

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/17/03662/FPA
FULL APPLICATION DESCRIPTION:	Erection of 18no. bungalows
NAME OF APPLICANT:	Livin
ADDRESS:	Land at Wordsworth Road, Chilton, Co Durham
ELECTORAL DIVISION:	Chilton
CASE OFFICER:	Mark O'Sullivan, Planning Officer, 03000 261056, mark.o'sullivan@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application relates to a previously developed strip of land (some 0.4Ha) located to the north of Wordsworth Road, Chilton which was formerly occupied by a row of terraced dwellings known as Dene Terrace. Given their age and deteriorating condition, these dwellings were demolished as part of a wider clearance scheme of derelict and uninhabitable properties within the Chilton settlement with the site left to grass. It was always anticipated that the clearance of these dwellings would assist in the provision of new housing stock which would be more attractive for potential occupants and meet current market needs.
2. The application site borders residential properties on West Chilton Terrace to the north and Wordsworth Road to the south. To the east lies the former Methodist Church with garages to the north of properties on Keats Road to the west. The site abuts public highway on all sides.
3. Permission is being sought to redevelop the site, constructing 18no. 2 bed bungalows across the full width of the site (9no. semi-detached pairs). All bungalows would be made available by Livin for affordable rent for the over 55s/disabled with 2no. to be secured as affordable in perpetuity through the completion of a S106 agreement. Draft heads of terms have been submitted by the applicant in this respect. Dwellings would front south onto Wordsworth Road, with off street parking provision in-between each pair of dwellings. Each dwelling would be served by private rear gardens to the north with front gardens occupied by the resident and visitor parking spaces.
4. The application is being reported to the Planning Committee in accordance with the Councils scheme of delegation relating to major applications.

PLANNING HISTORY

5. An application for the prior approval of the Planning Authority for the demolition of 52no. dwellings on the site was agreed in February 2013 (ref: 7/2012/0446/DM).

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 dependent.
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 of the NPPF are considered relevant to this proposal;
8. *Part 4 – Promoting sustainable transport.* Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
9. *Part 6 - Delivering a wide choice of high quality homes.* To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
10. *Part 7 – Requiring good design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
11. *Part 11 – Conserving and enhancing the natural environment.* The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity.

LOCAL PLAN POLICY:

12. The development plan is the Sedgefield Borough Local Plan saved policies:
13. *Policy D1 - General principles for the layout and design of new developments* - requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.
14. *Policy D3 - Design for access* - seeks to ensure new development makes satisfactory provision for all road users and pedestrians.
15. *Policy D5 - Layout of new housing development* - sets criteria for the layout of new housing developments.

16. *Policy E15 – Safeguarding of woodlands, trees and hedgerows* - seeks to ensure that new proposals retain areas of woodland, important groups of trees, copses and hedgerow wherever possible, replacing any trees which are lost.
17. *Policy H17 - Backland and infill housing development* - sets criteria for new backland and infill housing development.
18. *Policy L2 – Provision of open space in new housing development* – seeks to ensure open space provision in housing developments of 10 or more dwellings.
19. *Policy L5 – Safeguarding of areas of open space* – sets criteria for the retention of areas of open space.

RELEVANT EMERGING POLICY:

The County Durham Plan

20. 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.

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:

21. *Town Council* – Has made no comment on the application.
22. *Highway Authority* – No objections, subject to the development being served by an adjacent footway, kerbing and improvement works.
23. *NWL* – No objections, subject to conditions controlling foul and surface water drainage from the site.

INTERNAL CONSULTEE RESPONSES:

24. *Ecology* – No objections.
25. *Environmental Health (Contaminated Land)* – No objections, subject to condition.
26. *Environmental Health (Noise)* – The information submitted demonstrates that the application complies with the thresholds stated within the TANS and would not lead to an adverse impact. However, the development relates to a significant amount of

demolition and construction work with potential for noise and dust to impact on existing residents. A dust management plan and a general construction management plan (outline only) has been provided which the applicant advises will be further updated once a contractor has been appointed. The granting of planning permission for the development may potentially result in a statutory nuisance being created, with submitted detail insufficient to prevent a significant impact. However, there are no objections subject to a condition requiring the submission, prior approval of and adherence to a construction management plan.

