

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/15/02714/OUT
FULL APPLICATION DESCRIPTION:	Outline application for approximately 400 dwellings & office development (Use Class B1) together with ancillary uses (Use Classes A1 - A4 & D1 - D2), new accesses, associated infrastructure, open space & landscaping with all matters reserved except for access
NAME OF APPLICANT:	The Trustees Of Lord Durham's 1989 Voluntary Settlement
ADDRESS:	Lambton Park, Chester Road, Bournmoor
ELECTORAL DIVISION:	Lumley
CASE OFFICER:	Colin Harding, Senior Planning Officer 03000 263945, colin.harding@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The site is located within the Lambton Estate ('The Estate'). The Estate covers approximately 600 hectares (ha) located east of Chester-le-Street and the A1 (M), south of Washington New Town and A182, west of the A183, and north of the A183 Chester Road
2. The Estate contains nationally and regionally important designated heritage assets. These include the Registered Park and Gardens and the principal focal points of Lambton Castle, situated overlooking the banks of the Wear, and Biddick Hall, the Lambton family residence on the Estate's eastern edge.
3. Following the unification of the Estate by the early 18th Century, it has been in the ownership of the Lambton family, it is still managed on their behalf, by The Trustees, as a traditional working estate. Forestry, sport and agriculture are the principal land uses. Some paddocks are grazed and the Stud, until recently, has been let as commercial livery stables. The former Home Farm buildings were converted to form Bowes Offices, and are leased to approximately 20 companies and businesses. The majority of the houses on the Estate, of which there are around 70, are let by the Estate on both a commercial basis, and also to existing and former employees.
4. The Estate's grounds are largely enclosed by a perimeter wall which defines the Estate boundary. The surrounding land uses are predominantly residential. The settlements of Rickleton, Harraton and Washington New Town are generally located to the north; Shiney Row and Penshaw to the east; Bournmoor to the south; and

Chester-le-Street to the west. The Ash Meadows housing estate adjoins the north western boundary, whilst Lumley Castle Estate and the Emirates Durham International Cricket Ground lie to the south west, beyond the A1(M) motorway.

5. The historic buildings and structures on the Estate are in varying states of repair. There are twenty three listed buildings and a Scheduled Monument within the Estate. Four of the listed buildings are considered to be of exceptional, or more than special significance, that is to say, Grade I or II* listed. A number of assets are on Historic England's Heritage at Risk Register. The condition of Lambton Castle (Grade II*) and the stability of its retaining wall (Grade II) are a key concern, with the stability of the wall being a longstanding issue, having been noted in the listing description of 1987. Other priorities include Lamb Bridge (Grade II*) and the Iron Gates, Posts and Railings to the north west of the Castle (Grade II*). In addition, the walled kitchen garden is in poor condition with large sections of brickwork requiring significant repair. Other notable structures requiring considerable investment include the Castle Stables, Byre, and Dairy, all of which are unused and are in a state of disrepair. Biddick Hall, which also lies within the Estate, is Grade I listed, and currently in sound condition, having been occupied by the Lambton family since the 1930s, and still serving as an occasional residence today.
6. The Estate is also identified within a 'Landscape Conservation Priority Area' in the County Durham Landscape Strategy (2008), and a significant proportion of the Estate, although not all is a Grade II Registered Historic Park and Garden.
7. The application site itself extends to approximately 111ha of land within the southern part of the Estate, adjacent to the southern boundary. The proposed development area is broadly contiguous with the former Lambton Lion Park and Garden Centre where elements of the associated infrastructure remain. To the south of the site lies the A183 Chester Road with the village of Bournmoor beyond to the south east.
8. The application site is broadly bound to the north by mature tree belts and internal access road with Bowes Offices to the north east. The River Wear, Lambton Castle and Biddick Hall lie beyond; to the south by the Estate wall with A183 and the village of Bournmoor beyond to the south east; to the east by the disused Leamside Railway Line, the A183 and the settlement of Shiney Row beyond; and to the west by the Stud Farm and broad tree belt with Kennel Field and the Raceground (part of the Registered Park and Garden) beyond.
9. The application site is surrounded by extensive woodland which provides a strong sense of enclosure and conceals views of the surrounding Estate. A dense band of woodland along the southern boundary screens views from Chester Road. A belt of conifers along the northern boundary separates the application site from the surrounding former deer park and largely obstructs views of Lambton Castle.
10. Along the southern boundary there is a wider belt of mixed woodland and the park wall, which run parallel to Chester Road. Along the eastern boundary the site is bounded by Biddick Wood which screens views of the A183 to the east.
11. The western part of the site is primarily used as paddocks for horses, and is heavily characterised by equestrian fencing. This area was developed as Lambton Lion Park in the 1970s/1980s and the former infrastructure and structures are still visibly evident, including the pay hut, giraffe house, engineered ponds (including the former hippo pond), sinuous paths, gateways and associated earthworks.
12. To the east, is the former County Show Ground and several fields currently under pasture, bounded by post and wire fencing and low hedges. The former County Show

Ground is bounded to the north by a belt of mixed deciduous woodland. Adjacent to the entrance from the A183 is a large area of hard-standing, formerly a garden centre. This area is no longer in use and the buildings have recently been demolished.

13. The site lies wholly within the North Durham Green Belt, an Area of High Landscape Value and around two thirds of the Estate is a Grade II Registered Historic Park and Garden, but has no other designations. Footpath No. 8 (Bournmoor) is the only Public Right of Way that enters the site, crossing the south eastern corner in the vicinity of the existing Bowes Business Park. A number of other Rights of Way either cross, or abut, the wider Estate. Notably these are the Weardale Way route which runs through the eastern part of the Estate, through Biddick Woods, and Footpath No. 17 (North Lodge), which enters the Estate at its northern extent, in the vicinity of The General's Wood residential development in Washington. Footpath No.4 (North Lodge) also enters the Estate from the A183 Chester Road and is, in part the main approach to Biddick Hall.
14. The closest ecological designation is Lumley Woods Local Wildlife Site which lies approximately 400m to the south west of the site, beyond the A1(M) motorway.

The Proposals

15. Outline planning permission with all matters reserved (except access) is sought for approximately 400 residential units (Use Class C3), an ancillary retail and community hub (Use Classes A1-A4 and D1-D2) (approximately 7,500 sq.ft / 700 sq.m); and approximately 86,100 sq.ft of B1 office floorspace (8,000 sq.m) and an ancillary retail and community hub (approximately 18,840 sq.ft / 1,750 sq.m).
16. The planning application comprises a series of parameter plans, including a land use parameter plan, a scale and height parameter plan, together with a movement and access parameter plan, and a character area plan. Detailed proposals would be required through the submission of reserved matters, in phased manner, should the outline application be approved, along with a comprehensive design code.
17. It is proposed that residential dwellings would not exceed 12.5m in height (approx. 2.5 storeys). Office use buildings would not exceed 12m (approx. 2 storeys) in height and retail and community uses would not exceed 8.5m (approx. 1.5 storeys) in height. In two locations, broadly indicated in the parameter plans, landmark buildings would measure up to 13.5m in height.
18. A reserved matters application would provide details of the appearance, landscaping, layout and scale of the development. However, details of the access to the site are addressed within the current application. Two new access roundabouts are proposed. The first from the A183 which includes the introduction of a new three-arm roundabout on the A183 Chester Road, located to the west of the A183 / Lambton Estate / Petrol Filling Station Junction. The existing access to the Lambton Estate is proposed to be stopped-up. The second proposed access comprises the introduction of a new four-arm normal roundabout on the A183 Chester Road, to replace the existing A183 / A1052 Junction. It is proposed that the existing access at Houghton Gate to the north east of the A1052 will be closed and the wall reinstated using reclaimed stone.
19. The internal road layout would be determined at the reserved matters application stage; however roads would be designed to promote lower traffic speeds to create a pedestrian and cycle friendly environment with provision for bus services also.

20. A key element of the proposals is the investment into the historic fabric of the Estate. A Conservation Management Plan has identified a requirement for £26 - £28.5m to be invested in the heritage of the Estate; this is proposed to be linked to the residential units delivered over an estimated 15 year time period. The application also proposes the opening up of the Estate to public access with over 9 miles of new footpaths and cycle routes being proposed.
21. The application is accompanied by an Environmental Statement (ES). This report has taken into account the information contained in the ES, points of clarification provided by the applicant and that arising from statutory consultations and other responses.
22. The application is being presented to the County Planning Committee as it represents major development with a site area of more than 4 hectares.

PLANNING HISTORY

23. There is no planning history relevant to this application site.

PLANNING POLICY

NATIONAL POLICY:

24. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). The overriding message is that new development that is sustainable should proceed without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’.
25. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. 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;
26. *NPPF Part 1 – Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
27. *NPPF Part 2 – Ensuring the Vitality of Town Centres* – Town Centres are recognised as being at the heart of communities, with the pursuit of their viability and vitality as being paramount. Planning applications for main town centre uses should be located in town centres firstly, and then edge of centre locations. Only when these are not available should out of centre locations be considered.
28. *NPPF Part 4 – Promoting sustainable transport.* Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system should be balanced in favour of sustainable transport

modes. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

29. *NPPF Part 6 – Delivering a wide choice of high quality homes.* To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create inclusive and mixed communities.
30. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning. Planning policies and decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive.
31. *NPPF Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space, local services and community facilities to enhance the sustainability of community and residential environments. An integrated approach to consider the location of housing, economic uses and services should be adopted.
32. *NPPF Part 9 – Protecting Green Belt land* - The five purposes of Green Belt land are set out thus; to check unrestricted urban sprawl, to prevent towns coalescing, to safeguard the countryside from encroachment, to preserve the setting and character of historic towns and to assist urban regeneration. Planning Authorities are required to ensure substantial weight is given to any harm to the Green Belt, with 'very special circumstances' required to clearly outweigh potential harm to the Green Belt, and any other harm which may result.
33. *NPPF Part 10 – Meeting the challenge of climate change, flooding and coastal change.* Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.
34. *NPPF Part 11 – Conserving and enhancing the natural environment.* The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, minimising impacts on biodiversity and providing net gains where possible. Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated/unstable land.
35. *NPPF Part 12 – Conserving and enhancing the historic environment.* - In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

36. 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 inter alia to this application is the practice guidance with regards to: air quality; climate change; conserving and enhancing the historic environment; design; ensuring the vitality of town centres; environmental impact assessment; flood risk; health and well-being; land stability;; light pollution; natural environment; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans; transport assessments and statements; use of planning conditions; and water supply, waste water and water quality.

<http://planningguidance.planningportal.gov.uk/> (*National Planning Practice Guidance*)

LOCAL PLAN POLICY:

Chester le Street District Local Plan (2003) (CLSPL)

37. *Policy NE2 – (Development beyond settlement boundaries)* – This Policy states that outside of settlement limits development will be strictly controlled. Development should protect and enhance the character of the countryside and be consistent with maintaining the economic sustainability of agriculture and other rural businesses.
38. *Policy NE3 (Implementation of the North Durham Green Belt)* - This policy states that a North Durham Green Belt will be implemented and maintained, in order to check the unrestricted sprawl of the Tyne and Wear Conurbation, prevent Chester-le-Street and its surrounding villages from merging, and to prevent merging with Tyneside, Durham City, and Wearside. It is also a stated aim that the Green Belt will assist in safeguarding the former District's countryside from encroachment, and also assist in the regeneration of built up areas by recycling brownfield sites.
39. *Policy NE4 (Appropriate Development in the Green Belt)* – This policy sets circumstances where new buildings will be considered appropriate within the Green Belt. These include, for forestry and agricultural purposes, essential facilities for outdoor sport and recreation, cemeteries, other uses of land that preserve openness, the limited extension, alteration or replacement of existing dwellings, re-use or conversion of an existing building, and the extraction of minerals.
40. *Policy NE5 – (New Dwellings in the Green Belt)* – The Policy states that there will be presumption against the construction of new dwellings in the Green Belt. Planning applications in the Green Belt for: converting or extending an existing dwelling to provide an additional dwelling; or ii) siting or replacing a residential caravan or chalet will be treated in the same way as proposals for one or more new dwellings in the Green Belt.
41. *Policy NE6 – (Development Affecting the Visual Amenity of the Green Belt)* - This policy states that development within, or conspicuous from, the Green Belt will not be granted where the proposal by virtue of its scale, siting, materials or design is detrimental to the visual amenity of the Green Belt.
42. *Policy NE15 (Areas of High Landscape Value)* - This policy states that the landscape character and quality of designated Areas of High Landscape Value will be maintained and enhanced. Development proposals will only be permitted where they are of a high standard of design, reflect the scale and character of buildings in the area, and do not detract from landscape quality.

43. *Policy BE2 (Public Art)* - This policy states that where development costs over £500,000, that developers will be encouraged to devote at least 1% of these costs to the provision of works in art in new building and landscaping projects accessible to the general or client public.
44. *Policy BE9 (Historic Parks and Gardens)* - This policy states that development within the designated Historic Parks and Gardens of Lumley Castle and Lambton Castle, as defined on the Proposals Map, or with future designations will only be permitted where it can be demonstrated that the proposal would conserve or enhance the special historic and landscape qualities of the designated area.
45. *Policy BE10 (Scheduled Ancient Monuments)* – This policy states that there will be a presumption in favour of the preservation of scheduled monuments, and other nationally important monuments and their setting
46. *Policy BE22 (Planning Obligations)*. This policy states that wherever necessary, that the Council will enter into planning obligations with developers to either enhance the quality of a proposal that is acceptable in principle, or to enable a proposal to go ahead which might otherwise be refused.
47. *Policy HP9 (Residential Design Criteria - General)* - This policy sets out a number of criteria relating to the design of residential properties.
48. *Policy HP6 – (Residential within settlement boundaries)* – identifies Chester-le-Street as a settlement where residential development will only be allowed on non-allocated sites that are previously developed land and meet the criteria of Policy HP9.
49. *Policy HP13 (Affordable Housing)* – This policy sets out the requirement for affordable housing within the former District on sites of over 15 dwelling, or 0.5 ha.
50. *Policy HP15 (Community Provision)* – This policy states that on sites of 10 or more dwellings, an appropriate contribution towards the provision and subsequent maintenance of related social, community, infrastructure and/or recreational and leisure facilities in the locality, where such provisions are necessary and directly related to the development.
51. *Policy R16 – (Retailing beyond Local Centres)* – This policy states that new development and limited extensions for small—scale retail use will be permitted within settlement boundaries beyond Local Centres, provided that such proposals are within walking distance, have no adverse impacts upon residential amenity, comply with Policy R11 (Shopfronts), are acceptable in all other aspects, do not exceed 100sq.m of floor area, and would not undermine existing retail areas.
52. *Policy R17 (Residential Development and Local Retail Needs)* - This policy states that Major new residential developments which are not within reasonable walking distance of existing shops will be required to make provision for small local shops to serve the everyday needs of their residents, which are not more than 100 square metres in floor area.
53. *Policy IN8 (Industrial Development Beyond Defined Industrial Estates)* – This policy states that outside the established and proposed industrial estates as defined in the Local Plan, development within the defined built up areas, which involves new or the limited extension of existing businesses within Classes B1, B2 and B8 of the Use Classes Order 1987, will only be permitted within the defined settlement boundaries where there is unlikely to be a significant adverse impact on the amenity of

neighbouring occupiers by virtue of noise, dust, smell and general disturbance; the design, scale and visual impact is compatible with the character and appearance of the site and surrounding areas; adequate landscaping is included; space is available for screened external storage, if required; it does not involve the loss of sound housing in primarily residential areas; and parking to meet the adopted standards (Policy T8) can be provided within the curtilage of the property, without detriment to the area or its amenities.

54. *Policy RL4 (Standards for Outdoor Recreation and Sport)* – This policy seeks an overall standard of 2.4ha of recreational open space per 1000 population, of which 1.6 to 1.8ha will be formal provision for sports, 0.2 to 0.3 will be equipped for children’s use and 0.4 and 0.5ha will be casual or informal play space.
55. *Policy RL5 (Provision in New Developments)* – This policy requires that for every 1ha of land developed, that there will be 125sq.m of equipped children’s play space and 250 sq.m of informal open space provided on site.
56. *Policy RL6 (Maintenance)* – This policy states that where recreational facilities associated with development are provided, then the maintenance of such facilities will be secured for a period of ten years.
57. *Policy RL9 (Recreation in Open Countryside)* – This policy states that development related to the quiet enjoyment of the open countryside for informal recreation will be permitted as long as they don’t damage the character and appearance of the countryside, damage existing Public Rights of Way, damage flora and fauna, or cause irreversible loss of the best and most versatile agricultural land.
58. *Policy RL10 (Recreation Provision in the Green Belt)* – This policy states that with the Green Belt, that permission for recreation uses will be granted provided that ancillary facilities are essential, small in scale, do not lead to coalescence or harm the visual amenities of the Green Belt.
59. *Policy T6 (Provision for Public Transport: General)* – This policy states that development proposals should be consistent with a safe and accessible public transport network. The access to new developments should be located on, or as near as possible to, existing bus routes.
60. *Policy T8 (Car Parking Provision)* – The design and layout of new development should seek to minimise the level of parking provision.
61. *Policy T15 (Access and Safety Considerations in Design)* – This policy requires safe access to a site, that the capacity of the road network is not exceeded, adequate links to public transport and access for emergency vehicles.
62. *Policy T17 (General Policy)* – This policy seeks to encourage the provision of a safe and accessible transport network, in particular with, reducing reliance on the private car, encouraging the use of public transport, and encouraging walking.

EMERGING POLICY:

63. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan was submitted for Examination in Public and a stage 1

Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that report was Quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight at the present time.

