



Area Planning Committee (North)

Date Thursday 22 December 2022
Time 9.30 am
Venue Council Chamber, County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Minutes of the Meeting held on 24 November 2022 (Pages 3 - 16)
4. Declarations of Interest (if any)
5. Applications to be determined by the Area Planning Committee (North Durham)
 - a) DM/22/00195/FPA - Roseberry Playing Fields, Pelton, DH2 1NW (Pages 17 - 48)
Construction of 104no. affordable homes including 31no. apartments and 8no. bungalows with associated open space
6. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Helen Lynch
Head of Legal and Democratic Services

County Hall
Durham
14 December 2022

To: **The Members of the Area Planning Committee (North)**

Councillor M McGaun (Chair)
Councillor W Stelling (Vice-Chair)

Councillors G Binney, J Blakey, L Brown, I Cochrane, K Earley,
J Griffiths, D Haney, P Jopling, C Marshall, E Peeke, J Purvis,
K Shaw, A Watson and S Wilson

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DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (NORTH)

At a Meeting of the **Area Planning Committee (North)** held in the Council Chamber, County Hall, Durham on **Thursday 24 November 2022 at 9.30 am**

Present:

Councillor M McGaun (Chair)

Members of the Committee:

Councillors J Blakey, K Earley, D Haney, P Jopling, E Peeke, J Purvis, W Stelling (Vice-Chair), A Watson, K Shaw and M McKeon

Also Present:

Councillors A Batey, G Binney, J Charlton and D Wood

1 Apologies for Absence

Apologies for absence were received from Councillors L Brown, C Marshall and S Wilson.

2 Substitute Members

Councillor K Shaw substituted for C Marshall and Councillor M McKeon substituted for G Binney who attended the meeting as local member.

3 Minutes

The minutes of the meeting held on 27 October 2022 were confirmed as a correct record and signed by the Chair.

4 Declarations of Interest

Councillor Earley declared an interest in Agenda Item (5b) and confirmed he would withdraw from the item.

In regard to Agenda Item (5b) Councillor Haney explained that he had met the developer, however he was attending the meeting with an open mind to consider all the views expressed in the Committee and confirmed he would participate in the decision.

5 Applications to be determined by the Area Planning Committee (North Durham)

a DM/21/01633/FPA - Land North West Of Beamish Hall Hotel, Beamish, DH9 0YB

The Committee considered a report of the Principal Planning Officer which sought planning permission for the construction of 24 no. luxury holiday lodges, reception building and associated landscaping (for copy see file of minutes).

G Blakey, Principal Planning Officer provided a detailed presentation of the application which included a site location plan, aerial photograph of the site, site photographs, proposed site plan and designs of the proposed lodges. The Committee had visited the site the previous day.

Councillor Batey addressed the Committee as a Parish Councillor on behalf of Urpeth Parish. Urpeth Parish was already subject to significant highways issues due to events and functions held at Beamish Museum and Beamish Hall and the road and lane infrastructure were not appropriate for the growing traffic. Access to Copsy Lane and the proposed development was likely to be through Urpeth parish area and would directly impact on residents of the parish. Beamish community was an area that was regularly gridlocked when events took place at Beamish Museum and Beamish Hall and access to the coast-to-coast cycle route at Eden Place carpark attracted further visitors to the area. There was a distinct lack of sustainable transport links, no public footpaths, or cycle lane, and as a result the proposed development would rely solely on the use of private vehicles and would be contradictory to the plan to make County Durham net zero by 2045. Power outages were often experienced in the area due to the rurality of the location and position of the cabling and questioned how power could supply the proposed development and associated electrical vehicle charging points and possible hot tubs when the supply was struggling to meet existing demand. Large vehicles using the lane to access the proposed development during construction phase were raised as a concern as were supermarket shopping deliveries for those staying on site and vehicles associated with fuel supply, removal of waste and refuse collection. The Council Plan 2022-2026 and the County Durham Vision 2035 contained strands relating to the Environment, highlighting the need to reduce traffic to improve air quality and questioned how the development worked to support, address, and meet those targets when there was no sustainable transport, footpaths, or bus service in place. Local economy would be difficult to support as access to the closest restaurant/pub would require guests to walk on a dangerous lane with no lighting or footpaths and therefore to support the local businesses, without impacting on safety, would require the use of a car. Whilst it was recognised it was good for County Durham to have this type of accommodation it had to be in a

viable location. Councillor Batey urged the Committee to refuse the application due to unsafe access, inadequate road infrastructure and the economic and tourism benefit not outweighing harm.

Councillor Binney addressed the Committee as local member of the Tanfield division and confirmed that he was in objection to the application. He advised that the planning application met significant opposition from the local community and the wider area due to the sheer scale of the application and the impact this would have on the character of Beamish Burn Conservation area. The lane that would be used to access the proposed development was narrow and contained no footpaths or streetlighting and no public transport serviced the area proving the development was unsustainable. As a member of the Area Planning Committee (North) he was astounded that there was a limit on the size of the bus that was used for the site visit the previous day and, in his opinion, demonstrated that the lane to access the development site was unsuitable. He expressed concern that lodges could overlook the homes of local residents and that the design of the lodges were not in keeping with the character of the landscape nor was the development in keeping with the scale of the local area which was contradictory to Part 2 and Part 3 of Policy 8 of the CDP. He raised further concerns regarding the increased traffic that would result from the proposed development. He believed the application did not meet all the requirements of Policy 6 and Policy 7 of the CDP and stressed it was important for Local Authorities to balance the economic benefit with the impact on the local area and residents. He urged the Committee to refuse the application.

Councillor Charlton addressed the Committee as local member of the Tanfield Division and thanked the committee for the opportunity to speak and thanked residents for attending the meeting for the second time. The level of consultation with residents given the scale of the proposed development and the location was disappointing. The development was not in keeping with the local area due to the proximity to ancient woodland and no consideration had been given to the ecological impact. The proposed site was currently green open space and was a haven for wildlife and bats. It was confusing how the proposed development was to support the local economy. A plan for a development within the Gateshead area had recently been approved and felt that two similar developments within close proximity were unnecessary. The report stated that the development would support local restaurants and shops, but no safe footpaths were available, and the lane was dangerous due to it being unlit and contained blind bends. A great deal of construction vehicles and heavy goods vehicles (HGVs) would be required if the application was approved in addition to ongoing delivery vehicles travelling to the site. Significant costs associated with repairs to the bridge crossing Beamish Burn had already been made and additional vehicles regularly using the road would put further strain on the existing infrastructure. Mr Conroy, the Applicant, gave assurances early in the application process that

hot tubs would be removed, and it was disappointing when advertisements for the lodges included information on hot tubs. The concept of the development was good, but the location was wrong, and Beamish Museum had not supported the application in any way. Councillor Charlton respectfully asked the Committee to refuse the application.