27. *Drainage* – No objections, subject to adherence to approved plan ref: C-GA-100 rev P3 (Proposed engineering layout), received 06 December 2017.
28. *Education* – No objections. Based on the projected rolls of the schools, taking into account the likely implementation of the development, build out rates and other relevant committed development it is anticipated that there will be sufficient space to accommodate the pupils generated by the development in primary and secondary schools and no further mitigation is required in this instance.
29. *Affordable Housing* – No objections. The affordable housing statement included with the application details that all the units delivered within this development will be affordable. This by far surpasses the requirement to build 10% affordable. 2 bed bungalows will meet the needs of elderly and disabled residents of the county.
30. *Sustainable Development /Energy* – Has made no comment on the application.
31. *Spatial Policy* – No objections. Officers are unable to identify any policy related adverse impacts in relation to this scheme. Given the information provided in respect of the challenges associated with bringing the site forward, this represents evidence in the context of paragraph 173 of the NPPF to waive the open space contribution.

PUBLIC RESPONSES:

32. The application has been publicised by way of site notice and notification letters to neighbouring residents. No comments have been received in response to this exercise.

APPLICANTS STATEMENT:

33. The proposed scheme will provide 18no. bungalows for older persons and/or disabled and will be available for affordable rent. The proposed scheme compliments the adjoining residential areas and is conveniently located close to local amenities. The linearity of the site determines the scheme layout and as such we feel the arrangement of semi-detached bungalows provides the benefit of side gardens with parking provision to all units. The boundary enclosures to frontages are designed to provide an open feel whilst the rear gardens are provided with a secure boundary.
34. We understand that the site was formerly terraced two storey housing, which was cleared by Durham County Council. As such we feel this proposed development is less imposing than the previous terrace housing and will provide an open and attractive development.

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

35. 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 relate to the principle of development, scale/design, privacy/amenity, open space, arboricultural impact, highways, ecology, land contamination and planning obligations.

The principle of the development:

36. The application site is located within the Chilton settlement which is classified as a smaller town/larger village within the County Durham Settlement Study. 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. Paragraph 14 of the NPPF explains that for decision making, this means granting permission for housing proposals unless any adverse impact would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.
37. The overarching principles of the NPPF seek to secure development in sustainable locations. Paragraphs 47- 55 of the NPPF seek to boost significantly the supply of housing to create sustainable, inclusive and mixed communities.
38. Saved policies H17 and D5 of the Sedgefield Borough Local Plan support new residential development on backland and infill locations where this can achieve a satisfactory means of access and parking provision, satisfactory amenity and privacy for both the new dwellings and existing adjacent dwellings, and where development is in keeping with the scale and form of adjacent dwellings and the local setting of the site.
39. The application site lies in an established residential environment and has good links to the local amenities and services in the town and surroundings. The site until recently was occupied by residential development prior to its clearance, with the principle of 18no. bungalows in this sustainable and accessible location therefore considered acceptable.

Scale / Design:

40. Part 7 of the NPPF and saved policies H17 and D1 of the Sedgefield Borough Local Plan seek to ensure good design in new developments, having regard to a sites natural and built features and the relationship to adjacent land uses and activities. Development should be in keeping with the scale and form of adjacent dwellings and the local setting of the site. The application site is not located within a Conservation Area or area of special control.
41. Set within residential surrounds the site was formerly occupied by a long terrace of two storey dwellings. The proposed redevelopment of the site would comprise 18no. 2 bed bungalows that would be made available at affordable rent for the elderly and disabled. Such provision would support the aims of part 6 of the NPPF which seeks to deliver a wide choice of high quality homes across the County. The semi-detached building form relates acceptably to surrounding semi-detached properties to the south whilst integrating with adjacent terraces to the north. The proposed single storey height would not appear out of place or incongruous to the setting.

