

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/17/04091/FPA
FULL APPLICATION DESCRIPTION:	Demolition of former care home and erection of 25 no. dwellings
NAME OF APPLICANT:	Mr Paul Green, North Star Housing Group
ADDRESS:	East Green Care Home, 3 East Green, West Auckland, DL14 9HH
ELECTORAL DIVISION:	West Auckland
CASE OFFICER:	Amy Williamson, Planning Officer, 03000 261391, amy.williamson@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site relates to a redundant care home building, which closed in 2010, situated on the north western side of the Green in West Auckland and vacant land to the rear of the building. The southern part of the site lies within the boundary of the West Auckland conservation area.
2. The building is a mid terrace property with existing dwellings to either side. It is of two storey height and of brick construction with a slate roof. The building is orientated in a linear east-west arrangement along the edge of the Green with two projecting wings to the rear. The windows and doors to the building are currently boarded up and both it and the land to the rear of the building, enclosed by palisade fencing, is in a derelict condition.
3. Beyond the palisade fencing runs a footpath linking Arnold Street to the east with Station Road to the west. To the north of the footpath lies an area of vacant land which also forms part of the application site and was part of a now demolished school site. A high stone wall encloses this land to the north, east and west sides which is also in a derelict state.
4. The site is surrounded by existing dwellings fronting the village green to the east and west sides, with other dwellings positioned behind these. Terraced dwellings on Station Road and Arnold Street lie to the north and a youth centre is situated immediately to the west of the redundant land forming the northern part of the site.
5. Planning permission is sought for demolition of the care home building and erection of 25 no. dwellings on the site for affordable rent. The dwellings would comprise 8 no. two bedroom bungalows, with the remaining 17 no. dwellings being a mix of two and three bedroom, two storey houses.
6. Two terraces of 5 no. two storey dwellings would front the Green with a small gap in between providing a pedestrian link to the existing footpath running along the front of the site. A further terrace of 5 no. two storey dwellings would run along the east side

of the site and on the west side facing this terrace would be a pair of semi detached two storey dwellings and a pair of semi detached bungalows. A row of 3 no. pairs of semi detached bungalows would be positioned in an east-west orientation to the northern part of the site.

7. All dwellings would be arranged around a central access road taken off Arnold Street to the north east corner of the site. A turning head would be provided in front of the northern row of bungalows, with a further turning head behind the southern terraces of two storey dwellings fronting the Green. 35 no. parking spaces would be provided, including 8 no. visitor parking bays. Most dwellings would have in curtilage parking, with other spaces being situated around the turning heads and in the form of laybys to the north of the site.
8. Each of the dwellings would have its own private garden to the rear and in some properties also to the front. The existing footpath across the site linking Arnold Street and Station Road would be removed to facilitate the development. However new footpaths through the site would be provided to maintain the link and the remainder of the footpath outside the application site would be upgraded to an adoptable standard.
9. A number of trees would be removed from the central part of the site to facilitate the development, including 2 no. good specimen trees. Communal landscaped areas would be provided around the periphery of the site and would include some replacement planting to mitigate for the loss of existing trees.
10. The application is being reported to the Planning Committee as it constitutes major development.

PLANNING HISTORY

11. Planning permission was granted in December 2016 (DM/15/02958/FPA) for the erection of 10 no. dwellings on the rear part of the site.
12. Previous planning permissions relating to the care home use were granted during the 1990's.
13. Enforcement complaints were received in 2015 and 2017 about the untidy condition of the site. These investigations resulted in some works being carried out to secure the site and the complaints were referred to the Environmental Health and Antisocial Behaviour Teams within the Council.

PLANNING POLICY

NATIONAL POLICY

14. 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.
15. 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;

16. 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.
17. 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.
18. 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.
19. 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.
20. Part 8 - Promoting healthy communities. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning.
21. 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. Inappropriate development in areas at risk of flooding should be avoided.
22. 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.
23. Part 12 - Conserving and enhancing the historic environment – Planning should seek to sustain and enhance the significance of heritage assets and aim to put them to viable uses consistent with their conservation.

LOCAL PLAN POLICY:

24. The development plan is the Wear Valley District Local Plan saved policies:
25. 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.

26. Policy BE1 – Protection of Historic Heritage - Seek to conserve historic heritage by the maintenance, protection and enhancement of features and areas of particular historic, architectural or archaeological interest.
27. Policy BE5 – Conservation Areas – Identifies Conservation Areas within the former Wear Valley District.
28. Policy BE6 – New Development and Alterations – Development within Conservation Areas should preserve or enhance the character of the area, use appropriate building materials and comply with the requirements of policy GD1.
29. Policy BE8 – Setting of a Conservation Area – Sets out that development which impacts upon the setting of a Conservation Area and which adversely affects its townscape qualities, landscape or historical character will not be allowed.
30. 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.
31. Policy H22 – Community Benefit - States that on sites of more than 10 dwellings the Local Authority will seek a contribution, where appropriate, to related social, community and/or recreational facilities
32. 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.
33. Policy RL5 – Sport and Recreation Target – Sets out the standards and contributions for sport and recreation facilities normally expected in association with new housing developments.
34. 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:

35. The County Durham Plan
36. 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:

37. Coal Authority – Following submission of Phase 2 Site Investigation Report no objections are now raised.
38. Environment Agency – Following the submission of an updated Flood Risk Assessment no objections are raised subject to a condition requiring the development to be carried out in accordance with the Flood Risk Assessment, including finished floor levels to be more than 107.8m above ordnance datum (AOD). It is also noted that the ground level shown on the topographical drawing around the bungalows to the north of the site is around 106.5m AOD, which is a difference of over 1m from the finished floor level and the application does not provide details about how this change of level to access the dwellings would be addressed. If any ground raising above 106.5m AOD is proposed a further updated Flood Risk Assessment will be required to ensure there would be no potential displacement of flood waters elsewhere.
39. Highway Authority – Following the submission of an amended layout plan showing an adequate amount of car parking no objections are raised subject to conditions to agree engineering details of the access road, secure the implementation of agreed footpath improvements at Arnold Street and on the link to Station Road. Informatives to seek adoption of the new access road under the highways act and secure a traffic regulation order for a 20mph speed limit within the development are also suggested.
40. Northumbrian Water – No objections and suggest a condition requiring implementation of the development in accordance with submitted flood risk assessment.
41. West Auckland Parish Council – No representations received

