

RECOMMENDATION FOR APPROVAL

07/0104

06.02.07

Dunelm Castle Homes Ltd

Middles Farm, Middles Road,
The Middles, Craghead,
Stanley

Erection of two hundred and six dwellings, training and teaching facilities, landscape enhancements and creation of footpath links (resubmission)

Craghead and South Stanley Wards

The Application

1. Planning Permission is sought for the erection of two hundred and six houses on a 12 hectares site at Middles Farm, The Middles, South Stanley. The site is bounded by Middles Road and South Moor Hospital to the south west, by Kate's Gill and woodland to the south east and by Middles Wood and South Stanley Woods containing Stanley Burn to the north. The proposed development would be accessed via a new roundabout to be constructed on Middles Road and the existing road would be re-aligned.
2. Part of the site adjacent to Middles Road would be regarded as being previously developed land, however the majority of the application site is currently used for the grazing of horses and is Greenfield.
3. The properties would be two and two and a half storeys high and would range in size from houses containing two bedrooms to those containing five bedrooms. A mixture of detached, semi-detached and terraced properties are proposed. The applicant has agreed to provide an element of affordable housing within the site. Ten per cent of the total number of units (i.e. twenty one units) would be provided for a Registered Social Landlord (RSL). These would be a mixture of two and three bedroom properties. The exact mix of units would be agreed with the RSL however this is likely to be in the region of fifteen of the two bedroom units and six of the three bedroom units.
4. A further ten per cent of the site (twenty one units) would be offered under a shared ownership scheme with the developer. This would operate on the basis that the purchaser of the property would own eighty per cent of the property and the remaining twenty per cent would be retained by the developer. The applicant has advised that ten of the two bedroom units would be offered on this basis and eleven of the three bedroom properties. The developers stake in the property would remain for twenty years and if the properties were sold within this time they would again be offered on

this basis, i.e. they would be more affordable for persons on income levels that make it difficult to enter the local housing market.

5. As well as providing a range of smaller units the developer has included forty-six units which are described as mid-range houses. These would contain three or four bedrooms. There would also be larger family houses containing four or five bedrooms. The development has been designed so that properties would have private gardens.
6. The layout of the site has been designed to include a framework of public open spaces including a 'village green' area within the centre of the site which would be overlooked by some of the larger houses. An equipped play area would be provided. Footpath and cycle links would be created to the north and south of the site with a new bridge being provided over Kate's Gill. Improvements to Kate's Gill would be undertaken including drainage works, tree planting and the creation of footpaths.
7. A temporary teaching and training facility would be provided on the site for workers beginning a career in the construction industry. This would provide training for thirteen school leavers annually. The trainees would be offered a job and apprenticeship with The Esh Group and would gain on-site experience and training in construction matters. The position of this training facility has not been indicated on the submitted plans, however, it would be within one of the areas in which dwellings are currently indicated as the training facility would be demolished and replaced by housing at the end of the building process.
8. A separate application has been submitted for business incubation units at Tanfield Industrial Estate (this is considered elsewhere on this agenda). The incubator units would be financially dependant on the residential development being undertaken and would provide workspace and advice for 'start up' businesses in the construction industry. The trades would be likely to include roofing, tiling, painting and flooring and would support the construction of the houses at Middles Farm as the applicant has advised that these trades are in short supply in the construction industry.

History

9. An application for the erection of three hundred and thirty two houses, a community centre, training and teaching facilities building and footpath links was submitted last year (reference 1/2006/0363/DM). Following discussions with the Planning Division the application was withdrawn.
10. Planning Permission was submitted in 2002 for forty-four houses and a new roundabout on the southwestern part of the site (reference 1/2002/0813/DM). The application related to the part of the current application site that the applicants have described as previously developed land. However as the site was directly adjacent to a larger area of Greenfield land that was allocated for housing development it was referred to Government Office under the Town and Country Planning (Residential

Development on Greenfield Land) (England) Direction 2000. The application was not called in and the Council granted permission in June 2003.

Policy

11. The following policies of the Durham County Structure Plan are relevant in determining this application-

Sustainable Development (Policy 1)
Location of New Housing Development (Policy 9)
Pedestrian and Cycle Access (Policy 37)
Parking Provision (Policy 44a)
Sites of Nature Conservation Interest (Policy 67c)
County's Nature Conservation Interest (Policy 67d)
Trees (Policy 69)

The following policies of the adopted Local Plan are relevant in determining this application-

General Development Principles (GDP1)
Works to trees covered by Tree Preservation Orders (EN9)
Protection of Ancient Woodland (EN10)
Development within the Great North Forest (EN12)
Protection of Sites of Nature Conservation Importance (EN22)
Large Sites Identified for Housing and Associated Development (HO4)
Low Cost Housing Provision (HO8)
Peripheral Planting within Housing Development Sites (HO21)
Recreational Public Open Space within Housing Sites (HO22)
The Layout of New Housing (HO23)
Development and Highway Safety (TR2)

Consultations

12. County Highways Development Control Officer- With regard to the main issue (the roundabout) I confirm I have now received a copy letter (Swinburne Maddison, reference SPR/KT/020590-15) and accompanying plan, stating that an area of agricultural land south and east of the Tyne Road junction is now in the control of the applicant. Notwithstanding our discussion for this to now be accurately reflected in an amended red line boundary for the application, I am pleased to confirm that this addresses the long cited issue of encroachment onto third party land during the future construction of the roundabout and its eastern approach arm.

Proposed foot/cycleway bridge – I note comments received from Nathaniel Litchfield & Partners that the installation and future maintenance of this bridge is proposed to be part of a section 106 agreement between your Authority and the developer. I also note from our discussions that the principle of this agreement has been accepted by your Authority including the routing of a footpath link from the development site to Hollyhill Gardens

East. You will appreciate that the provision of this link is important in terms of accessibility of the site and I strongly recommend that the creation of this (as yet unidentified) link is conditioned in any approval and that future maintenance responsibilities of both the bridge and path upon your Council's land are explicitly referred to in the S.106 agreement.

I would have no objections to the application subject to the following conditions being attached to any approval:

1) No more than 60 dwellings in the development hereby approved shall be substantially completed prior to the construction of the roundabout access to the site.

Reason: In the interests of highway safety, traffic management, and to facilitate the construction process.

2) No dwelling in the development hereby approved shall be occupied prior to the construction of the roundabout access to the site.

Reason: In the interests of highway safety, traffic management, and to facilitate the construction process.

3) No dwellings in the development hereby approved shall be occupied until details are submitted for approval of the final bridge design and footpath routing from the site to Hollyhill Gardens East, to the north. Such approved details shall be installed on site prior to occupation of dwellings.

Reason: In order to ensure accessibility of the development is adequate.

4) Prior to the commencement of the development hereby approved a plan shall be submitted for approval detailing the internal roads layout.

Reason: In order to ensure the road layout is compatible with adoption standards of the Highway Authority.

(The Highways Officer has subsequently advised that this condition is no longer required as these details have been submitted).

5) No dwellings in the development hereby approved shall be occupied until details are submitted for approval of the type and specification of trees and shrubs proposed in areas of grass verge adjacent to the proposed public highway, including root bowl containment measures.

Reason; In order to ensure such planting does not adversely affect sight visibilities, street lighting, or public utility apparatus.

It will be necessary for the applicant to enter into an agreement under section 38 of the Highways Act 1980 in order to ensure the adoption of the proposed new highways. It will also be necessary for the applicant to enter into an agreement under section 278 of the same Act to allow the required

highway improvement works to be carried out.