[The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at <http://www.durham.gov.uk/media/3395/Chester-le-Street-local-plan-saved-policies/pdf/ChesterleStreetLocalPlanSavedPolicies.pdf> \(Chester le Street District Local Plan\) <http://www.durham.gov.uk/pages/Service.aspx?ServiceId=856> \(County Durham Plan\)](http://www.durham.gov.uk/media/3395/Chester-le-Street-local-plan-saved-policies/pdf/ChesterleStreetLocalPlanSavedPolicies.pdf)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

64. *North Lodge Parish Council* – supports the application. North Lodge Parish Council state that there are negatives in the proposals including the loss of Green Belt land and increased volumes of traffic, both in the immediate vicinity of the proposed development and at junction 63 of the A1(M). However, the potential benefits of the proposal, including the restoration/saving of important structures within the Park, the opening up of the Park to the general public, the additional jobs created and the additional income generated far outweigh the negatives in this instance, provide a trade-off that is very much to the benefit of the general public.
65. *Sunderland City Council* – Raise concerns in relation to the impact that the development would have upon schools in Sunderland, as a result of an increased demand for places. Concerns are also raised with regards to the impact that the proposed offices would have upon existing office opportunities in Sunderland, and further that the highways improvements are not acceptable.
66. *Historic England* – Offers no objection. Lambton Park contains a rich collection of twenty four listed buildings including four of exceptional or more than special national interest (that is grade I or II*), set within a historic landscape, half of which is a grade II registered park and garden. The impact of the proposed 400 houses will cause a minor degree of harm to the significance of the registered park but in return a substantial amount of finance would be provided for much needed conservation work, which in turn could help prime new uses for the historic assets. In this respect it strongly accords with paragraph 132 of the NPPF. The application, therefore, proposes considerable public benefits in relation to heritage that can be considered within the balanced planning decision that is required for applications that may be contrary to policy. The strength of these benefits must be qualified by the ability to deliver them and Historic England suggest that if the authority is minded to grant consent, both a legal planning agreement and the creation of a charitable trust is required to help bring this about.
67. *Highways England* – Offer no objection.
68. *The Highway Authority* – No objection is offered. The principle of accessing the site via two roundabouts onto the A183 is acceptable. Concerns originally raised relating to the design of the roundabouts has been overcome.
69. *Natural England* – Offer no objection. Based on local and strategic information available, it is unlikely that the scheme would result in the loss of over 20ha of Best and Most Versatile agricultural land. Natural England also raises no objection with regard to the impact of the development upon statutory designated sites. Standing and

general best practice advice is provided in relation to biodiversity and landscape enhancements.

70. *Environment Agency* – Raise no objections. Requires the Sewerage Undertaker to be consulted by the Local Authority to demonstrate that the sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development without causing pollution. An acceptable method of foul drainage disposal would be connection to the foul sewer.
71. *Northumbrian Water* – Raise no objections and confirm the applicant can connect directly to the public sewer. A pre-commencement condition for a detailed scheme for the disposal of foul and surface water is requested.
72. *Coal Authority* – Raise no objection subject to a planning condition requiring an intrusive site investigation to be carried out prior to the formulation of detailed site proposals.
73. *Drainage and Coastal Protection* – No objections raised. Wherever possible the site should be developed to incorporate sustainable drainage systems including infiltration (subject to testing) and water quality improvement techniques. Should infiltration techniques not be suitable the development can have unrestricted discharge (subject to their being no consequential risk of flooding) to the River Wear at a discharge point east of Lamb Bridge. Details of the connection to the watercourse will be required to be submitted together with calculations proving the hydraulic effect of the watercourse. Proposals should indicate how the identified 300mm diameter highway drain will be accommodated within the design.

INTERNAL CONSULTEE RESPONSES:

74. *Spatial Policy* – No objections raised. The development is identified as being inappropriate development. It is considered the likelihood of additional harm to the Green Belt will be limited. A suite of benefits which would arise from the proposal which are considered on balance to outweigh the identified greenbelt harm and therefore to amount to ‘very special circumstances’ are identified, and other matters pertaining to the application to identify any other harm are considered. In terms of heritage impact as the site relates to a designated heritage asset the test set out in Paragraph 132 -134 of NPPF is significant. The proposal is considered to result in ‘less than substantial harm’ and will attract significant heritage benefits which are within the public interest. No further unacceptable harm has been identified when mitigation set out in this application is taken into account. The planning application is not considered to be premature; and no other significant considerations have been identified which outweigh the above. In light of the above it is considered that the relevant tests set out in the NPPF, particularly paragraphs 14, 87 -88 & 132-134, are satisfied.
75. *Design and Conservation* – No objections raised. The application site forms part of the Lambton Estate with its wide range of designated and non-designated heritage assets including the grade II registered park and garden in which large parts of the application site sit. The development proposed would, as a result of the development of this parkland result in a degree of harm to significant heritage assets, however, this is considered to be minor, and clearly less than substantial harm. The primary driver for this development is considered to be the stemming of the decay of the core of the estate and opening up this unique landscape to the wider public, such benefits will flow from the finance generated and as such the proposal is considered to strongly accord with paragraph 132 of the NPPF. The overall success of this proposal lies in

the ability to deliver the proposed benefits as a whole, over a prolonged period of time and to this end a strong and robust delivery mechanism through a legal agreement is required as set out in the supporting documentation.

76. *Ecology*- No objections. Should planning permission be granted Ecology officers require condition(s) to be applied which ensure that the mitigation proposals for impacts on species and habitats in Chapter J of the EIA are delivered fully.
77. *Landscape and Arboriculture* – No objections. In terms of its impacts upon both local and wider designated landscapes, it is considered that any harm would be minor, and outweighed by the level of benefits that the development would bring in terms of landscape restoration throughout the wider Estate.
78. *Environmental Health and Consumer Protection (Air Quality)* – No objection raised. It is noted that there is potential for emissions of ‘nuisance’ dust to blow over the site boundary and impact on existing receptors during construction. It is requested a condition be included to require, prior to the commencement of development, the submission and approval of a Dust Action Management Plan. The impacts on air quality from an increase in vehicle flow volumes from the proposed development once operational have been modelled and impacts are not determined as significant.
79. *Environmental Health and Consumer Protection (Contaminated Land)* – No objection. Given this application constitutes a change of use to a more sensitive receptor requests a pre-commencement condition for a scheme to deal with contamination.
80. *Environmental Health and Consumer Protection (Noise, Light and Odour)* – No Objection. Requires further detail to be provided, either as detail at the reserved matters stage or required by condition.
81. *Archaeology* – No objections raised. Requests conditions are placed upon the outline consent requiring the applicant to carry out the phased work described in the desk based Archaeological Evaluation and Mitigation Works report and Environmental Statement (2015).
82. *Affordable Housing* – The Strategic Housing Market Assessment identifies a need for 15% affordable housing provision in the North delivery area. Due to the size of the development, it is considered there should be a mix of affordable housing products. An indicative mix would be 75% affordable rent, and 25% affordable home ownership.
83. *Access and Public Rights of Way* – Consider the revised Access Management Plan fails to guarantee permanent public access to the Lambton Estate resulting from planning consent for the proposed development. It is disappointing to note that there appears to be unwillingness on the part of the applicant to provide public access to the estate in perpetuity in the form of dedicated public rights of way. Whilst the enhanced permissive access is significant in its quantity, it is by its nature temporary. It is granted by permission of the landowner and can be withdrawn.
84. *Employability Team* – No objections are raised. Officers consider there is not sufficient information to generate labour forecast calculation and skills outcomes. Requests that Targeted Recruitment and Training (‘TRT’) is included within the planners report for Committee for consideration and a planning condition or clause included in the S106 Agreement to secure employment and skills training that will assist the local community by improving job prospects and employability.
85. *Sustainability* – No objections are raised. Officers consider that only the facilities within Bournmoor village are within a short walking distance from the site. Bus stops are

currently outwith a short walking distance from over half the estate. Therefore it is likely that that most trips to other services and facilities not located within Bournmoor will be done by private transport. The proposed ancillary retail and community hub development, together with the B1 office development would assist in mitigating some of these accessibility issues and indeed would likely have a positive effect on community cohesion. This is considered positive and would assist in providing live/work opportunities for potential future residents. The revised Access Management Plan provides certainty that new permissive routes would be provided throughout the estate in the medium term. This would have a significant positive impact upon the wider community. Requests a pre-commencement condition for a scheme to embed sustainability and minimise carbon from construction and in-use emissions.

86. *School Places Officer* – No objections are raised. A development of 400 houses could ultimately produce 120 primary pupils and 48 secondary pupils. There are 73 places available at primary schools in the local area and consequently there are 47 pupils who would not get a primary school place, without additional teaching accommodation being provided. A contribution of £550,135 towards the cost of the additional classrooms is therefore required. There are sufficient secondary school places in the area therefore we would not be seeking a contribution for additional secondary school places.
87. *Business Durham* – Supports the application. It is considered that the development would form an important component in growing the supply of executive housing within County Durham, which in turn will help retain and attract high earners to live, and locate within the County, and support planned economic growth. It is highlighted that although the County is successful in attracting high earning households, lack of choice of executive housing could act as a significant barrier to meeting future economic aspirations, as identified in the County Durham Strategic Housing Market Assessment.
88. The inclusion of office floorspace is welcomed which will attract new business opportunities, and support the retention and creation of a higher number of jobs along the A1(M) corridor. Recent research by Business Durham has identified a shortfall in available office premises along the A1(M) corridor.
89. *Visit County Durham* – supports the application stating that the development would contribute to several of the Durham Tourism Management Plan priorities around the rural visitor economy, quality and local distinctiveness, in particular:
 - support the development of local distinctiveness, opening a hidden chapter of Durham's heritage to the public. The proposal also presents opportunities to promote the themes of history and innovation, people, location and connectivity (Priority 3).
 - grow the profile of the county regionally and nationally by adding to the distinctive mix of attractions in the region. This will help to stimulate first time staying visitors and attract repeat visitors from the local area (Priority 5).
 - help extend visitor stays by drawing visitors into rural areas and optimising the potential of its neighbouring market town, Chester-le-Street, to attract visitors and operate as a service centre for people on rural holidays (Priority 6).
 - increase the contribution of Durham's rural areas to the overall value of the county visitor economy, providing an alternative offer that broadens the scope and variety of attractions in the area so that there is more for visitors to see and do (Priority 8).
90. *Regeneration and Economic Development* – supports the application, highlighting that it would provide executive housing, which is a currently underrepresented sector within the county. It is also acknowledged that the scheme will offer business leaders

the opportunity to reside close to their offices, and that Chester le Street would also benefit through increased trade within the town centre. The proposals align with the ambitions of the County's Regeneration Statement and Chester-le-Street's Regeneration Masterplan.

PUBLIC RESPONSES:

91. The proposals were displayed at a Public Exhibition on Wednesday 26th August 2015 at Bowes Offices within the Estate prior to formal submission. The applicant sent leaflets to Estate residents and to Local Councillors explaining the proposals and inviting them to the exhibition. Following submission the application was advertised by site notice and in the local press. Notification letters were sent to 72 individual households in the area. Following the submission of points of clarification by the applicant further publicity was undertaken in the form of individual letters to those originally consulted and those who had commented on the application. In total, three letters have been received from individuals with regards to the proposed development, two of which raise objections, and one which indicates support.

OBJECTIONS:

92. Two letters of objection have been received from individuals in response to the application. The grounds of objection and concern raised by those objecting to the proposed development are summarised below:
- Loss of Green Belt land
 - Facilitation of coalescence and urban sprawl
 - Impact of noise and disruption of communities along A183 and nearby locality both during construction and on completion.
 - Increased traffic and congestion
 - Concern over highway safety
 - Development would be more suited to the North West of the Lambton Estate which would give more direct access from the A1.
 - Development would result in increased pressure on already overstretched services and facilities. There are no GP practices in Bournmoor, no Dental practices and no pharmacies.
 - Local schools do not have the capacity to accommodate the numbers of new pupils that this development would bring.
 - Limited and seasonal increased access does not justify the release of the Green Belt.
93. *County Durham Local Access Forum (LAF)* – Do not agree that the access arrangements as proposed would open up one of the County's hidden gems as a regionally important tourist destination. Supports the intention to improve opportunities for access and recreation but considers that linear and area based access to land and the adjacent River Wear should be established in perpetuity by establishing new rights of way, rights of navigation and by Dedicating Land for Access to the Countryside. In addition to providing for the needs of outdoor recreation on foot consider that equal

consideration should be given to providing for the needs of cyclists and horse riders and the potential for water related activities.

94. County Durham LAF considers the proposals as wholly inadequate to serve the needs of the residents of this proposed development and the wider community and would welcome the opportunity to work with the applicant to ensure that the full potential of this site is realised.
95. *Tyne and Wear Local Access Forum (LAF)* - state that they consider that access and navigation rights should be secured in perpetuity, by the establishment of Public Rights of Way and rights of navigation. LAF consider permissive rights to be a wholly inadequate alternative. They would also encourage area based access to be granted across the estate, as opposed to being restricted to High General's Wood, which may lead to related traffic and parking problems.
96. *The Campaign to Protect Rural England* – Originally raised concerns, considering the proposal involved an incursion into the Green Belt, which constituted inappropriate development. It was accepted that the major issue was whether “very special circumstances” existed, and in the view of CPRE, they did not. However, since the receipt of additional information, further comments have been submitted which note that CPRE consider the opening of the Estate to public access to be a very important part of the planning judgement, and that if widespread access to the Estate on both recreational and sustainable travel routes is provided, linking up with existing routes, then ‘very special circumstances’ may exist, notwithstanding the location of the site within the Green Belt.

Support

97. One letter of support has been received from an individual in response to the application. The merits of the scheme are cited as being:
 - Potential for custom/self-build opportunities to facilitate the creation of superior quality housing stock.
98. *Kevan Jones MP – Member of Parliament for Durham North* – supports the application stating that the plans could provide a significant boost to the local economy in his constituency. Development will enable significant investment in the existing Estate, including the Lambton Castle and the surrounding area. Development would not only be beneficial to the economy, it will also open up large parts of the Estate to the public for the first time and allow for the continuation of traditional crafts.
99. *North East Chamber of Commerce* – supports the application, noting that there is a need for greater levels of high-quality executive housing in the region, as identified in their own study. It is considered that a failure to tackle this demand would undermine efforts to support indigenous business growth, nurture a highly skilled workforce and attract major private sector investment to Durham. Additionally it is acknowledged that the proposed development would protect the historic value of the Lambton Estate, provide high quality public spaces, along with new retail and business opportunities which would not negatively impact upon others. Furthermore, the boost to the local construction industry and its supply chain, as well as additional uplift to the local area's economic output should be welcomed.
100. *Durham Constabulary* – No objections are raised, and advice is offered relating to security and safety measures to be built into the design of the development.

APPLICANTS STATEMENT:

101. The Lambton Estate is one of County Durham's 'hidden gems' containing 23 listed buildings and structures set within a 600hectare (approximately 1,482acre) Estate parts of which are a designated Grade II Historic Park and Garden.
102. Despite past efforts, and recent investment, many of the properties and historic grounds continue to decline. The Estate is now at a critical point in its history and requires a long term, viable, framework to provide significant investment to secure its future and preserve the heritage assets.
103. To address these challenges, following joint working between the Trustees, their advisors, the Council and English Heritage (as was) an area of the Estate was allocated for residential and office development within the emerging County Durham Local Plan (Policies 12 and 24). Further analysis and guidance is incorporated in the Lambton Estate Supplementary Planning Document (2013).
104. Because of delay with the County Durham Plan the Trustees, with the support of Historic England, have brought forward submission of this planning application. The proposals represent a unique opportunity to deliver a mixed use development, comprising both affordable and executive housing, in a prestigious location together with further office accommodation. This generates the revenue for the much needed investment into the historic fabric of the Estate.
105. A Conservation Management Plan identifies the necessary critical investment to sustain the Estate for future generations; this is costed at £26 – £28.5 million and will be secured by a section 106 legal agreement. Subsidy from public sources is not available to meet this heritage deficit. Historic England has reviewed the Conservation Management Plan and considers it represents a comprehensive repair package to halt the decline of the historic environment.
106. The proposals will open up the historic landscape of the Estate allowing public access to the River Wear corridor, Lamb Bridge and key views of Lambton Castle. Initially, 10.3km (6.5 miles) of proposed seasonal permissive walking and cycling routes will be delivered. By the 150th home (in roughly five years' time) 14.8km (9.3 miles) of routes will be opened on an annual permissive basis delivering a comprehensive network of public access throughout the Lambton Estate. Again this will be secured via a section 106 legal agreement.
107. Throughout discussions with stakeholders the un-tapped potential of the Estate as a visitor destination has been recognised. Based on comparable locations within the region estimates indicate that the introduction of public access will attract around 75,000 visitors each year.
108. Although the Lambton Estate is currently designated as Green Belt it is important to note that the vast majority of the Estate would remain in the Green Belt.
109. Insofar as the development proposals are concerned the Green Belt policy was first conceived almost a quarter a century ago. The Chester-le-Street Local Plan has been time expired for nearly a decade. It is, therefore, entirely appropriate to re-appraise the role and function of the Green Belt which would not, at a strategic level, be harmed by the proposed development.
110. The Very Special Circumstances that apply to the proposals, and clearly justify this unique development, are numerous and comprise of the following:

- Ensure the restoration and enhancement of the heritage assets across the Lambton Estate delivering a £26 - £28.5million investment the need for which is comprehensively identified in the Conservation Management Plan
- Without this much needed investment the Lambton Estate would otherwise continue to deteriorate with a real risk of the Estate becoming fragmented
- Provide more than 9 miles of footpaths and cycle routes delivering significant and unprecedented public access to the Estate which would otherwise remain private
- Create significant positive cultural and tourism impacts in line with Visit Durham's Destination Management Plan
- Increase the beneficial use of the Green Belt across the wider Estate
- Deliver a socially cohesive development of an exemplary architectural standard providing a mix of housing particularly:
 - those at the upper end of the market which are under-represented as confirmed in the Council's Strategic Housing Market Assessment
 - delivering 60 affordable homes both for rent and sale at discount from open market values
- Expanding the already successful Bowes Offices providing opportunities for entrepreneurs who wish to relocate their businesses close to their homes with over 460 - 525 new jobs forecast.
- Contributing to the economic success of the region and delivering up to a £52m increase in GVA assisting the Northern Powerhouse.

