

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/01431/OUT
FULL APPLICATION DESCRIPTION:	Residential development of 88 dwellings (outline, inc. access)
NAME OF APPLICANT:	Frankill Ltd
ADDRESS:	Land at Rodridge Farm Rodridge Lane Station Town Wingate
ELECTORAL DIVISION:	Blackhalls
CASE OFFICER:	Graham Blakey, Senior Planning Officer 03000 264865 graham.blakey@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site is located upon the western edge of the village of Station Town, Wingate. It lies adjacent to Newholme Estate, post-war residential development, and Ridgeway House Nursing Home and is formed of three agricultural fields. Rodridge Cottage Farm, a disused farm complex, borders the site to the south (in the control of the applicant) with the dismantled railway line and cycle route further beyond the site to the north. Open fields lie to the west and heading towards Trimdon Colliery.
2. Following the pattern established by the village itself, the site is broadly orientated north-south across the three parcels of land. The topography of the site sees the former Rodridge Cottage Farm occupy an elevated position above the site, with land falling away north, decreasing in steepness towards the northern site boundary. The land also falls more generally from west to east in to the village where close to the Newholme Estate it rises more sharply to the existing housing.
3. Pre-existing boundary treatments and landscaping features remain, such as the dividing field boundaries and the boundary to the existing housing. Trees feature within the boundary to the Newholme Estate on the southern part of the eastern boundary forming a semi-dense visual screen when in leaf.

4. No statutory or locally designated landscape or ecological sites are located within or immediately adjacent to the application site, although Carstead Wood West Local Wildlife Site lies approximately 240m to the south west, beyond Rodridge Cottage Farm. No recorded public rights of way are contained within the application site. The application site contains no watercourses, with the site lying entirely within Flood Zone 1, which is the zone of lowest risk. The closest heritage assets are the Holy Trinity Church and Mining Disaster Memorial within Wingate, 800m to the north.

The Proposal

5. Outline planning permission is sought for the erection of 88 dwellings, featuring 15 bungalows, with matters of landscaping, layout, scale and appearance being reserved for agreement later. Access is therefore also sought for approval at the outline stage. Vehicular access is proposed from the eastern part of the site via Newholme Estate in two locations where the current road system comes to an end.
6. An indicative site layout has been provided by the agent for the proposal to demonstrate the delivery of 88 dwellings, pockets of open space and a Sustainable Urban Drainage System (SuDs) basin feature to the northern part of the application site. Housing is shown as a continuation of the Newholme Estate at the points of entry, but forming its own character areas once within the estate. The application proposes to deliver 10% of the total proposed housing as affordable homes.
7. This planning application is being reported to County Planning Committee because it is a residential development with a site area in excess of 4 hectares.

PLANNING HISTORY

8. No relevant planning history.

PLANNING POLICY

NATIONAL POLICY

9. A revised National Planning Policy Framework (NPPF) was published in July 2018. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
10. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
11. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It

defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.

12. *NPPF Part 4 Decision-Making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
13. *NPPF Part 5 Delivering a sufficient supply of homes* – To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.
14. *NPPF Part 6 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.
15. *NPPF Part 8 Promoting Healthy and Safe Communities* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
16. *NPPF Part 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
17. *NPPF Part 11 Making Effective Use of Land* - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
18. *NPPF Part 12 Achieving Well-Designed Places* - 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.
19. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

20. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
21. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

<https://www.gov.uk/guidance/national-planning-policy-framework>

22. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; climate change; conserving and enhancing the historic environment; consultation and pre-decision matters; design; determining a planning application;; flood risk and coastal change; health and well-being; land affected by contamination; land stability; light pollution; natural environment; neighbourhood planning; noise; renewable and low carbon energy; travel plans, transport assessments and statements, use of planning conditions and; water supply, wastewater and water quality.

<https://www.gov.uk/government/collections/planning-practice-guidance>

LOCAL PLAN POLICY:

Easington District Local Plan (2001) (EDLP)

23. *Policy 1 – General Principles of Development.* Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy.
24. *Policy 3 – Protection of the Countryside.* Development outside the “settlement limits” will be regarded as development within the countryside. Other than specifically allowed for by other policies, development in the countryside will not be approved.
25. *Policy 14 – Protection of Special Areas of Conservation.* Development that is likely to adversely affect a Special Area of Conservation will not be permitted unless certain exceptional criteria are met.
26. *Policy 15 – Protection of Sites of Special Scientific Interest and National Nature Reserves.* Seeks to protect such areas by only permitting development which adversely affects such areas where this no alternative solution and the development is in the national interest.
27. *Policy 16 – Protection of Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodlands.* Advises that development which is likely to adversely affect such a site will only be approved where is no alternative solution and the development is of national interest.

28. *Policy 18 – Species and Habitat Protection.* Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.
29. *Policy 19 – Management of Areas of Nature Conservation Interest.* Seeks to protect all areas of nature conservation interest including through the application of other relevant conservation interest related policies within the Local Plan so as to control inappropriate development.
30. *Policy 24 – Protection of Listed Buildings.* This policy states that any developments which adversely affect the character, appearance, special architectural features or setting of a listed building will not be approved.
31. *Policy 35 – Design and Layout of Development.* The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
32. *Policy 36 – Design for Access and the Means of Travel.* The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
33. *Policy 37 – Design for Parking.* The design and layout of parking should seek to minimise the level of parking provision.
34. *Policy 38 – Designing out Crime.* The design and layout of development will be required to have due regard to personal safety and the security of property, particularly in the hours of darkness.
35. *Policy 39 – Design for Art.* Encourages the provision of artistic elements within new development.
36. *Policy 66 – Provision of Outdoor Play Space.* This policy requires developers to provide adequate provision for children’s play space and outdoor recreation space in new major housing developments.
37. *Policy 90 – Protection and Provision of Outdoor Sports Facilities.* Specifies that development which would result in the loss of an area of outdoor sports facilities will not be approved unless: alternative provision is provided; or the development of a small part leads to overall enhancement; or there is an excess of outdoor sports facilities in the area.