42. All dwellings would be of fairly basic design, comprising Ibstock red Alnwick blend brick construction with a grey Marley modern tile roof and upvc fenestration, fascia's/soffits and gutters. Such materials would be considered to integrate well with their surrounds.
43. The proposed dwellings would be of a scale and design which respect their surroundings, thereby satisfying the principles of Part 7 of the NPPF and saved policies H17 and D1 of the Sedgefield Borough Local Plan.

Privacy / Amenity:

44. Saved policies H17, D1 and D5 of the Sedgefield Borough Local Plan together seek to ensure that new developments provide satisfactory amenity and privacy for new and existing adjacent dwellings. Supplementary Planning Guidance Note 3 sets minimum separation criteria between dwellings, requiring a minimum 21m distance between opposing windows of primary elevations and 14m between primary and gable elevations of neighbouring property.
45. The proposed dwellings would face south towards properties on Wordsworth Road. These would be a minimum distance of 18m away although given their staggered layout, only a small number would fall under the 21m separation normally expected of the opposing front facing elevations. The current scheme for bungalows would be located to the north of these neighbours, avoiding any resulting overshadowing or loss of sunlight and would have less impact than the former two storey terraces that occupied the site.
46. To the north the bungalows would achieve a separation of only 10m from the rear elevations of properties on West Chilton Terrace. Once again the current scheme would represent an improvement on the previous terraces being of single storey height and semi-detached building form with open areas of greenery between the dwellings. Although located to the south of these neighbours, the less dense development form and reduced height would again ensure no unacceptable levels of overshadowing or loss of sunlight.
47. A 1.8m high timber close boarded fence would be erected to the sides and rear (north) of each dwelling maintaining privacy between existing and proposed dwellings.
48. Each dwelling would benefit from modest private amenity space which given the intended occupants (elderly and disabled) is considered acceptable to their basic needs. Garden areas and intermediate amenity areas are to be landscaped with such detail to be controlled by condition in the interests of amenity and visual impact. Furthermore, permitted development rights for extensions and outbuildings are to be removed by condition given the limited space available around each dwelling so as to ensure the existing separation distances are not unacceptably reduced in the interests of residential amenity.
49. With regards to the demolition and construction phases, it is inevitable that some level of disturbance to neighbouring residents would result from site operations. However, this can be appropriately controlled in terms of sensitive site operations and operational hours so as to ensure the limitation of noise emission from the site during more sensitive hours. The views of the Environmental Health section have been sought who consider that any planning permission should be subject to a condition requiring the submission, prior approval of and adherence to a detailed construction management plan.

50. Subject to the above, the proposed development is considered to satisfy the provisions of saved local plan policies H17, D1 and D5 and SPGNote3.

Loss of open space:

51. Saved policy L5 of the Sedgefield Borough Local Plan seeks to ensure the retention of areas of open space unless special circumstances apply. Although the site was grassed over following the removal of housing and may have been used since for informal amenity purposes, the site is privately owned and does not form an area of designated open space. Given its narrow width and shape, it has limited functional value and there exists sufficient areas of designated open amenity space within the surrounding settlement, within a short walking distance. New dwellings would include an element of private garden landscaping to the rear, with small landscaped open amenity areas to be provided at both ends of the site, maintaining some of the green aesthetic in this area. Having regard to the above, it is considered that the loss of open space is acceptable in this case.