111. In summary, it is the strong view of the Trustees that planning permission should be granted for this unique proposal which will secure the long term future of the Lambton Estate a key asset for the County.

PLANNING CONSIDERATIONS AND ASSESSMENT

112. 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 Paragraph 212 of 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 development, the impacts of the proposal upon the Green Belt, heritage assets and archaeology, whether the proposal involves the loss of Best and Most Versatile Agricultural Land, provision of affordable housing, the principle of business development, ancillary retail and community uses, highway safety and operation, impact upon landscape character, ecology, flood risk and drainage, design approach and residential amenity, contamination and coal mining legacy, provision of open space, provision of public art, education infrastructure, sustainability, viability and planning obligations, whether the proposal constitutes Enabling Development, and whether the application is premature

Background

113. The Lambton Estate is a significant historic asset within the North East of England, with the modern Estate having had a rich and varied history, which is reflected in the twenty three listed structures and single Scheduled Monument that it contains, and the designation of over half of it as a Grade II registered park and garden. The park and garden covers the historic boundary of the parkland belonging to Lambton Castle and it is here where the majority of listed buildings are located, with a smaller cluster around Biddick Hall.

114. The historic buildings and structures are in varying states of repair. The Grade II* Listed Lamb Bridge and the Iron Gates, Posts and Railings to the north west of Lambton Castle are on Historic England's Heritage at Risk Register. The application includes a Conservation Management Plan (CMP), which identifies a number of assets requiring urgent attention, together with those that require attention in the medium to longer term.
115. Consequently, the Estate is at a critical point in its history and requires a long term, viable framework to secure its future and preserve its nationally important heritage assets. The Trustees, Council and Historic England have recognised the need for change and intervention to secure a long term future for the Estate, and worked together to inform preparation of the Lambton Estate Supplementary Planning Document (SPD) (October 2013) which set out a long term strategy to secure a long term sustainable future for the Estate, and associated with this, the site was proposed as an allocation through Policies 12 and 24 of the County Durham Plan.
116. The withdrawal of the County Durham Plan from examination means that the timescales for adoption of a Plan remain unclear. The applicant considers that if action is not taken in the short term, then the heritage assets will continue to fall into increasing disrepair which in turn will impact upon the viability of any future planning applications. Over a 2-3 year period, the applicants estimate that some repair and restorations costs could increase by up to 25%.
117. Historic England acknowledges that the CMP starkly indicates the scale of the problems facing the historic environment and leaves no doubt that there is a serious problem that will only worsen through inaction. They note that, in principle, repairing Lambton's historic environment and attracting onward investment is a very positive and necessary timely step.
118. Consequently, the applicant has decided to submit a planning application in advance of the adoption of the County Durham Plan.

Principle of Development

119. Though closely related to the established settlement of Bournmoor, the application site falls beyond any defined settlement boundaries in the CLSLP and is not identified in that Plan as a site where new housing or further employment or retail development will be directed. The site is also located within the North Durham Green Belt.
120. The LPA is currently unable to demonstrate a five year housing land supply and this is discussed elsewhere in this report. Furthermore, it is considered that policies within existing Local Plans referring to settlement boundaries can be considered to be policies for the supply of housing. Paragraph 211 of the NPPF is clear that for the purposes of decision-taking, policies in Local Plans should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF, as is the case in this instance. However, case law has established that where policies for the supply of housing are based on housing figures of some age, which did not represent an objectively assessed need, then they are "out of date".
121. The 'saved' policies for supply of housing within the CLSLP were based upon housing supply figures derived from the former County Structure Plan which is no longer extant. As a result, they do not reflect an up to date objective assessment of need. Consequently, these policies, namely CLSLP Policies NE2 and HP6, must now be considered to be "out of date" for the purposes of Paragraph 14 of the NPPF, the implication of this being that no weight should be afforded to them. Therefore the fact

that the site is in conflict with CLSLP Policies NE2, and HP6 because it falls beyond defined settlement boundaries, is no longer considered of significance in the determination of this application.

122. Paragraph 14 of the NPPF confirms that a ‘presumption in favour of sustainable development’ should be seen as the ‘golden thread’ running through the planning process. It goes on to confirm that for decision taking this means that where relevant policies are out of date, as is the case in this instance for the reasons set out above, then planning permission should be granted unless any of two circumstances arise, namely that any adverse impacts of so doing would significantly and demonstrably outweigh the benefits; or specific policies in this Framework indicate development should be restricted.
123. In this case the latter circumstance applies because as the site falls within designated Green Belt the proposal must be determined in accordance with the specific policies within the NPPF namely Paragraphs 87 and 88, which indicate development should be restricted because of the site’s location within Green Belt unless the specific test set out in Paragraph 88 is met. This states that when considering a planning application, the Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt by reason of inappropriateness, and that development will only be acceptable in ‘very special circumstances’ and where that harm, and any other harm, is clearly outweighed by other considerations.
124. Paragraphs 87 and 88 of NPPF are therefore very significant to this case. The proposal is considered in more detail in the context of current Green Belt policies elsewhere in this report. Furthermore, in respect to the identification of ‘other harm’ referenced in Paragraph 88 it will be necessary to assess the impact of the proposal in relation to the wide range of relevant planning considerations, including accessibility to services, infrastructure, highway/ access, landscape, amenity, heritage and ecological matters in order that the balancing exercise required by Paragraph 88 can be carried out.
125. As outlined previously the ‘saved’ local plan policies relating to housing land supply are considered to be out of date. Therefore the NPPF and PPG are the starting point for the consideration of the residential element of the scheme together with the integrated economic and community uses that are an ancillary component of the development. As such, aside from the Green Belt issue, the acceptability of the residential use on the site will be informed by the sustainability credentials of the proposal.

Green Belt

Policy Context

126. The application site is allocated within the adopted CLSLP as forming part of the North Durham Green Belt under Policy NE3. The removal of the site from the Green Belt was proposed in the County Durham Plan, however as this Plan has now been withdrawn from examination, no weight can be afforded to this.
127. In the interim, the Council’s cabinet endorsed a paper in June 2015 entitled “Assessing Development Proposals in County Durham in the light of the Inspector’s Interim Report on the County Durham Plan.” Insofar as it relates to this application, the paper applies the Green Belt tests as set out in the NPPF.
128. The NPPF attaches great importance to Green Belts, and identifies, at paragraph 85 that Green Belt serves five purposes. Further, at paragraph 89 it states that the

construction of new buildings within the Green Belt should be considered as being inappropriate development, except in specific, identified instances, and at paragraph 87 it states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except in very special circumstances.

129. Paragraph 88 clarifies that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt, and that “very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
130. CLSLP Policy NE3, which defines the North Durham Green Belt is considered to be consistent with the NPPF, and therefore can be afforded significant weight in the decision making process, although the wider evidence base on development requirements has significantly changed. CLSLP Policy NE4 sets out what types of development may be considered to be appropriate within the Green Belt. Although the general objectives of the policy are NPPF compliant, the detail is not, as the NPPF introduces a wider range of exceptions. Consequently, only limited weight can be afforded to this policy.
131. CLSLP Policy NE5 sets out a presumption against new build dwellings in the Green Belt. As with Policy NE4, although the general objectives of the policy are NPPF compliant, the detail is not as the NPPF introduces a wider range of exceptions. Consequently, only limited weight can be afforded to this policy, and primacy should be given to advice within the NPPF.
132. CLSLP Policy NE6 states that development within, or conspicuous from the Green Belt will not be permitted in the interests of safeguarding visual amenity. The NPPF makes no provision for controlling development on the basis of impact upon visual amenity, although provision is made for impact upon openness. Consequently, only limited weight can be afforded to this policy, and primacy should be given to advice within the NPPF.

Whether the proposals constitute inappropriate development

133. The proposed development meets none of the exceptions where construction of new buildings could be considered to be appropriate, as identified within paragraph 89 of the NPPF, or CLSLP Policy NE4. Consequently, the proposed development constitutes inappropriate development in the Green Belt.
134. Inappropriate development is by definition harmful, it should therefore be considered whether the harm by reason of inappropriateness, and the further harm, caused to the openness and purpose of the Green Belt is clearly outweighed by the countervailing benefits arising from the development, so as to amount to very special circumstances.
135. In considering whether to allow development in the Green Belt, it must be considered, first, the level of harm arising from the inappropriate development, and then secondly consider the benefits said to be delivered by the development; and then consider whether those benefits clearly outweigh the harm so as to amount to very special circumstances.
136. Very special circumstances can be made up of a single element, or a number of individual benefits, which when considered cumulatively can be considered ‘very special’. The weight given to the various elements identified which either individually or cumulatively are considered to constitute very special circumstances is a matter of planning judgment and must be weighed against the Green Belt harm of inappropriateness and any other harm that may exist.

Level of harm to the Green Belt

Purposes of the Green Belt

137. Paragraph 80 of the NPPF sets out the five purposes of Green Belt, and the designation of Green Belt, which are as follows;

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Checking the unrestricted sprawl of large built-up areas

138. Although the Estate could be considered to form a large expanse of green space within the wider Tyne and Wear and North Durham conurbation, it is considered that the development of the site would not contribute to the urban sprawl of the wider area. The development site is well defined within the boundary walls of the Estate. The remainder of the Estate provides a significant landscape buffer, particularly to the north, east, and west, with open land remaining to the south. The managed nature of the Estate and its strong boundaries mean that this is likely to remain the case for many years to come. Consequently, it is considered that the development is unlikely to contribute to urban sprawl, being controlled through the parameter plans which preserve landscape setting.

Preventing neighbouring towns merging into one another

139. It is considered that the site is located in such a position that there would not be, or indeed be any discernable perception of Chester-le-Street and Bournmoor merging, or indeed a merging of Bournmoor with the wider Wearside conurbation. A significant amount of separation would remain between the site, and Chester le Street, which would be around 2km distant, and crucially beyond the River Wear, and the A1(M) motorway. This separation is further accentuated by the topography which rises from Junction 63 of the A1(M), and the River Wear, and by the fact that the A183 is followed along its northern side by the Estate wall. The first entrance to the site from the A183 when approaching from Chester le Street, is approximately 2.25km. There would be no merging with Fencehouses as a result of these proposals.

140. There would be a degree of visual relationship with Bournmoor, which is in closer proximity; however the site, given the surroundings of the wider Estate, would not contribute to Bournmoor's merging with Washington, to the north.

141. It is therefore considered that the development of the site would not lead to coalescence.

Assisting in safeguarding the countryside from encroachment

142. The development would clearly result in encroachment into the countryside, and further the CLSLP specifically identifies one of the purposes of the Green Belt to be preventing the encroachment into the Lambton Park area. Whilst encroachment would result, it should be noted that the site is not publically accessible, with only limited views into the applications site, and the benefits arising from the scheme are material to this matter and are discussed below.

Preserving the setting and special character of historic towns

143. The CLSLP specifically acknowledges that this not a purpose of the Green Belt in this location. The specific impacts of the development upon the historic significance of the Estate are covered elsewhere in this report. Consequently, it is considered to not be necessary to consider this element further.

Assisting in urban regeneration, by encouraging the recycling of derelict and other urban land

144. Although the site contains elements of fixed surface infrastructure linked to its former use as a Lion Park, showground, and garden centre the site is considered to not fall within the definition of previously developed land as set out in the NPPF. Therefore, in itself the proposal would not constitute the recycling of derelict or other urban land, although it would indirectly bring back into active use various historic buildings within the Estate, the future of which would otherwise be uncertain.
145. Having regards to the “executive” nature of the proposed development, and the historic under delivery of such developments within the County, it is considered unlikely that the delivery of this development, in this location, would be prejudicial to regeneration schemes elsewhere.

Openness

146. Paragraph 79 of the NPPF sets out that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. Therefore, it is appropriate to consider both the openness of the site at present, and further, how the proposed development would be likely to impact upon this.
147. At present, the site can be considered to largely open in character, as it no longer contains any significant amount of built development. However this openness is punctuated by infrastructure remaining from the site’s former uses as Lambton Lion Park, and as a Garden Centre, and also by woodland planting. This character of openness is very much only experienced from within the site.
148. Critically, public access to the site, at present is extremely limited and the site is contained by the Estate’s boundary wall to the south, and the wooded extent of the Estate to the north and west. The boundary wall ranges from 1.2m to 2.2m in height. Limited views into the site exist from the east, but are read in the context of the relatively urban setting of the petrol filling station, and Bournmoor.
149. From beyond the boundaries of the site, it is read very much in the context of the boundary wall, with substantial woodland belt beyond. The woodland belt ranges in height and depth, but can be generally considered to be around 15m in height. Overall it can be considered that from the beyond the Estate boundary and from the wider Green Belt, that the site does not have an overwhelming character of openness.
150. Certainly, the development of the site would result in a change to the character of the site, when experienced from within the site itself, with the addition of new features and built development. However it stands to reason that with the site being largely self-contained, with limited public access, and with no overwhelming character of openness from beyond the site, that the impacts upon the openness of the Green Belt more widely, will be only limited.

Overall level of Green Belt harm

151. Having regards to the above, it is considered that the effect of the development on the Green Belt purposes is limited. Notwithstanding this, the proposed development remains 'inappropriate development' in the Green Belt which is by definition harmful. Therefore, in accordance with paragraph 87 of the NPPF, and having regards to the above, the key test to be applied is whether there are 'very special circumstances' for permitting the proposal which clearly outweigh the presumption against 'inappropriate development' in the Green Belt as well as the limited additional greenbelt harm identified.

Very Special Circumstances

152. The application seeks to demonstrate very special circumstances through a suite of specific measures to be delivered as a result of the development. These are:

- Restoration and enhancement of the Estate's heritage assets which will result from the investment of £26 - £28.5 million in the historic fabric of the Estate which otherwise would not be secured. The proposal provides a unique opportunity to deliver an exemplar development in an exceptional landscape setting, delivering essential investment to secure the future of this nationally and regionally important asset.
- Significant increase in public access to the wider Estate through the opening up of 9 miles of publicly accessible routes and 16 hectares of land. This also provides beneficial use of the Green Belt in accordance with NPPF objectives.
- Significant cultural and tourism impacts which will be brought about as a consequence of the proposed development which have the potential to generate between £5.1 million and £7.2 million per annum and between 51 and 61 jobs.
- Significant contribution towards meeting 'executive' housing needs and assisting in addressing current population loss because of in-appropriate housing stock as evidenced in the County Durham SHMA, as well as providing 60 affordable homes
- New economic benefits of the proposals, including the significant investment in the historic fabric outlined above, office accommodation for 460 – 525 employees and a further 230 -263 in the supply chain.

Preservation of Heritage Assets

The Conservation Management Plan

153. The current Estate sees the bringing together of 3 pre-eighteenth Century estates culminating in the creation of Lambton Castle at the core of a picturesque landscape in the nineteenth Century. This was then influenced by the expansion of local coal mining which benefited the owners greatly and saw considerable investment in the Estate. As is common, this was followed in the twentieth century by a period of retrenchment and ultimately, the almost abandonment of the castle itself and a change in direction for the wider estate and its management regime.

154. In the crudest sense, significance is derived from a series of 23 interlinked listed buildings of all grades and a scheduled monument set in and around a grade II registered park and garden. Added to this, is the use of a regionally renowned architect in the design of a number of the buildings, and structures, and the consistently high quality of these, and supporting buildings alike. This alone is sufficient to highlight the significance of the site, however, over and beyond this, in line with Conservation Principles, Policies and Guidance 2008 published by Historic England (then English Heritage) the estate displays all four identified heritage values to greater and lesser degrees, namely; historical value, aesthetic value, evidential value, and communal value.

155. Historical value is derived from the continuity of ownership and the management of the estate throughout as a traditional working estate despite the changing landscape around it. Given this management approach, the Estate has maintained a sense of introverted seclusion which adds to its powerful sense of place.
156. Aesthetic value is derived principally from the outstanding composition of landscape and buildings around the Wear Gorge. This is the work of the 1st Earl and resulted from uniting two of the historic estates physically. This remains the aesthetic focus with little, if anything of note added in the twentieth century.
157. The evidential value of the estate is perhaps less clear, but it offers huge potential for further understanding of the historic evolution of the site, and links to the industrial past of the region.
158. As would be expected, the communal value of the estate is more limited having been private for so long. Access was limited previously to the Lion Park which was the earlier public use of the application site, or restricted to peripheral public rights of way. This afforded little understanding of the estate as a whole or access to the most significant landscape.
159. Prior to the submission of the application, the applicant entered into lengthy and constructive dialogue with both the Authority's Design and Conservation Team, and also Historic England. The result of this is that the Conservation Management Plan (CMP) submitted with the application forms a comprehensive package of measures to enhance, and ensure the long term preservation of heritage assets with the Lambton Estate.
160. These measures have been arrived at following a full assessment of the heritage assets within the Estate, and have been prioritised accordingly. It is proposed that the works in three phases, over the course of the development. High Priority works would be carried out by the occupation of the first 150 dwellings, and are estimated to be complete by 2021, Medium Priority works on occupation of the 300th dwelling (approximately 2026), and Low Priority by the occupation of the 375th dwelling. The works have been prioritised on the basis of immediacy and degree of risk, with a focus in the first phase of work towards structures at risk, and interventions within the River Wear Gorge, which forms a setting and landscape of considerable significance within the wider Estate and Grade II registered park and garden.
161. Works identified as being of a high priority, and for delivery within the first phase include; stabilisation and restoration of Lamb Bridge (Grade II* listed), evaluation and stabilisation of Lambton Castle (Grade II* listed) retaining wall, repairs to Lambton Castle gates (Grade II* listed), and repairs to the Castle Stables and Castle Dairy (both Grade II listed) to make them weatherproof and prevent further deterioration. In total, this first phase of works is expected to cost around £7.8 million, and would serve to reinstate vehicular access to the Castle via Lamb Bridge, and stabilise the Castle itself, widening opportunities for it to be brought into an alternative commercial use.
162. Indeed, the conversion of Lambton Castle to an alternative appropriate and sustainable use is identified within the CMP as being a medium term priority, along with the conversion of the Dairy, Stables, Byre, and Stud. A wider programme of works to the River Wear, and a wide range of landscape restoration works are also proposed in this tranche of works, totaling around £18.9 million.
163. The final phase of works includes a programme of continued improvement and refurbishment works to both listed and unlisted Estate housing, further landscape

restoration, and the completion of the refurbishment of the Estate wall. This final phase of works is expected to cost around £1.8 million.