RELEVANT EMERGING POLICY:

The County Durham Plan

38. Paragraph 48 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. An ‘Issues & Options’ consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the ‘Preferred Options’ was approved for consultation at Cabinet in

June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

The above represents a summary of those policies considered most relevant. The full text, criteria, and justifications of each may be accessed at: <http://www.durham.gov.uk/article/3266/Whats-in-place-to-support-planning-and-development-decision-making-at-the-moment> (Easington Local Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

39. Hartlepool Borough Council – Raises no objections. Junctions to A19 in the Durham Council area but extensively used by residents of Hartlepool. Work is being undertaken to improve the Sheraton Junction but it will remain close to capacity and this should be accounted for by DCC.
40. Highways England – Raises no objections as the on-going works by Durham County Council to improve the graded separated junction A19 / A179 / B1280 at Sheraton would be sufficient to accommodate this development.
41. *Highway Authority* – No objections have been raised on highway grounds, with trip generation and distribution of traffic from the site considered to have been modelled appropriately. As a result, no highway mitigation is required. Proposed vehicular access is via two separate access points and is considered acceptable. A number of detailed design issues are raised with the indicative layout.
42. *Northumbrian Water* – Raises no objections, subject to the imposition of a condition to agree the finer detail of the drainage scheme.
43. *Drainage and Coastal Protection* – Raises no objections, however, further detailed specification of the drainage proposals which should include adherence to the Councils Sustainable Urban Drainage Systems Adoption Guide (2016) and adherence to greenfield run-off rate are necessary.

EXTERNAL CONSULTEE RESPONSES:

44. *Durham Constabulary Architectural Liaison* – No objections are raised to the principle of the development. There are some suggestions in regard to amending the layout from a designing out crime perspective.

INTERNAL CONSULTEE RESPONSES:

45. *Spatial Policy* – Raises no objections. The Council, through the revised NPPF and Standard Methodology for calculating housing supply figures, considers to have a housing supply in excess of 5 years required by Paragraph 73 of the NPPF; however as the planning policies in the development plan are out-of-date with respect to the housing figures which underlie their determination of this application therefore reverts to Paragraph 11 of the NPPF.
46. In the planning balance exercise, the boost to supply of housing is considered to carry less weight as a result of the Council being able to demonstrate a supply in excess of 6 years. Provision of affordable or specialist housing can be considered as benefits in terms of satisfying local housing need and the planning balance. Paragraph 8 of the framework considers the three dimensions of sustainability and in this application, the development of the site would contribute to the economy through the construction and

delivery of houses, both during their construction but also via new residents supporting local services. This can be considered as a benefit.

47. EDLP Policy 3 defines 'development limits' for settlements within the former District of Easington and advises that development outside of the 'settlement limits' will be regarded as development within the countryside. The policy advises that other than specifically allowed for by other policies, development in the countryside will not be approved. However, it is acknowledged that these development limits were informed in part by housing requirements for a period which has since passed. As such they cannot be considered as being up-to-date, albeit in many instances they may still be relevant from a landscape, townscape or countryside protection perspective. Therefore it is for the decision taker to determine the weight to be given to this policy.
48. Consultation with relevant specialist teams will identify whether there are any additional matters to consider under the Paragraph 11 test which should be factored into the planning balance required of NPPF.
49. *Design and Conservation* – Raises no objections in principle. Indicative layout requires further work at reserved matters stage to make the final development acceptable.
50. *Landscape* – The submitted Landscape Impact Report deals with the effect of development on features & landscape character is also dealt with in the report. It identifies mitigation requirements in the form of structure planting.
51. The Landscape Impact Report describes the hedges contained within the site as "poor in quality and do not contain the requisite number of species to hold any significant value, as confirmed by the ecological report". This is to dismiss their visual amenity value and character in the landscape, given their contiguous characteristics, and their long safe useful life expectancy under careful management.
52. The Landscape Management Plan quotes the Hedgerow Regulations 1997 that relate to hedgerow removals rather than any details of hedge planting. Appendix B. Landscape Proposals contains the nationally and/or regionally non-native hedge species which would be inappropriate and a local hedgerow mix should be preferred.
53. There is evident conflict between Council adopted landscape spatial strategy and the proposed development. The proposals would have some significant adverse landscape and visual effects.
54. *Landscape (Arboriculture)* – The site has a large amount of field boundary hedging internally. To the west of the existing houses in Newholme Estate North, the hedgerows include numerous trees. The development will require the removal of significant sections of internal hedging and, at the proposed access points from Newholme Estate, several of the ash trees will require removal. At present, the loss of some of these trees for access would not have a major detrimental impact on the visual amenity. It is recommended that the applicant produces a Tree Protection Plan for those trees to be retained by condition and a suitable landscape plan provided at reserved matters that includes tree planting in sustainable locations in mitigation of the tree loss.
55. *School Places and Admissions Manager* – The development is likely to produce 27 primary pupils and 11 secondary pupils. There are insufficient school places at primary school age within the Wingate area to accommodate the development of this scale. Consequently, a contribution of £396,981 will be required for the provision of additional teaching accommodation.

56. *Ecology* – A Preliminary Ecological Appraisal and Bat Roost Potential Survey report show that broadleaved trees, semi-improved grassland, amenity grassland and hedgerows are to be lost to facilitate this development. The indicative landscaping plan shows several new areas of habitat with screen planting and SUDs proposed. Although the extant habitats on site do not meet the criteria for Priority Habitats they still have a biodiversity value that needs to be taken into account as the mitigation provided within the Landscape plan may not be sufficient to mitigate for the loss of the existing habitats. A conditional approach to securing appropriate levels of open space is advised or off-site compensation/mitigation secured.
57. *Environment, Health and Consumer Protection (Contaminated Land)* – Raise no objections. A planning condition is suggested requiring the submission of a site investigation and risk assessment, remediation strategy and subsequent verification report.
58. *Environment, Health and Consumer Protection (Noise, Dust and Odour)* – Raise no objections. The application relates to a noise sensitive development and noise generating development, especially in relation to the construction. However there are no noise sources close to the proposed site that would impact on the future occupiers of the housing therefore no controls are required on controlling existing noise sources. A condition is recommended so as to agree a construction management plan.
59. *Environment, Health and Consumer Protection (Air Quality)* – Raise no objections at this stage. A revised Air Quality Assessment is under review. A Dust Action Plan is recommended to mitigate impacts during the construction phase of the development. It is recommended that pedestrian and cycle routes are incorporated into the development to link to local facilities whilst consideration of means to encourage low and zero emission vehicle use should be made.
60. *Affordable Housing* – Raise no objections. The 10% affordable housing requirement is proposed by the applicant and is suggested that a tenure mix of 70% affordable rent and 30% affordable home ownership be secured by planning obligation.
61. *Archaeology* – Site is a large greenfield development that has seen no previous modern development. The submitted site investigation and geophysical survey data have highlighted areas required for trial trenching.