Councillor Wood, before addressing the Committee, asked for two points of clarification from the planning officers.

Firstly, Councillor Wood asked for clarification on the size of the site that the Committee were required to determine. The Principal Planning Officer clarified that the site was 3.68 hectares as stated in the report and was for 24 no. lodges. Councillor Wood explained that although he was not a member of a planning committee, he had the required training and was aware that the Committee could only look at the application in front of them which stated 1.93 hectares and that was a material difference to the report.

Secondly, Councillor Wood referred to Paragraph 78 of the report where Kevan Jones, MP for North Durham was listed as 'commenting on behalf of constituents who had contacted him to object to the proposal'. Councillor Wood asked why this was listed as a comment rather than an objection. The Principal Planning officer explained that the views of Kevan Jones were made clear in the report. Councillor Wood had a printed copy of the letter by Kevan Jones dated 20 August 2021 which clearly stated his objection to the application. The chair confirmed that this would be noted for the report.

Councillor Wood proceeded to address the Committee as County Councillor on behalf of residents in the Pelton and Beamish division. As local member, he had serious concerns regarding how the application had been dealt with by the Local Authority and expressed concern with the report that was presented to the Committee. He had further concern regarding sustainability and the scale and impact of the proposal on the local area and upon the local highway network. The area had been registered as a conservation area since 1994 and he stated that the application was contradictory to Policy 29 of the County Durham Plan (CDP), particularly Part C and D. Although there was an indicative area for solar panels, any renewable energy generated would be far outweighed by the energy required to heat 24 hot tubs if they were to be installed. Double height living spaces would require heating and local wildlife would be impacted due to light pollution. The development would also impact on the local highway network, contradictory to Policy 8 of the CDP, and the proposed two storey, six-metre-high lodges would have a significant impact on the scale and character of the area. The residents had arranged for an independent assessment which was carried out by Northern Transport Planning Ltd and it highlighted the higher level of impact the development would have on the access lane. The assessment was dismissed in the report as a 'note'. Residents had repeatedly requested a meeting with highway

officers but to no avail and the local MP also raised this concern within his correspondence on 15 April 2022. Visitor accommodation as specified at Policy 8 of the CDP did not require an objection from highways to refuse the application. Although the report described the access as a by-way open to all traffic, the lane was unadopted, unlit, narrow, contained blind bends, was bordered by vegetation on each side, contained ditches and no footpaths were available. The car park at Beamish Museum had been used as a covid test centre during the pandemic and the army had taken steps to prevent access to the testing site via the lane on the grounds of highway safety. The proposed development was in an area of High Landscape Value and within a conservation area. The access lane was deemed unsuitable by Durham County Council for access to a picnic site and was unsuitable to walk to events held at Beamish Hall such as their annual firework display where pedestrian access has been refused. Councillor Wood understood that the application was finely balanced, but on balance he believed that additional traffic in an unsuitable and unsustainable location would have a significant and detrimental impact on highway safety for his residents, the public, and for those visiting the site. Councillor Wood respectfully asked the Committee to refuse the application.

The Principal Planning Officer advised that no correspondence or representation had been received from Beamish Museum.

Mr Baglee addressed the Committee on behalf of the Beamish Burn Residents Group. He stressed their passion for the Beamish Burn conservation area and highlighted that 222no. letters of objection had been submitted and advised that no attempt had been made to contact residents to discuss their concerns and that questions posted via the portal had been unanswered. He noted that addressing members of the Committee was the first opportunity they had been given to voice their concerns, but that there was limited time to do so. He noted that holiday accommodation was already available in the area and a new development with permitted planning was currently pending. He expressed great concern with drainage and advised that Beamish Hall had objected on these grounds and explained that water could lie stagnant. He noted that no discussions had taken place with the adjacent landowner about the application and expressed concern with the affect the development would have on bats, birds, and wildlife. He advised that economic benefits would be minimal as travel to all local businesses would require a private motor vehicle and pointed out that no shops were close to the development and guests were therefore likely to travel outside of County Durham for essential items. He noted that local business did not support the application and that all residents were concerned of the safety of the lane that accessed the site and could foresee tragic accidents. He stated that himself and the residents felt disappointed and let down by the planning process and felt disrespected that the professional report they submitted to

the planning team had been recorded as a note. On behalf of the Beamish Burn Residents Group, he urged the Committee to reject the application.

Mr P Conroy, the Applicant addressed the Committee and advised that he was born and raised in Beamish and emphasised his passion for the area. He noted that planning began in Autumn 2019 and responses at that stage had been positive and has worked with planning officers since then to find solutions to the concerns that have been raised. He confirmed the development would be family friendly, would use renewable energy and clarified that hot tubs were no longer proposed. With regards to economic benefits, he advised that staying visitors contributed more than daily visitors.

Mr A Franklin, the Agent addressed the Committee and welcomed the support and approval of planning officers and thanked residents for working with them. He advised that there was a need for this type of accommodation and Beamish was a prime location due to the many nearby visitor attractions. He referred to Policy 8 Part 2c of the CDP and confirmed that the principle of development was acceptable. In terms of the concerns raised regarding highways, he noted that the report submitted by residents had been considered and explained that not all lodges would have two cars and not all lodges would be occupied throughout the year and therefore increase to traffic would be minimal and that trips would generally be made by guests outside of peak hours. He confirmed that additional parking was planned for visitors and noted that no accidents had been recorded on the lane. He advised that there would be no impact on residential amenity and that lodges were heavily screened. He noted that Environmental Health had not objected to the development and advised that a management document detailing park rules would be issued to guests. The application site was not within flood zones two or three as identified by the Environment Agency and that they had not raised any objection to the application in this regard. He explained that the proposal delivered on biodiversity net gain and confirmed that no trees would be removed. In summary, he stated that the application fully met the planning policy and the identified need for accommodation and requested the Committee to approve the application.