164. The estimated costs of these works have been independently verified by Quantity Surveyors commissioned by the Authority and have been found to be sound.
165. With regard to the proposed works, Historic England recognises that the Estate currently “displays a pronounced sense of long-standing decline”, before going on to identify that the landscape variety of the parkland has been seriously lessened by the tree plantations, and that further harm was caused by the creation of the lion park. Historic England acknowledge that many of the key historic listed structures are in a “poor” to “very poor” condition, including Lamb Bridge and the Lambton Castle gates, which are both on the Historic England Heritage At Risk Register. Historic England further considers that the condition of these elements adversely affects the viability and long term future of Lambton Castle, which itself is at risk due to the condition of its retaining wall. Importantly, Historic England consider that the schedule of works contained within the Conservation Management Plan starkly indicates the scale of the problems facing the historic environment and leave no doubt there are serious problems that will only worsen through inaction.
166. The Council’s Design and Conservation Team consider the CMP to be well thought through, and consider the scheme to be an exciting opportunity to see the preservation and enhancement of one of the greatest assets of the region.
167. It is considered that the package of measures which is proposed within the CMP has the capability to constitute a significant benefit for the County, and wider region, as it would secure the future of a number of significant heritage assets, and more importantly, significant heritage assets that are in poor condition and in significant need of intervention works. However, to be balanced against this, and requiring consideration before it can be ascertained whether the proposed measures constitute “very special circumstances”, is the impact that the proposed development itself would have upon the heritage value of the Estate.

Impact upon the significance of heritage assets

168. When considering whether to grant planning permission that affects a listed building or its setting Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This duty is reflected in the NPPF which, at paragraph 17, considers that the conservation of the historic environment is one of the core planning principles that underpin plan making and decision taking.
169. Two aspects of the NPPF’s guidance on the conservation of the historic environment are particularly pertinent to this application: whether the proposal supports or harms conservation and the impact of heritage as a public benefit when considering applications that are contrary to a local development plan. Paragraph 132 of the NPPF ask that great weight should be given in the planning process to the conservation of designated heritage assets and that any harm to significance is justified by a clear and convincing justification of public benefit.
170. CLSLP Policy BE9 states that development will only be permitted where it can be demonstrated that the proposal would conserve or enhance the special historic landscape qualities of a historic park or garden. This Policy is considered to be NPPF compliant, and significant weight can be afforded to it.

171. CLSLP Policy BE10 states that there will be a presumption in favour of the preservation of scheduled ancient monuments, and that planning permission for development which would have an adverse impact upon their site or setting will not be permitted. This Policy is considered to be NPPF compliant, and significant weight can be afforded to it.
172. The Scheduled Monument at Chester New Bridge is located some distance west of the application site, within the wider Estate. Due to intervening and extensive landscape, it is considered that no adverse effects will result, and Historic England raises no concerns with regards to this matter. The proposal is therefore considered to be in accordance with CLSLP Policy BE10 in this respect.
173. Most wide-ranging applications such as this one contain elements of harm and conservation, and a balanced judgement is required to decide where the overall impact falls. The submitted Environment Statement considers this issue. In this case, the proposed development would result in minor harm the part of the Grade II registered park and garden within which it would be located. However, in the context of the overall significance of the park, it is considered that this harm would be less than substantial. This is a view shared by Historic England, the Design and Conservation Section, and the Landscape Section.
174. The site for the built development has been carefully selected to affect only those areas which either relate to existing development or are confined to the most degraded sections of the designated landscape. There is no doubt that the proposal will radically alter the appearance of the land, however, the selection of this location protects those most significant areas identified in the conservation management plan including the river gorge and widely distributed listed buildings. Given the visually contained nature of the site, the current and proposed landscaping including already mature tree belts and the topography of the land the setting of those identified assets will not be affected.
175. Extensive consideration of this matter has been undertaken, and given the number of assets on the Estate and scale of the proposed development, it is a credit to the proposed development that impact on setting has been minimised to this extent. This is evidence that the application site has historically become more detached both physically and in character from the heart of the estate.
176. Furthermore, the extensive works, as identified within the CMP and ES would offer significant benefits to the overall Estate, and when balanced against the less than substantial harm to the historic park, are considered result in net benefits to the value of the Estate overall. As the works identified within the CMP, and the timescale of the their delivery can be secured by means of a Section 106 legal agreement, there is clear public benefit here that outweighs the less than substantial harm, and further it is considered that the overall package of conservation measures are likely to constitute “very special circumstances” with regards to Green Belt policy.
177. Additionally, in accordance with paragraphs 132 and 134 of the NPPF, it is considered that there would be less than substantial harm to the significance of designated heritage assets, which would be outweighed by the public benefits of the proposal, in terms of the heritage balance, as set out within this report. Further, there would be no conflict with CLSLP Policies BE9 and BE10. These conclusions are supported by the comments of Design and Conservation officers, and also Historic England.

Improvements to Public Access

Current Access to the Estate

178. At present, public access to the Lambton Estate is extremely limited, having originally been designed for the enjoyment of the “fortunate few”. Only three Public Rights of Way currently enter the Estate, and even then only essentially skirt the edges, and do not penetrate to the valuable core of the estate, around the Wear Gorge and Castle. Even when the Garden Centre and Lion Park were in operation for a period in the 1970s and 1980s, public access to the Estate was only available principally to the southernmost part of the park.
179. Consequently, Lambton Estate is unusual in that such a large area of parkland, in the midst of the Tyne and Wear conurbation, has largely remained hidden from wider public view for around 200 years.

Public Access Proposals

180. The application includes proposals to open the Estate up to public access on a permissive basis, for the first time. Furthermore, public access to the core of the Estate is proposed, allowing all to enjoyment the qualities and heritage of the parkland.
181. Public access is proposed to be developed on a transitional basis, in order to accommodate the existing sporting use of the Estate. It is ultimately envisaged that the sporting use would cease, however at present it forms a significant part of the Estate’s income and cannot simply be ceased at the commencement of development. Further, the sporting business employs many of the Estate employees, who would, over a period of potentially transfer into alternative employment on the Estate once the focus shifts from sporting use, to public access and the alternative commercial uses of Estate buildings, including the castle. Consequently it is considered to be unreasonable to expect full permissive access at the commencement of development.
182. At the commencement of development it is proposed that the following routes would be provided:
- 1.6 miles of annual permissive route being provided through the southern part of the Estate, running approximately parallel to the A183.
 - 2.1 miles of seasonal permissive routes extending from Chatershaugh in the north east, to Lumley Lodge in south west via Black Drive. This route would provide dramatic views of the Castle, and would be open 1st February – 30th June, and on Sundays 1st July to 30th September. This level of access responds to, and enables the continuation of the existing sporting use of the estate.
 - 2.8 miles of additional seasonal permissive routes running from the north of the Estate to the A183, running largely alongside the River Wear, and penetrating the heart of the Estate. This route would be open 1st February – 30th June
 - General’s Wood, an area of approximately 16.1 ha of woodland on the northern edge of the Estate would be open for unrestricted access.
 - Subject to separate planning permission, a car park would be created to the east of the Estate, accessed via the A183. It is also proposed to provide a car park on the former Garden Centre site.
183. Upon the occupation of the 150th dwelling, it is proposed that the full level of enhanced access would be realised. This would mean that:
- All previously seasonal permissive routes would become annual permissive routes.
 - 2.7 miles of additional annual permissive routes provided throughout the Estate, including access to the north bank of the River Wear via the by then restored Lamb Bridge.

- A permanent car park would be provided within the eastern part of the application site, within the proposed office development.
184. In total it is proposed that there would be 9.3 miles of annual public access routes, unrestricted access to 16 hectares of General's Wood, and two permanent visitor car parks. Whilst a modest car parking charge would be levied, it is proposed that access to the Estate on foot, or bicycle would be free of charge. The car park to the north east of the Estate falls outside of the application site, and would be subject to separate planning permission.
185. It is considered that these proposals offer a level of public benefit to be fully realised over the duration of the development, offering wide-ranging public access to the Estate for the first time in its history. A large part The Estate is a Grade II Registered Historic and Garden, and its size and quality mean that it is of significant value to County Durham and the region as a whole. It is considered that the opportunity for the public to be granted widespread permissive access to this regional asset should not be underestimated.
186. Policy RL9 of CLSLP permits development related to the quiet enjoyment of the open countryside for informal recreational use, provided that there are no impacts to, inter alia, the countryside, neighbouring properties, rights of way and environmental impacts.
187. Policy RL10 of the CLSLP states that the recreational development within the Green Belt must not result in coalescence or detract from visual amenity. This policy is considered to be only partially consistent with NPPF as it does not consider the need to preserve openness. Regardless however, the access proposals, in themselves are considered to be unlikely to have a detrimental impact upon either the visual amenity, or openness of the Green Belt, or open countryside, nor result in coalescence. Further, they align with paragraph 81 of the NPPF which requires that Local Authorities should plan positively to enhance the beneficial use of the Green Belt.
188. Existing Public Rights of Way within the Estate are considered to be unlikely to be negatively impacted upon, instead by linking up with the wider network of proposed paths, any impact upon these Rights of Way can be considered to be beneficial.
189. Consequently the proposals can be considered to be in accordance CLSLP Policies RL9 and RL10.

Permissive Access

190. There have been concerns raised from several consultees, notably the Council's Access Rights of Way Section, County Durham Local Access Forum, Tyne and Wear Local Access Forum, and Campaign for the Protection of Rural England that the proposals for public access do not go far enough, in that there is not public access in perpetuity in the form of dedicated public rights of way.
191. The applicant has clarified that the proposal only includes permissive rights, so that the management and maintenance of routes rests with the Estate. This would to enable the wider working Estate to function without conflict with visitors, and to allow other activities within the Estate to continue, such as the Lambton Run, which would, it is submitted, become prohibitive on Public Rights of Way, due to additional insurance and management considerations.
192. Access via permissive rights is common across large Estates in the North of England, including Gibside and the County Council's own Hardwick Park. It has been shown

that public access on this basis can, and does work effectively. Further, controlled access to such parkland ensures that it's character, ambience, and hence, value is preserved. Concerns that by not designating public rights of way, that only limited control could be exercised over the level of public access, are addressed by means of securing the permissive access measures through a Section 106 legal agreement, although it is to be noted that such agreement could not go as far as to require the existence of such access in perpetuity.

193. Therefore, it is considered that it would be unreasonable to insist upon the provision of public rights of way in this instance, and that weight can be afforded to proposed public access measures, as forming "very special circumstances", in the form that they have been presented, although this level of weight is less than that which could be afforded if dedicated Public Rights of Way were being proposed.

Culture and Tourism

194. The application is accompanied by a tourism study which outlines the forecast benefits and opportunities that the development and its associated opportunities within the wider Estate would bring.

195. The applicant estimates that by opening up the Estate to public access, that it has the potential to attract around 75,000 visitors per year. By way of comparison, the independently operated Eggleston Hall near Barnard Castle attracted 40,000 visitors in 2013, and large established National Trust properties at Craggside and Wallington Hall both attracted over 190,00 visitors in the same period. Given the scale and quality of the Lambton Estate, it is considered the estimated visitor numbers for the Lambton Estate are reasonable.

196. Taking account of displacement from existing attractions, it is estimated that additional spending in the local economy from day visitors would be between £375,000 - £750,000 per annum. It is also expected that 50% of overnight visitors might be new, or extended stays. Again, accounting for displacement, an average spend of between £550,000 - £700,000 would be expected. This means that it is estimated direct expenditure as a result of public access to the Estate would be between £925,000 and £1.45 million.

197. Businesses benefitting from visitor spending would, themselves, increase their own expenditure, further increasing spending in the area. When multiplied out, the indirect expenditure could amount to between £2.4 million and £4 million, and could result in the generation of between 26-41 jobs in the supply chain.

198. Further, the restoration of Lambton Castle would make it available for commercial use, and whilst the application currently includes no specific proposals for the Castle, both a wedding venue and/or small boutique hotel, are possible uses, which again would contribute to the wider County Durham visitor economy. Estimated figures suggest that a hotel could contribute around £1.3 million on site expenditure per annum.

199. The figures provided within the application are accepted by Visit County Durham, who has indicated its support for the application, stating that the development would contribute to several of the Durham Tourism Management Plan (DTMP) priorities around the rural visitor economy, quality and local distinctiveness.

200. It is acknowledged that public access to the Estate would support the development of local distinctiveness in opening a hidden chapter of Durham's heritage to the public, and would also present opportunities to promote the themes of history and innovation, people, location and connectivity in accordance with Priority 3 of the DTMP.

Additionally, it is considered that it would grow the profile of the county regionally and nationally by adding to the distinctive mix of attractions in the region, helping to stimulate first time staying visitors and attract repeat visitors from the local area, in accordance with Priority 5 of the DMTP.

201. Further, it would help extend visitor stays by drawing visitors into rural areas and optimising the potential of its neighbouring market town, Chester-le-Street, to attract visitors and operate as a service centre for people on rural holidays. As a consequence the contribution of Durham's rural areas to the overall value of the county visitor economy would be increased, providing an alternative offer that broadens the scope and variety of attractions in the area so that there is more for visitors to see and do. This would be in accordance with Priorities 6 and 8 of the DTMP.

Meeting Housing Need

202. PPG states that unmet housing need is unlikely to outweigh the harm to the Green Belt, and other harm, such that it can constitute "very special circumstance" justifying inappropriate development on a site within the Green Belt. However, in this instance, meeting housing need is proposed as part of suite of "very special circumstances", and although unlikely to justify inappropriate development in the Green Belt on its own, it can be considered as having moderate weight, within the wider suite of proposals.
203. In respect to housing, NPPF outlines the Government's objective of ensuring that the planning system delivers a flexible, responsive supply of housing land. The NPPF requires Local Planning Authorities (LPAs) to maintain a five-year supply of deliverable housing sites against Objectively Assessed Needs (OAN). The proposal will clearly contribute to this national policy objective. In the determination of recent planning applications the Council considered that a five year housing land supply could be demonstrated. This was based upon the most up to date OAN in relation to housing which was derived from the findings of the Inspectors Interim Report in relation to the County Durham Plan Examination in Public. However, with this Interim Report now quashed this OAN cannot be utilised to inform the five year housing land position. A revised OAN is currently being calculated but is not yet complete. The Council is therefore currently unable to calculate and therefore cannot demonstrate a five year housing land supply. Consequently, the delivery of housing can be considered to be a benefit of the scheme, albeit one that is unlikely, in itself, to constitute "very special circumstances".
204. The application primarily proposes a range of housing products that are "executive" in nature. The County Durham Strategic Housing Market Assessment (SHMA), provides a broad definition of executive housing as being "higher quality accommodation suited to the needs and aspirations of higher income households". It is also generally accepted that it can also comprise higher density properties or similar standard of design and finish, in high value locations. As the application is only in outline form, exact details of the mix of housing to be provided on site is not yet known, however the applicant has indicated that it will be in line with the SHMA definition of executive housing, and this would be considered further at the reserved matters stage.
205. The SHMA records that 'executive housing is currently under-represented in the dwelling stock in the North East Region'. Of significance is the fact that a household survey was undertaken which identified 2,946 households with a gross income of at least £1000 per week intending to move in the next five years. Of these, 14.7% (433 households) were moving out of the County but remaining in the north east. Reasons for moving were recorded as 47.1% seeking a larger property or one that was better in

some way followed by 12.7% moving to a better neighbourhood. This illustrates the need for executive housing to retain, and potentially attract higher earning households in County Durham, a position that is supported by Regeneration officers, North East Chamber of Commerce, and Business Durham

206. The benefits of delivering “executive housing” in the North East of England have been examined before in the context of the Wynyard development in the Tees Valley close to the south-eastern edge of County Durham. This research by CURDS (Centre for Urban & Regional Development Studies at University of Newcastle upon Tyne) found that:
- The overwhelming majority of the occupiers are creative professionals;
 - 40% of households in Wynyard own or part own a business;
 - 40% moved to Wynyard from outside of the North East region;
 - Fourteen separate businesses exist at Wynyard, half of which have main markets outside of the North East region.
207. This factual evidence points to the economic and social benefits that executive housing can bring and in the context of County Durham, which has lower than national levels of entrepreneurial activity and high levels of unemployment, the benefits are potentially considerable.
208. The proposed development is considered to comprise an opportunity to address this identified need, providing high quality homes, in an attractive and exclusive environment. The situational circumstances of the application site are perhaps unique within County Durham. Further, the provision of a substantial development of homes aimed at high-earning professionals is likely to have a wider positive economic benefit, in accordance with regional economic growth ambitions.
209. CLSLP Policy HP13 requires schemes of 15 units or more to provide affordable housing, with a target provision of 30%. NPPF paragraph 159 requires that local planning authorities have a clear understanding of housing need and that a Strategic Housing Market Assessment (SHMA) should identify full housing need including affordable housing. CLSLP Policy HP13 is not fully compliant with the NPPF having regard to its expectation that an unspecified element of affordable housing should only be expected on sites of a threshold which is not supported by an up-to-date evidence base.
210. The County Durham SHMA is more up to date than CLSLP Policy HP13 and provides the current objective assessment of need for affordable housing across the County. The SHMA identifies that on developments of 15 dwellings or more 15% affordable housing provision is required within the northern delivery area within which the application site is situated.
211. The application includes the provision of 15% affordable housing to be provided on site, which amounts to 60 dwellings. It is further proposed that 45 of these units would be made available for affordable rent, and 15 would be made available for sale at discount market value. This provision would be secured by means of a legal agreement, with all to be provided prior to the occupation of the 200th market dwelling.
212. This is considered to be in accordance with the aims of CLSLP Policy HP13, the SHMA, and also paragraph 159 of the NPPF.
213. With this in mind, it is considered that moderate weight can be attached to meeting housing need as constituting part of a suite of “very special circumstances”.

