

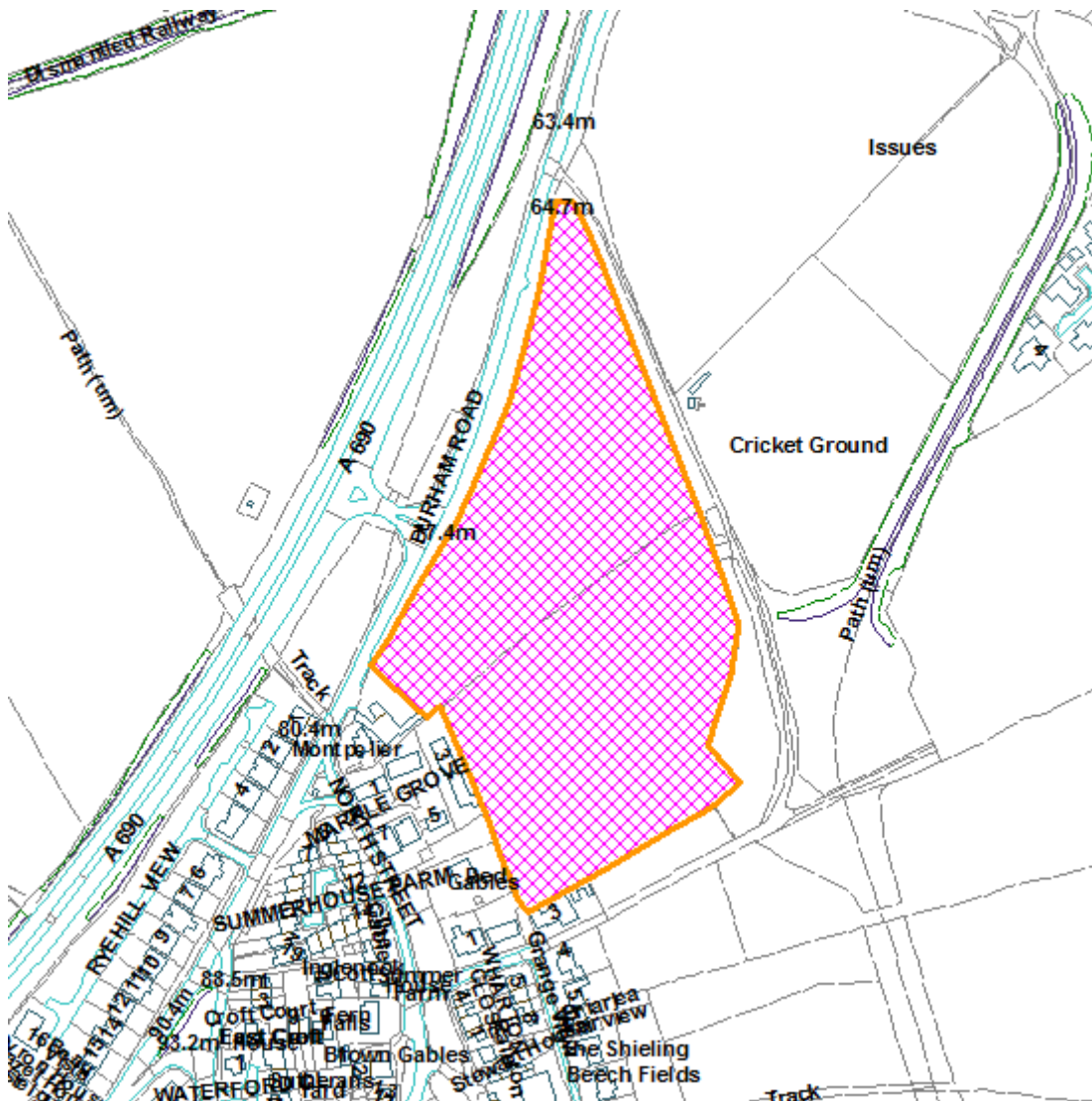
Reference No.: 16/00216/REM Approval of Reserved Matters

Proposal: Reserved Matters application following the approval of 14/00506/OUT (Outline application for residential development all matters reserved except for access.) for the appearance, landscaping, layout and scale of development for 93 dwellings.

Location: Land Bounded By Durham Road Hetton Bridleway/Footpath 9 And Markle Grove Hetton-le-Hole Sunderland

Ward: Hetton
Applicant: Avant Homes
Date Valid: 12 February 2016
Target Date: 13 May 2016

Location Plan



PROPOSAL:

This application is the reserved matters following the approval of 14/00506/OUT (Outline application for residential development all matters reserved except for access.) for the appearance, landscaping, layout and scale of development for 93 dwellings.