In response to a question from Councillor Jopling, the Agent confirmed that there were no plans to sell any of the lodges privately.

Councillor McKeon, in supporting the data regarding trips associated with guests, questioned why 24 no. lodges were proposed if there was no expectation to be fully booked throughout the year. The Applicant envisaged approximately 80% occupancy but advised that even if occupancy was 100%, he would still not anticipate any issues with regards to highways.

Councillor Haney confirmed he had attended the site visit and noted that the location was secluded but that access to the site was a concern. He referred

to the comment in the report regarding Visit County Durham and asked whether the need for visitor accommodation was specific to this area or for County Durham as a whole. He thanked residents for the materials they had submitted including the transport assessment and for all the hard work they had put in.

In response to a question from Councillor Watson who asked if the land was greenbelt, the Principal Planning Officer clarified that the land was not greenbelt but that it was in a conservation area associated with Beamish Valley. In response to the question from Councillor Haney regarding Visit County Durham, the Principal Planning Officer confirmed that the need for accommodation was for County Durham as a whole.

D Smith, Principal DM Engineer referred to the transport assessment and confirmed that all information received had been assessed by Highways and explained that daily trips taken by guests would be outside of peak hours. He advised that following analysis of the data it was confirmed that there were no accident trends or collisions recorded and he explained the site visibility splays. Although accepting there would be additional vehicle movements on the road, he noted that he had no concerns with access to the site or road safety and confirmed that the development met parking requirements. In terms of larger vehicles that used the road, he noted that Beamish Hall would have daily deliveries and although passing a larger vehicle could happen, no issues were foreseen. He confirmed that the road was a byway by virtue but was designed and maintained to highway standards.

Councillor Batey raised a point of order stressing that as an elected member, she was aware that statistical evidence for accidents did not indicate that accidents had not happened and noted that photographic evidence showing accidents that had occurred had been provided. The Principal DM Engineer advised that although the consultant for Beamish Burn Residents Group had submitted accident data for the previous 22 years, only five years of data had been considered in line with the recommendations from the Department for Transport.

Councillor Jopling commented that it was difficult to measure traffic movements with the proposed development and expressed concern regarding the drainage strategy for foul water. In terms of visitor accommodation, she felt the need had not been proven and that sufficient visitor accommodation existed within the area and believed that if lodges were sold privately, they could be treated as a home and occupied for up to 10 months of the year. She noted that the benefits did not outweigh the harm and confirmed that she did not support the application.

Councillor Stelling asked how the development would contribute to a low carbon future as stated at Policy 29 of the CDP given there were no safe

paths for guests to walk to the nearby facilities and a private motor vehicle would therefore be necessary to help the local economy. The Applicant took the view that as a lot of visitor attractions were in the vicinity and the current lack of visitor accommodation, the development would reduce the need for visitors to travel long distances. Councillor Stelling emphasised that safety was still a major concern.

Councillor Haney noted that assumptions had been made regarding traffic only coming from the A693 but he believed this was not the case. He highlighted residents had submitted a considerable amount of data regarding highways and felt this had not been given any weight.

Further to Councillor Binney's comments regarding the development not meeting the requirements of the CDP, Councillor Shaw asked for this to be clarified. The Principal Planning Officer explained the planning balance as detailed in the report clarifying that planning officers felt the economic benefit outweighed the harm but confirmed that Members must draw their own conclusions regarding balance.

Councillor McKeon noted that although hot tubs were no longer planned by the developer, they were originally permitted, and asked if the applicant would be required to submit an additional application for hot tubs should the Committee approve the application. In terms of trips, she asked whether the figures contained in the report included trips associated with food deliveries as this would make a material difference. Councillor McKeon stated that although the lodges were designed for a certain number of guests, in her opinion there was always potential for additional guests and asked if additional guests were included in the data regarding trips. She referred to the comment from the applicant regarding the expected occupancy of 80% but stated that the Committee had to base their decision on 24 no. lodges. She pointed out that when Beamish Museum was used a test site during the COVID-19 pandemic, the army had advised people not to use the lane as they deemed it unsafe. She stressed there were no sustainable transport links for guests to use and moved the application to be refused on the grounds of highways.

Councillor Earley felt it was difficult to equate positive tourism with the impact on the environment but confirmed that he took the view that the application was in an area of conservation and High Landscape Value which were solid planning grounds and that this outweighed any need for visitor accommodation. He also felt that the access road was unsafe. Councillor Earley confirmed that he seconded the motion for the application to be refused.

Councillor Watson stated that there were no areas on the lane to allow traffic to pass and felt that as the land was greenfield, the development was an

intrusion into the countryside and believed the application conflicted with policies 21, 39, and 44 of the CDP and he supported the refusal of the application on these grounds.

C Cuskin, Senior Lawyer Regulatory and Enforcement advised the Committee that the motion by Councillor McKeon to refuse the application on highways may not withstand an appeal due to highways information being based on empirical data. She explained that harm to an area of High Landscape Value and conservation highlighted by Councillor Earley were stronger grounds to refuse the application.

Councillor Earley moved that the application be refused on the grounds of harm to an area of High Landscape Value and conservation. This was seconded by Councillor Watson.

Councillor Shaw noted that the recent city of culture bid by Durham included information on four million more overnight stays and considering this felt that new developments for visitor accommodation was necessary. He noted that to grow as a County it was important to approve new developments and explained that he was aware of many developments within the Lake District that had similar restrictive access roads and felt that the lane could be accommodated accordingly to allow vehicles to pass safely. Councillor Haney whilst respecting the view of Councillor Shaw noted that the Committee could not enforce regulations on the access road.

Councillor Jopling believed that the need for accommodation had not been proven within the area and that the application should be rejected as the development would have a significant impact on the local residents.

Councillor Stelling stressed the development site was unsafe.

Councillor McKeon believed that the location was not appropriate due to the lack of infrastructure and the impact it would have on residents. In responding to Councillor Shaws comment regarding the Lake District, Councillor McKeon accepted that there were many developments in that area that were similar but explained that they had caused uproar in the communities. Councillor McKeon confirmed she would welcome new developments in County Durham but on sites that were safe and had sustainable transport links.