Economic Benefits

214. Aside from residential development, the application proposes two community and retail hubs of a total of approximately 2,450sq.m of floor space, and office development amounting to approximately 8,000sq.m.
215. The retail element is primarily intended to service the needs of residents of the proposed housing development, and is thus described as being ancillary to these needs. It is proposed that none of these units would individually exceed 450sq.m, meaning that they would remain of a relatively small scale.
216. The B1 office development included within the development is considered to offer significant employment potential, and has been estimated by the applicant to be capable of providing between 460 – 525 jobs at the Lambton Estate, in addition to the well occupied Bowes Offices commercial development.
217. It is proposed that the first 1,395sq.m of the B1 development would be secured before the 150th market dwelling is occupied, with the remainder being secured prior to the occupation of the 390th dwelling, or in accordance with a phasing plan to be agreed with the local planning authority, with the aim of the office development being delivered in full within 20 years of the commencement of development.
218. Whilst this element is covered by planning condition, full delivery cannot be guaranteed due to the outline nature of the scheme, with no precise number of residential units specified as this stage. Further, it is noted that the timeframes proposed are in the long term, with potential complete delivery of B1 floorspace only 20 years beyond the commencement of development. Whilst the proposed office floorspace will likely have a significant positive economic impact, when combined with tourism benefits outlined above, many of these benefits will be only realised in the longer term. The shorter to medium term benefits are likely to be more limited, and consequently it is considered that the level of weight which can be attributed to this element is reduced, although it should still carry some weight towards forming “very special circumstances”.

Whether Very Special Circumstances Exist

219. Both Government Policy and the Courts have established that in order to demonstrate “very special circumstances”, a number of considerations can, in combination; outweigh the harm to the Green Belt by virtue of inappropriateness, and any other harm. This is a matter of judgment but Members need to be satisfied that the factors in favour of the proposals clearly outweigh the harm to the Green Belt and any other harm.
220. As outlined above, although the development would comprise inappropriate development in the Green Belt, and therefore would be harmful by definition, the level of harm to the Green Belt is considered to be limited, taking into consideration the purposes of the Green Belt and the specific character of the site.
221. It is further considered that the collection of benefits that the proposals offer, as identified above, comprise significant benefits that collectively have the potential to offer unique opportunities within County Durham and the North East of England. The significant investment in the restoration of valuable historic assets, and the opportunity to open Lambton Park to widespread public access for the first time in its history, with associated economic benefits through tourism should not be underestimated.

222. The development also comprises a significant opportunity to deliver executive housing within a high quality, planned sustainable community, in a high profile location, meeting an identified need. Additional benefits in the form of the delivery of B1 office development are also evident.
223. In view of this, it is considered that the cumulative benefit of these proposals is such that the development is capable of providing 'very special circumstances' in relation to Green Belt harm, and thus development within the Green Belt. However, paragraph 88 of the NPPF is clear in stating that 'very special circumstances' will not exist unless both potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Consequently, whilst harm to the Green Belt has been considered, it is necessary to consider other potential harm, before a conclusion can be reached as to whether 'very special circumstances' exist in this instance.

Best and Most Versatile Agricultural Land

224. Paragraph 112 of the NPPF states that the economic and other benefits of the best and most versatile agricultural land should be taken into account, and where significant development of agricultural land is proposed, that areas of poorer quality land should be used in preference to that of a higher quality. The NPPF defines best and most versatile agricultural land under the agricultural land classification as being that which is classified as being of Grade 1, 2 or 3a quality.
225. Much of the application site is current in an informal grazing use and for the keeping of horses, consequently it can be considered to have some agricultural potential. Accordingly, the applicant has carried out an agricultural land classification exercise, which identifies the land to be Grade 3b.
226. The land is not therefore best and most versatile land. Natural England has confirmed that it accepts the findings of the submitted report. Consequently, it is considered that the development of this site would not be contrary to paragraph 112 of the NPPF.

Affordable Housing

227. CLSLP Policy HP13 requires schemes of 15 units or more to provide affordable housing, with a target provision of 30%. NPPF paragraph 159 requires that local planning authorities have a clear understanding of housing need. A Strategic Housing Market Assessment (SHMA) should identify full housing need including affordable housing. CLSLP Policy HP13 is not fully compliant with the NPPF having regard to its expectation that an unspecified element of affordable housing should only be expected on sites of a threshold which is not supported by an up-to-date evidence base.
228. The County Durham SHMA is more up to date than CLSLP Policy HP13 and provides the robust objective assessment of need for affordable housing across the County. The SHMA identifies that on developments of 15 dwellings or more 15% affordable housing provision is required within the northern delivery area within which the application site is situated.
229. The application includes the provision of 15% affordable housing to be provided on site, which amounts to 60 dwellings. It is further proposed that 45 of these units would be made available for affordable rent, and 15 would be made available for sale at discount market value. This provision would be secured by means of a legal agreement, with all to be provided prior to the occupation of the 200th market dwelling.

230. This is considered to be in accordance with the aims of CLSLP Policy HP13, and also paragraph 159 of the NPPF.

Principle of Business Development

231. CLSLP Policy IN8 sets out a number of criteria to determine the acceptability of employment proposals, however this policy is considered to be only partially compliant with the NPPF. The scheme accords with the criteria prescribed in this policy, with the exception of the proposal not falling within the defined settlement boundary. However, as it is considered that the land uses proposed should be considered as a whole and given the status of settlement boundaries with regards to residential development, as detailed above it is considered reasonable to give more weight to the actual sustainability credentials of the site and relevant up to date evidence, rather than the fact that the site falls beyond a defined boundary line. It is also prudent to note that this element of the scheme is located adjacent to an existing employment development at Bowes Offices which is now approaching full occupancy.
232. Paragraph 24 of the NPPF states that local planning authorities should apply a sequential test to planning application for main town centre uses that are not in an existing centre are not in accordance with an up-to-date Local Plan.
233. Paragraph 26 of the NPPF states that applications for retail, leisure and office development outside of town centres should be accompanied by an impact assessment, if the development is over a proportionate, local set floorspace threshold, or where there is no locally set threshold, over a threshold of 2,500sq.m
234. Paragraph 27 of the NPPF states that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.
235. The Council's Employment Land Review (ELR) identifies the A1 Corridor, within which site is located, as one of the key market locations suitable for meeting for future employment requirements. This particular site is identified as being capable of contributing to such growth.
236. The area identified for employment development relates well to the existing high quality office provision at Bowes Offices, being located in the eastern part of the site, and is approaching full occupancy, and would seek to compliment this offer. Furthermore, it would offer opportunities for existing and future residents in the area, including those of the proposed housing development, to live and work within close proximity and so reduce commuting. Being the equivalent of approximately only 7.7% of the total overall floorspace proposed it also remains a minor part of the overall development. It also presents an opportunity to facilitate the clustering of businesses, a principle set out in Paragraph 21 of NPPF. Subject to a high quality detailed design and layout being secured along the lines of the existing employment units the type of development proposed would complement existing provision and would be sympathetic to the character and visual quality of the wider Estate.
237. The importance of securing this element of the development, in order to ensure that it is truly mixed-use, is discussed elsewhere in this report, and planning conditions are suggested in order to ensure the timely delivery of the office development, in conjunction with the residential elements of the scheme.
238. With regards to the NPPF, the floorspace proposed is above the 2,500sq.m threshold prescribed in paragraph 26, and therefore the Impact test applies in addition to the Sequential Test . The applicant has carried out the necessary exercise, looking at

local centres in Chester le Street, Washington, Houghton le Spring, Shiney Row and Fencehouses. Paragraph 27 of the NPPF states that where an application fails to satisfy the sequential test, or is likely to have significant adverse impacts, then it should be refused.

239. With regard to Chester le Street, it is noted that the Chester le Street Development Masterplan identifies that the town centre has only limited B1 office development opportunities, and that these are largely confined to upper floors above A1 retail uses. Further, many of the ground floor opportunities are at less than average floor plate size requiring opportunistic interventions when neighbouring units become available.
240. Consequently, the sequential test finds that there are no sequentially preferable locations for the proposed B1 floorspace within Chester le Street town centre, as the offer within Chester le Street is considered to be incomparable to the accommodation that the proposed development would offer, which would be more in line with the existing accommodation at Bowes Offices. This conclusion is considered to be reasonable. Equally in terms of impact, with no comparable offer within Chester le Street, it stands to reason that any impacts upon Chester le Street would be limited, and further, when the proposed development is considered as a whole, that the overall impact upon the viability and vitality of Chester le Street is likely to be positive, due to increased trade from residents of the Lambton development.
241. Turning to impacts upon local centres within Sunderland, the applicant has identified that those centres within the catchment are Washington, Shiney Row, Fencehouses, and Houghton le Spring. Rainton Bridge is also identified, although not being a local centre itself, would not be sequentially preferable in any event. This catchment is broadly agreed.
242. Houghton le Spring is identified as being a town centre, and Sunderland City Council's own analysis of its function is one of primarily day-to-day local and 'top up' shopping needs, although there is also a wider administrative role, for example the town centre hosts a large Gentoo housing office. As with Chester le Street, whilst vacancies exist within Houghton le Spring, these are considered within the sequential test to not be suitable for the types of occupiers envisaged at Lambton Estate, and that as a result, that the proposed floorspace would not be in direct competition. Consequently, the conclusions of the sequential and impact assessment are considered to be reasonable, and it is considered likely that the proposed development would not unreasonably impact upon the viability and vitality of Houghton le Spring.
243. Fencehouses and Shiney Row are smaller centres, albeit with vacancy rates of between 10% and 22.2%, however as with Houghton le Spring, these centres are largely local service and retail based, and are not centres where significant levels of B1 floorspace would be expected to be located, and that which is on offer would be unlikely to meet the requirements of those types of business, namely small to medium scale and high value with linkages to executive housing, which would be expected to locate within the Lambton development.
244. In terms of impacts upon Washington, it is noted that it is currently performing strongly, and therefore opportunities are limited, to the extent that it is likely that in the future that Sunderland City Council will have to identify additional employment land to meet existing unmet demand. The conclusion therefore that the proposed B1 floorspace at Lambton would not have a significant impact upon Washington is considered to be reasonable.
245. Sunderland City Council has commented with respect to this element of the proposal, considering that the B1 floorspace will not be linked to the residential development.

For clarity, it is proposed that priority for occupation of the proposed B1 development would be given to occupiers of residential dwellings at Lambton, within the Section 106 Legal Agreement, although this would not restrict occupation of the B1 units to occupiers of the residential dwellings. Accordingly, they could be occupied by anyone.

246. The need for a sequential test is highlighted by Sunderland City Council, however in conclusion, it considers that the proposed development could be viewed positively as it could provide employment opportunities for residents in areas of Sunderland close to the Lambton Estate.
247. To conclude this point, the proposed development at Lambton should be considered as a whole, within the context of an overall masterplan. The development proposal comprises a genuine mixed-use scheme of executive residential, employment and ancillary retail development, which together is intended to create a sustainable community, and there are clear and defined linkages between the various elements. The proposed B1 floorspace will be linked to the residential development, and will seek to build upon the success of the Bowes Offices development, which has succeeded in attracting small to medium scale high value businesses to the Estate.
248. When considered as a whole, the proposal is in accordance with paragraph 19 of the NPPF, which seeks to support economic growth, paragraph 21 which seeks to support existing business sectors, paragraph 38 which seeks to promote a mix of uses, and also paragraph 70 which seeks to ensure an integrated approach to considering the location of housing, economic uses and community facilities.
249. In this context, whilst the proposed B1 office floorspace represents a town centre use in an out of centre location, and whilst it is acknowledged that the submitted sequential and impact tests could be more detailed, it is considered that the information that has been submitted within the application as whole demonstrates that the B1 office floorspace cannot easily be disaggregated from the rest of the development, that there are unlikely to be any alternative sequentially preferable, comparable and available accommodation in existing local centres, and as result, that there would be unlikely to be a significant adverse impact upon such centres.

Ancillary Retail and Community Uses

250. Bournmoor is the third largest of the 'Medium Sized Villages' identified by the County Durham Settlement Study by population. It also has a population greater than ten of the 'Local Service Centres'; this illustrates the under representation of a range of facilities in Bournmoor when compared against population. The proposals at Lambton Park provide an opportunity to contribute towards addressing this deficiency and help support and sustain existing facilities in Bournmoor with the increase in the working and resident population which would result from the development.
251. CLSLP Policy R16 addresses retailing beyond local centres. The policy is not consistent with NPPF as it does not identify the need for an impact test, and is more restrictive than the NPPF in relation to floorspace restrictions. Consequently only limited weight can be afforded to this policy, and primacy should be given to advice within NPPF.
252. CLSLP Policy R17 states that major new residential development not within reasonable walking distance of shops must include small shops under 100sq.m. Whilst the thrust of this policy accords with the general objectives of the NPPF, which aims to promote sustainable development and mixed communities, the NPPF is not prescriptive as to the type and size of uses to be incorporated. The policy is therefore

not considered to be compliant with the NPPF. Therefore only limited weight can be afforded to this policy, and primacy should be given to advice within the NPPF.

253. The NPPF therefore provides the most up to date policy framework in respect to this aspect of the proposal. The floor space falls below that threshold prescribed in Paragraph 26 of NPPF and therefore an impact assessment is not applicable. Furthermore, as this aspect of the proposal is ancillary to the scheme, is located in a manner which clearly seeks to serve the existing and proposed land uses within the wider Estate and is included to secure a sustainable balanced, mixed community in line with NPPF principles, in particular paragraphs 38 and 70. As a result, it is not considered necessary to require a Sequential Test to be applied in this instance. Indeed, the retail and community uses are considered ancillary to the overall development representing only around 2.3% of the overall floorspace proposed.
254. In its representation, Sunderland City Council acknowledge that the proposed ancillary retail development is likely only to serve as a “top up facility” and is unlikely to have a significant impact upon existing retail provision at Shiney Row. In order to ensure that the retail development remains ancillary to the wider residential development, a planning condition is proposed in order to limit the retail floorspace of each individual unit.
255. With regards to concerns raised by one objector, it is considered likely that this element of the proposal would address the servicing needs of the residential development, and may include a GP Practice and/or a pharmacy should demand present such an opportunity.

Highway Safety, Access and Traffic

256. The submitted ES seeks to inform on and assess the key highways related implications of the development. This assesses matters such as the accessibility of the development; trip generation and traffic assignment; future year flows; operational assessment of junctions; highway safety; and highways works necessary to facilitate the development. Further addendum information has also been supplied during the course of the application seeking to address points raised by the Highway Authority during the course of the application.
257. The development is to be accessed at two points, from a proposed roundabout at Houghtongate, at the position of the existing junction with the A1052, and from a further roundabout close to the existing access point to Bowes Offices from the A183, which will be subsequently be closed.
258. Impacts of the development upon the highway network, both strategically and locally, have been modelled. The ES finds that the residual impact of the proposed development upon the Local Highway Network would be of neutral or negligible significance, although some minor adverse impacts might be apparent during construction. In terms of the Strategic Highway Network, it considered that if the development were to commence in 2017, then the impacts in that year would be of neutral or negligible significance, moving to a minor adverse impact upon Junction 63 of the A1(M) by the year 2025.
259. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. CLSLP Policy T15 states that development should not create unacceptable traffic, provide safe access, and provide adequate access for service and emergency vehicle. Policy T15 is considered to be only partially consistent with the NPPF, as it sets a higher test than that in the NPPF. Consequently, only limited weight can be afforded to it.

Nevertheless, Policy T17 provides a general policy on accessibility, including reducing reliance on the private car, encouraging the use of public transport, and encouraging walking and cycling. This policy is considered to be compliant with NPPF and can be afforded significant weight.

260. Both the Highways Authority and Highways England have considered the content of the Transport Assessment, ES findings and proposed access arrangements, and raise no objections. A number of points were raised by the Highway Authority during the application process, relating to the methodology utilised within the Transport Assessment, however these have been addressed by the applicants to the satisfaction of the Highway Authority.
261. It should be noted that the recently completed improvement works to Junction 63 of the A1(M) were carried out with consideration to traffic flows likely to be generated by allocations proposed within the County Durham Plan. Therefore, although the CDP is no longer in the examination process, the fact that this application was proposed as an allocation means that the potential impact upon the junction has already been mitigated. Consequently, it is considered that the development would not result in severe impacts upon the highway network, such that it would warrant refusal, having regards to the test of severe impact contained within paragraph 32 of the NPPF.
262. With regards to public transport, it is considered that the site is currently reasonably served by bus routes 4 and 78/78A, which stop on the A183 close to the application site. It is considered that the development would be unlikely to adversely impact upon these services, and could potentially have a beneficial impact with regards to use, and potential extension of routes to run through the development. This is in general accordance with CLSLP Policy T6, which itself is considered to be consistent with NPPF.
263. Sunderland City Council has raised concerns with the proposed development on the grounds of highway impacts. However, the application documentation has been subject to a comprehensive review by Highways England and the Highway Authority, both of whom raise no objections in line with planning policy.
264. Highway safety and traffic congestion have been issued raised by objectors, however it is considered that the applicant has sufficiently demonstrated that the proposed development would not have a severe impact upon highway operation, and further, that the introduction of the two roundabouts would not result in a highway safety situation which would be materially worse than that which exists at present. Consequently, it is considered the requirements of Part 4 of the NPPF have been met, as have those requirements of CLSLP Policy T15 which are considered to be consistent with NPPF.

Landscape

Impact upon Landscape Character

265. The western part of the application site lies within the Grade II registered park and garden, whilst land in the eastern part of the application site has been locally identified as Historic Parks and Gardens of Local Interest. Additionally, much of site lies within an Area of High Landscape Value as identified in the CLSLP.
266. The landscape of the site is in generally moderate condition, its open parkland character having been eroded in the past through the planting of woodland and the development of roads and water bodies in the former lion park. Some important elements remain and particularly the park wall, mature woodland belts, including the main 'South Belt', and wooded drives associated

with Bowes House and Biddick Hall. It forms part of a wider historic parkland landscape of high (national, regional and local) value. It is of generally moderate or good scenic quality and forms part of wider tract of attractive wooded countryside. As private estate farmland it has no direct recreational value.

