 14 balancing exercise

79. Given that no adverse impacts arising from the proposal have been identified, and there are no specific policies in the Framework which indicate that the development should be restricted, it follows that in accordance with paragraph 14 of the NPPF, planning permission should be granted.

CONCLUSION

80. The proposed housing scheme extends beyond the edge of built development into open land forming part of Dunelm Stables to the south and west of Thornley. The Local Plan does not include up-to-date saved policies against which to assess the acceptability of this location for housing development. In the context of paragraph 14, there are no adverse impacts that would significantly outweigh benefits, the site is modest in scale and extends into a sloping area of landscape which is already partially screened by mature tree planting, the proposal is adjacent to established residential areas to the north and west and would form a coherent extension to the settlement and there is a reasonable range of facilities and services in the settlement to serve the development. The site is considered to be in a sustainable location with a suitable access and layout and is therefore recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 legal agreement to secure a financial contribution of £500 per dwelling towards recreational facilities and £89,151 toward affordable housing in the Electoral Division and subject to the following conditions;

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Approval of the details of the scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved shall be carried out only in accordance with the approved plans and specifications contained within:

Proposed site layout plan 5321 Rev 7A received 26.9.2017
Existing and proposed access plan 5321 Rev 6 received 9.6.2017

Reason: To meet the objectives of saved Policies 1, 35 and 36 of the Easington District Local Plan and parts 1 and 4 of the NPPF.

4. No development shall commence until a scheme for the disposal of surface and foul water from the development hereby approved has been submitted and approved by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and in accordance with saved Policy 1 of the Easington District Local Plan and part 10 of the NPPF.

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

Reason: In the interests of residential amenity in accordance with the aims of Policies 1 and 35 of the District of Easington Local Plan.

6. No development shall commence until a scheme showing the 'off-site' highways construction works between the B1279 Dunelm Road and the new site entrance to the south is submitted to and approved by the Local Planning Authority. The approved scheme shall be fully implemented including the final surface course to the carriageway and footways and made available for use before any other 'on-site' construction works are carried out.

Reason: In the interests of highways safety in accordance with the aims of Policies 1 and 36 of the District of Easington Local Plan and part 4 of the NPPF.

7. No development shall commence until scheme for hedgerow protection has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and in accordance with BS 5837 2012.

Reason: In the interests of the appearance of the area and to comply with part 7 of the National Planning Policy Framework.

9. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following, unless the Local Planning Authority is satisfied that the site is suitable for the proposed use and dispenses of any such requirements, in writing:

Pre-Commencement

(a) A Phase 2 Site Investigation and Risk Assessment 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. (The Phase 2 should include information on whether there have been any changes to the land since the 2016 Phase 1 report was completed)

(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.

10. On the basis that all of the 19 no. self-build dwellings will have double garages and double width driveways the corresponding driveway lengths must be a minimum of 5 metres. Where driveway lengths are less than 5.5 metres then roller shutter or similar non projecting type garage doors must be installed.

Reason: In the interests of highways safety in accordance with the aims of Policies 1 and 36 of the District of Easington Local Plan and part 4 of the NPPF.

11. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:

Overall strategy for managing environmental impacts which arise during construction;

Measures to control the emission of dust and dirt during construction;

Contractors' compounds, materials storage and other storage arrangements, cranes and plant, equipment and related temporary infrastructure;

Designation, layout and design of construction access and egress points;

Provision for emergency vehicles;

Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials

Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;

Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;

Storage of plant and materials used in constructing the development;

Enclosure of phase or development parcel development sites or development parcels and the erection and maintenance of security hoarding including decorative displays where appropriate;

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of residential amenity in accordance with the aims of Policies 1 and 35 of the District of Easington Local Plan.

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. (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

Statutory, internal and public consultation responses

District of Easington Local Plan



 <p>Durham County Council</p> <p>Planning Services</p>	<p>19 no. self-build dwellings</p>	
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	<p>Date October 2017</p>	