INTERNAL CONSULTEE RESPONSES:

42. Affordable Housing – No objections
43. Archaeology – No objections subject to condition requiring implementation of development in accordance with written scheme of investigation and report of any findings to be deposited at County Durham Historic Environment Record.
44. Contaminated Land – No objections subject to contaminated land condition to agree and secure implementation of Phase 2 Site Investigation Report, Phase 3 Remediation Strategy and Phase 4 Verification Report. Note that whilst a Phase 2 Report has been submitted, this is not sufficiently comprehensive and a further updated Phase 2 Report will be required.
45. Drainage and Coastal Protection – No objections subject to condition to agree surface water drainage scheme, including infiltration testing and simulation for the 1 in 100 year rainfall events.

46. Ecology Section – No objections subject to a condition requiring the development to be carried out in accordance with the Bat Mitigation Statement and to agree details of external lighting to ensure this would not adversely affect any protected species.
47. Education – No objections, consider there will be sufficient space to accommodate the pupils generated by the development in local primary and secondary schools and no further mitigation is required.
48. Environmental Health (Nuisance) –No objections subject to a condition requiring agreement of and adherence to a construction management plan for construction works to ensure the development does not cause a statutory nuisance to neighbouring residents.
49. Design and Conservation – Initially raised concerns about adverse impacts on the character and appearance of the conservation area resulting from the southern part of the site fronting on to the Green. Following the submission of revised plans addressing these matters no objections are now raised subject to conditions to prevent wall mounted white meter boxes being attached to the front of the terraces off the Green and the agreement of external materials, windows and door details. High quality external materials are expected to the southern elevation fronting the Green, to preserve the character and appearance of the conservation area.
50. Landscape – Initially raised concerns about the layout of the scheme in particular the arrangement of car parking spaces, communal landscaped areas and views through to the access road and parking areas and treatment of land immediately in front of the dwellings fronting onto the Green. Following submission of revised plans addressing these matters no objections are now raised subject to a condition to agree a detailed landscaping scheme.
51. Public Rights of Way – Request that the footpath link from the application site to Station Road is upgraded to an adoptable standard.
52. Spatial Policy – State that the acceptability of the proposal will be subject to the planning balance test set out in para.14 of the NPPF. The benefits of the proposal are identified as the re-use of a brownfield site, the sustainable location of the site close to public transport, the contribution to local housing supply and provision of affordable bungalows. The adverse impacts are identified as potential harm to the character of the conservation area and the loss of trees. OSNA contributions of £51,425 should be provided to mitigate for additional use of off site provision as no functional areas of open space are being provided within the site.
53. Tree Officer – Notes that removal of trees from the site will have some adverse impacts on local visual amenity.

PUBLIC RESPONSES:

54. The application has been publicised by way of site notice, advertised in the local press and individual notification letters to neighbouring residents. At the time of preparing this report no representations had been received.

APPLICANTS STATEMENT:

55. The proposal involves the redevelopment of the East Green Care Home, West Auckland and adjoining land to provide 25 new homes.

56. The proposed mix of properties provides 100% affordable housing with 8no. 2 bedroom bungalows, 15no. 2 bedroom houses and 2no. 3 bedroom houses. The proposal has the support of the Housing Development Team at Durham County Council – initial discussions have been positive from both affordable housing and property mix perspective.
57. The completed homes will be owned and managed by North Star – a provider of affordable and supported housing across Teesside and the Tees Valley. At present, North Star own and manage many properties in the local area through Teesdale Housing Association. We have a track record of delivering new homes in the area having recently delivered new affordable housing at St Helen Auckland. These properties were in high demand and all quickly occupied by the target client group.
58. The scheme has been designed to enhance the existing conservation area through careful consideration of the terrace that will front onto the existing village green. We feel that getting this connection to the green right is important both for the occupiers of the scheme and the wider conservation area.
59. The scheme will bring further benefits to the local area through the upgrading of 2 sections of public footpath outside of the boundaries of the scheme - improving the connections with Station Road and Arnold Street. Furthermore, we propose the demolition and redevelopment of the existing, disused facilities on the brownfield land.
60. We feel that the proposal as it stands will bring many benefits to the local area, from the redevelopment of an existing, problematic site, to the provision of a scheme of 100% affordable housing – as well as the environmental improvements offered to the wider area.

PLANNING CONSIDERATIONS AND ASSESSMENT

61. 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, impact on heritage assets and the character of the surrounding area, highway safety, residential amenity, protected species, flooding and drainage and contaminated land/coal mining legacy.

The principle of the development:

The Development Plan

62. 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 Wear Valley District 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.
63. The DLP was adopted in 1997 and was intended to cover the period to 2006. 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.

The NPPF

64. 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.

65. 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.

66. 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.

67. 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

68. 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.

69. 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)

70. 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.

71. 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.
72. 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.
73. 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.
74. 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.