PUBLIC RESPONSES:

62. The application has been advertised by way of a press and site notice, and individual notification letters to neighbouring residents. 3 letters of objections were received. The main concerns raised by objectors are summarised as:
- As per previous application for live work units to Rodridge Farm itself, the proposed development will set a precedent for inappropriate development in the countryside and will result in the encroachment of the linear settlement into the countryside to the detriment to the character of the area.
 - The development will require the removal of significant sections of internal hedging and several Ash Trees will be removed in order to create the proposed access points from Newholme Estate. This will have a significant visual impact.
 - Impacts from the development upon protected species, such as bats, and breeding birds.
 - Impacts upon the amenity of neighbouring residents through loss of view and outlook due to the new houses.

- The site is a prominently elevated position and houses built will have an adverse impact upon our property and would cause a reduction in light levels and an unacceptable loss of privacy.
- Congestion to Newholme Estate cul-de-sac, with parking causing the road to be blocked. An issue for emergency vehicles trying to get to the new development site.
- Additional traffic would make existing green spaces to Newholme Estate unsafe through additional traffic.
- Existing flooding to Millbank Terrace (B1280) and Newholme Estate would be exacerbated by introducing new housing.
- Foul water drainage connection and The Cottage (rear of Millbank Chapel Terrace) has overflowed in to the garden on several occasions, this must be looked at as part of this development.

APPLICANTS STATEMENT:

63. It is considered that the proposed development is in general compliance with the NPPF and the saved policies of the local plan. It is acknowledged that the proposed development is located outside the defined development limit and potentially therefore conflicts with the EDLP policies regarding development in the open countryside.
64. However in this case the NPPF, a significant material consideration, sets out that based on the out of date nature of the councils plan policies, that the presumption in favour of the sustainable development is engaged, and the development is required to be considered in the context of Paragraph 11 of the NPPF. This states that development should be approved without delay unless any adverse impacts of doing so would significantly outweigh the benefits when assessed against the policies of the NPPF taken as a whole.
65. The development would result in the encroachment into the open countryside with some landscaping implications by extending the built environment into the countryside. The land is however to some extent constrained from an agricultural viewpoint because of its proximity of the built form of the settlement and the size of the total farmstead is inadequate to support viable independent farming.
66. The proposed development because of its topography and layout will have limited visual impacts and the proposed landscape scheme will have a positive impact on the landscape and in future establishing a 'visual edge' to the settlement.
67. Therefore, given the site limited visibility and relatively limited land take of the scheme, for the purposes of Paragraph 11 of the NPPF, this harm would not significantly and demonstrably outweigh the recognised social and economic benefits of the proposed new housing.
68. It is considered that the NPPF presumption of favour is a material consideration of sufficient weight to outweigh the perceived conflict with the relevant EDLP policies and the application is in principle acceptable and should be supported providing much needed new housing.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:
<http://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

PLANNING CONSIDERATIONS AND ASSESSMENT

69. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of the development, locational sustainability of the site, highway safety and access, landscape impact and layout and design, affordable housing, residential amenity, public open space, flood risk and drainage, ecology, heritage impacts and other matters.

The Principle of the Development

The Development Plan

70. 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 Easington District Local Plan (EDLP) remains the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The EDLP was adopted in 2001 and was intended to cover the period to 2006. However, NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.

The NPPF

71. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:-
- approving development proposals that accord with an up to date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or
 - ii. 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.

Five Year Housing Land Supply

72. Paragraph 73 of the NPPF requires Local Planning Authorities (LPAs) to maintain a five-year supply of deliverable sites (against housing requirements) to ensure choice and competition in the market for land. Paragraph 60 of the NPPF advises that, *'To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method*

in national planning guidance...'. Applying that methodology for County Durham, the housing need figure would be 1,368 dwellings per annum (dpa).

73. The Government also issued draft planning guidance on 9 March 2018, which sets out that where a local plan is more than five years old and the housing figure needs revising, as is the case in County Durham, the starting point for calculating land supply will be local housing need using the standard methodology.
74. The Council's position on 5-year housing land supply was publically tested at a recent public inquiry (APP/X1355/W/17/3180108 – decision issued 10th May 2018) with the Inspector concluding that the use of the Government proposed standardised methodology for calculating land supply would be premature until it has formally come in to force or until the council has adopted a formal position in relation to its Objectively Assessed Need (OAN). On the 13th June, the 'Preferred Options' of the County Durham Plan (CDP) was presented to the Council's Cabinet and endorsed for consultation. The CDP is aligned with the standardised methodology and formally endorses the use of 1,368dpa as the OAN figure. The publication of the updated NPPF in July confirms its appropriateness for use. Against the 1,368dpa figure, the Council is able to demonstrate in excess of 6 years supply of deliverable housing land.
75. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is clearly less than in instances where such a healthy land supply position could not be demonstrated. This will need to be factored into the planning balance accordingly.

Assessment having regards to Development Plan Policies

76. The site is located to the western edge of the settlement of Station Town, falling outside of the settlement limits defined by EDLP Policy 3 and thereby in conflict with the policy. Given the age of the EDLP and housing supply figures that informed it, the restriction of housing by settlement limits is informed in part by housing requirements for a period which has since passed. Subsequently, the Policy must now be considered out-of-date for the purposes of Paragraph 11 of the NPPF, and the weight to be afforded to the policy reduced as a result. However Paragraph 213 of the NPPF concludes that out-of-date policies should not be considered irrelevant, but that the amount of weight given to the policy varied in accordance with their consistency with the NPPF. While the restrictive nature of Policy 3 is not consistent with the NPPF, the protection of landscape and visual harm that the Policy also implied can be assessed as part of the landscape impact of the proposed development later in this report.
77. Consequently, the acceptability of the development largely rests on whether any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits or whether there are any NPPF policies that protect areas or assets of particular importance which provide a clear reason for refusal. This planning balance is undertaken at the end of this report in light of considering all material considerations.