Members may recall the application was recommended to be approved subject to the completion of a section 106 agreement by the Planning and Highways committee on the 11th June 2014. The outline planning permission was issued on the 6th January 2015.

At the planning and highways meeting on the 11th June 2014 members requested that the subsequent reserved matters application should be referred back to the committee rather than been being processed under delegated powers.

The application has been advertised by the way of Neighbour Notification, site and press notice.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network Management
Environmental Health
Tyne and Wear Archaeology Officer
Durham Wildlife Trust
Northumbrian Water
Southern Area Command - Police
SUSTRANS
Nexus
The Coal Authority
Public Rights Of Way Officer
The Highways Agency
Environment Agency
Natural England
North Gas Networks
Northern Electric
Director Of Children's Services
Flood and Coastal Group Engineer
Health & Safety Executive
Hetton - Ward Councillor Consultation
Hetton Town Council

Final Date for Receipt of Representations: **15.03.2016**

REPRESENTATIONS:

5 letters of representation have been received to the proposal.

The main areas of concern are list below:-

- Increase in traffic in the surrounding area
- Increase pressure on sewerage system
- Potential for drainage issues
- Impact on Rainton Meadow and Hetton Bogs
- Loss of View for residents in Markle Grove
- Lack of Core Strategy and Five housing land supply
- Would like condition reviewed to stop working on a Saturday
- Increase overall planting on the scheme
- Reduce the number of units further
- Boundary Issues
- Site Levels
- Issues with strip of land between plots 5 to 11
- Impact on local schools
- Councillor and Planners spoiling lovely village

In respect of the objections raised above, all material issues have been careful considered at the outline planning application stage in respect of flooding, drainage, ecology, land supply and quantum of development in respect of highways before outline planning permission was granted.

Boundary issues are a civil matter and the relevant parties have been provided Avant homes contact details.

Avant homes propose that all landscaping issues will be managed and maintained by a management company.

A commuted sum was secured at the outline stage to contribute to Education facilities.

Hetton Town Council

A site visit was under taken by the case officer and Hetton Town Councillors. The proposal was fully explained in respect of that the access had been agreed at the outline stage and couldnot be considered as part of this application.

Other issues raised:-

Site Levels

The additional information was requested to fully consider the impact on the existing properties which physically adjoin the site.

Historic horse troughs.

The troughs are outside the redline boundary. However, the applicant has been made aware of the historic value and an informative will be attached to the decision should members be minded to approve the reserved matters application.

Members asked for clarification of school place and play facilities. These two matters are covered in the section 106 agreement which was agreed as part of the outline permission 14/00506/OUT.

Network Management

The council's network management team have reviewed the submitted drawings and request amendments to the internal layout in order to comply with relevant standards and have also requested an emergency access be provided.

An amended plan has been submitted and reviewed, it is now considered acceptable and as such complies with policy T14 of the adopted Unitary Development Plan.

Highways England

No objections have been received from Highways England in respect of the proposed development.

Coal Authority

No objections have been received from the Coal Authority in respect of the proposed development.

County Archaeologist

An archaeological desk based assessment was submitted with the outline application (14/00506/OUT).

East Rainton is in origin, a medieval village, possibly even early medieval. During the medieval period the development site would have been used for agriculture or possibly industry. There is a possibility that buried medieval or post medieval remains may exist on this site.

I do feel that it is a pity that the extent of the village is being extended further towards Rainton Bridge and Houghton-le-Spring.

The first reliable documentary reference to Rainton is around 1125 AD when it is described as an ancient manor and park owned by the Prior and Convent of Durham. Charters of Henry II and John dated to 1204 mention Rainton as being owned by the Church of Durham. East Rainton is first mentioned in 1296. After the Dissolution in 1540, East Rainton passed to the Dean and Chapter of Durham Cathedral.

The site lies immediately adjacent to the site of Dunwell Pit (sunk in 1828, closed by 1919). The eastern boundary of the site (the public footpath) started life as the Rainton waggonway to Stubble Moor Pit and Low Moorsley.

I am pleased that the mature hedgerow that has been present since at least the tithe map of 1839 is being retained (apart from where it is crossed by roads).

A geophysical survey report has been submitted.

The survey identified several possible elements associated with the medieval village, including a possible boundary ditch, ridge and furrow, a post medieval boundary, and a possible area of burning, kiln or furnace.

These anomalies need to be investigated by evaluation trial trenching.