The Senior Lawyer clarified that a motion had been received from Councillor Earley on the grounds of harm to an area of High Landscape Value contradictory to Policy 39 of the CDP and harm to an area of conservation contradictory to Policy 44 of the CDP. The Senior Lawyer asked if the additional reasons of sustainability and the reason of need as raised by Members were to be included in the motion as these were also reasonable

grounds to refuse the application. Councillor Earley confirmed that he accepted the additional reasons to be included in his motion to refuse the application.

Councillor Watson agreed but expressed that he would also like highways to be included in the motion and believed there was a case to defend this at appeal.

The Senior Lawyer referred to Policy 21b of the CDP and reiterated that the Council could be at risk of costs if the application progressed to appeal, but that Members were free to make their own decisions regarding this.

In response to a comment made by Councillor Shaw, the Senior Lawyer clarified that the wording of the policy was identified visitor need and although there may be an overall need for accommodation, that was separate to the argument that was put forward.

Councillor Earley noted that although he appreciated the dilemma with encouraging tourism as raised by Councillor Shaw, he accepted the advice from the Senior Lawyer and would proceed with the motion excluding the grounds of highways. Councillor Watson agreed.

In Summary, the Chair thanked the officers and the residents for all their hard work and confirmed that a motion to refuse the application had been **moved** by Councillor Earley and **seconded** by Councillor Watson.

Resolved

That the application be **REFUSED**.

Councillors J Blakey, K Earley and P Jopling left the meeting.

b DM/21/03514/FPA - Land to rear of Consett Park Terrace, Moorside, DH8 8ET

The Committee considered a report of the Senior Planning Officer, with regards to the proposed Construction of 84no. Affordable Dwellings with Associated Car Parking, Landscaping and other Infrastructure including diversion to a Byway and Footpath on Land to the rear of Consett Park Terrace, Moorside (for copy see file of minutes).

S France, Senior Planning Officer provided a detailed presentation of the application which included a site location, aerial photographs, site photographs, and site plans and elevations.

Mr M Nixon addressed the Committee and confirmed that he was in objection to the proposal. He described Moorside as having access to beautiful, unspoilt, accessible countryside with historic value, near land which had been recognised and protected by its designation as an Area of High Landscape Value in the setting of the Grade II listed Hownsgill Viaduct. He assumed that planners, developers and residents improve Moorside but this could not be achieved by the destruction of its area of high landscape value.

This proposal had not been developed to meet a genuine pressing need for affordable housing and Mr Nixon referred to two versions of the affordable housing statement which had been submitted by developers, one of which included property value data presented from Castleside, the more affluent neighbouring village, rather than Moorside. The developers had submitted a statement that detached properties within Moorside sold for an average of quarter of a million pounds arguing that Moorside's house prices were comparable to the rest of Durham.

Fortunately, the Councils Housing Team had requested that the developers used housing data from Moorside and the statement was updated with the relevant confirming that the average price of a house in Moorside was only £99,000, almost £58,000 (or 37%) cheaper than the averages of Castleside, Consett and County Durham as a whole. In the report, the developers had stated this to be 'slightly less'. Mr Nixon advised that affordability was the reason that many residents lived in Moorside in the first place. The fact that developers had inflated prices in the original housing statement was evidence in itself, that the pressing need for affordable housing in an Area of High Landscape value did not exist.

There was a Council owned brown field site Moorside on the former school site which was only 340 meters from the proposed development and although the availability of a more appropriate site was not material grounds for refusal, Mr Nixon thought it relevant because the former school site had been included in Durham County Councils Programme for the development of affordable homes and therefore should the application be refused, affordable housing would still be delivered in the area on an appropriate scale and in a sensitive manner.

If the Committee went against the recommendation and approved the application, Moorside's Area of High Landscape Value would be destroyed for the provision of housing whilst a brownfield site remained undeveloped and subject to continued anti-social behaviour.

Mr S McCoy, Adderstone Living, addressed the Committee and confirmed that an affordable housing section had been set up to work with registered providers in order to deliver affordable housing in areas that needed it most.

This site, in his opinion had a finely balanced planning position, and the scheme was what residents were saying that they needed and it included significant economic benefits as well as affordability. The site was well screened and located in an area of housing need. The dwellings would have A rated efficiency, which meant lower energy bills for residents.

Mr McCoy advised that affordable housing had been discussed at length of the course of the application and there was an annual need for 836 affordable dwellings in Durham, which was likely to be much worse given the impact of the pandemic. The report was clear that of the eleven properties which had been available to bid on since January 2022 almost 200 bids had been received and this suggested that for every successful letting there were many left waiting.

Adderstone had a policy of utilising local tradesman and the site would employ up to 70 local tradesman with locally sourced materials. Whilst the balance between affordable housing needs and landscape harm was always going to be finely balanced, the benefits for families to live in energy efficient houses and the effect on the wider prosperity of Moorside outweighed the harm.

Mr J Ridgeon, the Agent addressed the Committee to advise that this was a finely balanced application with significant benefits which had to be weighed against the impact on the landscape. He referred to the impact on views from the viaduct, looking towards Moorside and to the picture taken by Officers which had been included in the presentation. Suicide prevention fencing had been installed on the viaduct which obscured views, that were also impacted by the existing industrial units to the left of the site. The proposed housing would be seen with existing houses of Moorside as a backdrop and would not appear unrelated to the existing built-up area.

Mr Ridgeon referred to Landscape Policy 39 which stated that for a development to be acceptable, the benefits had to outweigh any harm. In this case the scheme provided affordable housing for local people where there was identified need. The Applicant had engaged with Officers to understand the housing need in the area and the information provided by the Affordable Housing Officer was up to date and reliable, and it had been used to dictate the housing mix presented.

The Affordable Housing Officer accepted the need for rental properties in the area and as such 74 dwellings had been provided for rent by local people. Officers had noted concerns relating to the ten shared ownership dwellings however the housing association had carried out an assessment and were confident that there would be strong demand.

Finally, Mr Ridgeon confirmed that the boundary went through the site and part of it was within Castleside. This was the reason that the Housing Assessment had included information from Castleside. He reiterated that the application was very finely balanced and dependent on balance under Policy 39.