Arboricultural impact

52. Saved policy E15 of the SBLP seeks to ensure that new proposals retain areas of woodland, important groups of trees, copses and hedgerow wherever possible, replacing any trees which are lost. The application site is brownfield in nature, formerly occupied by a linear row of terraced dwellings. Following their recent demolition the land was left to grass with a small number of incidental trees and landscaped areas planted. None of these specimens are protected with their installation onto the site always intended for a temporary period until an alternative site use was agreed.
53. The proposed development would see the removal of these trees and incidental landscaped areas to facilitate the development which would occupy the full width of the site. No objections are raised over the removal of this landscaping with plans to include replacement tree planting in-between dwellings and at both ends of the site in smaller grassed amenity areas. The application is considered to satisfy the provisions of saved policy E15 of the SBLP.

Highways:

54. Saved policies H17 and D3 of the Sedgefield Borough Local Plan, and Part 4 of the NPPF require new development to achieve a safe and suitable access. NPPF paragraph 32 states development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are considered to be severe.
55. The 18no. 2 bed bungalows would be supported by 28no. on-site car parking spaces, which complies with the minimum requirements outlined in the DCC Residential Car Parking Standards 17.7.13., and as such the proposed car parking provision is deemed acceptable. No highway objections are raised to the proposals with no perceived conflict with policies H17 and D3 of the Sedgefield Borough Local Plan, and NPPF paragraph 32. The applicant is to be reminded by informative of the requirement to ensure the necessary junction radii improvements, public utility excavations and replacement of footways and vehicular access crossings.

Ecology:

56. Part 11 of the NPPF seeks to ensure that when determining planning applications, local planning authorities seek to conserve and enhance biodiversity. The views of the ecology section have been sought who raise no objections to the proposals. There

would be no perceived impact on protected species with the proposals considered to satisfy the provisions of Part 11 of the NPPF.

Contaminated Land:

57. Part 11 of the NPPF seeks to prevent unacceptable risks from pollution and land instability. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. The application has been submitted alongside a Geoenvironmental Appraisal (Sirius, October 2017) confirming gas monitoring of the site to be ongoing with remedial works necessary in relation to soils. No objections are raised over the proposals subject to the imposition of a condition. Subject to the above, the application would satisfy the provisions of Part 11 of the NPPF.

Planning obligations:

58. Open Space provision - The OSNA (2010) sets out the most up to date position in respect to open space provision across the county and provides a formula for calculating requirements on a site specific basis. This is a relevant material consideration in conjunction with Policy L2 of the SBLP and paragraph 73 of NPPF. Para 173 of the NPPF is clear that to ensure viability, the costs of any requirements to be applied to development, should provide competitive returns to a willing land owner and willing developer to enable the development to be delivered. Given the scale of the proposals the LPA would normally expect S106 open space contributions. However the applicant has provided supporting information indicating that the viability of the scheme could be threatened if the LPA were to pursue additional fees to offset any absence of open space provision. The views of the Councils Spatial Policy section have been sought in this regard who agree that in this instance, given the information provided in respect of the challenges associated with bringing the site forward, this represents evidence in the context of para 173 of the NPPF sufficient to waive the open space contribution.
59. Affordable Housing - The NPPF is supportive of delivering affordable housing as a component of ensuring sustainable development. The 2016 SHMA County Durham identifies an annual need for approximately 378no. additional affordable units across the County. The applicant is a social housing provider who has stated that all of the 18no. units would be made available at affordable rent levels, with two if these to be offered for affordable rent in perpetuity. The provision of 18no. affordable rent units with 2no. of these to be retained in perpetuity is welcomed with any approval subject to the satisfactory completion of a s106 agreement securing this provision.

Planning balance:

60. Paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. In cases where existing policies for the supply of housing are out of date, paragraph 14 of the NPPF is engaged and the acceptability of a proposal needs to be considered in the context of the planning balance test. This requires that applications should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the framework as a whole.
61. It is acknowledged that the redevelopment of the site would lead to some temporary disturbance to local residents. However such concerns can be managed through condition to control working hours and construction activities to minimise the adverse impacts relating to site development.