13. Durham County Council (Planning)- It is accepted that the site is allocated for residential development in the adopted Local Plan but the development now proposed is at a slightly higher density than envisaged in the Local Plan. The site is in a particularly sensitive location in a semi-rural setting between South Stanley and Craghead, adjacent to the South Stanley Wood County Wildlife Site and ancient woodland. Structure plan policies 67C, 67D and 69 seek to protect such sites from any adverse effects of development.

Structure Plan Policy One promotes the principles of sustainable development including the maintenance and enhancement of landscape quality and nature conservation. Human activity clearly related to the existing nearby housing is already affecting the state of the woodland in terms of graffiti, litter and dumping of waste, including garden waste and general vandalism. To allow the housing development as proposed will inevitably exacerbate these problems as well as significantly adding to disturbance and predation of wildlife through an increase in the number of cats and dogs in the area. In order to minimise degradation of the woodland habitat and loss of species the site needs to be developed in a very sensitive manner.

The proposed housing is very urban in design and does not take account of the semi-rural setting of the site nor the area's natural features, including public investment in the woodland, local nature trail and Craghead Millennium Green. Further consideration should be given to developing the site around a network of green corridors with appropriate planting, in effect extending the woodland into the site and avoiding the usual standard trees and short mown grass approach. The proposed green corridor and village green is a start. However the view across the site looking towards the town is interrupted by five dwellings (plots 129-133) on the southern edge of the development, consideration should be given to removing these plots to lessen the impact on the wider environment.

Consideration should also be given to extending the buffer between the development and the existing woodland. Other than those shown, no further accesses into the woodland should be created and should be specifically prevented by condition (including private accesses from the gardens of the new properties). This should lessen the chance of tipping of garden waste into the woodland, it is suggested that a composting facility could be built into each garden that adjoins the woodland.

The landscape enhancements need to be agreed and secured prior to development being allowed to commence. The development of the site should include works to upgrade the public right of way through the woodland to cope with the increase in use.

Structure Plan Policies 37 and 44A seek to ensure new development accommodates the needs of pedestrians and cyclists. To accord with the

County Council's Accessibility and Parking Guidelines (Annex G of the Local Transport Plan 2), developers should demonstrate how pedestrians and cyclists will access each dwelling and that each dwelling includes at least one easily accessible secure parking space. The training facilities will require covered secure parking spaces in accordance with the County Council's accessibility and parking guidelines, and the proposed residential development would require facilities to store at least 206 cycles.

The application form states that there are to be 419 new car parking spaces for the new development, this exceeds the County Council's Accessibility and Parking Guidelines for residential development. To comply with the guidelines the development should not exceed an average of 1.5 spaces per dwelling (309 spaces).

The whole site is within 400m of accessing bus services stopping at points on Durham Road, Middles Road and Holly Hill Gardens however waiting facilities are in a sub-standard state to serve the new development. The building of new residential development in the area should be conditioned to the developers providing well-lit shelters in the vicinity of the application site.

14. Durham County Council (Archaeology) - The archaeology section of the environmental statement indicates that there is some archaeological potential on the proposed development site, principally to the current unknown location of a Medieval farmstead which must once have been located on or very near to the site and the now demolished Middles Farm. Additionally, while there is no direct evidence for Prehistoric or Roman activity within the site, the evidence from the wider landscape indicates that the potential for it to be found on the site is quite high. Therefore an archaeological evaluation will be required prior to development.

According to archaeological best practice, this evaluation should be conducted pre-determination of the planning permission. This is clearly outlined in PPG16 (Archaeology and Planning) in paragraph 21. It is my recommendation that this evaluation (to include geophysical survey and trial trenches) is conducted prior to determination of the application of the application to enable a reasonable and most importantly, informed decision to be taken with regards to the impact on the historic environment.

However, if the authorities are minded to grant permission without requesting the evaluation works, then I suggest that a negative condition is placed on it. This would ensure that a full archaeological evaluation, mitigation (i.e. preservation in situ or full excavation) and publication of the results if deemed necessary could be undertaken. Please be advised that archaeological conditions are not recommended for discharge until the developer has submitted the final site report. The following condition is recommended should the authority decide to take this route.

Condition- No development shall take place (including geo-technical groundworks) until the applicant has secured the implementation of an

agreed phased programme of archaeological works, to include evaluation, and where appropriate, mitigation including publication of the results, in accordance with a written scheme of investigation. This should be submitted and approved by the Local Planning Authority.

Reason- The site is in an area of high archaeological potential.

Please ensure that I am kept informed of development on this matter. I will be happy to liaise with the developer to provide or approve a written scheme of investigation for the archaeological works.

15. Durham County Council (Landscape) - The layout centres on a series of open spaces described in the Design and Access Statement as 'town squares'. Disregarding the ambitious description, on plan, they look attractive and generous in size. However, they do distract the eye from the lack of space and sensitivity displayed at the woodland edges of the site.

The Arboricultural Report refers only to a previous and smaller proposal at the west end of the site. BS 5837:2005 recommends the preparation of a Tree Constraints Plan to inform the design process. I suspect that in several places, housing is located far too close to valuable individual trees in Middles Wood and Kate's Gill for mutual comfort and long term well-being.

The footpath/cycleway access point to Middles Road might be moved as far east as possible to reduce the chance of an accident involving fast moving east bound traffic on a blind corner.

16. North East Assembly- See attached response.
17. One North East- This resubmission seeks to address issues raised regarding the first scheme and has been made in conjunction with another application for the provision of an 8 unit business centre at Tanfield Lea (ref: CC/1/2007/0202) to provide the training/skills facilities required in connection with the proposed residential development.

The following comments reflect the view of the Agency acting in its role as statutory consultee. As such they are provided only in accordance with the above regulations and relate to the effects that the proposals are considered to have upon the Regional Development Agency's strategic regional investment or employment policies.

Housing element:

I understand that, although the land is allocated for housing within the Derwentside District Local Plan (adopted January 1997), the number of dwellings within the allocation is 180 and part of the allocation relates to greenfield land.

The Submission Draft Regional Spatial Strategy (RSS) approach to housing allocation within the region was broadly supported by One NorthEast at the recent Examination in Public as being generally in

accordance with the city region concept. The Regional Economic Strategy (RES) aims to provide the context for the contribution that the RSS could make to the region's economy through the appropriate supply and location of land suitable for housing, economic development and regional transport priorities. The Agency believes that better aligning supply and demand can have a positive effect on the economy and allow the region to contribute to the achievement of the RES' objectives, the Northern Way and government targets (DCLG PSA5).

The proposed provision of 206 dwellings in this resubmission still exceeds the number allocated in the Council's adopted Local Plan and, since the Plan's adoption, government policy guidance relating to the development of Greenfield sites has changed. Clearly the increase in the number of dwellings within the development in relation to the Council's overall housing allocation and the development of this greenfield site, as well as the proposed mix of dwelling type, are issues which the Council need to resolve in coming to a decision.

Training/skills provision elements:

As you are aware the RES recognises the importance of developing appropriate skills training programmes to meet the region's employment requirements. The developer's proposal to integrate the development of the housing with appropriate building industry skills training is welcomed. There is an acknowledged skill need in the construction sector and the Agency welcomes the inward investment represented by this proposed project for the sector to be provided by the sector.

Our discussions with members of the Sub Regional Partnership and Learning Skills Council together with our own experience indicate that there is a need to address the issues of raising aspirations, helping the most disadvantaged into work and increasing the supply of construction skills in this area. We acknowledge that the Esh Group has a proven track record in delivering this type of project.