267. The visibility of the site is contained to a large degree by woodland belts both within the site and adjacent to it. There are some occasional glimpsed and filtered views into the site over the park wall and through woodland or trees from the A183 Chester Road. There are more open or less heavily filtered views into the eastern end of the site from the A183 in the vicinity of the former garden centre, and from the Weardale Way and footpath 8 which follow wooded walks in that area. The site is generally visually contained in views from the remainder of the park other than in heavily filtered views through tree belts, for the most part at close proximity.
268. The proposals would entail the removal of some areas of woodland and some individual trees to facilitate access or development. These are identified in the pre-development Tree Survey and impacts are described in the Arboriculture section of the ES. Subject to detailed design this would not generally affect individually important features. The new access at Houghton Gate would entail a localised breach in the historic South Belt and the loss of a section of park wall. The significance of this is discussed below.
269. With regards to wider landscape character, the site forms part of both the Wear Lowlands County Character Area, and the Eastern Valley Terraces Broad Character Area. It is considered that both of these areas are generally of medium sensitivity to development of this type. However, any impacts are likely to be only localised, and therefore can be considered to be of a low magnitude and of only minor wider significance.
270. On a local level however, the landscape of Lambton Park and its associated wooded estate farmland is of high sensitivity. The landscape of the site itself is of somewhat lower sensitivity, and particularly the former lion park area, but retains some sensitivity both as attractive wooded countryside and as part of a wider historic landscape. The effect on the character of the site itself would be transformative. The change from a pastoral to a sub-urban character in the centre and west of the site would be of a high magnitude, and therefore a significant adverse effect, however the proposals would not have a substantial effect on the character of the wider park due to the level of visual containment. There would be no effect on the more aesthetically considered landscapes of the parkland core along the river gorge, or in views from other areas of the registered park to the north and the west.
271. The screening effects of woodland within and around the site would be critical in that respect. To ensure that in the future it would be necessary to manage those woodlands for continuous cover and visual density. Further details of a woodland management plan can also be secured by means of a planning condition.
272. Turning to specific views and impacts highlighted within the Landscape Visual Impact Assessment (LVIA) that has been submitted with the application, it is noted by officers that there is the possibility of some glimpsed views of Lambton Castle through woodland belts to the north of the site, however mitigation is proposed to address this, and can be secured by planning condition.
273. The breach through the park wall and woodland to the south of application site is of some significance. Historically the park has been very inward looking with strong external boundaries, and it is considered to be important that this new entrance is both in keeping with the character of the wider park boundary, and at the same time subordinate to other historic entrances to the park. It is considered likely that design solutions could be found at a detailed design stage that would adequately mitigate this impact.

274. The development of office uses in the east of the site would have a transformative effect on the character of that area which is currently one of attractive formal tree-lined lanes crossing open pasture. This would be a substantial adverse effect in itself. It would not have a substantial effect on the character of the wider parkland or the grounds of Biddick Hall due to the degree of visual containment, but would be notable in views from the drive to Biddick Hall, the Weardale Way and Footpath No 8 (North Lodge). Some additional planting is proposed which would in time be effective in screening parts of the proposed development from some vantage points, but at the expense of views.
275. The development of office uses would be visible from a section of the A183 in a view until recently occupied by the former garden centre. Over time, development could be screened or assimilated by structural landscaping augmenting the roadside planting in this area; however this would be a matter of detailed design.
276. Overall, the residual effects of the development proposals on the character of the local landscape are considered to be of a medium magnitude. That reflects the high and permanent, but localised and potentially visually contained nature of the impacts.
277. The proposed Conservation Management Plan provides for a range of landscape conservation measures including re-structuring or re-shaping woodlands, planting new parkland trees, conserving existing veteran trees, and opening up lost views, together with a wide range of works to buildings and structures that contribute to the character of the landscape.
278. Whether the beneficial effects of these works on the character of the wider parkland landscape would offset and outweigh the adverse effects of development on part of it is a complex judgement. However, it is considered that when the impacts of the proposals considered in the round would, on balance, be beneficial. While many of the benefits of the Conservation Management Plan relate to built heritage assets, these are important components of the historic landscape and as such their conservation must weigh in the balance alongside landscape conservation works as a beneficial effect on the character of the landscape.

Impacts upon Designated Landscapes

279. The impact of the proposed development upon the registered park and garden has been considered elsewhere in this report. However, it is worth reiterating that although the effect of the development would be harmful, that in the context of the wider designation, that harm would be minor. When considered in conjunction with the measures proposed within the CMP, the overall effects can be considered to be beneficial, and in accordance with CLSLP Policy BE9 which seeks to conserve and enhance the special historic and landscape qualities of the designated area, and is considered to be consistent with NPPF.
280. In terms of impacts upon the Area of High Landscape Value, CLSLP Policy NE15 is considered to be only partially NPPF compliant, as the NPPF does not recommend local landscape designations. However the NPPF does acknowledge the importance of protecting 'valued landscapes', which the AHLV can be considered to be. Therefore, it is considered that some weight should still be attached to this policy.
281. As identified above, the development would be harmful, and would detract in some degree from the high landscape quality of the area. However, if the proposals are considered holistically, having regards to the landscape improvement and restoration measures in the CMP, this harm is mitigated, and the overall quality of the AHLV would be maintained in accordance with CLSLP Policy NE15.

Ecology

282. There are no statutorily designated sites, namely Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPAs), or Special Areas of Conservation (SACs) within 2km of the site.
283. Paragraphs 109 of the NPPF states that development should contribute to, and enhance the natural and local environment by, amongst other things, minimising impacts on biodiversity and providing net gains in biodiversity where possible.
284. The submitted Environmental Statement relates to the potential impact of the development upon ecology and biodiversity. This chapter was informed by Phase 1 Habitat Survey, a Great Crested Newt Survey, a Bat Survey, and a Breeding Bird Survey. A number of species were recorded on site, including 9 species of bat, and several species of woodland and ground nesting birds.
285. The ES identifies that the proposed development would have a mainly negligible impact upon a number of habitats, but without mitigation, would also have a minor adverse, moderate adverse, and in a single case a substantial adverse impact upon others. The significant impact would relate to perennial grassland, which would be inevitably be lost through development.
286. In terms of impacts upon species, it is considered that without mitigation there would be a moderate adverse impact upon breeding birds, a minor adverse impact upon amphibians, and a moderate adverse impact upon bats. Some of these species are European Protected Species.
287. Under the requirements of The Conservation of Habitats and Species Regulations 2010 it is a criminal offence to (amongst other things) deliberately capture, kill, injure or disturb a European Protected Species, unless such works are carried out with the benefit of a licence from Natural England. Regulation 9(3) of The Habitats Regulations requires local planning authorities to have regard to the requirements of the Habitats Directive in exercising its functions. Case law has established that local planning authorities must consider whether the applicant might obtain a protected species licence from Natural England where there is likely to be a disturbance of a European Protected Species. This requires an examination of the derogation provisions.
288. The application proposes a wide range of ecological mitigation measures, including the retention of habitats wherever possible within the design of the scheme, retention of green linkages throughout the site and to surrounding areas, the creation of new habitats to support and complement the existing range of species present, the creation of broadleaf woodland, bat roosting opportunities provided within 5% of dwellings on the site, 20 bat boxes erected within surrounding woodland, 100 bird boxes to be erected in retained trees across the site, and a construction management plan during the construction period.
289. The County Ecologist and Natural England have considered the submitted information, and raised no objection to the application. The potential impacts of the development are noted, however providing that the proposed mitigation is secured, then they are satisfied that the overall impact of the proposed development would be acceptable.
290. Under the derogation provisions, the Local Planning Authority should be satisfied that;
i) the development must meet a purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment ii) there is no satisfactory alternative; and iii) favourable conservation status of the species is maintained.

291. With regard to these tests, it is considered that there are substantial public interests that would be met by this development, namely related to the conservation of historic assets, the range of public access measures to the Estate, the economic benefits associated both directly and indirectly with the development, the meeting of housing need, and the provision of affordable housing. Together, it is considered that these benefits constitute reasons of overriding public interest with regard to the first part of the derogation tests.
292. With regard to the second test, it is considered that these benefits cannot be delivered by an alternative means, and with regards to the third, that the mitigation measures proposed would maintain the favourable conservation status of the species. It is considered therefore, that the derogation tests would be met, and a Natural England licence granted, and further, that the requirements of paragraph 109 of the NPPF are met in this instance.

Archaeology

293. Paragraph 135 of the NPPF states that the impact of a development upon the significance of a non-designated heritage asset should be taken into account in determining applications.
294. The application is accompanied by a Scheme of Archaeological Mitigation, which has been informed by findings contained within the submitted Environmental Statement. This identifies that there is no recorded evidence of prehistoric or Roman sites with the site; however the possibility of remains cannot be dismissed. Additionally, there is the potential for evidence of former mining and agricultural activity, previous Estate boundaries, and of course the in-situ remains of the Lion Park. Consequently, programme of archaeological works is proposed.
295. The proposed archaeological works to be carried out comprise a geo-physical survey of the site, a programme of trial trenching to be carried out based on the results of the geo-physical survey, the recording of the former Lion Park, and a monitoring regime during construction. The monitoring regime would take the form of recording, or preservation in-situ depending on the significance of any remains found.
296. The County Archaeologist has considered the content of the submitted document and raises no objections, stating that the proposed approach is appropriate to protect the archaeological interest of the site. The phased approach to field evaluation is accepted, as mapping evidence allows for the fairly accurate location of post-medieval features, and the green space allowance within the masterplan provides scope for in-situ preservation, if required. A planning condition is suggested to secure adherence to the proposed methodology.
297. Consequently, the application is considered to accord with paragraph 135 of the NPPF as any possible impact upon the significance of potential archaeological remains would be limited.

Flood Risk and Drainage

298. Paragraph 100 of the NPPF seeks to ensure that inappropriate development in areas of flood risk is avoided, and where unavoidable, that risks are adequately mitigated. Paragraph 103 states that development should not increase flood risk elsewhere, and that development should be informed by site specific flood risk assessment.

299. The submitted Environmental Statement relates to water management and this identifies that the application site lies within flood zone 1 and is therefore located on land least likely to suffer from tidal or fluvial flooding. There are no significant records of flooding at the site, although it is acknowledged that A183, to the south of the site has flooded in the past, and that this issue is believed to have now been addressed. It is acknowledged that the existing former hippopotamus enclosure within the site represents a minor surface water flood risk, as is an unnamed minor watercourse which is located centrally within the site. It is noted that this watercourse currently accepts unrestricted surface water flows, and that it outfalls into the River Wear.
300. It is proposed that surface water flows from the site continue to be directed into the unnamed watercourse, following the development.
301. Durham County Council is the Lead Local Flood Authority (LLFA) and the SUDS Approval Body (SAB). Drainage and Coastal Protection Officers have been consulted on the application and objections are not raised to the development in principle. Drainage and Coastal Protection Officers advise that final details of surface water disposal for the development should be devised and this should follow the hierarchy of preference for surface water disposal and restrict discharge rates to greenfield run-off rates. It is noted that the Environment Agency and Strategic Flood Risk Assessment Maps indicate areas of potential flooding across the site and the final design must address this. The Environment Agency has raised no objections to the development.
302. Northumbrian Water has raised no objections though advise that insufficient information is provided with regards to final surface and foul water disposal and a condition is recommended as a result.
303. A condition to resolve the final surface and foul water disposal proposals can be added to an approval and no objections to the development on the grounds of flood risk or drainage are raised having regard to Part 10 of the NPPF.

Design Approach

304. CLSLP Policy HP9 sets out residential design criteria for new developments, stating that new development should relate well to the surrounding area, as well as providing adequate privacy, and daylight. This policy is considered to be generally compliant with NPPF, although is prescriptive in certain areas beyond what might be expected by the NPPF.
305. As the application is only in outline form, with matters other than access reserved for future consideration, there is no proposed layout available at the present time. However, the submitted design and access statement provides details of the proposed design approach. The application is also accompanied by a series of parameter plans that provide the control mechanism and framework for any reserved matters planning applications.
306. The design approach seeks to meet several objectives and principles, with the philosophy being developed from Garden City Principles, namely to be landscaped led, socially cohesive, contextual, exemplar, legible, and to be a sustainable community.
307. From this philosophy, the design and access statement develops the following design principles;
- Reflect the underlying character and nature of Lambton as a traditional working estate,

- Take inspiration from the landscape character of the Estate, specifically its introspection and seclusion, extensive woodland and parkland history.
- Consider opportunities for incorporating views of Penshaw Monument and potentially the Stud.
- Consist of cohesive, high quality architecture.
- Integrate effectively and make the best possible use of historic buildings in and around its perimeter, in order to deliver the maximum benefit from them in terms of character, and maximum benefit to them in terms of sustainable and constructive use.
- Carefully integrate lighting proposals to minimise impact on the surrounding wildlife and heritage assets.
- Undertake the early establishment of green infrastructure proposals within the development to provide a high quality setting for the first and subsequent phases of housing.

308. It is proposed that the development would take the form of several “character areas”, exhibiting a variety of English vernacular styles and approaches, including formal avenues, and estate village styles, details of which would be agreed at the Reserved Matters stage.

309. Overall, it is expected that density across the site will be lower than would normally be expected on a development site of this scale. This reflects the executive housing, and high value nature of the development, and is considered to be acceptable in this instance. Certainly, at the densities proposed, it would appear that the level of development proposed could be achieved without compromising residential amenity. The points raised by Durham Constabulary can be incorporated during the detailed design process.

310. With regards to CLSLP T8, this seeks to minimise the level of car parking provision within a development. The NPPF provides for local standards and does not seek to minimise parking. Therefore it is considered that no weight should be afforded to Policy T8, as it is not NPPF compliant.

311. Car parking provision would be addressed at the detailed design stage, taking into account the submitted framework travel plan. The proposed likely density of development means that it there will be sufficient space within each development cell to provide sufficient parking, in accordance with local parking standards.

312. Whilst precise details of layout and housetypes are not yet available, it is considered that the information provided to date demonstrates a strong commitment by the developers to deliver a high quality development, which would be more than capable of meeting those requirements of CLSLP Policy HP9 which can be considered to be NPPF compliant, however, a planning condition is proposed in order to secure a comprehensive design code, which would tie the design approach across the site together.

Residential Amenity

313. The site, by being located within the Estate, benefits from reasonable separation from most residential properties in the area. There is a small collection of dwellings at the eastern end of the site, which mainly comprise properties owned by the Estate, although at least one is now owner occupied. Further residential properties exist to the south, across the A183 Chester Road, however these are screened by buffer planting and do not generally enjoy extensive views into the Lambton Estate.

Privacy, Outlook and Loss of Light

314. As the application is only in outline form, no details of layout have yet been submitted. Accordingly, it is not possible to consider this matter in great detail at this time. However, the scheme proposed is of a low density, and given the relationships with existing residential properties, Officers are satisfied at this stage that a scheme of development could be arrived at that, which would not lead to unreasonable loss of amenity in respect of privacy, outlook or loss of light.

Noise

315. With regards to the potential levels of residential amenity that prospective occupiers may enjoy, as well ensuring existing residents who live close to the site retain appropriate levels of amenity, a noise report has been submitted with the application, and covers a number matters.

316. Paragraph 123 of the NPPF states that planning decisions should aim to avoid noise giving rise significant adverse impacts on health and quality of life arising from noise from new development.

317. Noise generated by construction is difficult to model at the outline stage, as this can depend on a number of factors including phasing, and the exact layout of each phase. The general approach contained within the report which seeks to limit noise levels in accordance with BS5228 and AL72(10) is accepted by Environmental Health and Consumer Protection Officers, and should be achievable by means of restricting working hours and noise levels.

318. With regards to traffic noise, this has been assessed through noise monitoring on the application site. Although Environmental Health and Consumer Protection Officers have some reservations with regards to the methodology of the monitoring, they accept that the assessment is indicative of the existing noise climate. It is concluded that noise levels on the site due to existing traffic noise do not render the site unsuitable for development, and can be adequately mitigated having regards to specific layout, and if necessary, mitigation through construction techniques. Modelling of additional road traffic noise as a result of traffic generated by the development suggests that the additional impact upon amenity would be minimal.

319. It is noted that the business uses proposed are B1 (offices) only, and that any noise generated by this element of the development would mainly relate to external plant. The possibility of A4 (Pub/Restaurant) uses within the ancillary retail areas, also is potential source of noise, but in both cases Environmental Health and Consumer Protection Officer consider that these could both be adequately mitigated.

Odour

320. There is the potential for odour nuisance from A3 (Retail) and A4 (Pubs/Restaurant) uses, however subject to adequate extractor systems to be agreed at the detailed design stage, it is considered that this matter can be adequately addressed. A condition is suggested to secure the implementation of these measures.

Lighting

321. The submitted Landscape and Visual Impact Assessment (LVIA) considers the potential impact of lighting within the development. Environmental Health and Consumer Protection Officers agree with the conclusions within the LVIA and advise that subject to lighting being installed in accordance with the methods stated, that intrusive light will be minimal. A condition is suggested to in order to secure this.

Air Quality

322. Environmental Health and Consumer Protection Officers have considered the submitted information and consider that subject to a Dust Action Management Plan being secured by planning condition, that dust generated during construction can be adequately mitigated. Potential air quality impacts as a result of vehicle emissions have also been modelled, and the resultant change is considered to be negligible.
323. Having regards to the above therefore, it is considered that the development could be adequately accommodated on the site without unreasonable loss of amenity to existing nearby occupiers, of whom there are a very limited number, and further, that adequate levels of amenity would exist for prospective occupiers in accordance with CLSLP Policy H9 and paragraph 123 of the NPPF, subject to the suggested conditions being attached.