Locational Sustainability of the Site

78. The County Durham Plan Settlement Study (2018) is an evidence based document whose scoring matrix rates Station Town as part of the 'Wingate Cluster'. These medium sized villages will have access to some but not all facilities expected within an urban setting such as schools, doctors, community facilities and industrial estates. Between Wingate and Station Town access to schools, doctors surgery shops and bus service are all possible, with most of the services skewed towards Wingate rather than Station Town. It is considered therefore, that settlements of this nature have some

attributed that would make them locationally sustainable, subject to specific site constraints.

79. Paragraphs 108 and 110 of the NPPF set out that development proposals should promote sustainable transport modes, prioritising pedestrian, cycling and access to public transport. EDLP Policy 36 encourages the use of public transport and reduce the reliance upon the motor car, and is consistent with the NPPF. Schools within Wingate all lie within appropriate walking distance and can be accessed by bus, Part of the Wingate service centre, formed of some small scale retail units (including a post office), are located approx. 780m from the application site.
80. The proposed development also could encourage walking and cycling through proximity to the network of dismantled railways and public rights of way which surround Station Town, including National Cycle Route 1 which runs through village and north east towards Peterlee. Peterlee lies around 5 miles to the north east of the village and is a 20 minute bus journey. Hartlepool lies to the south east and is a 30 minute bus journey away. Bus stops are located to the main thoroughfare through Station Town, east of the Newholme Estate through which this site would take access. Direct links are possible to both Peterlee and Hartlepool from these stops, with buses running every 20-30 minutes in both directions throughout the day. A range of transport options would therefore be available for future residents.
81. As a result, it is considered that in the vicinity the site has access to an array of services and facilities, adequate to serve the development proposed, and that these are within relative ease of reach by future residents. No objections are therefore raised having regards to the locational sustainability of the site, and carries weight in favour of the proposed development.
82. Overall, it is considered the walking distances, access to the cycle and footpath network and the established bus service would give future residents alternative options to the private motor car to access services and amenities, in accordance with Paragraphs 108 and 110 of the NPPF, which encourages the integration of new development into the existing environment; and EDLP Policies 1 and 36, which are considered consistent the NPPF in this respect.

Highway Safety and Access

83. EDLP Policy 36 requires that development proposals achieve a satisfactory means of access onto the wider highway network while seeking to protect highway safety in terms of vehicle movements and traffic generation. CDLP Policies T17 and T6 seek to ensure that safe, attractive and convenient footpath links are provided, and where appropriate, to serve new development and provide access to public transport. These Policies are considered compliant with the NPPF which also seeks to promote accessibility by a range of methods, while ensuring that a safe and suitable access can be achieved and therefore can be given full weight in considering the application, except for Policy T15 which uses out of date guidance and so is only partially compliant.
84. The application is accompanied by a Transport Assessment (TA) which seeks to inform on and assess the key highways related implications of the development. This includes the accessibility of the development; trip generation and traffic assignment; future year flows; operational assessment of junctions; highway safety; and present highways works necessary to facilitate the development. The Council's Highways Authority consider the assessment establishes that the impact of the development upon the highway network would, for a large part be acceptable, and would not result in impacts that could be considered severe. Both Highways England and adjoining

authority Hartlepool Borough Council are also satisfied that the impacts upon the A19 at Sheraton Park would be mitigated by the on-going works by the Highways Authority to improve the junction through signalisation.

85. The NPPF sets out at Paragraph 108 that safe and suitable access can be achieved for all people while Paragraph 111 sets out that developments that generate a significant amount of traffic should be supported by Transport Assessments or Statements. In addition Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be unacceptable impact upon highways safety, or the residual cumulative impacts on the road network would be severe.
86. The proposed development would provide access to the predominant sustainable transport option in the area, the bus, and the cycle network in the area. EDLP Policy 36 promotes the increased access of new development to sustainable transport links, and with the surrounding bus stops and the cycle network, this proposal is considered to adhere to the requirements of the Policy.
87. Residents of Newholme Estate have raised concerns over the access points for the proposed development and the current parking situation at this point of the estate. The Highways Authority consider that the road width of the Newholme Estate would be sufficient to accommodate additional traffic from the proposed development through the estate to the B1280 main road as well as existing residents demands.
88. As a result, the impacts from the proposed development are considered insignificant and would not lead to a severe residual cumulative impact in the context of Paragraph 109 of the NPPF. The proposals therefore comply with EDLP Policy 36 in regard to reducing private transport use through improved access to links and safe access to the highway network.

Landscape Impact, Layout and Design

89. Paragraph 127 of the NPPF also states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. EDLP Policy 35 requires that the design and layout of new development to reflect the scale and character of adjacent buildings and the area generally, particularly in terms of site coverage, height, roof style, detailed design and materials. Schemes should provide adequate open space and appropriate landscape features and screening where required. Policy 38 requires new development to reduce crime through consideration at the design stage of a scheme, with Policy 39 looking to improve developments through the provision of artistic elements. Parts 12 and 15 of the NPPF also seek to promote good design and sets out that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
90. EDLP Policies 35, 38 and 39 are considered consistent with the content of the NPPF. The key policy consideration in this matter is whether the site is read together well with the built environment and the surrounding landscape features, and represents good design.
91. The application is in outline form, with an indicative layout given to demonstrate the ability of the site to accommodate the number of houses proposed together with the various features expected from housing development, such as public open space and any drainage features. Matters of layout, landscaping, scale and appearance are all reserved for approval later, however officers are satisfied that these can be

accommodated in a successful manner as demonstrated by the indicative layout. The layout also includes provision for single story bungalow development, as referred to within the submitted Planning Statement. This tenure of dwelling is not always present upon new housing proposals and is considered a benefit that should be secured with and recommendation for approval. Access is a matter sought for approval at the outline stage, with detailed designs for the proposed junction and associated improvements to take two access via the Newholme Estate are included with the application.