As stated in our previous response, the timescale and mechanism involved to ensure the continued implementation of any training scheme will be very important if the maximum benefit from this aspect of the proposal is to be gained.

The training and build programme of the proposed development at The Middles is linked with the provision of what the applicants refer to as an 'Incubator Centre' proposed at Tanfield Lea North Industrial Estate (this proposal is the subject of a planning application currently under consideration by One NorthEast in our role as statutory consultee). The applicants have indicated in their supporting Regeneration Statement the connection between the Incubator Centre and the residential development and have stated that as the latter approaches completion, the Centre is expected to become self-sufficient.

The applicants have stated in their supporting statement that, as the

Incubator Centre is being built to specifically meet the needs of the construction industry and its skill gaps, it is not envisaged that there will be a further need to provide for other sectors during the construction of the Middles site.

However, once this is complete, the applicants envisage that the Centre will continue to provide for the needs of the local area and could provide a focus for other sectors and businesses. It may also function as a mainstream business centre and provide premises at commercial rates to maintain continuity for those already resident as the functional changeover occurs. The Incubator Centre is forecast to run for five years in support of the Middles development scheme. The Esh Group will subsidise rental levels and provide appropriate facilities in support of fledgling companies as appropriate.

As you are aware the Council is developing a managed business centre at Tanfield Lea Industrial Estate. The Agency would wish the Council to be satisfied that there is sufficient evidence to justify the additional proposed Incubator Centre in connection with this residential development.

I confirm that the Agency will also comment on the planning application for Incubator Centre in due course.

As you are aware the Regional Economic Strategy promotes the need for quality of place within existing and proposed development. With this in mind, the Agency would request the Local Planning Authority to encourage the developer to pursue the highest standards of quality in the development of this site, e.g. BRE EcoHomes, Building for Life and Secured by Design.

In line with Government objectives to generate 10% of electricity from renewable energy sources by 2010 the application should also provide details regarding the provision of renewable energy measures within the scheme.

18. Environment Agency- no objections to the development but requests that any approval includes the following formal conditions:

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such a scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

No development approved by this permission shall be commenced until the detailed design of the proposed bridge has been submitted and approved in writing by the Local Planning Authority. The bridge scheme shall be

carried out in accordance to the approved design.

Reason: To prevent the increased risk of flooding by ensuring that the new bridge would not constrict flows during a flood event.

The bridge should be designed to accommodate the 1 in 100 year flood event with 600mm freeboard and an additional factor for climate change. This would need to be assessed with a site-specific flood risk assessment. Should the bridge not be designed to this standard there would be an increased risk of flooding upstream during a flood event.

Provided that the bridge is bank top to bank top, then no consent for works is required from the Environment Agency.

In addition to the above conditions, we would also like to make the following comments:

Renewable Energy-Due to the size of this development, we would expect the council to deliver the RSS draft policy 40c which states that major new developments are required to have embedded within them a minimum of 10% energy supply from renewable sources.

We would also strongly encourage the use of sustainable construction techniques, requiring the development to attain an EcoHomes rating of 'very good' or 'excellent' as outlined by RSS policy 39.

Land Contamination - Land contamination is a material planning consideration and as such should be taken into consideration by the Local Planning Authority when making decisions within the scope of the Planning regime. In accordance with our remit, the Environment Agency provides advice to Local Planning Authorities regarding the risks posed by land contamination to controlled waters. The Environmental Health Department at the Local Authority should also be contacted to enable them to provide their comments in relation to the risks posed by the site to other receptors, including human health. We have assessed the information supplied with the planning application and this indicates that the site may have been subject to potentially contaminative land-uses. We have also assessed the environmental setting of this site and have concluded that it is located within a relatively sensitive setting as there are two surface watercourses within 50m of the site boundary (Kate's Gill and Stanley Burn). In this situation, we would usually request that the LPA apply a series of conditions to any subsequent planning permission which are designed to ensure that the applicant considers the potential for land contamination and addresses any unacceptable risks to controlled waters as part of the development. Our land contamination team are currently experiencing significant resourcing issues and as a result we have had to review the work that they become involved in to ensure that their limited resources are directed to those sites that pose the greatest environmental risk.

We have identified that sites located in Groundwater Source Protection Zones 1, 2 and 3 potentially pose the greatest environmental risk and as

such are currently directing our resources to sites located in these areas. In this case, although the environmental setting of the site is considered to be relatively sensitive, the site is not located in Groundwater Source Protection Zones 1,2 or 3 and as such we do not consider that the sensitivity of the site is such that it is currently a priority for our involvement. On this basis, we are unable to provide site-specific advice/input on this occasion. We will review this approach when additional land contamination resource becomes available. We encourage the adoption of good practice in relation to the assessment and remediation of contaminated sites and although we are unable to provide site-specific advice on this occasion, we recommend that the risk-based framework set out in Contaminated Land Report 11 "Model Procedures for the Management of Land Contamination" is applied at the site. CLR 11 provides a technical framework for structured decision making about land contamination and is intended to assist all those involved in "managing" land, in particular landowners, developers and planners. The basic process outlined in CLR 11 can be applied in a range of regulatory and management contexts, including the Planning regime. Relevant guidance referred to in CLR11 should be followed when dealing with land contamination issues. In particular, we would recommend that risk assessments for pollution of controlled waters from land contamination should be undertaken in accordance with the tiered framework set out in the "Methodology for the Derivation of Remedial targets for Soil and Groundwater to Protect Water Resources" (R&D Publication 20, Environment Agency, 1999). Please note that the site should not present an unacceptable risk of pollution to controlled waters following development.

19. Northumbrian Water- No comments received in relation to the current application. In response to the previous application NWL advised that the sewage treatment works at Hustledown, to which this development along with other proposed substantial residential sites will discharge foul drainage, is at present at its design capacity and will not be able to accept the additional flows. Northumbrian Water will therefore object to the proposed development. A feasibility study is in progress to enable Northumbrian Water to find a solution to the problem and I will request that this development site be deferred until a solution is implemented.

If you are minded to grant planning approval I will be grateful if the decision can be conditioned to indicate that no works shall commence on site until the applicant has satisfied the requirements of Northumbrian Water and Derwentside Council regarding the drainage of the site.

Other implications within the site are the locations of the public combined sewers. The sewers may be diverted at the applicants cost by Northumbrian Water or shown to be placed in highways or public open space in the applicant's final layout.

Foul and surface water must be on separate systems. All connections and works involving public sewers must be carried out by Northumbrian Water.

20. Natural England- English Nature had initially objected to the previous application (reference 1/2006/0363/DM) and on submission of further information from the applicant's ecological consultant we removed the objection subject to a specified condition. Despite the current resubmission we note that the issues previously raised have not been incorporated into the revised report. It would have been useful to add the detail that allowed us to remove our objection into the report, in its absence we can only presume that the content of the consultants letter dated 27th July 2006 is still relevant to the resubmission.

On this basis, and the fact that the ecological report does not provide any additional information that may alter our previous comments (for example the reduction in dwelling numbers has not affected the impact assessment), Natural England refer you to our previous advice in our letter of 21st August 2006, as this advice still stands.

We would however like to take this opportunity to highlight the need for further impact assessment of the path and bridge through the woodland, and the need for the development to avoid any impacts on trees with the potential to support bats. We would also like to highlight the biodiversity duties of Local Authorities, brought in by the NERC Act 2006, and the fact that there is still the potential for impacts upon an SNCI, LNR and ancient woodland (a priority BAP habitat). Whilst the mitigation proposals suggest measures that could be taken to decrease these impacts, there is not currently the level of detail or commitment that would be needed to ensure that the proposals will be effective and deliverable.