Assessment having regards to Development Plan Policies and the NPPF

75. Saved policy H3 of the Wear Valley District Local Plan (WVDLP) seeks to direct new housing development to those towns and villages best able to support it, balancing the requirement for new housing with the need to maintain the character of the surrounding countryside. The site falls within the development limits of West Auckland and therefore accords with the policy. However settlement boundary policies are not considered to be up to date or compliant with the NPPF, which adopts a more flexible approach and does not seek to restrict the development limits of settlements. The aims of saved policy H3 relating to siting of housing in sustainable locations within settlements best able to support it and the protection of the open countryside are consistent with the NPPF and these aspects of the policy carry some weight.
76. Notwithstanding the above requirement for a planning balance test, the site is situated within the village centre and is well located in terms of access to local services and facilities. As such new residents would not be wholly reliant on private car travel and the proposal is broadly in accordance with the aims of part 4 of the NPPF in respect to transport.
77. The development would provide 3 no. affordable rented dwellings to be retained in perpetuity, in line with planning policy requirements for 10% affordable housing and secured via a S106 agreement. 8 no. bungalows, a form of housing required to meet an identified need for older persons' accommodation in the Strategic Housing Market Assessment 2016, would also be provided.
78. Subject to the outcome of the planning balance test and an assessment of whether any adverse impacts of the development would significantly and demonstrably

outweigh the benefits, it is considered that the proposal is in broad accordance with the aims of the NPPF and the Wear Valley District Local Plan.

Impact on heritage assets and the character of the surrounding area:

79. The site is situated within the West Auckland Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on Planning Authorities considering proposals in Conservation Areas to pay special attention to the desirability for development to preserve or enhance the character or appearance of that area. Local Plan Policy BE6 also requires that development within Conservation Areas should preserve or enhance the character of the area.
80. Part 7 of the NPPF seeks to ensure good design in new developments and saved Local Plan policy GD1 seeks to ensure good design standards, ensuring new developments are in keeping with their surroundings reflecting the density and character of the locality.
81. The former care home building is of functional, modern appearance and together with the wider site is in a deteriorating condition and makes no positive contribution to the character and appearance of the conservation area and its surroundings. The proposed development would represent a substantial visual improvement to the character and appearance of the area.
82. The scale and height of the proposed two storey dwellings would be commensurate with both more modern existing dwellings to the east and older properties to the north and west. There are existing bungalows within the housing estate to the east side of the site and the proposed bungalows would be of similar scale to these.
83. All of the new dwellings would be of brick construction with a tiled roof, similar to those in the surrounding area and a condition to agree precise specification of materials to ensure they correspond acceptably in this respect can secure this. The Design and Conservation Officer has requested that high quality external materials are used to the southern elevation fronting the Green, to preserve the character of the conservation area in key views to this side and this can be covered by the external materials condition.
84. The 2 no. proposed terraces on the southern part of the site would front on to the village green and would be visible in key views around the conservation area. As such these elevations have potential to impact on the character and significance of the designated heritage asset. Initial proposals for this elevation included wider windows with a horizontal emphasis, which were considered to be of modern appearance and not in keeping with the traditional character of the Green. The applicant has subsequently revised the scheme, having regard to comments made by the Design and Conservation Officer, to include narrower, top hung windows with a lower cill level and greater vertical emphasis. This amendment ensures the frontage is more in keeping with the traditional character of the conservation area and precise specification of windows and doors can be agreed by condition.
85. Elevation drawings of the terrace fronting the Green indicate that wall mounted white meter boxes of standard, utilitarian appearance would be attached to the front of dwellings. These would add unnecessary domestic clutter to the primary elevation seen in key views around the conservation area with associated adverse impacts to the character and appearance of the conservation area. The Design and Conservation Officer has fundamental concerns about this aspect of the proposal and notwithstanding the indicative detail on the drawings a condition is considered

appropriate to prevent the installation of such features to the front elevation of these dwellings, to ensure the character of the conservation area is preserved.

86. Existing properties in this part of West Auckland typically have a direct and continuous frontage on to the Green itself. The frontage of the two terraces of dwellings to the southern part of the site would have a building line positioned in between that of existing dwellings to the east and west, with those to the west sitting forward of the proposed terraces and those to the east set behind. A small grassed strip of 2.4m, incorporating a short paved area to provide level pedestrian access to individual dwellings, would separate the front elevations of the dwellings from the existing footpath. No boundary treatments are proposed to enclose this space. This approach would ensure the development maintains a direct frontage on to the Green in keeping with the appearance of the surrounding area.
87. Either side of the terraces along the frontage on to the green a 1.8m high brick wall with pillar detailing would be erected to maintain a continuous frontage in these areas. A small gap of 3.2m, including a footpath of 2m in width, is proposed in between the two terraces providing a pedestrian link from the development to existing footpaths along the green. This is an important feature to provide good pedestrian links to areas of open space and local services within the settlement. From the Green and properties directly opposite on its southern side there would be some views through into the new development. However the applicant has amended the proposals, following comments from Design and Conservation and Landscape Officers, to narrow the width of this gap and move car parking away from this area, resulting in an improved outlook from the south. As such the small loss of continuous frontage in this respect is not considered to result in any significant adverse visual impacts and would preserve the character of the conservation area.
88. The proposals on land to the rear of the southern terraces are either not within the boundary of the conservation area or would not be seen in key views around it as they would largely be screened from view by surrounding buildings. The proposed dwellings in these areas would be of similar scale and appearance to those along the frontage, with a less traditional style of window openings and would relate acceptably to the character of the predominantly residential area behind the green.
89. A small group of trees, including 2 no. good specimen trees, would need to be removed from the centre of the site to facilitate the development. Whilst their loss is unfortunate they are generally only visible within the area to the rear of the former care home building and are not seen in any key views around the conservation area. The applicant indicates on the amended proposed site plan that replacement tree planting would be provided as mitigation for this loss, together with some small communal landscaped areas within the site.
90. The existing stone wall along the northern boundary of the site would be retained, however other remaining parts of the stone wall around the former school site to the east and west would be removed and replaced with 2m close boarded fencing. This part of the site is not within the conservation area and the boundary wall is in deteriorating condition with several collapsed sections. Other properties in the vicinity have similar types of fencing to that proposed and as such the new boundary treatments would relate acceptably to the surroundings.
91. The site is situated within an area of archaeological interest, with the village having medieval origins and subsequent historic features. A Written Scheme of Investigation (WSI) has been submitted setting out a scheme of archaeology works that would be carried out during the development. The Council's Archaeologist has reviewed the WSI and raises no objections subject to a condition requiring the

development to be carried out in accordance with the WSI and for a copy of any subsequent archaeology report to be deposited in the County Durham Historic Environment Record.