The Senior Planning Officer advised the Committee that the reasons were clear and balanced for refusal and not finely balanced as suggested.

Councillor Watson, Local Member, confirmed that there was a need for new builds in the area, however the detail for need had not been demonstrated. He preferred mixed development, rather than all affordable homes and reiterated that the former Moorside School site was crying out for development. This site was not in the County Durham Plan and he agreed with Officers with the reasons for refusal and **moved** the recommendation for the reasons outlined in the report.

Councillor Stelling knew the area well and agreed that the former school site was more suitable and queried whether it had been considered as an alternative. With regards to comments regarding the obscured view from the viaduct, he advised that these measures had been installed as a suicide prevent prevention measure.

Councillor Haney questioned the statement that part of the site was within Castleside as ward boundaries did not determine a settlement. He queried the process of assessing land for housing and G Smith, Housing Development Manager confirmed that an assessment of local housing need providers had been undertaken which could not be supported. The reference in the report to Durham Key Options was providing information of people bidding on homes within that area. Housing providers were provided with the information to support applications, however the information related bids on properties in the Moorside area, but was not restricted to people who were already living in the area and it was likely that there were bids from people living further afield.

The other issue with the data was that bids were relative to the number of homes that were available to bid on so if there was a large housing stock, more bids would be generated and areas without bids may have no housing stock. The Applicant had been asked for more data specific to Moorside as it was felt this was lacking. All assessments would need to confirm the local need of residents from the Moorside area.

The Housing Development Manager confirmed that more engagement with community to bring out local needs first hand may have been beneficial.

Councillor Haney confirmed that there were residents in Moorside whose views could have been sought, some that were in need of housing, however the evidence provided was anecdotal and did not meet the high benchmark for building in an Area of High Landscape Value. He had visited the site, it was a beautiful area and the comments regarding the restricted view due to the installation of suicide fencing was not justification for approval.

From the top of viaduct, long gardens created a buffer and the houses were just visible. This development would certainly impact the views of the countryside and be significant encroachment. There may have been some justification for small infill development to the West of the site, but once it went beyond that point it could not be demonstrated that policy was met. This application was not finely balanced and did not meet policy. He advised that Council should not contradict policy so soon after implementation and **seconded** the motion to refuse the application for the reasons outlined in the report.

Councillor M McKeon confirmed that she did not want to reject applications for affordable housing, however planning policy was in place for a reason and she was uncomfortable with anyone who would ask the Council to go against their own plan. She considered Policy 6 to be controversial as it allowed development on land that was not allocated in the County Durham Plan. This unsettled people and it could be used to circumvent so the Council needed to be careful when using it.

Councillor McKeon addressed the developers, advising that it had taken a long time to ensure the County Durham Plan was right and that it protected communities. She asked that developers made sure that reasonable steps were taken to ensure that sites were chosen in areas that would not be as controversial. The Committee wanted to see affordable housing, however did not want to see time and money spent on applications that would have to be rejected on the Councils own adopted policy.

Councillor Shaw asked whether the plans could be amended in order to tip the balance as there were over ten thousand people on the Councils waiting list. C Cuskin, Senior Lawyer, advised that it was not appropriate to consider alternative plans at this stage, but suggested that the developer liaised with the Senior Planning Officer and Housing Development Manager to try and come up with an acceptable scheme, if one could be arrived at.

Councillor Peeke acknowledged the need for affordable housing but also considered that brownfield sites should be considered prior to building in Areas of High Landscape Value.

Resolved

That the application be **REFUSED** for the reasons outlined in the report.

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/22/00195/FPA
FULL APPLICATION DESCRIPTION:	Construction of 104no. affordable homes including 31no. apartments and 8no. bungalows with associated open space
NAME OF APPLICANT:	Karbon Homes Ltd
ADDRESS:	Roseberry Playing Fields Pelton DH2 1NW
ELECTORAL DIVISION:	Pelton
CASE OFFICER:	Steve France Senior Planning Officer Telephone: 03000 264871 steve.france@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The development site is 2.8ha of allocated housing land formerly occupied by Roseberry College at Newfield. Newfield is a small settlement, south-west of Pelton. Focussed on the junction of two C class traffic calmed roads and a large car park, the village centre is surrounded by the characterful vernacular buildings of the Primary and Nursery Schools, a public house and a detached building in use as a dental practice. Traditional brick-built terracing, and local-authority built dwellings, one and two storeys in height also face towards the village centre in addition to a large retail motor-factor, a more functional modern structure.
2. Adjacent this car park at the village centre is the south-west boundary of the site, defined by metal railings with an evergreen hedge. The majority of the college campus buildings are now demolished and cleared, the exception being some flat roofed structures at the north end of the site. The resultant brownfield land still includes the remains of the ornamental specimen planting in and around the school including hedging on the southern boundaries. The aforementioned metal fence extends further around the whole former campus beyond the site, including both the former built area and the extended well maintained playing fields, which include the facilities of a football foundation – open playing fields with a running track, a floodlit and fenced Artificial Grass Pitch (AGP), changing rooms and a surfaced car park.
3. The fenced south and east boundaries of the site and these extended playing fields are further defined by well used, surfaced public footpaths. To the south-east this separates the site and playing fields from a modern housing development of around 250 dwellings, a significant extension to the settlement. To the east there are further

playing fields and then countryside, with the Consett and Sunderland Railway Path beyond. The playing fields and countryside are the buffer between Newfield and the larger village of Pelton to the north. West of the site, across the main road is a large block of traditional terracing with some modern development behind it.

4. Facilities in the village are restricted, the residents relying on the shared facilities of surrounding small villages, and access to the large local settlement of Chester-le-Street, 2 miles to the west which has a large retail offer and direct access to rail services and the A1(M). The site and surrounding villages are well connected by bus.