Natural England previously requested the following condition-

No development shall take place unless in accordance with the mitigation detailed within section 8.0 of the protected species report (The Middles, South Stanley Ecology and Nature Conservation Report for Insite Environments Ref: 06-012/1, 12/04/06) and further details provided in Argus Ecological Services letter of 27th July including, but not restricted to-

- Making a separate impact assessment of the path and bridge, ensuring that the route of the path avoids the need to fell or prune any trees with the potential to support bat roosts;
- The development is designed to avoid impacts on any trees with potential to support bats.

Reason- To conserve protected species and their habitat.

21. Development Plans Team- Although there is evidence of farm buildings on the site since 1861, the site is predominantly Greenfield. The Derwentside District Local Plan (1997) allocates the site for housing development and associated uses (Policy HO4). The Local Plan estimates 180 dwellings on the site and although the application outlines 206 dwellings the density of the development at 30 dwellings per hectare (dph) is within the guidelines

of Planning Policy Statement 3 (PPS3) – Housing, which advocates 30 dph as a indicative minimum figure.

The major concern with the site is the provision of 206 housing units given the District's housing supply when compared to the allocation in the Regional Spatial Strategy (RSS). However, the site is an existing housing allocation in the Local Plan and offers an element of affordable housing that would benefit the local population and the site's development could support regeneration efforts within Stanley. It is also noted that the North East Assembly have not objected to housing on this site.

The application includes 2.6ha of open space and 0.25ha of woodland edge planting, which accords with Local Plan Policy HO21 and HO22. Policy EN22 (Protection of Sites of Nature Conservation Importance) and policy EN10 (Protection of Ancient Woodland) relate to the woodland to the north and south of the site and should be considered. The ecology report recognises that there will be an impact to the surrounding area although it is not considered to be of significant harm. However, in consideration of Policy EN12 and the possible impact of the development on woodland and the detail outlined in Appendix F (ii) (in relation to Policy HO4) the amount of woodland edge planting could be increased to reduce the impact of the development. As you may be aware Groundwork West Durham are currently working on the 'Saving Stanley Burn' project, which includes land directly adjoining the site. There therefore appears to be a great opportunity for the developer to approach Groundwork in order for the development to deliver the best possible ecological benefits on the site and surrounding area.

National Planning Policy Statement 3 (Housing) supports proposals that are related to transport links and community facilities. The site has good public transport links with regular bus services and the creation of the footbridge increases the accessibility of the site to the surrounding area and the local services. The design of the application has a good mix of different dwellings with public recreational space and play space. The mix of housing accommodates large family housing with private outdoor space that would meet the needs of children. It would also be desirable to have the option of accessibility to the east of the site providing greater external connectivity.

In regard to the design of the proposal it is welcomed that the Guidance from CABI has been consulted. It does however lack the opportunity to make the most of the open space by the 'village green'. Providing active edges with front doors and windows opening out onto the public open space would be an improvement to the scheme by placing the car parking at the rear. Bringing the active frontages of the properties closer to the open space would increase the sense of safety from being overlooked by neighbouring properties. Residents would also benefit from an entrance in the middle of the semi circle removing the need to walk around the edge of the site to enter it. Providing parking at the rear would provide active frontages to the residents in the starter homes and create a street line that

wouldn't be dominated by cars parked in front of the houses. PPS3 reiterates the importance of integrating vehicle parking into a site 'a designed approach to the provision of car-parking space, that is well-integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly.' The importance of active frontages and the arrangement of buildings in a continuous line could accentuate the crescent around the village green and improve other areas of the scheme from removing parking in front of the dwellings.

One suggestion for the alternative design of car parking would be guidance from CABI:

'On-street parking can bring activity to the street and have a traffic-calming effect. Car parking should be designed into the scheme, making sure that the fronts of properties are not dominated by cars and that there is a good relationship between houses and the street.' Building For Life – Point 8.

With regards to safety, design can make a significant impact. The importance that public spaces are overlooked and the footpath/cycle path are well lit with a standard of lighting that is sufficient to meet the demands of vandalism or anti-social behaviour should be implemented in accordance with Local Plan Policy GDP1 and HO23. Introducing pieces of public art or engaging local people to design some art work for the bridge or along the path may create a greater sense of ownership and reduce the risk of vandalism. There should be measures to reduce the risk of motorbikes from using the path running through the site and causing a potential anti social behaviour problem for the site. Many of the houses have small side windows and ensure maximum visibility those houses with the greatest visibility on their sidewalls should overlook the street rather than blank walls.

The site has an allocation of 419 vehicle parking spaces on the site, which at 2 spaces per plot is contrary to the recommended parking guidelines of Durham County Council of 1.5 parking spaces per residential unit. The site provides excellent access for pedestrians and cyclists but there is a lack of secure cycle parking facilities that could be incorporated in the development.

The increased importance of climate change is reflected in national, regional and local planning guidance (Planning Policy Statement 22, Policy 39 & 40 draft RSS, policy GDP1 Local Plan), which highlights the importance of developments to have embedded in them energy supply from renewable sources. On site micro-generation of renewable energy should be promoted at this early stage of development. Energy Efficiency Best Practice Standards and the Code for Sustainable Buildings are outlined in Policy 39 (draft RSS) and it is hoped these policies could encourage more evidence of energy efficiency on the site. Other possible measures that could be included would be provision of recycling facilities available on site.

A final point would be the recommendation from the archaeological report

that highlighted the need of a survey and evaluation to be carried out. This would therefore relate to Local Plan policy EN19.

22. Land and Property- No comments received.
23. Neighbours have been consulted and a site notice posted. No objections have been received.

Officer Assessment

24. There are several matters that need to be addressed when determining this application.

The Principle of the Development

25. The majority of the application site is allocated in the adopted Derwentside District Local Plan as being suitable for housing and associated uses (Policy HO4). The site is largely Greenfield although a small proportion of the site may be classed as brownfield. Planning Permission was granted for forty-four houses on this part of the site in 2003, the scheme has not been implemented and the current scheme has necessitated a redesigning of this part of the site.
26. Planning Policy Guidance Note 3 (Housing) (PPG3) was replaced in April of this year with Planning Policy Statement 3 (Housing) (PPS3). Therefore the application must be determined in accordance with the advice contained within PPS3. This document reflects the government's commitment to improving the affordability and supply of housing in all communities while providing a high standard of design and promoting sustainability.

Paragraph 69 of PPS3 states that in determining planning applications, Local Planning Authorities should have regard to:-

- Achieving high quality housing.
 - Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
 - The suitability of a site for housing, including its environmental sustainability.
 - Using land effectively and efficiently.
 - Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues.
27. In terms of the location of new housing paragraph 36 of PPS3 states that the priority for new development should be previously developed land, in particular vacant and derelict sites and buildings. The previous guidance contained within PPG3 (Housing) contained a direction which required

Local Planning Authorities to notify Government Office of larger applications that they intended to approve relating to Greenfield land. This direction has been withdrawn and it is no longer necessary for the Government Office to be notified of applications relating to Greenfield land.