92. Having regard to all of the above and to the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the character and appearance of the conservation area and the wider surroundings would be preserved. There is no conflict with the design and heritage aims of the NPPF or Wear Valley District Local Plan Policies GD1 and BE6.

Highway safety:

93. Para. 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe. Saved Policy T1 from the WVDLP states that all developments which generate additional traffic should accord with GD1 and provide adequate access, not exceed the capacity of the local road network and be capable of access by public transport networks.
94. West Auckland has frequent bus services to nearby towns such as Durham, Spennymoor and Bishop Auckland and the closest bus stop to the site is around 70m away on Station Road to the north. The site is centrally located within the settlement, close to local shops and services which could be accessed on foot and overall is considered to be in a sustainable location.
95. The highways officer initially raised concerns that insufficient car parking was provided within the development. Amended plans have subsequently been submitted with an increase from 30 no. spaces (including 3 no. visitor bays) to 35 no. spaces (including 8 no. visitor bays). The additional number of parking spaces brings the development in line with Council's Car Parking and Accessibility Standards.
96. Vehicle access would be directly off Arnold Street to the north west corner of the site. The access road would be constructed to an adoptable standard and a condition to agree engineering details and an informative to seek its adoption by Council via an agreement under the Highways Act would be appropriate. This would ensure safe vehicle access is provide in to and around the site.
97. At present a footpath runs across and immediately adjacent to the site linking Arnold Street in the east to Station Road to the west. This is not a designated public right of way and has no formal surface but appears to be relatively well. Given the proposed site layout it is not possible to retain the footpath in its current location. However a new pedestrian link to an adoptable standard would be created across the site in an alternative position. The Highways Officer and Public Rights of Way Officer have requested a condition to secure upgrading of the surface of the footpath on the western side of the site linking with Station Road and the creation of a new footpath link to an adoptable standard to the north east of the site connecting to the existing footpath at the southern end of Arnold Street. This requirement was a condition of planning permission DM/15/02958/FPA which previously granted consent for 10 no. dwellings on the northern part of the site. As such and given the additional number of dwellings now proposed and associated increased demand to access local services on foot, this condition remains appropriate.
98. The Highways Officer raises no objections to the application subject to the above conditions. Having regard to the above it is considered that the proposed development would have no adverse impacts upon highway safety. The proposal

does not therefore conflict with Wear Valley Local Plan Policies GD1 and T1 or Part 4 of the NPPF.

Privacy/Amenity:

99. Para. 17 of the NPPF states that new development should maintain a good standard of amenity for all existing and future occupants of land and buildings. Para. 123 specifies that planning decisions should avoid, mitigate and reduce noise and other adverse impacts on health and quality of life as a result of new development and that existing businesses should not have unreasonable restrictions put on them due to changes in nearby land uses. Saved policy GD1 from the WVDLP advises that new development should not disturb or conflict with adjoining uses.
100. Saved policy H24 of the WVDLP defines the expected standards of design for new residential developments and states there should be a minimum distance of 21m between walls of dwellings containing windows to habitable rooms and a minimum of 25 square meters of private amenity space provided per flat. This policy is only partially consistent with the objectives of the NPPF which is more permissive and therefore does not carry full weight in decision making.
101. The former care home building has been redundant for around 7 years and is in poor condition, with significant adverse impacts on the visual amenity of the surrounding area. It has previously been subject to vandalism and become a target for antisocial behaviour, to the detriment of local residents. The proposed development would result in a significantly improved outlook for neighbouring residents and substantially improve the visual amenities of the area. Demolition of the care home building and the reinstatement of a functional use and new residential community, would also lead to a reduction in the opportunity for antisocial behaviour. Therefore the scheme would have significant benefits to the amenity of neighbouring residents in this regard, in accordance with saved local plan policy GD1 and NPPF.
102. Proposed terraced dwellings fronting on to the Green would sit around 40m away from existing dwellings on the opposite side. The gables of these terraces would be 6.5m and 9m to the east and west sides respectively from the closest adjacent dwellings and would not contain any windows. The rear elevations of plots 21-25 to the east side of the development would be 21m away from the rear elevations of the closest existing dwellings on Millbank Close. The proposed dwellings in plots 11-25 would therefore meet the minimum separation distance specified in saved policy H24, ensuring there is no resulting loss of privacy, light or overbearing impacts to these parts of the site.
103. The existing terrace of dwellings at Station Road to the north of the site runs in an angled orientation away from the proposed bungalows at plots 1-6. At the closest point the proposed bungalow in plot 6 would be 14m away from a two storey rear extension to no. 8 Station Road and 21m from the rear elevation of the main part of the dwelling. There are no south facing windows within the two storey extension and the existing 1.8m high wall between the two properties would be retained providing some screening. As such there would be no issues of overlooking or loss of privacy to occupiers of either property. Given the separation distance, single storey height of the bungalow and northern orientation of no. 8 Station Road to plot 6, new occupiers of the bungalow would have an adequate amount of light to the rear part of the dwelling and garden and there would be no loss of light to occupiers of the existing dwelling.
104. Plots 7 and 8 are a pair of semi detached, two storey dwellings. The rear elevation of plot 7 would sit 15m away to the east of the rear of an existing dwelling,

no. 2 Station Road. Both elevations contain windows to habitable rooms. Whilst this distance is less than that required by saved policy H24 it is still considered to be an adequate separation distance and is commensurate with other existing separation distances between dwellings in the vicinity of the site. Consequently this relationship is considered to constitute an acceptable level of amenity for new and existing residents, without resulting in significant loss of light, privacy or over bearing impacts, in broad accordance with the aims of saved policy H24 and the NPPF.