The Proposal

5. This application proposes erection of 104 new dwellings, described in the submitted forms as 100% affordable in nature, including rental and shared ownership tenures. The proposal includes bungalows, apartments and detached and mid-linked dwellings. The scheme is architect designed using a modern elevational approach, detailing and materials. A single vehicular entrance into the development is proposed that will allow for through access through to the existing sports facilities to the west. The single vehicular access will use one of the two former College entrances at a point that is naturally splayed on a bend in the road. Three new pedestrian access points are proposed for the site frontage on the west boundary, with a further one to the south-west, widened to encourage cycle usage and connect with an existing cycle track on the edge of the car park in the village centre, described above. The existing hedgerow that borders the path on the south-east boundary and separates from the Persimmon development and Craigowan Walk will be ensured retained as a feature.
6. An apartment block, two and a half storeys high, including part in roof accommodation on the upper floor will separate the two significant areas of public open space on the site, that to the east including footpaths, play equipment and retained trees, that to the west incorporating a landscaped SuDS basin and a compound containing plant and access for the foul sewage pumping station.
7. The elevational approach is modern, part red multi-stock brick, render, cladding boards, with grey roofs, grey fenestration, consistent across the development.
8. This application is being considered by committee as a major proposal.

PLANNING HISTORY

9. DM/14/03831/PND - Prior notification of proposed demolition of Roseberry College and Sixth Form.
10. DM/16/01040/FPA - Erection of building to provide football changing facility and club room and creation of car park to serve the sports use.

PLANNING POLICY

NATIONAL POLICY

11. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:

12. *NPPF Part 2 - Achieving sustainable development.* The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
13. *NPPF Part 4 - Decision-making.* Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
14. *NPPF Part 5 – Delivering a wide choice of high-quality homes.* The Government advises Local Planning Authority's to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
15. *NPPF Part 6 – Building a strong, competitive economy:* The Government is committed to ensuring the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.
16. *NPPF Part 8 – Promoting healthy and safe communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
17. *NPPF Part 9 – Promoting sustainable transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
18. *NPPF Part 11 Making Effective Use of Land.* Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.
19. *NPPF Part 12 Achieving Well-Designed Places.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
20. *NPPF Part 14 – Meeting the challenge of climate change, flooding and coastal change.* The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape

places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

21. *NPPF Part 15 - Conserving and enhancing the Natural Environment.* Planning policies and decisions should contribute to and enhance the natural and local environment.
22. *NPPF Part 16 - Conserving and enhancing the Historic Environment.* Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

NATIONAL PLANNING PRACTICE GUIDANCE:

23. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; historic environment; design process and tools; determining a planning application; flood risk; healthy and safe communities; land affected by contamination; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; neighbourhood planning; 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, wastewater and water quality.

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

LOCAL PLAN POLICY:

The County Durham Plan

24. *Policy 4 Housing Allocations* identifies the locations for new housing within the County. Applications for housing on these allocations if in accordance with the site-specific requirements of the policy and infrastructure requirements should be approved if in accordance with other relevant policies in the plan.
25. *Policy 15 Addressing Housing Need* notes the need to increase the range and quality of housing provision within the County and with regard to meeting the needs of older people and people with disabilities.
26. *Policy 19 Type and Mix of Housing.* Advises that on new housing developments the council will seek to secure an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations and the opportunity to facilitate self build or custom build schemes.

27. *Policy 21 Delivering Sustainable Transport* states that all development shall deliver sustainable transport by (in part) ensuring that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestions or air pollution and that severe congestion can be overcome by appropriate transport improvements.
28. *Policy 25 Developer Contributions*. Advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.
29. *Policy 26 Green Infrastructure*. States that development will be expected to maintain and protect, and where appropriate improve, the County's green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
30. *Policy 29 Sustainable Design* Requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out detailed criteria which sets out that where relevant development is required to meet including; making a positive contribution to an area's character and identity; provide adaptable buildings; minimise greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; providing suitable landscape proposals; provide convenient access for all users; adhere to the Nationally Described Space Standards (subject to transition period).
31. *Policy 31 Amenity and Pollution* Sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
32. *Policy 32 Despoiled, Degraded, Derelict, Contaminated and Unstable Land* states [in part] that development will not be permitted unless the developer can demonstrate that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities.
33. *Policy 35 Water Management*. Requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.

34. *Policy 36 Water Infrastructure.* Advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and waste-water infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
35. *Policy 40 Trees, Woodlands and Hedges* states that proposals will be expected to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate standoff distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential.
36. *Policy 41 Biodiversity and Geodiversity* states that proposal for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or as a last resort, compensated for.
37. *Policy 43 Protected Species and Nationally and Locally Protected Sites.* Development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided, or the proposal meets licensing criteria in relation to European protected species.
38. *Policy 44 Historic Environment.* Seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.
39. *Policy 56 Safeguarding Mineral Resources.* Sets out that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area unless certain exception criteria apply.

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/article/3266/Development-Plan-for-County-Durham> (Adopted County Durham Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

40. *Highways* have confirmed following detailed discussion with the applicants that the scheme meets their requirements both in terms of layout and parking standards (originally significantly deficient) and offer no objections to the site access or the strategic implications for the surrounding road network. The late omission of the

footpath connection on the south-east boundary is regretted. A condition and an informative are suggested to ensure Highways requirements are met on site to an adoptable standard.