92. In the broad landscape context, the position of the site against the built environment on the settlement edge. Representations have been made which cite the incursion in the countryside would be at odds with the linear development of Station Town and so detrimental to the character of the area. The site is not flat, it runs from south to north and substantially from west to east to a hollow centrally and then partly back up to the Newholme Estate and the field boundary there. Currently made up of three separate parcels of land, the boundaries of which are made up from neglected and sporadic agricultural hedgerow and stock fencing and cross the site from east to west at equidistant intervals. Landscape officers have noted their loss and highlighted this as a concern. Final consideration as to the extent of hedgerow retention into the layout or their loss would be resolved at the reserved matters stage. In terms of visual impact there will be some impact as a result of the proposed development, simply through the replacement of agricultural field with built development, and is constituted as having some significant adverse impact upon the landscape.
93. The topography of the site is considered by officers to play an important role in views of the development. The presence of a proposed structure planting buffer to the western boundary of the site, at the most elevated and visible area outside of the settlement, would play a decisive factor the visual impact of the proposed development in the long term. A new green edge to this part of Station Town would be considered a positive in landscaping terms, however this buffer would take 10-15 years to reach some form of suitable screening.
94. Previously, planning permission was sought upon Rodridge Cottage Farm itself for a development of live-work units (ref: 5/PL/2011/0037) and was refused by the Local Planning Authority for being a 'linear extension of the settlement into the open countryside to the detriment of the character of the area. Rodridge Cottage Farm follows more closely the lane which runs east-west towards West Woodburn, a farm to the west. The relatively narrow depth of the site from the lane would have a different impact upon the character of the area to that of the proposed development and so must be considered accordingly. The proposed development runs more north-south and lies to the west of the current built development. Station Town has seen similar development to that proposed to the eastern side of the village in the 1970s (Ferndale Close).
95. Taking the views of landscape officer together with the proposed mitigation structure planting and the topography of the site, officers considered that the proposal would offer no net benefit or loss in landscaping terms and as such would be weighted accordingly in the planning balance.
96. Tree losses would also occur as a result of the development and its proposed accesses and this would cause some harm. Tree officers however are satisfied that the relevant losses and subsequent retention of some trees can be secured and a request for the detail of the retained trees in relation to the proposed access points is considered appropriate.

97. Indicatively, the proposed layout shows the site can comfortably accommodate the level of housing proposed. It has segregated the private and affordable housing, however this would be bungalow type housing, and features scope for overland drainage features. Issues surrounding hedgerow retention would need answering at reserved matters stage. As such, the development would be considered at outline stage to comply with EDLP Policies 35 and 66 and be an appropriately designed and visually interesting development. Compliance with Parts 12 and 15 of the NPPF would also be achieved through mitigating planting and therefore overall adds some weight in favour of the development in the planning balance.

Affordable Housing

98. In order to deliver a suitable amount and variety of homes, local need should identify, among other things, affordable housing requirements for their area, whereby Paragraph 60 of the NPPF encourages the provision of affordable housing based on evidenced need. The up-to-date evidence in the Strategic Housing Market Assessment establishing a requirement for 10% provision, amounting to 9 dwellings. This proposal includes provision in excess of that figure at 15 units and in bungalow form.
99. The Housing Delivery Team has requested that this be delivered in the form of 70% affordable rent and 30% affordable home ownership (i.e. discounted sale). The applicant has confirmed that this requirement can be met by a planning obligation secured through S106 of the Town and Country Planning Act 1990 for the minimum 10%, with housing in addition to that figure being considered in the planning balance.

Residential Amenity

100. EDLP Policies 1 and 35 requires that the design and layout of development to reflect the character and scale of the adjacent buildings and have no serious adverse effect on the amenity of neighbouring residents or occupiers. Policy 38 relates to designing out crime in development. These Policies are considered NPPF compliant with Paragraph 127 of the NPPF stating that planning should always seek to secure a good standard of amenity for existing and future users.
101. The indicative site layout for the proposed 88 dwellings satisfactorily demonstrates sufficient space is available within the application site to accommodate the proposed number dwellings in a manner which would not cause undue impact upon the dwellings to the east of the site. Existing dwellings to the east of the site are orientated north-south direction where they border the site. The indicative layout has proposed dwellings that would follow this orientation and continuation of the housing form to the main access road from the Newholme Estate. This would show that a layout is possible that can reduce the impact of the proposed new housing upon the existing occupiers through a continuation of the existing built form. The cul-de-sac of sheltered accommodation attempts to follow this ideology to some degree. While level differences would still require assessment to ensure this is the case at the reserved matters stage, officers consider that the impacts upon privacy and light to existing residents would not be compromised in accordance with EDLP Policies 1 and 35. Internally, the indicative layout also demonstrates there is sufficient space to accommodate all proposed dwellings without impact upon proposed dwellings.
102. In terms of noise, the application is accompanied by a noise survey which identifies that the impacts from the surrounding road network has a relatively high background noise environment during the day, but reduced during the night when traffic movements would be limited nearby. The Council's Technical Advice Note (TAN)

regarding noise outlines thresholds within which living conditions inside dwellings should be maintained.

103. The Council's Environmental Health and Consumer Protection officers have considered the submitted report, and advise that it is of sound methodology. They note the presence of a former farm complex to the south of the application site and that this is owned by the applicant and referenced in the applicant's Planning Statement as no longer being operational, nor would become operational. Planning permission was gained in 2007 and subsequently implemented for the change of use of a number of the farm buildings for a storage and industrial B8 use though again more recently it is understood that such commercial activities have also ceased. This B8 use was subject to conditions including control over hours of operation. Overall taking into account that the lawful uses which could restart at the farm complex would involve the permitted B8 use and likely only limited agricultural usage of remaining agricultural buildings, officers consider that it is unlikely that those operations would unacceptably harm the amenity of prospective occupiers of the proposed development.
104. During the construction phase of the development, it is acknowledged that levels of noise may be noticeable by existing residents, and some level of disturbance is almost inevitable with a development of this duration and scale. It is considered that through the imposition of a condition requiring a Construction Management Plan, such impacts can be minimised, and reduced to such a level that statutory nuisance would be unlikely to occur, and the impact upon residential amenity would be reduced to an acceptable amount. Having regard to these measures, the application is considered to be in accordance with EDLP Policies 1 and 35, and Part 15 of the NPPF in this regard.
105. With regard to air quality, the application is accompanied by an air quality survey which outlines that the impact of the development upon air quality once occupied to be negligible, with the predicted amount of air quality pollutants remaining below the annual mean air quality objective. Environmental Health and Consumer Protection Officers are reviewing the findings of the report and an update will be given to members on the day of the committee meeting. It is however accepted that the construction phase may give rise to nuisance dust, which can be classed as a medium level of risk. In order to address this, a Dust Management Control Plan (including active monitoring and mitigation), is proposed, and can be secured by means of a planning condition. The application is therefore considered to be in accordance with EDLP Policies 1 and 35 and Part 15 of the NPPF in this regard.