105. Plots 9 and 10 were initially proposed to be a pair of semi detached, two storey dwellings, but following the submission of revised plans have now been substituted with a pair of semi detached bungalows. The rear elevation of the bungalow at plot 9 would sit 8m to the west of that of Old Church Manor, Station Road. This property is a former church now converted to a dwelling and windows at this side, which sit at approximately 2 storey height, serve a bedroom. Given the single storey nature of the bungalow, its windows would sit at a lower level than those to the adjacent dwelling and there would be no overlooking or loss of privacy to the existing residents. A new 1.8m high close boarded fence along the boundary would provide screening of rear elevation and garden to the new bungalow, resulting in an acceptable level of privacy for its occupiers.
106. The roof of the new bungalow would sit at a similar height to rear windows of Old Church Manor. However as it is situated to the east, shadow from the bungalow would only fall westwards for a short period early in the morning and likewise the existing dwelling would only shadow the bungalow and its rear garden for a short period in the evening when the sun is in the west. As such both properties would have an acceptable amount of light for the majority of the day, with only minimal impacts in this regard.
107. Although some of the separation distances specified in saved policy H24 are not met, this policy is not in complete accordance with the NPPF and carries limited weight. Nevertheless with regard to matters of privacy, over looking and loss of light, the proposal is considered to deliver an acceptable standard of residential amenity for new and existing residents, with no significant adverse impacts being identified.
108. All new dwellings would have at least 25 square meters of private outdoor amenity space, which would ensure a good standard of amenity for new residents and in accordance with the requirements of saved policy H24.
109. The application site is surrounded by a high concentration of predominantly terraced housing on three sides, served only via Arnold Street which is an unclassified road. As such the development has some potential to cause noise and disturbance to neighbouring residents around the site during construction works. The Environmental Health Officer has recommended that conditions are attached restricted working hours for various different construction related activities and adherence to an agreed construction management plan. These conditions are appropriate and would ensure minimal disturbance to neighbouring residents during the construction phase, in accordance with the requirements of saved policy GD1.
110. The proposal would not be detrimental to the amenity of new and existing residents and would be in broad accordance with the aims of saved policies GD1 and H24 from the Wear Valley District Local Plan and paras. 17 and 123 of the NPPF.

Protected Species:

111. Paragraph 11 of the NPPF and policy GD1 of the Local Plan requires that local planning authorities take into account, protect and mitigate the effects of development on biodiversity interests.
112. A Bat Presence Survey (Arbtech, October 2015) was carried out in 2015 as part of the previous planning permission for the site (DM/15/02958/FPA), which identified several small bat roosts on the site. These surveys were undertaken late in August and in September, which is considered to be outside of the optimal survey period for the bats and the report recommended further surveys were carried out during the peak activity season. It is understood no subsequent surveys have been carried out on the building.
113. A Preliminary Ecological Assessment (All About Trees, December 2017) and Bat Mitigation Statement (All About Trees, February 2018) have been submitted as part of the current application, which identify some potential for bat roosting within parts of the former care home building and recommend various forms of mitigation, including the requirement to obtain a licence from Natural England before demolishing all two storey elements of the building.
114. Since the initial surveys identifying the bat roosts in 2015 the condition of the building has deteriorated further, and the preliminary ecological appraisal undertaken in December 2017 noted no further bat droppings within the buildings and that some of the ceilings within the building have now collapsed. Taking this into consideration, together with the results of the previous surveys on the building, The Council's Ecologist considers that use of the building by bats is unlikely to have increased in the interim.
115. The Conservation of Habitats and Species Regulations 2010 contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a license to a person carrying out activity which would harm a European Protected Species (EPS). This license is normally obtained after planning permission has been granted. The three tests are that:
- The activity to which the license is required must be for imperative reasons of overriding public interest or for public health and safety;
 - There must be no satisfactory alternative and;
 - Favourable conservation status of the species must be obtained.
116. Notwithstanding the licensing regime, the local planning authority (LPA) must discharge its duty under Regulation 9(5) and also be satisfied that these three tests are met when deciding whether to grant planning permission for a development which could harm an EPS.
117. In this case mitigation is to be provided through the provision of 2 no. bat bricks providing hibernation potential and 6 no. standard bat bricks for crevice dwelling bats throughout the development. The Council's Ecology Section is satisfied with the proposed mitigation to enhance biodiversity.
118. Having regard to the Habitats Regulations it is considered that it is in the public interest that the development scheme can be implemented given the untidy appearance and deteriorating condition of the site and its potential to attract antisocial behaviour. There is no more suitable alternative to the proposals. The proposed mitigation is appropriate to ensure there will be no significant impact on the conservation of the local bat population as a whole. It is therefore considered that Natural England would be likely to grant a licence. Accordingly, the LPA can discharge its duties under the Habitats Regulations. Overall it is considered that the

proposal would not have any adverse impact upon protected species in accordance with the requirements of section 11 of the NPPF in relation to protected species.

Flooding and Drainage:

119. Part 10 of the NPPF states that new development should reduce the risk of flooding on the development site and elsewhere, through the use of sustainable drainage systems where possible.
120. The site lies within Flood Zone 3 as identified by the Environment Agency. The Agency initially objected to the application as they considered the submitted Flood Risk Assessment did not provide a suitable basis for an assessment of the flood risks arising from the proposed development to be made. The applicant subsequently submitted an amended Flood Risk Assessment, providing additional information in relation to technical details requested by the Agency. The updated Flood Risk Assessment is considered suitable by the Environment Agency and they have withdrawn their objection, subject to a condition requiring implementation of the development in accordance with the updated Flood Risk Assessment.
121. The Agency also highlight that the ground level shown on the topographical drawing around the bungalows to the north of the site is around 106.5m AOD, which is a difference of over 1m from the finished floor level of 107.8m AOD specified in the Flood Risk Assessment. The application does not provide details about how this change of level to access the dwellings would be addressed and the Agency have advised that if any ground raising above 106.5m AOD is proposed a further updated Flood Risk Assessment will be required to ensure there would be no potential displacement of flood waters elsewhere. A condition is appropriate to agree precise site levels and sections having regard to the identified change in levels, including agreement of a further updated Flood Risk, if necessary.
122. The Council's Drainage Engineer raises no objections to the application and confirms that the agreement of foul and surface water drainage proposals by condition is appropriate.
123. The development is therefore considered to be acceptable in terms of its impact on flood risk and would accord with part 10 of the NPPF.