28. While the majority of the site is Greenfield it is allocated in the Local Plan as being suitable for residential development. The Government has changed the emphasis on selecting housing sites and places greater emphasis on sustainability, design and the provision of a range of housing.
29. Regional Planning Policy set out in RPG1 policy DP1 and submission draft RSS policy 3 sets out a sequential approach to new development. It states that new development should be concentrated in defined settlements, firstly on previously developed land and then on other suitable sites. As the site is largely Greenfield consideration needs to be given to whether there are any other sequentially preferable sites. The applicant has undertaken a sequential test looking at the Council's Urban Capacity Study. The assessment concludes that there are no other sequentially preferable sites that are capable of offering the same socio-economic benefits to Stanley.
30. The Local Plan identifies the site as being suitable for the construction of 180 dwellings. The figures contained in the Local Plan were based on relatively low density development and since the plan was adopted the Government has placed a greater emphasis on the greater efficiency of use of land by encouraging higher density developments. The proposal seeks permission for 206 dwellings which would mean that the density of the development would be 30 dwellings per hectare which is at the lower end of the scale that is advocated by the Government. It should be noted that the current application proposes a considerable reduction in the number of dwellings proposed when compared to the application that was submitted last year for this site and was subsequently withdrawn. Concerns were expressed by officers dealing with the previous application about the large number of houses proposed particularly with reference to the number of houses that were likely to be developed in the District in future due to the RSS. The density of the development does comply with government guidance and is considered to be acceptable.
31. The North East Assembly have considered the proposal (see attached document) and considered the proposed development in relation to the housing figures that are proposed by the submission draft of the Regional Spatial Strategy (RSS). The Assembly conclude that while the Council are on course to exceed the number of dwellings allocated in the RSS, the majority of the application site is allocated for residential development. They advise that although the proposed development of 206 dwellings would exceed the figure contained in the Local Plan of 180 dwellings the additional units could be accommodated without exceeding the overall provision. As a result they feel that the development complies with Regional Planning Guidance on this issue and the RSS. It is important to note that the Regional Assembly and One North East have not objected to

the application.

32. In considering the additional number of units proposed over and above the number allocated in the Local Plan and the possible impact that this may have upon the housing figures contained within the submission draft of the RSS several consultees have given significant weight to the fact that the site is allocated in the plan and the scheme offers considerable benefits in terms of affordable housing and regeneration benefits.
33. The North East Assembly has suggested that the Council should require a clear indication of the phasing of the development. The applicant has indicated that the development is likely to be phased over a seven year period. Discussions have taken place with the applicant with regard to how a phasing condition could be worded and the applicant takes the view that a condition which is reliant on external triggers to allow new housing to come forward would be unlikely to be lawful and if those triggers were never met the houses could never be built and in effect the permission would be nullified. The applicant has therefore suggested the following condition-
- ‘No more than 30 new dwellings shall be occupied within any calendar year. If less than 30 dwellings are occupied within a calendar year, the shortfall can be carried over to the following years, subject to the occupation of a maximum of 50 dwellings in any calendar year.
- Reason- To control housing occupancy at the site.’
34. Such a condition would prevent the developer from simply implementing the permission and building the whole development within a relatively short space of time. This condition would allow the development to be phased over a reasonable period of time preventing an over supply of housing in this part of the District. This would also minimise the annual effect of the proposed development on the housing figures contained within the submission draft of the RSS which is currently set at 205 dwellings per annum. In the unlikely event that the whole development were to go ahead at the same time this would exceed the annual number of houses to be provided within the District. The condition suggested by the applicant would adequately control the number of units to be built annually.
35. Regional Planning Guidance and PPS3 requires a mixture of dwelling type, size and tenure to be provided. The proposed development would do this and would address the recent housing needs assessment by providing a total of 42 affordable homes (twenty per cent of the total number of dwellings on the site).

Affordable Housing

36. The Council undertook a Housing Needs Assessment in 2006 and a Supplementary Report was prepared for the Stanley Green Corridor Area. This concluded that households in this area were more likely to be headed

by someone who is unemployed, long term sick or disabled. In this area incomes are generally lower than elsewhere in the District. The study concluded that there was a recognised shortfall of affordable housing in this area and the need for such housing in the Stanley Green Corridor Area is much greater than within the District as a whole. The report concluded that 58 additional affordable homes are required in this area annually.

37. Members will be aware that although a policy is currently being developed in relation to affordable housing there is currently no such policy in place. Therefore it is not possible to insist that developers provide affordable housing. However, the developer has agreed to provide an element of affordable housing within this development. Lengthy negotiations have taken place between the developer and Council officers and the developer has offered to provide twenty per cent of the total number of units as affordable housing. Ten per cent of the total number of units (that is twenty one dwellings) would be passed to a Registered Social Landlord (RSL). These would be a mixture of two and three bedroom properties. The exact mix of units would be agreed with the RSL however the applicant has advised that this is likely to be in the region of fifteen of the two bedroom units and six of the three bedroom units.
38. A further ten per cent of the site (twenty one units) would be offered under a shared ownership scheme with the developer. Under this scheme the purchaser of the property would own eighty per cent of the property and the developer would retain the remaining twenty per cent. The applicant has advised that it is likely that ten of the two bedroom units would be offered on this basis and eleven of the three bedroom properties. The developers stake in the property would remain for twenty years and if the properties were sold within this time they would again be offered on this basis.
39. The affordable units would first be offered to a restricted local market (i.e. the Stanley area), and then widened to the rest of the District. In the event that there is no interest in the property from such groups other people who require an affordable home could purchase the property.
40. While ten per cent of the affordable housing would remain with an RSL and would therefore be affordable in perpetuity, the remaining ten per cent would only be affordable for a period of twenty years. While it would clearly be preferable for all of the affordable housing to remain as such in perpetuity in the absence of an affordable housing policy this could not be insisted upon. Therefore in proposing this scheme the applicant's have offered the incentive of affordable housing as a benefit to the local area this would contribute towards addressing the significant issue of affordable housing in this area and is to be welcomed.
41. The applicant and the Council would need to enter into a section 106 agreement with regard to the delivery of the affordable housing. This would be drafted by the applicant and would be checked by the Council's legal advisors. The expenses associated with the preparation of this

document would be borne by the developer.

Layout and Design

42. The scheme has been designed to provide a high standard of design and a good quality living environment. At the entrance to the estate the properties have been designed to front onto the roundabout and Middles Road providing an attractive entrance to the proposed development. The estate would contain a number of focal points and interesting features with areas of landscaping to help the site to blend into its surroundings. A landscaped corridor and village green would be provided at the centre of the site through which there would be a network of paths providing links to the north and south of the application site. Properties would face onto this village green area. This would create a sense of place and would provide an attractive living environment for residents. The central area would provide a safe place for informal children's play and surveillance of this area would take place from the surrounding properties. The properties adjacent to the village green area have private drive areas and are not therefore directly fronting the open space. However, the frontage onto the open space would be attractive and these areas would provide an attractive feature.
43. The layout of the estate broadly complies with the Council's Supplementary Planning Guidance on the Layout and Design of New Estates (SPG7) however in some places the privacy distances are slightly less than would normally be required. However these relate to the distances between new properties and would not affect any existing properties therefore the residents of these properties would be aware of the intervening distances when deciding whether to purchase these homes and could make a judgement on the acceptability of these reduced distances.
44. The estate has been designed so that the smaller and mid range houses would be closer to the entrance to the estate. The larger houses would face onto the village green area. Officers have been advised that the affordable homes that would be passed from the developer to an RSL would be all together, perhaps occupying three or four of the terraces while the remaining affordable housing could be provided anywhere else on the estate depending on specific demand. In planning terms it is generally better if affordable housing is not provided within one area of the estate but is distributed throughout the development, however it is recognised that for operational reasons it would be necessary for all the housing to be passed to an RSL to be together.