Public Open Space

106. EDLP Policy 66 seeks to ensure adequate provision of open space is provided in new residential developments. EDLP Policy 90 relates to the protection and provision of outdoor sports facilities. These policies are considered partially consistent with the NPPF and so can be afforded limited weight as whilst the objectives of the Policy remain in conformity, the standards have since been updated through the Open Space Needs Assessment (OSNA). The Council's Open Space Needs Assessment (OSNA) 2018 is considered the most up to date assessment of need for the purposes of Paragraph 96 of the NPPF.
107. The OSNA sets out the requirements for public open space on a population pro rata basis, and this development would be expected to provide provision for five typologies, either within the site, or through a financial contribution towards offsite provision, in lieu. Having regard to the indicative proposed layout, it is considered that the development can accommodate appropriate levels of Amenity Open Space and Natural Green Space within the development. Therefore, taking into account the levels

of open space proposed on site, those typologies of open space for which there are sufficient provided already within East Durham, improvements to existing areas parks and recreation ground and youth place spaces in the vicinity would be required by way of an in-lieu financial contribution totalling £104,157, and would be sought through a planning obligation secured through Section 106 agreement of the Town and Country Planning Act 1990.

108. Open space proposed within the site would be formalised at the reserved matters stage, however a total of 1.5Ha of open space are proposed by the application and it is therefore proposed to ensure this level of open space is provided by the application by way of condition.
109. Overall therefore, the application is considered to be in accordance with EDLP Policies 66 and 90, and Paragraph 96 of the NPPF with regards to the provision of public open space.

Flood Risk and Drainage

110. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment. The application is accompanied by a Flood Risk Assessment (FRA) and this has been amended during the course of the application. The application site is located within flood zone 1 and is therefore located on land least likely to suffer from tidal or fluvial flooding.
111. With regards to how the development would address drainage, the application proposes a suite of Sustainable Urban Drainage System (SUDs) principles and has accommodated space within the layout for a drainage base if required. The options for soakaway or discharge into nearby water courses are proposed.
112. Drainage and Coastal Protection officers require surface water run-off rates to be comparable to that of the existing use of the land (i.e. greenfield). Surface water attenuation will be required to ensure this rate can be achieved and is proposed via the above in the form of a SUDs scheme, which will prevent external flooding for both 1 in 30 year floods and up to 1 in 100 flood events. Again, detail of this scheme is subject to agreement of the final layout of the development, and as such, a condition to require the details of the proposed SUDs scheme should be used.
113. With regards to the disposal of foul waters Northumbrian Water have requested a condition be included to detail the foul water connection to their services.
114. The development proposes to meet the required level of surface water run-off at greenfield run-off rate through the provision of a SUDs scheme and is therefore considered acceptable in principle subject to detailed assessment at the reserved matters stage, and is therefore compliant with Part 14 of the NPPF.

Ecology

115. EDLP Policies 14, 15, 16, 18 and 19 seek to protect sites of nature conservation importance and areas of ancient woodland. Paragraph 175 of the NPPF seeks to protect biodiversity and also protected wildlife sites from the effects of proposed development.

116. The closest site of nature conservation interest is Carstead Wood West Local Wildlife Site (LWS) which is located 240m to the south west. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them. An ecology survey and bat survey have been submitted with the application, highlighting that no species that are afforded special legal protection under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended) have been recorded within the site. The reports therefore conclude that the risk of protected species being on the site, with the exception of foraging bats and breeding birds within trees, or the development being a risk to the protected species are low.
117. The County Ecologist has considered the content of the submitted information and has advised that the methodology and findings are sound. They note the internal hedgerows running east-west would form foraging routes for birds and bats as well as providing habitat for wildlife. Their retention at reserved matters stage should therefore be explored thoroughly.
118. Ultimately however, the proposals would lead to the loss of undeveloped land which would contribute in its entirety to biodiversity in the local environment. The development of the land would result in biodiversity loss which would be off-set to some degree with the proposed structure planting. Overall, the County Ecologist has accepted the principle of this approach, and subject to securing this level of open space and future improvements in lieu of on-site provision.
119. Therefore, having regard to the submitted reports, the development would, it is considered, lead to no net loss in biodiversity in accordance with the aims of Paragraph 175 of the NPPF. No harmful impacts upon local or statutory ecological sites would occur in accordance with EDLP Policies 14, 15, 16, 18 and 19, each of which have degrees of consistency with the NPPF and can be attributed weight.

Heritage Impacts and Archaeology

120. The application site does not lie within or contain any designated heritage assets, with the closest being the Holy Trinity Church and Mining Memorial within Wingate over 800m to the north, and with no direct visual relationship with the site. Consequently, it is considered that there would be no harm upon the designated heritage assets. In terms of non-designated heritage assets, again none have been identified within the immediate vicinity of the site.
121. Analysis, including field evaluation, is required to establish if the presence of archaeological assets are present beneath the site and the implications it would have for the development. The desk-based study highlights areas where trial trenching should be undertaken and the Council's Archaeology Officer is in agreement with this methodology. Given the outline nature of the application, officers are satisfied that the trial trenching can be undertaken prior to the submission of the reserved matters so that the layout of the proposed development can be informed where necessary.
122. Paragraph 196 of the NPPF states that the impact of an application upon the significance of a designated heritage asset should be taken into account in the determination of the application, and that the scale of any harm or loss to significance should be weighed in the balance. In this instance, with there being no impact upon significance, the application is considered to be acceptable in this regard, and in accordance with Part 16 of the NPPF and EDLP Policy 24 (partially consistent with the NPPF).

Other Issues

123. The School Places Manager has advised that there is insufficient capacity at both primary school age places in the Wingate area in proximity to the application site. Therefore, as a result of the proposed development, additional school places at this level would be required in order to accommodate the pressure upon school places likely to result from this development.
124. A contribution of £396,981 is required respectively for the provision of primary school places in order to provide the additional capacity and this would be secured by means of a planning obligation.
125. Being proposed development involving a sensitive end use, the site has been subject to Phase 1 study to assess the risk of contamination. These reports identify that contamination is clearly present, and has identified proposed remediation. Environment, Health and Consumer Protection officers raised no objection to the proposal subject to a planning condition requiring the submission of further work to the proposed remediation strategy and so as to ensure that this contamination is correctly mitigated. The proposed development complies with Paragraphs 170 and 178 of the NPPF which would ensure the site and the surrounding area would be safe and appropriately remediated.
126. Paragraph 76 of the NPPF allows local planning authorities flexibility in granting time limits upon proposed housing developments to facilitate implementation in a timely manner. It is considered that the proposed site would be a candidate for such a site which could be subject to a reduced timescale for implementation of the development by reducing, by one year down to two years, to the period by which reserved matters must be submitted. Officers consider this would not threaten the viability or deliverability of the site in this instance.