Contaminated land/coal mining legacy:

124. Part 11 of the NPPF states that both new and existing development should be prevented from contributing to or being put at unacceptable risk from pollution and contaminated and unstable land should be remediated and mitigated where appropriate. Saved policy GD1 states that new development should not be detrimental to public health, pollute the environment or have detrimental impact on ground water resources.
125. The site is constitutes brownfield land, with the northern part previously having been part of a school site and the care home lying on the southern section. It is also within a coalfield development high risk area. Therefore it is possible the land may be contaminated or be at risk of issues associated with former mine workings.
126. The Council's Environmental Health (Contaminated Land) Officer has been consulted on the proposals and raises no objections subject to a contaminated land condition, which covers further investigation and mitigation measures. This is considered appropriate to ensure any contaminants from previous uses do not adversely affect the proposed residential use.

127. A Coal Mining Risk Assessment and Phase 2 Site Investigation Report were submitted as part of the application. Following consideration of the additional information the Coal Authority now raise no objection and do not recommend any conditions.

128. Subject to the above conditions, the proposals are considered acceptable with regards to risks from contaminated land and coal mining legacy and would accord with saved Local Plan policy GD1 and the requirements of the NPPF.

Planning Obligations:

129. 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 RL5 of the Wear Valley District Local Plan 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 Local Planning Authority would expect open space contributions of £51,425, based on the method of calculation set out in the OSNA, for off site provision for an anticipated new population of 55 people occupying the development. The applicant has agreed to provide the above amount and this would be covered within a S106 Agreement.

130. Affordable Housing - The NPPF is supportive of delivering affordable housing as a component of ensuring sustainable development. The County Durham Strategic Housing Market Assessment (SHMA) 2016 identifies an annual need for approximately 378 no. additional affordable units across the County. The development would provide 3 no. dwellings for affordable rent to be retained in perpetuity and 8 no. bungalows, which is a form of housing required to meet an identified need for older persons' accommodation in the SHMA 2016. All the units would be owned and managed by a Social Housing Provider and in line with policy requirements 10% affordable housing would be formally secured through a Section 106 Agreement.

Planning Balance:

131. 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.

132. Weight should be afforded to the benefits of the development in terms of its modest contribution to the local housing supply and most significantly the provision of 3 no. dwellings for affordable rent in perpetuity and 8 no. bungalows contributing to an identified need for older persons' accommodation in the Strategic Housing Market Assessment 2016.

133. It is considered that there are a number of other benefits associated with the development. The proposal offers an opportunity to bring a brownfield site, comprising the redundant care home building and former school site into residential use. This would also substantially improve its appearance and local visual amenity, whilst preserving the character of the conservation area. The development would result in a reduction of anti social behaviour associated with the current empty status of the building. Planning permission for housing has previously been granted on part

of the site which is situated in a sustainable location where residents would not be wholly reliant on private car journeys to access local facilities and services.

134. The development would not be detrimental in terms of scale and design, highway safety, local amenity, protected species, flooding and drainage and contaminated land/coal mining legacy. Open space contributions to mitigate for increased use of off site facilities would be secured by a S106 agreement. The relevant internal and external consultees raise no objections to the application and no representations have been received from neighbouring residents.

135. No adverse impacts have been identified which would significantly and demonstrably outweigh the benefits of the proposal.

CONCLUSION

136. The acceptability of the application falls to be considered under the planning balance test contained within Paragraph 14 of the NPPF.

137. In this instance the development would provide a number of benefits, the most significant of which would be reuse of a brownfield site for affordable rented housing purposes in a sustainable location.

138. On balance, it is considered that the benefits of the development significantly and demonstrably outweigh any potential adverse impacts. It is not considered that there are material planning considerations which indicate otherwise therefore the application is recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 Obligation to secure the retention of 3 no. affordable units in perpetuity and the agreed financial contribution of £51,425 for open space provision, and 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.

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:

Proposed 2 Bed Floor Plans and Elevations Terraced House Type 2F (A2-02-07 Rev A) received on 22 February 2018

Proposed 2 Bed Floor Plans and Elevations Terraced House 2G (A2-02-08 Rev A) received on 22 February 2018

Proposed Landscaping (A1-00-11 Rev B) received on 22 February 2018

Proposed 3 Bed Plans and Elevations House Type 3 (A2-03-01 Rev C) received on 22 February 2018

Site Location Plan (A1-00-02 Rev A) received on 22 February 2018

Proposed 2 Bed Floor Plans and Elevations House Type 2 (A2-02-01 Rev C) received on 22 February 2018

Proposed 2 Bed Plans and Elevations – Opp House Type 2A (A2-02-02 Rev C) received on 22 February 2018

Proposed 2 Bed Floor Plans and Elevations Terrace House Type 2B (A2-02-03 Rev C) received on 22 February 2018

Proposed 2 Bed Floor Plans and Elevations Terrace House Type 2C (A2-02-04 Rev C) received on 22 February 2018

Proposed 2 Bed Floor Plans and Elevations House Type 2D (A2-02-05 Rev C) received on 22 February 2018

Proposed 2 Bed Floor Plans and Elevations Semi Detached – Opp (A2-02-06 Rev C) received on 22 February 2018

Proposed Boundary Treatment (A1-00-12 Rev B) received on 22 February 2018

Proposed Site Plan (A1-00-13 Rev D) received on 22 February 2018

Proposed Terrace to East Green (A2-00-01 Rev B) received on 22 February 2018

Proposed Bungalow Floor Plan House Type 1 (A2-01-01 Rev C) received on 22 February 2018

Proposed Bungalow Floor Plan – Opp House Type 1A (A2-01-02 Rev C) received on 22 February 2018

Fencing Types (A5-00-01 Rev B) received on 22 February 2018

Proposed Site plan adopted paths (A1-00-14 Rev B) received on 23 February 2018

Reason: To define the permission and ensure that a satisfactory form of development is obtained.