Access, Highways and Transport Issues

45. The proposed development would be accessed from a new roundabout to be provided on Middles Road and the existing road would be re-aligned. The applicant has recently confirmed that they control the land on the south western side of Middles Road, which although not required to

construct the roundabout or access, some minor works would be required within this area which do not in themselves require planning permission.

46. The scheme has been amended and the County Council's Highways Officer has now advised that he has no objections to the proposed development subject to a number of conditions. It is suggested that if members are minded to approve the application these conditions are imposed.
47. Planning Policy Guidance Note 13 (PPG13) aims to promote sustainable transport choices and seeks to reduce the need to travel by private car. Accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling are promoted.
48. Local buses serve the area in which the application site is located. An existing bus stop is located 70 metres from the site entrance on Middles Road. While the whole site is located within 400 metres of a bus stop the County Council have suggested that the waiting facilities at the bus stops could be improved. The applicant has confirmed that if Members feel that improvements to the bus waiting facilities are required they would be willing to make a contribution towards the costs of such works. It is suggested that this matter could be agreed by condition of the Planning Permission.
49. The entire site is located within 400 metres of a bus stop and therefore there is no need for the site to be designed to allow bus penetration.
50. The application includes the provision of a new pedestrian foot and cycle bridge over Stanley Burn which would the site with Hollyhill Gardens to the north of the site. Conditions would require details of this bridge to be submitted and approved by the Local Planning Authority. It is understood that the pedestrian/cycle link would be lit in the evenings to provide a safe access to the shops and services available in the Hollyhill Gardens area. To the south a footpath link would be constructed to connect with the most easterly boundary of the site with Middles Road to allow accessibility to the shops and services at Craghead. Barriers would be erected to prevent the route from being used by motorbikes.
51. The applicant has indicated that most of the dwellings have garages in which cycles could be stored. In addition they state that every dwelling has a garden gate giving access to the garden area where cycles could be stored. They have indicated that they would be prepared to provide communal cycle storage adjacent to the cycle route. It is suggested that details of such storage are required by condition.
52. The development would provide good links for pedestrians and cyclists to the wider area and accessibility by public transport would be reasonable given the close proximity of bus stops to the site. Therefore the site performs reasonably well in terms of promoting alternative means of travel to the private car.

53. The County Council's Highways Officer is satisfied with the internal layout within the site however the County Council's Planning Policy Team have advised that the application form states that there are to be 419 new car parking spaces for the new development, and this exceeds the County Council's Accessibility and Parking Guidelines for residential development. To comply with the guidelines the development should not exceed an average of 1.5 spaces per dwelling (309 spaces).
54. The guidelines referred to were drawn up in response to PPG13 (Transport) which stated that an average of a maximum of 1.5 car parking spaces should be provided per dwelling on new residential estates. This was not included in the revised PPS13 (Transport), and the revised guidance states that Council's can set local parking standards. Although no such standards have been adopted by this authority Members of the Development Control Committee have previously expressed concerns about the level of parking provided on new estates and have requested that more than the guideline of 1.5 spaces are provided. This has been due to anecdotal evidence of parking problems on new estates.
55. Overall the proposed development would provide an average of slightly more than two parking spaces per property. In response to this issue the applicant has advised that car parking for the starter properties would be one space per unit plus additional visitor parking. The mid range properties have been designed with the standard 1.5 spaces per dwelling whereas the larger houses have been designed with more car parking and some of these have a double garage with two parking spaces to the front. In terms of the parking guidelines a garage and a parking space are classed as 1.5 parking spaces, therefore a double garage and two parking spaces would equate to three spaces in terms of the guidelines. While the amount of parking to be provided exceeds the normal guidelines the amount of car parking to be provided overall is not considered to be excessive particularly given the larger houses.

Regeneration Benefits

56. The applicant has indicated that the scheme would contribute to the regeneration of the area and as well as providing housing led regeneration a number of other benefits have been offered by the applicant.
57. On the site a temporary teaching and training facility would be provided for workers beginning a career in the construction industry during the period of the building process. This would provide training for thirteen school leavers annually. The trainees would be offered a job and apprenticeship with The Esh Group and would gain on-site experience and training in construction matters. The position of this training facility has not been indicated on the submitted plans, however, it would be within one of the areas in which dwellings are currently indicated as the training facility would be demolished and replaced by housing at the end of the building process.

58. In addition the applicant is offering to develop a number of business incubation units at Tanfield Industrial Estate. A separate planning application has been submitted for this which will be considered elsewhere on this agenda. The incubator units would be financially dependant on the residential development being undertaken and would provide workspace and advice for 'start up' businesses in the construction industry. The trades would be likely to include roofing, tiling, painting and flooring and would support the construction of the houses at Middles Farm as the applicant has advised that these trades are in short supply in the construction industry. The applicant has agreed to accept a condition of the planning permission that would require no more than thirty houses to be occupied until the incubation centre is operational.
59. The Esh Group would provide the Incubator Units at a reduced rental levels with appropriate facilities during the build programme at The Middles. After this time it is likely that the centre would operate as a normal business centre. During the build time the units would provide a valuable facility for start up businesses in the construction industry, however after that time the centre would be opened up to other businesses at commercial rentals. The provision of such a facility would clearly be of great benefit to the developer by encouraging skills that are required on the construction site, however it is hoped that many of these businesses will remain once the site has been completed as these companies should be able to find opportunities elsewhere in the area when other schemes are proposed.
60. One North East have pointed out that the Regional Economic Strategy recognises the importance of developing skills training programmes to meet employment requirements and they welcome the investment in this area.

Impact of the Development on the surrounding areas (South Stanley Woods and Great North Forest)

61. The application site lies directly adjacent to Kates Gill which is subject of Tree Preservation Order and the South Stanley Woods Site of Nature Conservation Importance. Both areas are designated as areas of Ancient Woodland. The County Council and North East Assembly have raised concerns about the possible impacts of the proposed housing development on these areas. They feel that the proposed development would lead to the degradation of the woodland area.
62. While the concerns of the above consultees are noted Natural England have been consulted on the scheme and they have raised no objections subject to conditions requiring an impact assessment of the path and bridge to be undertaken to ensure that the route of the path avoids the need to fell or prune any trees with the potential to support bat roosts and the development is designed to avoid impacts on any trees with potential to support bats. The suggested condition is included on the list of conditions

at the end of the report.

63. The applicant has pointed out that although Natural England initially objected to the original application the objection was withdrawn following the submission of further information. They have pointed out that the previous scheme was for 336 units, some 130 units more than now proposed, any potential impact from the withdrawn scheme on the woodland would be significantly reduced by the revised application. Therefore Natural England were satisfied with a larger scheme which could have resulted in a greater impact on the surrounding area.
64. The applicant does not accept the view that the development would potentially exacerbate problems within the woodland area. They have suggested that the existing problems of the woodland are due to its isolated nature which allows anti-social behaviour to take place due to a lack of surveillance. The applicant suggests that the scheme would enhance natural surveillance and policing of the woodland discouraging anti-social behaviour.
65. In effect the proposed development would back directly onto the woodland. Although it may have been preferable for a distinct buffer area to have been created between the housing and the woodland this would most likely have meant that the village green would have needed to have been deleted from the scheme in order that the required number of houses could be provided to make the development commercially viable. This village green area provides an important area within the development and seeks to link the proposed development with the wider countryside area.
66. A combined pedestrian and cycle route would be provided through the South Stanley Woods and a new bridge provided over Stanley Burn to provide access to the north of the site. The exact position of the path and the bridge has not yet been determined. A detailed topographical survey will be undertaken and the applicant has advised that negotiations will take place with Natural England with regard to the precise position of the bridge. In addition the Environment Agency would be involved in the detailed design and position of the bridge. A condition is suggested to require these details to be submitted if members are minded to approve the application. In agreeing the details of the bridge and paths care will need to be taken to ensure that it would be sensitively sited to minimise any potential adverse impacts.
67. In addition a footpath and cycle route link would be provided through Middles Wood at the southern part of the application site to connect to Middles Road. Again the precise route of this will need to be agreed in order to minimise its impact. These upgraded routes would promote accessibility in accordance with current guidelines to encourage walking and the use of cycles.
68. The applicant has offered to undertake a number of improvements to Kates Gill. At present the culvert is blocked and the Gill is flooded. This could

over a period of time result in considerable damage to the area of ancient woodland. The applicant would install drainage within this area which would be a significant environmental benefit and would lessen the possible future damage to the important woodland. In addition it would seek to remove the current danger of deep water. Woodland walkways, nature trails, tree planting and wildlife habitat improvements are also proposed.