I have produced a specification for 10 archaeological trenches, which I have sent to the applicant's archaeologist, AD Archaeology.

These trenches need to be excavated before a planning decision is made.

Depending on what is found in the preliminary trenches, further archaeological excavation may be required before development can commence.

Northern Gas Works

No adverse comments to the proposed development, subject to the developer complying with Northern Gas Works safety standards.

Northumbria Police

No comments offered on the proposed development

Northumbrian Water

No adverse comments, subject to being accordance with the Flood Risk and Drainage strategy. This is already controlled by condition on the approved outline application.

Natural England

No comment to make on the application

Nexus

No adverse comments, the site has good transport links.

Durham Wildlife Trust

No response received

Environment Agency

No comments received

HSE

No comments on the proposed scheme.

POLICIES:

In the Unitary Development Plan the site is subject to the following policies;

B_2_Scale, massing layout and setting of new developments

T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

T_22_Parking standards in new developments

CN_18_Promotion of nature conservation (general)

COMMENTS:

This application is for the approval of the reserved matters in relation to the outline approval. The principle of development and the access to the site have been approved as part of application 14/00506/OUT and as such are not under consideration as part of this application 16/00216/REM.

The reserved matters submission is considering the following matters of detail:

- 1. Layout, Scale and Appearance**
- 2. Landscaping.**

The application has been submitted to cover all the outstanding reserved matters. The council is also in receipt of several submissions to deal with the discharge of planning conditions in relation to the outline planning permission 14/00506/OUT.

1. Layout, Scale and Appearance

The National and Planning Policy Framework (NPPF) published in March 2012 sets out the Government's planning policies and how these are expected to be applied. The NPPF advocates a presumption in favour of sustainable development and seeks to boost the supply of new housing.

Section 7 of the NPPF identifies the need for development to provide good design. Paragraph 56 states in part that:

"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

Policy B2 of the saved adopted Unitary Development Plan requires that:

"The scale, massing, layout and setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and locality and retain acceptable levels of privacy; large scale schemes creating their own individual character, should relate harmoniously to adjoining areas.

Policy B2 is therefore relevant to the consideration of this application for reserved matters.

In addition to the above, Sunderland's Residential Design Guide is a Supplementary Planning Document (SPD) which provides a set of guidelines that seek to ensure a high standard of residential development within Sunderland. The current proposal has been supported by a Design and Access Statement that has considered the site character, topography, constraints and opportunities, concepts, appearance and character, streetscenes, scale and massing, landscaping, access, building for life and sustainability, and enclosures.

Reference is also made in this section of the report to policies within the Council's emerging Core Strategy and Development Management Policies Development Plan Document (DPD). This document is currently at the Draft Revised Preferred Options stage and is not anticipated to be formally adopted by the Council until 2017. As such, the policies referred to can only be given limited weight in the determination of the planning application, but they do provide an indication of how the Council's approach to considering this type of planning application is likely to take shape in the next 2-3 years.

In assessing the current reserved matters proposal due consideration has been given to scale, appearance, layout and landscaping. Addressing each in turn.

The reserved matters application shows a mixture of 93 residential properties. The properties have a mixture of 2, 3, 4 and 5 bedroom dwellings. The 10% affordable housing which is a requirement of the section 106 agreement in respect of the outline approval is also provided on site.

All properties are two storeys in height; additional information has been submitted in respect of site levels. The site levels plans between the existing properties on Markle Grove and the proposed development show the dwellings set down significantly in comparison to the houses on Markle Grove.

Spacing standards in respect of the new properties and existing properties which adjoin the site are considered acceptable.

The proposed materials and site boundary details have also been carefully considered and as such are considered acceptable and comply with policy B2 of the Unitary Development Plan.

The mixture of the 10 house types has provided a unique feature to this development site. The applicant has retained all features as requested by the Local Planning Authority in terms of retaining the existing hedgerow and a high percentage of the existing vegetation.

The site has one main access point and an emergency access located between plots 48 and 49 of the proposed development.

The internal highways layout is now considered acceptable and additional visitor parking bays have been provided.

Overall the amended plan received 1st April 2016, is considered acceptable in principle and complies with policies B2 and T14 of the adopted Unitary Development Plan and supplementary planning guidance on design.

2. Landscaping

A comprehensive landscaping scheme has been submitted as part of the reserved matters application. The scheme has been reviewed and is considered acceptable and complies with policies CN18 and B2 of the adopted Unitary Development Plan. The submitted scheme has reflected the nature of this greenfield site has retained key features such as the mature hedgerow.