Contamination and Coal Mining Legacy

324. Paragraph 120 of the NPPF states that in order to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location, and that the effects of pollution on health, the natural environment or general amenity should be taken into account. Further, paragraph 121 states that planning decisions should ensure that development sites are suitable for the new use, taking account of ground conditions and land stability.
325. Accordingly, the application includes a contaminated land report, which finds that no significant sources of contaminants have been found on the site, although low levels of contamination may be present in localised areas due to historic landfilling. Further, slightly elevated concentrations of heavy metals or pesticides may be encountered due to recent agricultural use. Additionally, probable asbestos sheeting has been identified. The history of mining activity within the Estate means there is a high likelihood of the site being affected by instability.
326. It is considered within the report that there is a low likelihood that Minor to Substantial Adverse impacts upon construction operatives will be present during the construction. This is mainly due to the potential presence of asbestos containing materials within existing farm buildings and identified sources of hazardous ground gas. However, it is also considered that these risks can be adequately mitigated to a safe level with the adoption of safe working practices, the ultimate effect potentially being of a minor beneficial level, as the asbestos will be appropriately removed and disposed of.
327. With regards to end users, it is considered that there would be a low to moderate likelihood of adverse effects, due to potential contaminants and hazardous ground gas. It is recommended in the report that further intrusive investigation works and risk assessment is carried in order to establish an appropriate scheme of mitigation, however it is considered that all of the potential risk identified at this stage can be mitigated using standard remedial or construction techniques, for example use of gas protection in new dwellings.
328. Environmental Health and Consumer Protection officers have considered the submitted contaminated land risk assessment and accept its findings, subject to suitable conditions being attached to any permission which secure the necessary additional investigative and mitigation measures.
329. With regards to the risk posed by former mine workings within the vicinity of the site, the submitted information recommends that a programme of rotary drilling in order to

investigate the depth of shallow coal seams, the presence of voids, and the thickness of bedrock across the site. Any instability could be mitigated by drilling, grout stabilising or the adoption of an appropriate standoff distance.

330. The Coal Authority has considered the submitted information and raises no objection to the application on the basis that appropriate conditions are attached in order to ensure the safety and stability of the proposed development.
331. It is considered therefore, that requirements of paragraphs 120 – 121 of the NPPF are met in this instance, and that the application is acceptable in these regards.

Open Space

332. CLSLP Policy RL4 sets out the level of recreation and sports space per 1000 population that would normally be expected, whilst CLSLP Policy RL5 sets out the required level of recreation provision that should be delivered with a development. It is considered that both of these policies are only partially compliant with NPPF, as paragraph 73 of the NPPF states that such requirements should be based on robust and up-to-date assessments. Paragraph 17 of the NPPF states that planning should secure a good standard of amenity for all existing and future occupants of land and buildings. The County Durham Open Space Needs Assessment (OSNA) forms part of the evidence base for the CDP, and whilst no weight can be afforded to the CDP, the OSNA still forms the most up-to-date assessment of open space requirements for County Durham
333. CLSLP Policy RL6 seeks to secure the maintenance of open space and recreational facilities for a period of ten years. This policy is considered to be NPPF compliant, insofar as it is silent on such specific matters. However, NPPF would now require any commuted sum, to not be excessively onerous such that it would impact upon the viability of the development. Furthermore, the OSNA now seeks to secure maintenance for a period of 15 years.
334. The OSNA sets out that ordinarily, a total of 5.2ha of open space provision would be expected to be provided by a development per thousand population, and that this provision should take a variety of forms; parks and gardens, outdoor sports space, play space, amenity open space, semi-natural greenspace and allotments.
335. Bearing in mind the significant access benefits that this proposal brings with regards to the wider Estate, it is considered that in this instance that the requirement to provide parks and garden provision within the application site would be unreasonable. Consequently, it is considered that a reduced provision of 4.2ha of open space provision per thousand population is secured with regards to this development.
336. On the basis that the development would consist of 400 dwellings, with an average of 2.4 occupants, it is considered that the development would be expected to produce a population of 960. If the 4.2ha per thousand population provision is adjusted accordingly, an overall provision of 4.032ha is expected to be provided by this development.
337. The applicant expects to be able to deliver this level of provision within the site. However, as the application is currently only in outline form and only parameter plans are available at the present time, it is not certain that this could be achieved in reality. If it prevails that the necessary provision cannot be secured on site, the applicant has agreed to provide a commuted sum for offsite provision, which is variable on the basis of the level of shortfall in on-site provision that is achieved. It has been agreed that a sum of £2,639 per dwelling for whom on-site provision is not achieved would be

payable as a commuted sum, to allow the authority to improve or provide off-site facilities. This contribution can be secured by means of a Section 106 legal agreement.

338. Consequently it is considered that the requirements of CLSLP Policies RL4, RL5 and RL6, and paragraph 17 of the NPPF are met in this instance.

Public Art

339. CLSLP Policy BE2 seeks to secure a financial contribution of 1% build costs on developments costing more than £500,000. This policy is considered to be partially NPPF compliant, as although the NPPF and PPG is supportive of well-designed places, and public art, they also acknowledge that development should not be subject to a scale of obligations that comprises their viability.
340. In securing a contribution towards public art, the nature of the development has been considered. It is acknowledged that the applicant is investing significant sums of money into restoring several valuable heritage assets within the Estate, and further, with the proposed public access, that the results of this investment would be open for all to appreciate. In particular, the restoration of Lamb Bridge, the stabilisation of Lambton Castle and the improvements to the River Gorge, would reinstate several views which have been popular with several painters, most notably John Glover, but also Thomas Allom, John Pye, and Edward Watson. Clearly, the ability for visitors to appreciate these classic views is of public benefit.
341. Consequently, and having regard to this albeit indirect investment in public art, it is considered that it would be unreasonable to expect the applicant to pay the full 1% public art contribution as required by the CLSLP. However, a contribution of £250,000 has been agreed, towards public art initiatives, and this would be secured by means of a legal agreement.

Education

342. Paragraph 72 of the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It also states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. It also place great weight upon the need to create, expand or alter schools.
343. CLSLP Policy HP15 seeks to negotiate with developers a contribution, where appropriate for the provision of related social, community and infrastructure facilities where such provisions are necessary.
344. The Council's School Places Manager utilising a methodology set out in the cabinet approved school places document, has calculated that there is sufficient capacity for the level of secondary school demand generated by the proposed residential development.
345. However, it is considered that there is currently insufficient capacity for the level of primary school pupils likely to be associated with the development. It is noted that for most of the site, that only Bournmoor Primary School is likely to be the only school within a reasonable practicable distance, although a portion of the western part of the site would be within reasonable access of Chester le Street Church of England Primary School.
346. Based upon existing and projected rolls for these schools, it is considered that additional capacity for an additional 47 pupils will be required at Bournmoor Primary School over the period of the development. Based upon the cost of providing additional school places of

£11,705 as contained within the cabinet endorsed document, a contribution of £550,135 is required, and this would be secured by means of Section 106 legal agreement, and be delivered before the occupation of the 125th dwelling.

347. Sunderland City Council has indicated that it is concerned that schools within Sunderland would come under pressure to accommodate pupils generated by the development, in particular Shiney Row, New Penshaw Primary, and Our Lady Queen of Peace. Although the City Council claim that all of these schools are closer to the site than any in County Durham, this is incorrect, as the closest primary school is at Bournmoor, in County Durham.
348. Whilst it cannot be guaranteed that children would not attend schools in Sunderland, it is considered that the measures secured with this application would ensure that the numbers of pupils generated by the development would be able to be accommodated at a school within County Durham, and further. As Bournmoor Primary School is the closest to the site, it is more than likely that parents would seek to send their children to this school as opposed to other schools within Sunderland.
349. Additionally, it should be noted that another recent major housing scheme close to the administrative boundary, but within Sunderland City did not provide financial contributions to Durham County Council, despite its proximity to Bournmoor Primary School. Consequently, it is considered to not be necessary to secure additional financial contributions for education provision within Sunderland.

Viability and Planning Obligations

350. CLSLP Policy BE22 states that planning obligations will sought from developers wherever necessary, in order to make development acceptable. This policy is considered to be only partially compliant with the NPPF, and thus, only limited weight can be afforded to it.
351. The NPPF states that at paragraph 173 that development should not be subject to such a scale of obligations and policy burdens that the ability of it being developed viably is not threatened. This advice is reiterated within Planning Practice Guidance.
352. In meeting all of the relevant policy tests, and in order to secure the measures that have been proposed to justify 'very special circumstances', the applicant has agreed to enter into a Section 106 legal agreement which includes the following;
- A programme of conservation works, as contained within the Conservation Management Plan
 - Public access to the Lambton Estate in accordance with the Access Management Plan,
 - 15% affordable housing
 - A commuted sum of £250,000 towards the provision of public art,
 - A sum of £550,135 towards the provision of additional school places
 - The provision of 4.032ha on-site public open space with a pro-rata commuted sum payable in lieu if this proves not to be possible,
353. The application is accompanied by a business plan which has been appraised by officers, and further, the applicant has confirmed that the requirements of the Section 106 legal agreement would not impose such a burden, so as to render the development unviable.
354. The application and requirements of the Section 106 legal agreement are therefore considered to be NPPF compliant in this respect.

355. The S106 Planning Obligations are also considered to be compliant with regulation 122 of the Community Infrastructure Regulations 2010 in that they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

Sustainability

356. The NPPF, at paragraph 7 sets out the Government's vision for sustainability, identifying that it has three dimensions; economic, social, environmental. It further expands upon these dimensions, by setting out more specific elements of sustainable development.

357. The proposed development comprises a genuine mixed use scheme incorporating high quality executive housing meeting an identified need, ancillary retail provision, and office accommodation linked to the residential development. The application presents a genuine opportunity for placemaking, and the development of a sustainable community, with a reduced reliance on car travel. A scheme of Targeted Recruitment and Training would be secured by planning condition in order to ensure that the opportunities that the development may bring to local communities in terms of job creation are fully realised.

358. Healthy communities would be promoted by the package of measures to open up the Estate to public access, and the conserving and enhancing of valuable heritage assets has a significant social cultural value.

359. In environmental terms, any ecological impact would be mitigated, and the development will incorporate significant levels of landscape planting. Additionally, the package of heritage works will include landscape enhancements, and the restoration of the registered historic park and garden.

360. With regards to meeting the challenges of climate change, the applicant has indicated that the new development would incorporate high standards of sustainable design and construction, and a condition is proposed to secure an approach to construction that minimises carbon usage and embeds sustainability.

361. It is therefore considered, that the application constitutes sustainable development.

Whether Very Special Circumstances Exist

362. This report has set out the suite of measures which have been proposed as being significant public benefits. Although the level of individual weight that can be afforded to the various elements is considered to vary, it is considered that the public benefits, when considered as a whole, carry significant weight. Further, it has identified that the harm to the Green Belt as a result of the development would only be limited, although by being inappropriate development, it is harmful by definition.

363. Additionally, harm other than that which would occur to the Green Belt has been considered, and also found to be limited.

364. Paragraph 87 of the NPPF states that inappropriate development in the Green Belt should not be approved except in "very special circumstances".

365. Paragraph 88 of the NPPF states that "very special circumstances" will not exist unless the potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.

366. In this instance, the overall level of harm is considered to be limited, and that the wider benefits of the scheme, when considered as a whole are significant. Consequently, it is considered that the harm is clearly outweighed, and as a result that “very special circumstances” exist in this instance.

Enabling Development

367. This proposal has not been put forward as an enabling scheme in the context of Historic England’s approach. Nevertheless the scheme does enable substantial benefits as described above.

368. Paragraph 140 of NPPF provides guidance on enabling development, the key question being whether the proposal ‘which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies’.

369. No further guidance is provided in the PPG on enabling development but Historic England does have further guidance through 2008 document “Enabling Development and the Conservation of Significant Places.”

370. In this case the scheme cannot reasonably be considered as enabling development because the proposal are in conformity with prevailing planning policies contained within the NPPF including:

- from a heritage perspective, compliance with paragraph 134 is achieved;
- similarly, compliance with paragraph 113, landscape, is secured;
- ‘Very Special Circumstances’ have been demonstrated that overwhelmingly outweigh any harm to the Green Belt; and
- No other harm has been identified

371. In short, the proposals do not represent Enabling Development as prescribed by the NPPF and Historic England’s own guidance and should not be considered as a departure from the Development Plan where material planning considerations are required to support a decision to grant planning permission.

372. Analysis above in the context of Green Belt policy has concluded that the benefits clearly outweigh the harm and that the proposal constitutes very special circumstances. As such the enabling case does not need to be applied.

Prematurity

373. Planning Practice Guidance provides guidance on the issue of prematurity and advises that applications should only be refused on grounds of prematurity where it is clear that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, taking the framework and all other material considerations into account. It goes on to say that such circumstances are likely to be limited to situations where both:

- the proposal is so substantial, or the impacts so significant, that the plan making process would be undermined by predetermining decisions about scale, phasing or location of the development; and,
- the emerging plan is at an advanced stage.

374. As discussed earlier in this report, it is considered that any adverse impacts of the proposal would be far outweighed by the significant benefits which the scheme presents.
375. Accordingly, the tests for refusing this application on the grounds of prematurity are not met. In any event, it is relevant to note the scale of the proposal -approximately 400 new homes, 2,450 sq.m of retail and community facilities and 8,000sqm of office space. Whilst the Objectively Assessed Need, employment land and retail requirements that will inform the next iteration of the County Durham Plan are still under review, it is nonetheless anticipated that the level of development proposed in this application will not be so significant as to undermine the plan making process on decisions which are central to the emerging plan. This is reinforced by the very limited level of objection to the application by third parties.
376. Furthermore, the County Durham Plan Inspector's Interim Report has been quashed and the Council has withdrawn the Plan from examination. A further consultation draft is likely to be published in early 2016. At this point in time, the County Durham Plan cannot be considered to be at an advanced stage.
377. It is also of note that the guidance in the PPG states that where a draft Local Plan is yet to be submitted for examination, a refusal on grounds of prematurity will seldom be justified.
378. In addition, it is pertinent to note that as Historic England recognise, the issues facing the historic fabric of the Estate will only worsen through delayed action.
379. In light of the above it is concluded that prematurity is not a legitimate reason to refuse this application as the grant of planning permission will not prejudice the outcome of the plan making process.

CONCLUSION

380. The proposed development, in being located within the Green Belt, is contrary to CLSLP Policies NE3, NE4, NE5 and NE6, and the CLSLP remains the adopted development plan for the locality. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, state that applications for planning permission must be determined in accordance with the development plan, unless material planning considerations indicate otherwise.
381. However, this report has considered the compliance of the relevant CLSLP policies with the content of the NPPF, in accordance with paragraph 216 of that document, and has found that these policies to be only partially compliant, thereby reducing the level of weight that can be afforded to them.
382. In such, circumstances, advice contained within the NPPF should take primacy, and the proposed development, in being located within the Green Belt, constitutes development which is restricted by specific policies within the NPPF. Therefore the planning balance tests contained within paragraph 14 of the NPPF are not applicable in this instance.
383. It has been established in this report that the development proposed would be inappropriate in the Green Belt, and that in accordance with paragraph 87 of the NPPF, should not be approved except in 'very special circumstances'.

384. Paragraph 88 of the NPPF is clear in stating that 'very special circumstances' will not exist unless both potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
385. As paragraph 14 of the NPPF provides no means of balancing the harm and benefits in this instance, the 'very special circumstances' tests within paragraph 88 are appropriate instead. Essentially, if 'very special circumstances' cannot be demonstrated, then the application must be considered to be unacceptable, as it would be contrary to paragraph 87.
386. It is considered that the case made by the applicant is robust with respect to 'very special circumstances'. It can be identified that the harm to the Green Belt would be only limited, having regards to the purposes of Green Belt and the openness of the site and its surroundings.
387. In terms of 'other harm' it is noted impacts upon ecology, archaeology, residential amenity, highway safety and flood risk can all be adequately mitigated. The less than substantial harm to heritage assets, and also harm to the Area of High Landscape Value should be considered in the context of a wider scheme of measures which result in a net benefit with regards to these matters.
388. The suite of benefits that the application comprises is considered to be significant, and largely deliverable. These have been set out in detail within the report, but namely comprise a significant level of investment in the restoration and preservation of valuable historic assets, the provision of public access to the wider Lambton Estate with associated positive tourism impacts, and provision of affordable and executive housing to meet an identified need, all of which would have positive economic benefits. The provision of office development linked to the delivery of executive housing, can also carry some weight, albeit reduced, due to the uncertainty of delivery beyond 1,395 sq.m, however this is considered not be a significant issue in the overall acceptability of the scheme.
389. Overall, it is considered therefore that the benefits would outweigh the limited harm to the Green Belt that would exist, and further, having had regards to all other material considerations, that they would outweigh any other harm that has also been identified. It is therefore considered that 'very special circumstances' have been demonstrated to justify inappropriate development as required by the NPPF.
390. It should also be noted that the application has received support from Kevan Jones MP, North Lodge Parish Council, Historic England, Business Durham, Visit County Durham, North East Chamber of Commerce, as well as a single resident, and no objections have been received from statutory consultees.
391. The objections raised by both Durham Local Access Forum and Tyne and Wear Access Local Access Forum, and the two local residents, as well as the concerns raised by CPRE and Sunderland City Council have been fully considered, but are not considered to outweigh the significant and demonstrable benefits that the proposed development entails.
392. Should Members be minded to grant planning permission, it would be necessary for the application to be referred to the Secretary of State in accordance with the requirements of the Town and County Planning (Consultation) (England) Direction 2009 as the proposed development amounts to inappropriate development in the Green Belt. Furthermore, the proposed development proposes a level of out of centre commercial floorspace, such that it would require referral also.

RECOMMENDATION

That the application be **APPROVED** subject to;

- the referral of the application to the Secretary of State via the National Planning Casework Unit; and in the event of the application not being called in, the Head of Planning be authorised to determine the application.
- the completion of a Section 106 Legal Agreement to secure;
 - A programme of conservation works, as contained within the Conservation Management Plan
 - Public access to the Lambton Estate in accordance with the Access Management Plan,
 - 15% affordable housing
 - A commuted sum of £250,000 towards the provision of public art,
 - A sum of £550,135 towards the provision of additional school places
 - The provision of 4.032ha on-site public open space with a pro-rata commuted sum payable in lieu if this proves not to be possible;

and subject to the following conditions:

Planning

1. Approval of details of appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) for each Development Cell, or part thereof, (identified on Land Use Parameter Plan - Ref: PL02 Rev A) shall be obtained from the local planning authority before development of that Development Cell is commenced.