69. The proposed development would undoubtedly lead to a greater public use of the woodland area and appropriate Planning conditions should be imposed to prevent avoidable damage to the woodland area. It has been suggested that composting facilities should be provided at the properties facing onto the woodland area in order to encourage the occupants of these properties to compost their garden waste as there could be a temptation for the owners of these properties to simply deposit such materials over the garden fence in the woodland area. This would clearly be detrimental to the woodland and it is suggested that if members are minded to approve the application a condition is imposed to require such facilities to be provided.
70. In addition the prevention of households installing gates from the rear of their properties into the surrounding land would help to minimise the impact of the proposed development on the surrounding woodland. While such conditions can be difficult to enforce as householders may introduce these features over time, it is felt that in this case it is important to prevent individual householders from gaining access to the countryside beyond their properties and it is suggested that a condition is imposed to prevent such gates from being installed. Formal footpath links would be provided to and from the estate and there is no need for additional individual links to be made.
71. In terms of the general visual impact of the proposed development the applicant has submitted a Landscape and Visual Impact Assessment. Along the open southern and eastern boundaries of the site it is proposed to plant a 20 metre wide area of indigenous woodland to connect the woodland in the valley north of Kates Rigg allotments to the mature woodland in the Stanley Burn Valley. This would help to minimise the impact of the proposed development upon landscape character.

Drainage

72. Northumbrian Water have not commented on the current application. However they objected to the previous application which was withdrawn. The objection was on the grounds that the sewerage works have reached their design capacity and could not accommodate the additional flows from the proposed development. They have indicated that a feasibility study is being undertaken with regards to the potential upgrading of the works. If members are minded to approve the application a condition could be placed on the permission requiring details of the connections to the sewerage works to be agreed with the Local Planning Authority.

73. In terms of surface water drainage the proposed development would drain naturally into Stanley Burn. A Flood Risk Assessment has been undertaken which concludes that the proposed development would comply with the guidance contained within PPG25 and PPS25. Surface Water discharge rates from the proposed development would be restricted in order that flooding would not be exacerbated elsewhere.

The Impact of the Proposed Development on the Former South Moor Hospital Site

74. Officers have been advised that services at South Moor Hospital are being downgraded and the hospital will no longer be required. Concerns have been expressed verbally by agents acting on behalf of the NHS Trust that the proposed development of Middles Farm could potentially prejudice the future development of the hospital site.
75. In the event that the hospital site does become redundant consideration would need to be given to possible future uses. Should the site be considered to be suitable for residential development careful consideration would need to be given to the access arrangements. While it would have been preferable to have considered both sites together in order to achieve a fully integrated development, the South Moor Hospital site could be developed independently of the Middles Farm site. Informal discussions have taken place with Durham County Council's Highways Officer and he has advised that his preference would be for vehicular access to be taken to the hospital site through the Middles Farm development as the roundabout and associated highways could accommodate the additional traffic. However, he has stated that as the site has a large road frontage it would be possible to provide a vehicular access to a new residential development on the Hospital site in a new position on Middles Road. He has advised that although the existing entrance has been used for many years by significant volumes of traffic, including by ambulances, he would not support the use of this access for residential development. This is because visibility at the junction is substandard and it would be possible to provide a safe alternative access elsewhere on Middles Road. He has also suggested that a protected right hand turn would be required to provide a safe access to the site.
76. The layout of the housing on the Middles Farm development adjacent to the boundary with the hospital site would not prejudice the future development of the Hospital site. A scheme could be designed for the Hospital site in accordance with the Council's Supplementary Planning Guidance on estate layout and design to ensure that adequate privacy is maintained between the two developments.
77. To conclude this point there are no apparent reasons why approval of the current application would sterilise future development of the South Moor Hospital site.

Energy Efficiency

78. Current Planning policy contained within Planning Policy Statement 22, Policy 39 & 40 draft RSS, policy GDP1 Local Plan places greater emphasis on climate change and encourage the developments to have embedded in them energy supply from renewable sources and greater energy efficiency. The North East Assembly has raised this issue in their response. The applicant has responded by stating that the following measures would be incorporated into the scheme-

- Installation of condensing boilers in all properties.
- Water use designed to include measures such as flow reducing/aerating taps, dual flush toilets and low water use kitchen appliances.
- Drying areas provided to promote the non-use of tumble dryers.
- Promotion of porous surfacing and water butts to reduce surface water run off (the entire site would discharge into a watercourse adjoining the site, Stanley Burn).
- Use of energy efficient lighting.
- Waste management both during construction and in the home to promote recycling.
- Provision of cycle storage within garages.
- Provision of a room easily set up as a home office.

79. The above list of measures put forward by the applicant does not really go very far beyond what a developer would normally be required to incorporate into a development and although it goes some way to reducing energy use, it does not allow for the provision of renewable energy on site. However, the applicant also states that if the Council require on-site renewable energy sources, they would be prepared to consider the installation of photo voltaic cells on the roofs of some of the properties. This would undoubtedly improve the energy efficiency of the development and it is suggested that if members are minded to approve the application further negotiations take place with the developer to agree these details on some of the houses. Members may wish to consider on what proportion of the dwellings such measures would be required. The North East Assembly and Environment Agency have suggested that in accordance with current guidance ten per cent of the sites energy requirements should be taken from renewable sources.

Play Provision

80. The developer has indicated that an equipped play area would be provided within the development. This would be within the southern part of the village green area. This would be in a central area within the development where it would be overlooked by housing. Although the area is indicated on the plan, no details of the equipment to be provided has been given or the timescale for the provision of this facility. Details of the equipment could be requested as part of a planning condition.

81. Members will be aware that in accordance with the Council's District wide play strategy developers are normally requested to pay a commuted sum in lieu of providing an equipped play area on site. However, this is a relatively large development which provides family housing and therefore it would be desirable for an equipped play area to be provided on the site. The applicant had indicated that the responsibility for future maintenance of the play area, the footbridge and the areas of open space would pass to a management company and therefore the Council would not be responsible in future for this facility.

Archaeology

82. The Archaeology Officer at Durham County Council has advised that there is some archaeological potential on the proposed development site. This related principally to the current unknown location of a Medieval farmstead that must once have been located on or very near to the site. It has been suggested that while there is no direct evidence for Prehistoric or Roman activity within the site, the evidence from the wider landscape indicates that the potential for it to be found on the site is quite high. The Archaeology Officer has requested that an archaeological survey is carried out before any development is allowed to commence in order to fully assess this. While it is stated that it would be preferable for this to be carried out prior to determination of the planning application the Officer suggests that a condition could be imposed requiring the survey to be done before any works are carried out on site. The survey could be required through a planning condition and such a condition is included in the suggested list of conditions below in the event that members are minded to approve that application.