3. Notwithstanding any description of the materials in the application, no development other than demolition of the single storey, flat roof part of the former care home building shall commence until samples or precise specification details of all external walling and roofing materials, including the 1.8m high brick walls to the southern site boundary, of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity of the Conservation Area, in accordance with policies GD1, BE1, BE5 and BE8 of the Wear Valley District Local Plan and Parts 7 and 12 of the NPPF.

4. The proposed estate access road hereby approved shall be designed and constructed to current adoptable highway design standards. No development other than demolition of the single storey, flat roof part of the former care home building shall commence until plans showing full engineering details of the proposed estate access road have been submitted to and approved by the local planning authority. The approved scheme shall thereafter be implemented in complete accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason: In the interests of highway safety, in accordance with policies GDP1 and T1 of the Wear Valley District Local Plan.

5. No development other than demolition of the single storey, flat roof part of the former care home building 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 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 all 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.

Prior to commencement of any development other than demolition of the single storey, flat roof part of the former care home building:

(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 during phases (a) and (b), 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 (a) of the condition and where necessary a Phase 3 Remediation Strategy shall be prepared in accordance with part (b) 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.

6. No development other than demolition of the single storey, flat roof part of the former care home building shall commence until 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: To protect the amenity of neighbouring residents during the construction phase in accordance with saved policy GD1 of the Wear Valley Local Plan and the NPPF.

7. No development other than demolition of the single storey, flat roof part of the former care home building shall commence until a detailed scheme for the disposal of foul and surface water, including infiltration test results and simulation test results for the 1 in 100 year rainfall events, shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be based on the principles of surface water management highlighted in the Flood Risk Assessment (Portland Consulting Engineers 2017111 Rev A, February 2018). The development shall be carried out and implemented in accordance with the approved scheme.

Reason: In the interest of the adequate disposal of surface water in accordance with Policy GD1 of the Wear Valley District Local Plan and part 11 of the NPPF.

8. No development other than demolition of the single storey, flat roof part of the former care home building shall commence until details including section drawings showing the existing and proposed site levels and the finished floor levels of the proposed new dwellings have been submitted to and approved in writing by the local planning authority. The submitted details shall include an updated Flood Risk Assessment if any ground raising above 106.5m AOD is proposed. The development thereafter shall be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity of the Conservation Area and to reduce the impacts of flooding, in accordance with policies GD1, BE1, BE5 and BE8 of the Wear Valley District Local Plan and Parts 7, 10 and 12 of the NPPF.

9. Prior to first occupation of any of the dwellings hereby approved a detailed landscaping scheme shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall include accurate plan based details of the following:

- Trees, hedges and shrubs scheduled for retention.

- Details of planting species, sizes, layout, densities, numbers.
- Details of planting procedures or specification.
- Seeded or turf areas, habitat creation areas and details etc.
- The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.
- Samples or precise specification details of all hard landscaping materials
- Details of the locations and appearance of bin stores

The approved landscaping scheme shall be carried out in the first planting season following the substantial completion of the development. Trees, hedges and shrubs part of the approved scheme shall not be removed without agreement within five years, and replaced if they fail within 5 years of initial planting, not later than the following planting season.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity of the Conservation Area, in accordance with policies GD1, BE1, BE5 and BE8 of the Wear Valley District Local Plan and Parts 7 and 12 of the NPPF

10. Prior to its installation a scheme for the installation of a new adoptable standard pedestrian footway extending from the proposed site entrance up to no.17 Arnold Street shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full engineering details of the footway. The approved scheme shall thereafter be carried out and brought into use prior to the first occupation of the dwellings hereby approved.

Reason: In the interests of highway safety and to improve pedestrian access to the site, in accordance with policies GDP1 and T1 of the Wear Valley District Local Plan.

11. Prior to its installation a scheme for the upgrading of the pedestrian footway, which crosses the site linking Arnold Street with Station Road shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full engineering details of the footway. The approved scheme shall thereafter be carried out and brought into use prior to the first occupation of the dwellings hereby approved.

Reason: In the interests of highway safety and to improve pedestrian access to the site, in accordance with policies GDP1 and T1 of the Wear Valley District Local Plan.

12. Notwithstanding the submitted information, prior to their installation full details of all fenestration, including specification and materials of external windows and doors, heads and cills to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity of the Conservation Area, in accordance with policies GD1, BE1, BE5 and BE8 of the Wear Valley District Local Plan and Parts 7 and 12 of the NPPF.

13. Details of the height, type, position and angle of any new external lighting installed shall be submitted to and approved in writing by the Local planning authority prior to their installation. The lighting shall be erected and maintained in accordance with the approved details.

Reason: In the interests of maintaining the character and visual amenity of the surrounding area and to ensure there are no adverse impacts on protected species, to comply with saved policy GD1 of the Wear Valley Local Plan and part 11 the NPPF.

14. The development hereby approved shall be implemented in complete accordance with the mitigation measures detailed in the Bat Mitigation Statement (All About Trees, February 2018), including but not limited to: additional survey work and acquisition of a protected species licence from Natural England, 2 no. bat bricks providing hibernation potential and 6 no. standard bat bricks suitable for crevice dwelling bats prior to demolition of the two storey elements of the former care home building, strict compliance with the precautionary method statement for demolition of the single storey part of the building and use of hibernation and general use bat boxes.

Reason: To conserve protected species and their habitat in accordance with saved policy GD1 of the Wear Valley District Local Plan and part 11 of the NPPF.

15. The development hereby approved shall be implemented in complete accordance with the programme of archaeological works set out in the written scheme of investigation (Archaeological Services Durham University, February 2018). Prior to first occupation of any of the dwellings a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record.