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

2. Applications for the approval of reserved matters for a Development Cell, or part thereof, (identified on Land Use Parameter Plan - Ref: PL02 Rev A) must be made no later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of five years from the date of this permission. The applications for the approval of the reserved matters for the other Development Cells, or part thereof, shall be made to the Local Planning Authority before the expiration of 12 years from the date of this permission and each Development Cell must be begun not later than the expiration of two years from the approval of the last reserved matters for that Development Cell.

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

3. The development hereby approved shall be carried out in accordance with the approved plans and specifications contained within:
 - Site Boundary Plan - Ref: PL01
 - Land Use Parameter Plan - Ref:PL02 Rev A
 - Building Storey Heights Parameter Plan - Ref:PL03
 - Movement and Access Parameter Plan - Ref:PL04
 - Landscape Parameter Plan - Ref:PL05

- Proposed A183/Site Access Roundabout – Ref:2019SK001/003B
- Proposed A183A/A1052/Site Access Roundabout – Ref:2019/SK001/002A
- Framework Travel Plan (August 2015) Version 2.0

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Part 7 of the NPPF

Highways

4. Prior to the commencement of the access works full technical details of the proposed A183 / A1052 site access roundabout (as shown on drawing reference 2019/SK001/002 Rev A in accordance with Design Manual for Roads and Bridges (DMRB) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the roundabout works shall be carried out in accordance with the approved details and be constructed and operational on first occupation of any dwelling within Development Cell R3 (identified on Land Use Parameter Plan - Ref: PL02 Rev A).

Reason: In the interests of highway safety having regards to saved Policy T15 of the Chester-Le-Street District Local Plan and Part 4 of the NPPF. Required to be pre-commencement to ensure a safe access into the site.

5. Prior to the commencement of the access works full technical construction details of the proposed A183 site access roundabout (as shown on drawing reference 2019/SK001/003 Rev B) in accordance with Design Manual for Roads and Bridges (DMRB) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the roundabout works shall be carried out in accordance with the approved details and be constructed and operational on first occupation of any dwelling within constructed within Development Cell R10 (identified on Land Use Parameter Plan - Ref: PL02 Rev A). After the roundabout is available for use, the existing access from the A183 (as shown on drawing reference 2019/SK001/003 Rev B) shall not be used for site access and shall be stopped up.

Reason: In the interests of highway safety having regards to saved Policy T15 of the Chester-Le-Street District Local Plan and Part 4 of the NPPF. Required to be pre-commencement to ensure a safe access into the site.

Design Code

6. The development shall be implemented in general conformity with the approved Design and Access Statement submitted with the applications.

Reason: To ensure that the Reserved Matters for the appearance, layout and scale of the buildings, and landscaping to be submitted are in general accordance with the approved Design and Access Statement and to enable the Local Planning Authority to satisfactorily control the development, having regards to Part 7 of the NPPF and Policy HP9 of the Chester-Le-Street District Local Plan

7. In conjunction with the first Reserved Matters application a Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be prepared in accordance with the principles and parameters established by this

outline approval. The Design Code shall address all pertinent matters associated with the following subject areas:

- i The approach to design quality and its consistent implementation;
- ii The creation of character areas and neighbourhoods;
- iii Maximum and minimum density parameters
- iv Materials Pallets;
- v Lighting Strategy and
- vi Landscaping Strategy.

All subsequent Reserved Matter applications shall accord with the details of the approved Design Code.

Reason: In the interests of high quality design and in accordance with Chester-le-Street District Local Plan Saved Policy HP9 and Part 7 of the NPPF. Required to be in conjunction with the submission of Reserved Matters to ensure co-ordinated design approach across the development

Archaeology

8. Prior to the submission of reserved matters for each Development Cell, or part thereof, (identified on Land Use Parameter Plan – Ref: PL02 Rev A) the applicant must secure the implementation of a programme of archaeological work in accordance with a mitigation strategy as detailed in the approved document 'Archaeological Evaluation and Mitigation Works, NAA, August 2015'. Thereafter implementation of the Development Cell shall take place only in full accordance with the approved details.

Reason: To comply with paragraphs 128 and 141 of the NPPF. Required to be prior to the submission of reserved matters for each Development Cell or part thereof to ensure appropriate archaeological works take place.

9. Prior to each Development Cell (identified on Land Use Parameter Plan – Ref: PL02) being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record or receiving archive as detailed in the mitigation strategy.

Reason: To comply with paragraph 141 of the NPPF, which requires the developer to record and advance understanding of the significance of a heritage asset to be lost, and to make this information as widely accessible to the public as possible.

Contamination

10. Within each Development Cell, or part thereof, (identified on Land Use Parameter Plan –Ref: PL02 Rev A) development shall not commence until an Investigation and Risk Assessment to determine the nature and extent of any contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The details of the Investigation and Risk Assessment shall include measures to provide for:
 - i. a survey of the extent, scale and nature of contamination based on the Desk Top Study and conceptual site model;
 - ii. an assessment of the potential risks;

- iii. an appraisal of remedial options and definition of an appropriate remediation scheme including a timetable for works.

The Investigation and Risk Assessment shall be implemented as approved and must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Part 11 of the NPPF. Required to be pre-commencement to ensure the risk from land contamination are minimised before the start of construction.

11. The Approved Remediation Scheme, for each Development Cell or part thereof, shall be implemented in accordance with the approved timetable of works. Within twelve months of the completion of measures identified in the Approved Remediation Scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Part 11 of the NPPF.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. A Risk Assessment must be submitted to and approved by the Local Planning Authority in accordance with the requirements of condition 9, and where remediation is necessary the approved Remediation Scheme must be implemented in accordance with the requirements of condition 10.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Part 11 of the NPPF.

Coal Mining

13. Prior to the submission of reserved matters for each Development Cell ,or part thereof, (identified on Land Use Parameter Plan - Ref: PL02 Rev A) a scheme of intrusive site investigation for mine entries and shallow coal workings within that Development Cell shall be submitted and approved by the Local Planning Authority. The intrusive site investigation shall be carried out in accordance with the approved details. Any remedial works identified by the site investigation shall be carried out prior to any development taking place.

Reason: To ensure that the application site is safe and stable for the approved development, as required by paragraph 121 of the National Planning Policy Framework. Required to be pre-commencement to ensure the site is safe and stable for the approved development.

Flood risk and Foul Drainage

14. Development within each Development Cell or part thereof (identified on Land Use Parameter Plan Ref: PL02 Rev A) shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to the Local Planning Authority. The approved flood risk and foul drainage strategy shall be implemented prior to the first occupation of the relevant Development Cell.

Reason: To prevent the increased risk of flooding from any sources and to comply with the objectives of Part 10 of the NPPF. Required to be pre-commencement to ensure appropriate water management.

Ecology

15. No development shall take place unless in accordance with the mitigation detailed in Chapter J of the Environmental Statement (September 2015. E3 Ecology)

Reason: In the interests of protected species and to comply with the objectives of Part 11 of the NPPF.

Construction

16. No development shall commence within each Development Cell (identified on Land Use Parameter Plan - Ref: PL02 Rev A) until a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include but not necessarily be restricted to the following:

- i A Dust Action Plan containing; the methods of suppressing dust; the methods to record wind direction and speed and the meteorological conditions at the site; methods of monitoring dust emanating at and blowing from the site
- ii Details of methods and means of noise reduction
- iii Confirmation that the burning of combustible material on site shall be prohibited unless it has been first demonstrated that the material cannot be disposed of in any other suitable manner
- iv Details of means of reducing the potential for mud on the roads in the vicinity of the site

The management plan shall have regard to BS5228 “Noise and Vibration Control on Construction and Open Sites” during the planning and implementation of site activities and operations.

The development shall be undertaken in accordance with the agreed Construction Environment Management Plan.

Reason: In the interests of residential amenity having regards to Part 11 of the NPPF. Required to be pre-commencement as construction activity mitigation must be agreed before works commence.

17. No construction/demolition activities, including the use of plant, equipment and deliveries relating to the construction of the development, will take place before 0800 hours or continue after 1800 hours Mondays to Fridays, or commence before 0800 hours and continue after 1300 hours on Saturdays. No works will be carried out on a Sunday or Bank Holiday.

Reason: In the interests of residential amenity, in accordance with the objectives of Part 11 of the NPPF.

Noise

18. Prior to commencement of development within each Development Cell R10 (identified on Land Use Parameter Plan - Ref: PL02 Rev A) a scheme of noise mitigation measures shall be submitted to the Local Planning Authority. Thereafter the approved scheme shall be implemented prior to the first occupation of that Development Cell and shall be retained thereafter.

Reason: In the interests of residential amenity and to meet the objectives Part 11 of the NPPF.

Odour

19. Prior to any A3 or A4 unit being occupied, full details of the proposed fume extraction system for that unit must be submitted and approved in writing by the local planning authority, this document should include a risk assessment, design schematic, details of any odour abatement measures, details of noise levels and any other documents considered necessary to demonstrate accordance with the current DEFRA guidance on the control of odour and noise from commercial kitchen exhaust systems

Reason: In the interests of residential amenity and to meet the objectives Part 11 of the NPPF.

Landscape

20. No development shall commence within a Development Cell, or part thereof, (identified on Land Use Parameter Plan - Ref: PL02 Rev A) until the relevant hard and soft landscape details have been submitted to and approved in writing the Local Planning Authority.

Reason: In the interests of the appearance of the area and to comply with Part 7 of the National Planning Policy Framework and Policy HP9 of the Chester-le-Street Local Plan. Required to be pre-commencement so that the landscaping works are agreed before development commences.

21. All approved planting, seeding or turfing and habitat creation shall be carried out in the first available planting season following the practical completion of each Development Cell. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of each Development Cell shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area and having regard to Part 11 of the NPPF.

22. No tree should be felled or hedge removed unless in accordance with the approved landscape details. No construction work shall take place within each Development Cell (identified on Land Use Parameter Plan - Ref: PL02 Rev A), nor any site cabins,

materials or machinery be brought on site until all trees and hedges scheduled for retention as agreed under the landscape reserved matter, are protected.

Reason: In the interest of visual amenity and having regard to Part 11 of the NPPF

Sustainability

23. Prior to the commencement of development within each Development Cell, or part thereof, (identified on Land Use Parameter Plan - Ref: PL02 Rev A) a scheme to embed sustainability and minimise Carbon from construction and in-use emissions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and retained while the building is in existence.

Reason: In the interests of sustainable construction and energy generation and the aims of Part 10 of the NPPF. Required to be a pre-commencement condition as sustainability measures must be agreed before works commence.

Retail

24. The new floorspace hereby permitted within Use Class A1, Class A2 and Class A3 shall be restricted to no more than 1,500 sq.m gross internal across the approved development as a whole.

Reason: To provide appropriate control over the ancillary land uses in accordance with Part 2 of the NPPF

25. No individual unit within Use Classes A1, A2 or A3 hereby permitted shall exceed 450 sq.m gross internal floorspace.

Reason: To provide appropriate control over the ancillary land uses in accordance with Part 2 of the NPPF

Business

26. Prior to the occupation of the 150th market dwelling hereby approved or five years from the date of commencement of development to which this permission relates whichever is the latter a minimum of 1,395 sq.m (15,000 sq.ft) of floorspace shall be implemented at the Lambton Estate and made available for uses within Use Class B1 of The Town and Country Planning (Use Classes) Order 1987 (as Amended).

Reason: To ensure the delivery of the employment uses on the site in accordance with Part 1 of the NPPF.

27. Prior to occupation of the 150th market dwelling hereby approved or five years from the date of commencement of development to which this permission relates whichever is the latter the applicant shall submit to and have approved by the Council a phasing statement for implementation of the remaining Use Class B1 office floorspace. Thereafter, the B1 office floorspace shall be implemented in accordance with the approved phasing statement.

Reason: To ensure the delivery of the employment uses on site in accordance with Part 1 of the NPPF.

28. Prior to the occupation of the 390th dwelling hereby approved or twenty years from the date of commencement of development to which this permission relates whichever is the latter a minimum of 8,000sq m (86,104 sq.ft) of floorspace shall be implemented at the Lambton Estate and made available for uses within Use Class B1 of The Town and Country Planning (Use Classes) Order 1987 (as Amended).

Reason: To ensure the delivery of the employment uses on the site in accordance with Part 1 of the NPPF.

Open Space

29. The development authorised by this permission shall not begin until arrangements, including a timetable for implementation, for the provision of open space has been submitted to and agreed in writing by the Local Planning Authority. The open space shall be provided in accordance with the approved arrangements.

Reason: In the interests of residential amenity and to comply with saved Policies HP9 and RL5 of the Chester-le-Street District Local Plan. Required to be prior to commencement to ensure sufficient provision of outdoor sports space is provided across the site

Training and Employment

30. Prior to commencement of development within each Development Cell (identified on Land Use Parameter Plan - Ref: PL02 Rev A) an Employment and Skills Plan should be submitted to and approved by the Local Planning Authority. Thereafter each Development Cell shall be implemented in accordance with the agreed Employment and Skills Plan.

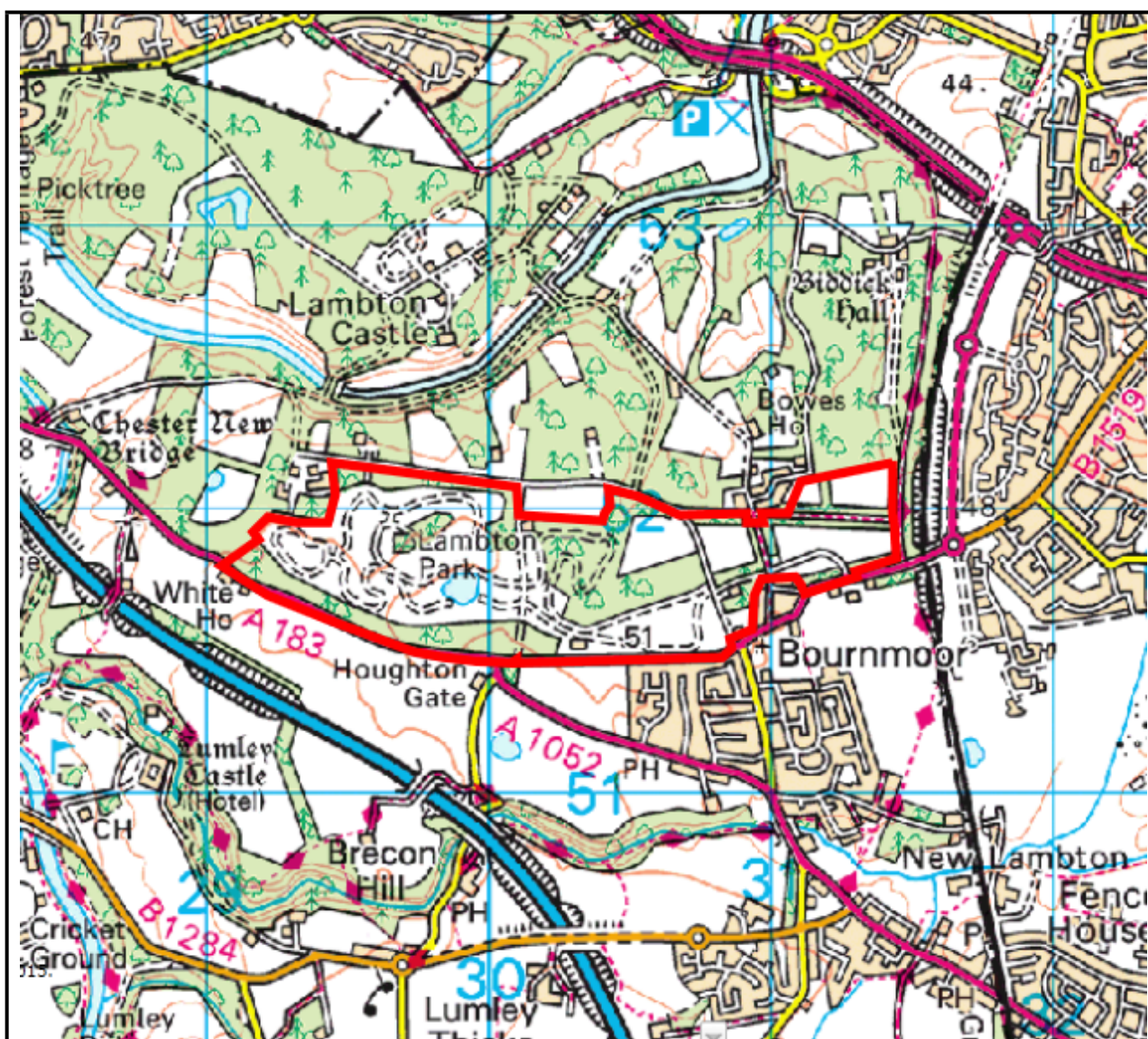
Reason: In the interests of building a strong and competitive economy in accordance with Part 1 of the NPPF. Required to be pre-commencement condition as it concerns construction workforce employment and takes early advantage of any employment opportunities.

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. (Statement in accordance with Regulation 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)'

BACKGROUND PAPERS

Submitted application form, Environmental Statement, plans supporting documents and subsequent information provided by the applicant
The National Planning Policy Framework (2012)
National Planning Practice Guidance Notes
Chester le Street District Local Plan
The County Durham Plan (Submission Draft)
The County Durham Strategic Housing Land Assessment
The County Durham Strategic Housing Market Assessment



Planning Services

Outline application for approximately 400 dwellings & office development (Use Class B1) together with ancillary uses (Use Classes A1 - A4 & D1 - D2), new accesses, associated infrastructure, open space & landscaping with all matters reserved except for access, Lambton Park, Chester Road,

	Bournmoor (DM/15/02714/OUT)	
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	Date December 2015	Scale NTS