Summary.

The proposed scale, layout, appearance and landscaping of the development site are considered to be acceptable and in general accordance with policies contained within the Council's adopted Unitary Development Plan.

It is considered that matters raised by the representations in connection with this application have been addressed and should Members be minded to approve the application, with the imposition of conditions and removal of permitted development rights for plot numbers 1-15 in order to protect levels of amenity currently afforded the adjoining residents.

Equality Act 2010 - 149 Public Sector Equality Duty

During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:-

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

The LPA is committed to (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to'

- (a)tackle prejudice, and
- (b)promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

Members are therefore recommended to grant approval subject to the conditions listed below.

RECOMMENDATION: Approve subject to the conditions listed below

Conditions:

- 1 The development to which this permission relates must be begun not later than whichever is the later of the following dates.
 - (a) the expiration of three years from the outline approval of planning permission.
 - (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved, to ensure that the development is carried out within a reasonable period of time.

- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:
 - Drawing Number Location Plan received 12.02.2016
 - Drawing Number 1241 L001 Rev J Amended Proposed Site Plan layout – received 01.04.2016
 - Drawing Number SEC01: Site Level Plans 3 Markle Grove Rev A received 30.03.2016
 - Drawing Number SEC02 :Site Level Plans Red Gable Rev A received 30.03.2016
 - Drawing Number 2015108 SK03 Rev A received 12.02.2016
 - Drawing Number 2015108 SK04 Rev A received 12.02.2016
 - Drawing Number 113591/8001 Rev A Sheet 1 of 6 Landscaping Construction Softworks received12.02.2016
 - Drawing Number 113591/8002 Rev A Sheet 2 of 6 Landscaping Construction Softworks received12.02.2016
 - Drawing Number 113591/8003 Rev A Sheet 3 of 6 Landscaping Construction Softworks received12.02.2016
 - Drawing Number 113591/8004 Rev A Sheet 4 of 6 Landscaping Construction Softworks received12.02.2016
 - Drawing Number 113591/8005 Rev A Sheet 5 of 6 Landscaping Construction Softworks received12.02.2016
 - Drawing Number 113591/8006 Rev A Sheet 6 of 6 Landscaping Construction Softworks received12.02.2016
 - Drawing Number ER_CP_01 Rev Construction Plan received 12.02.2016
 - Drawing number 0R received 12.02.2016

House Types

- Drawing L061 House Type Rosebury Floor Plans received 12.02.2016
- Drawing ER/ROY House Type Rosebury Floor Elevations and Floor Plans received 04.03.2016
- Drawing L052 House Type Rosebury Floor Plans only received 12.02.2016

- Drawing ER/HON Honiton End Proposed Elevations received 04.03.2016
- Drawing ER/HON Honiton Mid Proposed Elevations received 04.03.2016
- Drawing ER/HON Honiton Mid and End Floor Plans received 12.02.2016
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- Drawing L057 Ashbuy Floor plans received 12.02.2016
- Drawing ER/ASY/040 Ashbuy Elevations received 04.03.2016

- Drawing LO55 Newtown Floor plans received 12.02.2016
- Drawing ER/NEW/040 Newton Elevations received 04.03.2016

- Drawing LO63 Cotham Floor plans received 12.02.2016
- Drawing ER/COM/040 Cotham Elevations received 04.03.2016

- Drawing LO50 Cranford + Floor plans received 12.02.2016
- Drawing ER/CRD/040 Cotham Elevations received 04.03.2016

- Drawing LO59 Norbury Floor plans received 12.02.2016
- Drawing ER/NOY/040 Norbury Elevations received 04.03.2016

- Drawing LO53 Morton Floor plans received 12.02.2016
- Drawing ER/MON/040 Morton Elevations received 04.03.2016
- (Drive Thru Plot 57 and Detached Garage Plot 82 and 83)

- Drawing LO65 Kirkham Floor plans received 12.02.2016
- Drawing ER/KIM/040 Kirkham Elevations received 04.03.2016

- Drawing L051 House Type Dalton Floor Plans received 12.02.2016
- Drawing ER/DAN opt 2/040 Dalton Elevations received 04.03.2016

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 Notwithstanding the provisions of the current Town and Country Planning General Permitted Development Order, (or any statutory instrument that revokes or re-inacts the order) no extensions or other development shall be undertaken to plots -15 inclusive hereby permitted without the prior written consent of the Local Planning Authority , in order that the Local Planning Authority may retain control over the development and to comply with policy B2 of the UDP.