41. *The Coal Authority* welcomes the findings of the Phase 2 Ground assessment for built development noting that the developer will need to seek their own advice for the implications of the interactions between hydrology, drainage systems and ground stability. These raise no objection to the proposal on the basis that suggested conditions are attached to any approval.
42. *Sport England* – The proposed development does not lead to the loss of playing field, rather it is its relationship with the playing fields (particularly the floodlit Artificial Grass Pitch (AGP)) where there is the potential for the residential development to prejudice their use. Where new developments occur adjacent to a playing field and that new development (as the agent of change) has sensitivity to noise and light pollution that are generated from the existing AGP it is imperative that measures are put in place to ensure that the two uses can harmoniously co-exist and that subsequent complaints that threaten the use of the AGP do not arise.
43. The applicant has undertaken assessments of both noise and light pollution associated with the AGP's use and identified a series of measures to be incorporated into the houses designs. The Noise Assessment submitted in support of this application, concludes that guidance noise levels in gardens can be achieved through the provision of 1.8m high fencing to plots 11-12 and 50-59. Internal noise levels can generally be achieved across the site with windows open, however noise sensitive rooms towards the eastern and western perimeters of the site will require acoustic ventilation to achieve guidance noise levels. The Local Planning Authority will need to condition adherence to the glazing and acoustic measures as part of the approved plans and Sport England would wish to be consulted on the proposed conditions.
44. A Lighting Assessment has been undertaken to assess any potential for obtrusive light associated with the existing MUGA to affect the proposed development. The assessment also considered the existing residential properties adjacent to the proposed development along the south boundary. The assessment concluded that measured levels of light intrusion are compliant with ILP pre-curfew criterion. Measured levels of glare exceeded such criterion therefore suitable mitigation measures will need to be conditioned. Sport England engaged with the Football Foundation on this aspect of the proposal. It has responded to advise: The pitch was funded by the FF in 2005 and is likely to still have metal halide luminaires. If any works are required to the floodlights, I would suggest they are replaced by LED luminaires which would then reduce light spillage, and the lights could also be dimmed to 120 lux for training use. Utility costs would also be reduced. Any works required to address floodlighting and acoustic issues should be at the developer's expense.
45. Sport England considers that the following matters therefore need to be addressed to ensure that the use of the AGP will not be prejudiced by the proposed development:
 - The mechanism for ensuring that the AGP's floodlighting is upgraded to the specification recommended in MUGA lighting redesign report undertaken by Strenger (October 2021) and that the work is completed prior to occupation of affected dwellings;
 - The conditions needed to ensure the recommended acoustic ventilation glazing and acoustic fencing measures are secured and remain in place; and
 - A condition to ensure that vehicular access to the playing field/AGP car park remains during construction works.

INTERNAL CONSULTEE RESPONSES:

46. *Archaeology* - the applicant has submitted a report on a trial trench evaluation of the site, carried out in accordance with a Written Scheme of Investigation (WSI) (ASDU reference 21108NS) agreed with DCCAS. The report concludes that there are no archaeological remains and no further works are required. This is agreed. A condition is required to upload and archive the findings.
47. However, aspects of the WSI have not been completed (upload of report to OASIS, archiving, etc). If these can be completed prior to determination, then no conditions will be needed. However, if that is not possible, then I would advise that a Condition to ensure the WSI is fully implemented should be applied.
48. *Affordable Housing* - On the basis that the following affordable housing is intended to be provided: 104 affordable units split between affordable rent and rent to buy products, and also Apartment and bungalow accommodation for elderly residents, Affordable Housing officers comment:
49. This information shows that there is MODERATE demand for affordable homes in this area in relation to the wider community. The policy requirements of the affordable housing are provided by Spatial Policy, however the size, product type and location of these units on site should reflect the local needs as detailed below;
- Housing provided should be a mix of 2/3/4 bed roomed units for both rented and affordable home ownership properties.
 - There is a greater preference for 2bed units as affordable rented and 3bed units for home ownership, however both tenures should have a mix of sizes to accommodate growing families.
50. It is noted that as a 100% affordable scheme that the RP will have their own data used to determine the tenure and makeup of the site. The scheme is proposing that the apartments would be provided for older residents. This is in keeping with our data as local evidence indicates that this type of unit has little demand currently with the younger demographic, however older people who are not wanting to or able to secure a bungalow find that this is a suitable alternative.
51. *Design and Conservation* - comments are passed through the 'Building for Life' Internal Design Panel Review process. Policy 29n. of the County Plan states that all major new residential development will be required to:
when assessed against the Building for Life Supplementary Planning Document secure as many greens as possible, whilst minimising the number of ambers. Schemes with one or more red will not be acceptable and will be refused planning permission unless there are significant overriding reasons; The scheme had been presented to the panel on a number of occasions. In late October, after a significant redesign, the number of 'red' scores was reduced to one with five 'ambers', the remaining Policy fail attributed for the lack of significant elements of a Sustainable Drainage scheme.
52. Amended again and re-presented to the Design Review Panel in November with the foul pumping station layout indicated and with the deletion of one of the pedestrian connections, the scheme was attributed a second 'red' and five 'ambers'.

53. The scheme is accepted as in a sustainable location, with a primary school, pub, café and take away a few metres from the site. Relationship to bus stops is good. The distinctive character approach is welcomed, although there is some confusion in the detailing. There are some stark differences in scale - notably between the bungalows and the apartment block, with concerns that the block will dominate the street-scene although the landscaping scheme will mitigate this. There are corner turning units used but blank gables are still evident within the scheme. The access to the MUGA has been much simplified through the different iterations presented, and providing traffic is managed is concluded acceptable. Parking no longer dominates streets. The rear accesses that were a concern to the panel and the PALO have been removed to the betterment of the layout.
54. Considering the final iteration, the loss of the footpath link to Craigowan Walk downgraded the 'connections' score to an 'amber'. The implications of the pumping station took the 'well defined streets and spaces' category back to a 'red' and reinforced the previous 'red' in the 'public and private spaces' assessment.
55. *Drainage* – have set out the limiting surface water discharge from the proposed development to comply with greenfield QBAR Rural Rate for up to the 1 in 100-year event plus 40% climate change and also 10% urban creep. Whilst the surface water run-off from the site can meet the required rate, and the scheme does not create flood risk, the way it is controlled on site does not achieve what is required for treatment of surface water for an approach and management train, the inclusion of a SuDS basin and latterly permeable drives being partial elements of this, and the proposal therefore does not comply with the requirements of Policy 35.
56. *Ecology* – have assessed the scheme and indicate no concern for impacts on European Protected Species There has been concern however that requirements for Biodiversity Net Gain had not been addressed – late attention being directed at the by the applicant to establish the baselines for ecology that will be lost on site and identify areas where the proposed layout can deliver on-site mitigation. The extent of on-site delivery will inform the amount of off-site mitigation required. An appropriate off-site scheme – along with the sum required to implement it and provide for the standard 30-year maintenance condition will be a requirement of any approval. Latterly, the cost of providing this has been identified as £155,124.13 to achieve the mitigation for a shortfall of 6.3 Biodiversity Units, and therefore a displaced requirement for 3.37ha of mitigation.
57. *Education* - Based on the methodology set out in the Council's adopted Securing Developer Contributions towards Education Provision in County Durham, the proposed development of 104 dwellings would produce 32 pupils of primary school age and 13 pupils of Secondary age.
58. Based on the projected rolls of the schools, taking into account the likely implementation timeframe of the development, build rates and other committed development there would be sufficient space to accommodate the pupils generated by the development, whilst maintaining a 5% surplus. No contribution is therefore required for additional primary school places. However, for secondary schools there would not be sufficient space to accommodate pupils generated by the development, whilst maintaining a 5% surplus. In order to mitigate the impact of the development a contribution of £215,202 (13 x £16,554) would be required to facilitate the provision of additional teaching accommodation.