Planning Obligations

127. Paragraph 56 of the NPPF and Paragraph 122 of The Community Infrastructure Levy Regulations 2010 set out three planning tests which must be met in order for weight to be given to a planning obligation. These being that matters specified are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. The proposed contributions towards education provision and offsite open space provision are all considered to be in accordance with these tests, as is the securing of affordable housing.

Planning Balance

128. As a result of EDLP policies for the supply of housing being out of date, the acceptability of the application should be considered under the planning balance test contained within Paragraph 11 (d) of the NPPF. No NPPF policies that protect areas or assets of particular importance provide a clear reason to refuse the application and therefore in order to justify the refusal of planning permission any adverse impacts of a proposed development must significantly and demonstrably outweigh any benefits.

Benefits

129. The development would assist in maintaining housing land supply at a time when the housing policies for the area are out of date whilst acknowledging that the Council can demonstrate in excess of 6 years housing land supply against an objectively assessed

need. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is reduced.

130. This boost to housing supply would extend to the delivery of affordable homes as the development proposes the delivery of 10% affordable housing provision in accordance with the Strategic Housing Market Assessment (SHMA). The provision of the affordable housing can be secured through a planning obligation under S106 of the Town and Country Planning Act 1990. This application also proposes affordable housing addition to that required by the SHMA.
131. As part of the proposals, the applicant has proposed 15 units of sheltered accommodation which is referred to as being single story bungalows. Development of this nature is considered a benefit in the planning balance and should be given positive weight accordingly.
132. Locationally, it is considered the walking distances, access to the cycle and footpath network and the established bus service would give future residents alternative options to the private motor car to access services, amenities, nearby town centres and employment opportunities in these centres and beyond.
133. To a degree the development would provide direct and indirect economic benefits within the locality and from further afield in the form of expenditure in the local economy. This would include the creation of construction jobs, as well as further indirect jobs over the lifetime of the development. A temporary economic uplift would be expected to result from the development and expenditure benefits to the area.

Adverse Impacts

134. Some adverse landscape impact would result from the incursion of built development in to the countryside to the west of Station Town. The applicant proposed structure planting to the western and northern boundaries of the site to mitigate the impact of the development, however these will only be effective from the medium term (10-15 years). The topography of the site further reduces the visual impact of the main body of the development. However, as a result of the immediate impacts of built development, it is considered sufficient to give weight against the development in the planning balance.

CONCLUSION

135. The residential development would draw support from the NPPF through its locational sustainability and access to services and alternative transport methods. It is considered that this, together with economic benefits and provision of affordable housing would outweigh the immediate impacts of upon the landscape from introducing built development to the western side of Station Town. Medium and long term mitigation of the visual impact is considered key in the long term assimilation of the development in the landscape.
136. As set out above, in the context of Paragraph 11 of the NPPF, the proposed development would result in limited adverse impacts, and they do not “significantly or demonstrably” outweigh the benefits identified above, and as a result, the proposed development can be considered to constitute sustainable development for the purposes of Paragraph 11, for which there is a presumption in favour.
137. The proposal has generated some public interest, with concerns regarding the principle of the development and the impacts upon the highway network. Concerns

expressed regarding the proposal have been taken into account, and carefully balanced against the scheme's wider social, economic and community benefits.

RECOMMENDATION

That the application is **APPROVED** subject to the completion of a Section 106 Legal Agreement to secure the following:

- Provision of a minimum of 10% affordable housing units on site;
- £396,981 towards the provision of additional capacity at primary schools in the Wingate area;
- £104,157 towards the provision or improvements to open space and recreation within Blackhalls Electoral Division;

and subject to the following conditions:

Time Limit Outline

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

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

Submission of Reserved Matters

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

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

No. of Dwellings

3. The development hereby approved shall comprise a maximum of 88 dwellings, of which 15 shall be bungalows.

Reason: To define the consent and precise number of dwellings approved.

Approved Plans

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

Plan	Drawing No.	Date Received
Site Location Plan	18022101	11/05/18

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 1, 3, 14, 16, 18, 35, 36, 37, 38, 66, 90 and 92 of the EDLP and the NPPF.

Pre-Commencement Conditions

Contaminated Land

5. 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 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 15. This is required as a pre commencement condition in order to mitigate potential impact upon the sensitive end use of the site which needs to be considered before site works commence.

Construction Management Plan

6. Prior to the commencement of any works of demolition, remediation or construction hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority.
 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. The use of vibrating rollers during construction of roads and piling mats should also be included in these details;
 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 contractor 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 residential amenity of existing and future residents from the development to comply with Part 15 of the National Planning Policy Framework. This is required as a pre commencement condition in order to mitigate potential impact on residential amenity which needs to be considered before site works commence.

Drainage

7. Prior to the commencement of the development hereby approved a detailed scheme for the provision of foul and surface water drainage informed by Flood Risk and Drainage Assessment, 29/03/2018 (Ref: 2018-034), shall be submitted to and approved in writing. The scheme for surface water drainage shall include sustainable urban drainage systems within the design in accordance with the Council's SUDs Adoption Guide 2016 and details of the management and maintenance regime for those systems. The scheme for surface water run-off shall not exceed 21.3 l/s. The drainage shall be completed in accordance with the details agreed.

Reason: In the interests of the adequate disposal of foul and surface water in accordance with Parts 14 and 15 of the NPPF. This is required as a pre commencement condition to ensure that the proposed development provides adequate levels of drainage which needs to be considered before site works commence.

Tree Protection

8. Prior to the commencement of the development details of the trees and hedgerows proposed for retention shall be submitted to and approved by the Local Planning Authority. Once agreed, retained trees shall be protected by the erection of fencing and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar in accordance with BS 5837:2012. Protection measures shall remain in place until the cessation of the development works.

Reason: In the interests of the visual amenity of the area having regards to Policies 1 and 35 of the Easington District Local Plan and Parts 12 and 15 of the NPPF. Required to be pre-commencement as landscape features must be protected prior to works, vehicles and plant entering the site.