Conclusions

83. This proposal would result in the development of a large site that is allocated in the adopted local plan for housing development. Although the site is predominantly Greenfield the applicant has undertaken a sequential test and has found that there are not any brownfield sites within the Stanley area which would offer the level of benefits that could be achieved from this development. With the recent cancellation of the Greenfield Direction it is not necessary for the Council to refer the application to the Secretary of State.
84. The scheme would provide a high quality residential environment with an element of affordable housing to attempt to contribute to addressing local need. The proposed development would allow improvements to be made to the surrounding area, including the provision of drainage within Kates Gill and landscape improvements.
85. A safe vehicular access to the site would be provided through the provision of a new roundabout. The site would be accessible for pedestrians and cyclists due to the construction of new links making trips to local facilities possible without the use of the private car. The site is within 400 metres of

local bus stops and improvements to the waiting facilities at these stops would contribute to encouraging the use of public transport.

86. The scheme would contribute to the regeneration of Stanley by not only providing new housing but also by providing training facilities both on and off site. This is a significant mitigating factor in the consideration of the application and Officers feel strongly that this is an application that is worthy of the Council's support.

Recommendation

87. Conditional Permission subject to the developer agreeing to provide photo voltaic cells on the roofs of some of the properties and a section 106 agreement being entered into in relation to the affordable housing.
- Time Limit (ST)
 - Approved Plans (ST01)
 - Materials (AO3)
 - Landscaping (LO1)
 - Means of enclosure (H14)
 - No more than 30 new dwellings shall be occupied within any calendar year. If less than 30 dwellings are occupied within a calendar year, the shortfall can be carried over to the following years, subject to the occupation of a maximum of 50 dwellings in any calendar year.
 - Reason- To control housing occupancy at the site.
 - No more than 206 houses shall be constructed pursuant to this permission.
 - Reason- To ensure that the development is constructed in accordance with the planning permission hereby granted.
 - No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such a scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.
 - Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
 - No development approved by this permission shall be commenced until the detailed design of the proposed bridge has been submitted and approved in writing by the Local Planning Authority. The bridge scheme shall be carried out in accordance to the approved design.
 - Reason: To prevent the increased risk of flooding by ensuring that the new bridge would not constrict flows during a flood event.
 - The bridge should be designed to accommodate the 1 in 100 year flood event with 600mm freeboard and an additional factor for climate change. This would need to be assessed with a site-specific flood risk assessment.
 - Reason- To prevent an increased risk of flooding upstream during a flood event.
 - No development shall take place (including geo-technical groundworks)

until the applicant has secured the implementation of an agreed phased programme of archaeological works, to include evaluation, and where appropriate, mitigation including publication of the results, in accordance with a written scheme of investigation. This should be submitted and approved by the Local Planning Authority.

- Reason- In accordance with PPG16 (Archaeology and Planning) as the site is in an area of high archaeological potential.
- No development shall take place unless in accordance with the mitigation detailed within section 8.0 of the protected species report (The Middles, South Stanley Ecology and Nature Conservation Report for Insite Environments Ref: 06-012/1, 12/04/06) and further details provided in Argus Ecological Services letter of 27th July including, but not restricted to

Making a separate impact assessment of the path and bridge, ensuring that the route of the path avoids the need to fell or prune any trees with the potential to support bat roosts.

The development is designed to avoid impacts on any trees with potential to support bats.

- Reason- To conserve protected species and their habitat.
- No more than 60 dwellings in the development hereby approved shall be substantially completed prior to the construction of the roundabout access to the site.
- Reason: In the interests of highway safety, traffic management, and to facilitate the construction process.
- No dwelling in the development hereby approved shall be occupied prior to the construction of the roundabout access to the site.
- Reason: In the interests of highway safety, traffic management, and to facilitate the construction process.
- No dwellings in the development hereby approved shall be occupied until details are submitted for approval of the final bridge design and footpath routing from the site to Hollyhill Gardens East, to the north. Such approved details shall be installed on site prior to occupation of dwellings.
- Reason: In order to ensure accessibility of the development is adequate.
- No dwellings in the development hereby approved shall be occupied until details are submitted for approval of the type and specification of trees and shrubs proposed in areas of grass verge adjacent to the proposed public highway, including root bowl containment measures.
- Reason; In order to ensure such planting does not adversely affect sight visibilities, street lighting, or public utility apparatus.
- Within three months of the commencement of the development, or other such time period as may be agreed with the Local Planning Authority, details of improvements to the bus waiting facilities shall be submitted to and approved in writing by the Local Planning Authority. The improvements shall be undertaken in accordance with the approved details before the occupation of the fiftieth house.
- Reason- To provide improved bus waiting facilities in order to promote the use of public transport in accordance with the aims of PPG13 (Transport).

- Within three months of the commencement of the development, or other such time period as may be agreed with the Local Planning Authority, details of cycle racks and their location shall be submitted to and approved in writing by the Local Planning Authority. The cycle routes shall be provided in accordance with the approved details prior to the cycle route coming into use, or other such time period as may be agreed in writing with the Local Planning Authority.
- Reason- In order to encourage the use of cycles in accordance with the aims of PPG13 (Transport).
- Within two months of the commencement of the development, or other such time period as may be agreed in writing with the Local Planning Authority, full details of the equipped play area shall be submitted to and approved in writing by the Local Planning Authority. The play area shall be provided in accordance with the approved scheme prior to the occupation of the 100th house on the development, or other such time period as may be agreed in writing with the Local Planning Authority.
- Reason- In order to ensure that adequate play facilities are provided in accordance with Policy HO22 of the Local Plan.
- Within two months of the commencement of the development, or other such time period as may be agreed in writing with the Local Planning Authority, details of garden composting facilities for the properties adjacent to the site boundary with South Stanley Woods and Kates Gill shall be submitted to and approved in writing by the Local Planning Authority. The composting facilities shall be provided in accordance with the approved details prior to the occupation of each of the properties to which they relate.
- Reason- In order to encourage the use of composting facilities to protect South Stanley Woods and Kates Gill from the deposit of such materials in accordance with Policies GDP1, EN9 and EN10 of the Local Plan.
- No gates or beaches in the boundary treatments shall be provided in order to gain access from the gardens of the properties to South Stanley Woods or Kates Gill.
- Reason- In order to prevent damage to these areas in accordance with Policies GDP1, EN9 and EN10 of the Local Plan.
- No more than 30 houses at the site shall be occupied until the Incubator centre at Tanfield Lea is completed and made ready for use.
- Reason- To ensure that the incubator units are provided in accordance with the approved details.
- Prior to the commencement of the development, or other such time period as may be agreed in writing by the Local Planning Authority, details of the connections with the sewerage treatment plant shall be agreed in writing with the Local Planning Authority.
- Reason- In order to agree satisfactory foul drainage in accordance with Policy GDP1 of the Local Plan.

Reason for Approval

88. The reason to grant planning permission has been taken having regard to

policies GDP1, EN9, EN10, EN12, EN22, HO4, HO8, HO21, HO22, HO23 and TR2 of the District Local Plan and Supplementary Guidance Note No. 7 on the layout of new housing; Structure Plan Policies 1, 9, 37, 44a, 67c, 67d, and 69; and Regional Planning Guidance and there are no other material considerations which outweigh the decision to approve the application.

Report Prepared by Fiona Clarke, Principal Planning Officer

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