62. The development of 18no. dwellings which are to be provided for affordable renting for the elderly/disabled would contribute to meeting housing need in the area whilst providing a mix of housing types, delivering a minor economic benefit arising from developing the site, utilising local workforce, and through the economic activity of those future residents.
63. The proposed dwellings are of a scale and design sympathetic to their surrounds without impacting the amenities of neighbouring properties or the wider character of the street scene with associated parking provision to be provided off the main highway.
64. The loss of an area of privately owned, informal open amenity space with limited ornamental landscaping is regrettable although it was never the intention to retain this land for this use, with submitted plans detailing compensatory planting and small landscaped areas.
65. Having regard to the above, it is considered on balance that the adverse impacts of the development are significantly outweighed by the overall benefits.

CONCLUSIONS

66. Paragraph 14 of the NPPF details how Planning Authorities should approve development proposals which accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out-of-date; Planning Authorities should only grant permission where any adverse impacts of doing so would be significantly and demonstrably outweighed by the benefits.
67. The proposal for 18no. affordable bungalows on the site would represent a sustainable form of development within an established residential setting that would deliver economic, social and environmental benefits in accordance with the core principles of the NPPF. The development would result in a scheme that can be appropriately integrated within the surrounding street scene without compromising highway safety, residential amenity, open space provision, landscaping, ecology or land contamination. All representations have been carefully considered, however there have been no adverse impacts identified that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole, or the other relevant policies of the Sedgfield Borough Local Plan. In accordance with NPPF Paragraph 14 and the presumption in favour of granting permission in this case, the proposal is therefore recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 Obligation to secure the retention of 2no. affordable units in perpetuity and the following conditions:

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

C-GA-100 P3 (Proposed engineering layout), received 06 December 2017

SK-701 (Proposed site layout, sheet 1 of 2), received 07 November 2017

SK-702 (Proposed site layout, sheet 2 of 2), received 07 November 2017

SK-703 (Plans, elevations and sections), received 07 November 2017

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of the visual amenity of the area and to comply with policies D1, H17 and E15 of the Sedgefield Borough Local Plan.

4. 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 (or occupation of buildings or commencement of use) 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

Reason: In the interests of the visual amenity of the area and to comply with policies D1, H17 and E15 of the Sedgefield Borough Local Plan.

5. Prior to the commencement of the development details of the surface treatment and construction of all hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken only in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies H17 and D1 of the Sedgefield Borough Local Plan.

6. Notwithstanding the provisions of Class A, B, C, D, E, F and G of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any enlargement, improvement or other alteration to the dwellings hereby approved and any buildings, including sheds, garages and glass houses to be erected within the curtilage of the dwellinghouses shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to comply with saved policies H17, D1 and D5 of the Sedgefield Borough Local Plan.

7. Prior to the commencement of any part of the development or any works of demolition, 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:

1. A Dust Action Plan including measures to control the emission of dust and dirt during construction;
2. Details of methods and means of noise reduction;
3. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration;
4. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
5. Designation, layout and design of construction access and egress points;
6. Details for the provision of directional signage (on and off site);
7. Details of contractors compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;
8. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials;

9. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;
10. Routing agreements for construction traffic;
11. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
12. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works;
13. Detail of measures for liaison with the local community and procedures to deal with any complaints received;

The management strategy shall have regard to BS 5228 Noise and Vibration Control on Construction and Open Sites during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also 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 the residential amenity of neighbouring properties and to comply with saved policies D1 and H17 of the Sedgfield Borough Local Plan.

8. 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 0730 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 0730 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 the interests of the residential amenity of neighbouring properties and to comply with saved policies D1 and H17 of the Sedgfield Borough Local Plan.

9. No development shall commence until a scheme for the provision of foul water drainage works has been submitted to and approved in writing by the Local planning authority. The drainage shall be completed in accordance with the details and timetable agreed.

Reason: To prevent pollution of the water environment in accordance with Part 11 of the NPPF.