Ecology Mitigation

9. A scheme of ecological mitigation shall be submitted at the reserved matters stage and shall include details of establishing biodiversity habitat on-site, and shall be implemented in accordance with a timescale to be agreed, and maintained in perpetuity in accordance with an agreed maintenance programme.

Reason: To ensure retained habitat is protected and to conserve protected species in accordance with Policies 1, 16 and 18 of the Easington District Local Plan and Part 11 of the NPPF.

Time Limited Conditions

Open Space Maintenance

10. Prior to the occupation of the first dwelling a scheme for the ongoing maintenance of the areas of public open space including any on-site biodiversity mitigation within the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. In the event of proposals to maintain the public open space by means other than through transfer to the Local Authority then the scheme shall provide for details of an agreed maintenance and cutting schedule in perpetuity.

Reason: In the interests of appearance of the area in accordance with Policies 35 and 66 of the Easington District Local Plan and Parts 12 and 15 of the NPPF.

Travel Plan

11. Within a period of six months of the first occupation of any part of the development of the relevant phase, a final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented thereafter in accordance with the approved timescales.

Reason: To reduce reliance on the private motor car and to promote sustainable transport methods in accordance with Policy 36 of the Easington District Local Plan and Parts 9 and 15 of the NPPF.

Other Conditions

Amount of Open Space

12. Notwithstanding the indicative layout submitted with the application, a minimum of 1.5 hectares of open space shall be provided on site.

Reason: In the interests of appearance of the area in accordance with Parts 12 and 15 of the NPPF.

Working Hours

13. 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 1300 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.

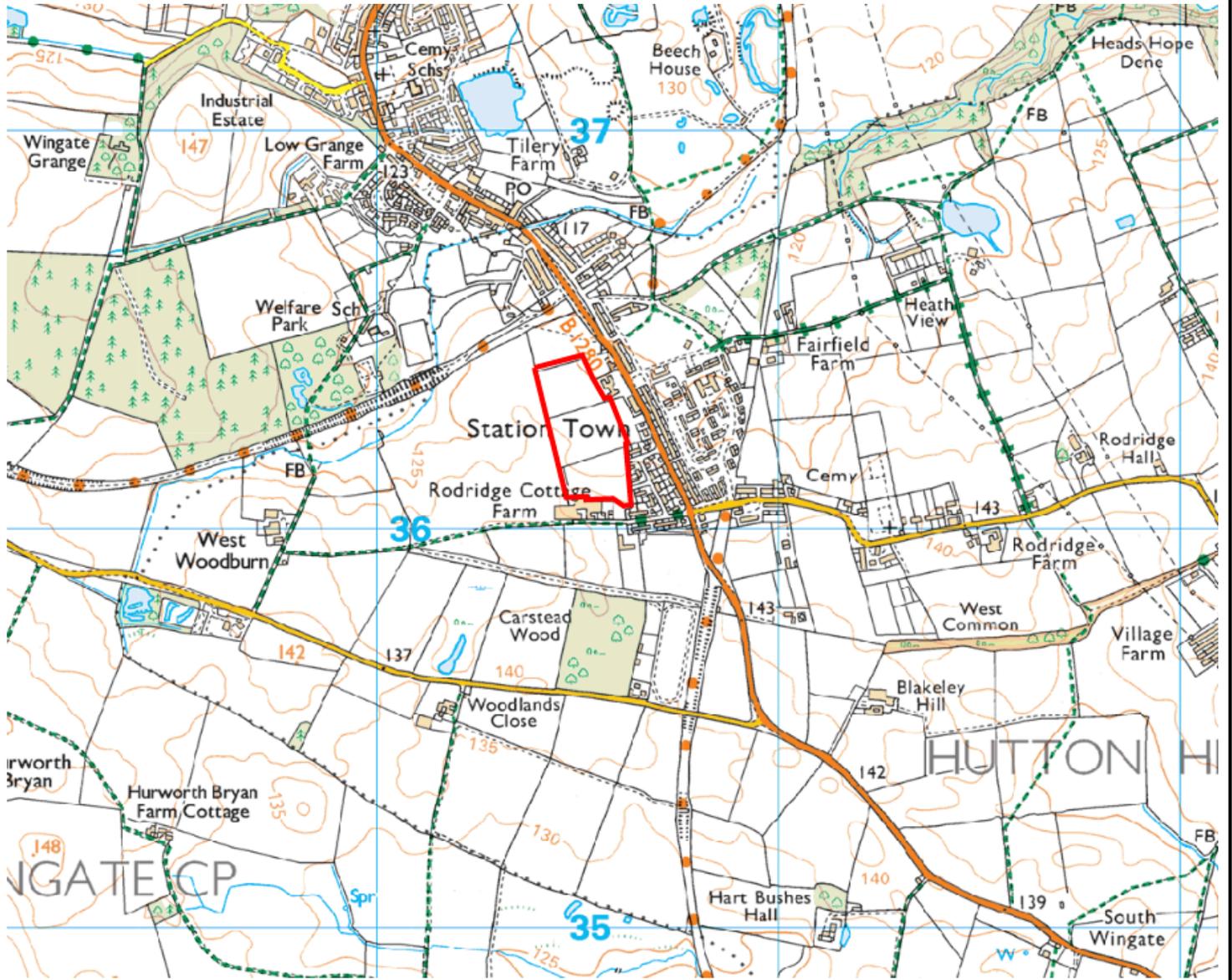
Reason: To protect the residential amenity of existing and future residents from the development to comply with Part 15 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to support this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

BACKGROUND PAPERS

- Submitted application form, plans, supporting documents and subsequent information provided by the applicant
- The National Planning Policy Framework (2018)
- Conservation of Habitats and Species Regulations 2017
- National Planning Practice Guidance
- Easington District Local Plan
- Evidence Base Documents e.g. SHLAA, SHMAA, County Durham Settlement Study and OSNA
- DCC Sustainable Urban Drainage Systems Adoption Guide 2016
- Statutory, internal and public consultation responses




Durham
County Council
Planning Services

DM/18/01431/OUT

Residential development of 88 dwellings (outline, inc. access and layout)

Land At Rodridge Farm, Rodridge Lane, Station Town, Wingate.

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Comments	
Date October 2018	Scale Not to scale