Reason: To ensure the significance of the site is understood and recorded appropriately as the site is within an area of archaeological interest, in accordance with part 12 of the NPPF.

16. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (Portland Consulting Engineers - Arnold Street West Auckland Revision A 2017111 - February 2018) and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 107.8m above Ordnance Datum (AOD)

The mitigation measures shall be fully implemented prior to first occupation of the dwellings and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason: To reduce the risk of flooding and effects of flooding on occupants in accordance with saved policy GD1 of the Wear Valley Local Plan and part 10 of the NPPF.

17. Notwithstanding the submitted elevation drawings of plots 11-20 fronting the green, no wall mounted white meter boxes shall be attached to front elevation of these dwellings. Any white meter wall mounted boxes shall be to the side or rear of the dwellings or ground level brown meter boxes only shall be used to the frontage.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity of the Conservation Area, in accordance with policies GD1, BE1, BE5 and BE8 of the Wear Valley District Local Plan and Parts 7 and 12 of the NPPF.

18. 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: To protect the amenity of neighbouring residents during the construction phase in accordance with saved policy GD1 of the Wear Valley Local Plan and the NPPF.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes A, B, C and D of Part 1 and Class A of Part 2 of Schedule 2 of the said Order shall be carried out to the dwellings hereby approved in plots 11-20 as shown on Proposed Site Plan (A1-00-13 Rev D) without a planning application first having been submitted to and approved in writing by the local planning authority.

Reason: In order that the Local planning authority may exercise further control in relation to new dwellings in a prominent position within the West Auckland conservation area to preserve its character and appearance, in accordance with saved policies GD1 and BE1, BE5 and BE8 of the Wear Valley District Local Plan.

20. The on street parking bays and off street parking spaces, including visitor parking, shall be made available for use prior to the first occupation of the dwellings hereby approved to which they relate and shall be available at all times for the standing of private motor vehicles for the lifetime of the development.

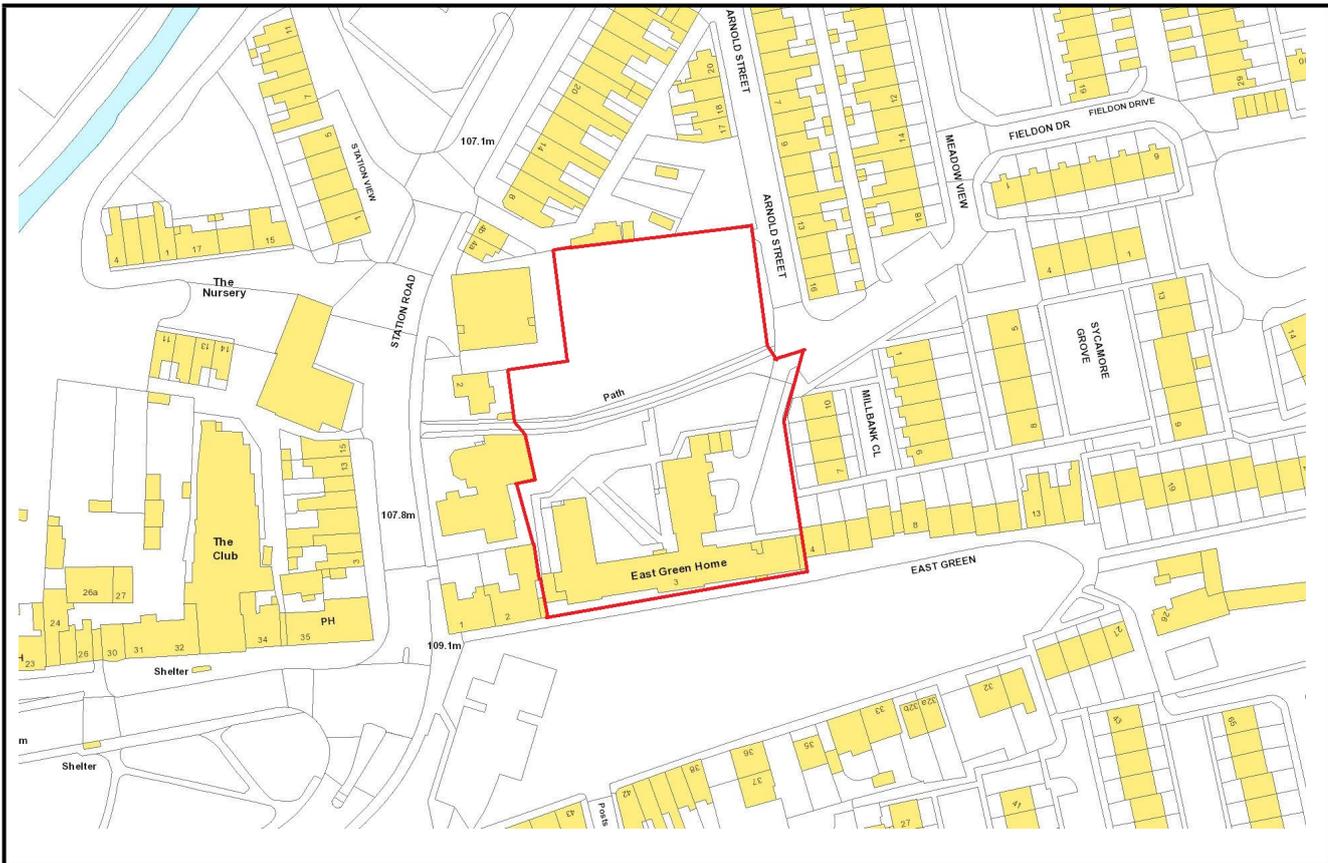
Reason: In the interests of Highway Safety and to comply with Policy GD1 and T1 of the Wear Valley Local Plan.

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 representations 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
Wear Valley District Local Plan
Statutory response from the Highway Authority
Internal consultations responses
External consultations responses



Planning Services

Demolition of former care home and erection of 25 no. dwellings

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Comments

Date 22 March 2018