10. No development shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local planning authority. The drainage shall be completed in accordance with the details and timetable agreed.

Reason: To prevent pollution of the water environment in accordance with Part 11 of the NPPF.

11. The development hereby permitted shall not commence until a pre-commencement 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.

Pre-Commencement

(a) 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.

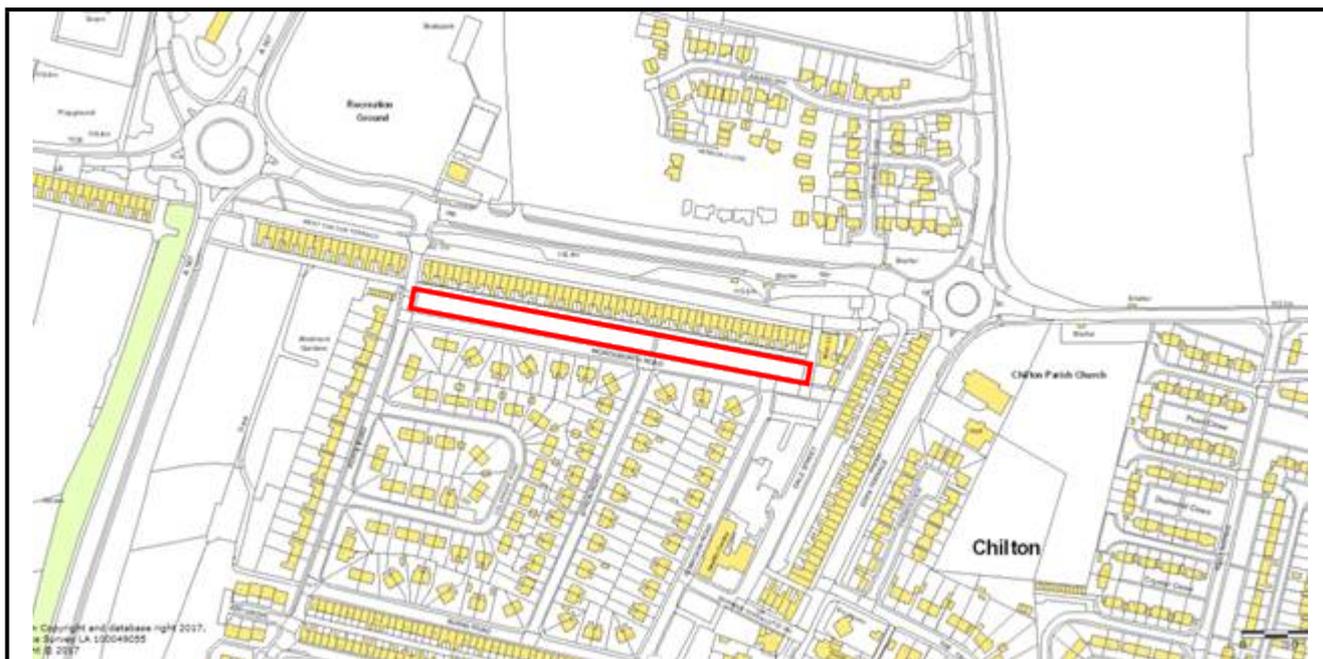
Reason: The site may be contaminated as a result of past or current uses. The Local Planning Authority wishes to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems in accordance with NPPF Part 11.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision have, without prejudice to a fair and objective assessment of the proposals, issues raised, and representation received, sought to work with the applicant in a positive and proactive manner. The Local Planning Authority have sought to ensure that this application has been determined within the statutory determination period.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
 National Planning Policy Framework
 Sedgefield Borough Local Plan
 Statutory response from the Highway Authority and NWL
 Internal responses from Ecology, Environmental Health and Contaminated Land, Drainage,
 Education, Affordable Housing and Spatial Policy



 <p>Planning Services</p>	Erection of 18no. bungalows	
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