59. *Environmental Health (Contamination)* Officers write, 'The phase 1 identified a single storey building still on site, but the other college buildings had been demolished. There was the potential for Made Ground and contamination on the site. Made Ground was identified on site along with elevated Lead, PAHs and Amosite asbestos. No elevated levels of ground gas were identified. The phase 3 report recommends a 600mm clean cover system in rear and side private gardens and 300mm clean cover system in the front private gardens and public open spaces. A Geosynthetics Alert Contamination Indicator (or similar) has been recommended at the base of both, but no information has been provided. Given this and the presence of asbestos in the Made Ground at two different locations across the site and has not been quantified, it is recommended a 750mm and 450mm clean cover system is adopted.
60. A further phase 3 report following the above advice is recommended along with a standard phase 4 verification condition. An 'informative' for unforeseen contamination is likewise suggested.
61. *Environmental Health (Air Quality) and (Nuisance)* - have undertaken a technical review of information submitted in relation to the likely impact upon amenity in accordance with the relevant TANs (Technical Advice Notes) and provide advice to assist in consideration of any impact upon amenity. The information within the submitted reports indicates that the development is likely to breach the thresholds within the TANs. This indicates that the development may, without further controls, lead to a significant impact.
62. The applicant has provided a noise impact assessment, a lighting assessment and a draft construction management plan with the application. The detail provided within the Draft Construction Management Plan is insufficient in relation to adequate noise control measures, no detail is provided in relation to piling, if it is to take place or not, no reference has been made to BS 5228 control measures. During the construction phase noise and dust could give rise to nuisance to sensitive receptors. However, the imposition of a number of suggested conditions could overcome these concerns.
63. The late emergence of full clarity of the above ground foul pumping station has added additional elements to be taken into account. Late reports have been submitted that are accepted in showing the noise implications for this facility are acceptable. The sewage pumping station, will be likely on occasion to give rise to noticeable odour for NSRs, however given the proposed limited frequency it should not be unreasonable.
64. *Landscape* - The removal of individual trees, tree groups and a hedgerow would be detrimental to the character of the locality, regardless of the specimens identified being of less quality than those listed for retention. This places importance on the landscape proposals in the context of compensation, landscape mitigation and the creation of an attractive place to live. A landscape strategy and detailed planting plan are provided upfront as required. There is however no establishment and maintenance specification and a landscape management and maintenance plan that would cover all of the landscape typologies on the site and would typically include management and maintenance objectives for each hard and soft landscape component, specification, schedule of operations including frequency and timing and any restrictions such as the bird nesting season with the landscape strategy and detailed landscape plan forming the appendix of the landscape management and maintenance plan document.

65. *Spatial Policy* Officers advise on the principle of development, 'The site is allocated in the CDP under Policy 4 for housing, it identifies an estimated yield of 65 dwellings. The policy states that development of the site will maintain an access to the adjacent playing pitches. It is noted that a Development Brief for the site was produced by the Council which provided further detail as to how the site could be developed out. The principal of housing on the site is therefore supported. It is noted however that the proposal is for 104 dwellings, whilst the figure in the policy is not definitive, it is a guide. The increase in dwellings will have implications in terms of open space and other contributions as well as how the proposals are considered in design and environmental terms'.
66. Policy 15 (Addressing Housing Needs) states that affordable housing will be sought on sites of 10 or more units, for 25% of units in the highest value areas to 10% in the lowest. The proposed site falls within a 'Medium Viability' area and therefore requires 15% of proposed housing units to be affordable. On sites with 10 or more units, 10% of homes should be for affordable home ownership (starter homes, discount market sale housing and other affordable). Any contribution above 10% should be provided as affordable rent (5% in this case). To meet the needs of older people and people with disabilities, on sites of 5 units or more, 66% of dwellings must be built to Building Regulations Requirement M4(2) (accessible and adaptable). It is noted the Development Brief for the site encouraged schemes that would deliver 100% affordable housing products across the whole site.
67. The proposal seeks permission for 107 affordable dwellings. The applicant has confirmed that the tenure of the proposed bungalows on the site will be affordable rent (39no. In total) and the remaining houses will be rent to buy (68no. in total). The applicants also state that 71 dwellings will be built to M4(2) standards. The housing provision proposed on the site therefore complies with and exceeds the requirements of Policy 15 which is welcomed.
68. All Policy requirements are identified including particular comment on requirements for Meeting Housing Needs: Policy 15, Education: Paragraph 95 of NPPF and Open Space: Policy 26 (Green Infrastructure) 'requires proposals for new residential development to make provision for open space to meet the needs of future residents having regard to the standards of open space provision set out in the Open Space Needs Assessment (OSNA). The OSNA sets out the most up to date position in respect to open space provision across the county and provides a formula for calculating requirements on a site-specific basis'. 'Table 16 of the OSNA sets out the costings, therefore the contribution should be: $235.4 \times £673$ (£790.50 - £75.00 - £42.50) = £158,424.20 provided that other typologies are provided on site in accordance with Table 19'.
69. *Sustainable Travel* - Officers write they require a Travel Plan to promote and encourage alternatives to car use to be submitted to and approved by the Local Planning Authority
70. *Trees* – Officers wrote in principle that the development will create a loss of mature tree and hedge cover through the site, which will have a negative impact at street-level and this would conflict with Policy 40 of the County Plan. In detail suggestions are made for planting, particularly for the longevity of trees fronting residential properties.

EXTERNAL CONSULTEE RESPONSES:

71. The Northumbrian Water – raise no issues providing the development is carried out in strict accordance with the submitted document entitled ‘Drainage Plan’. This document reflects pre-application discussions identifying foul water flows at specific connection points. A condition is suggested. It is clarified that no comment is offered on the quality of the flood risk assessment nor the developer’s approach to the hierarchy of preference.
72. The *Police Architectural Liaison Officer* writes making suggestions for natural surveillance, footpath lighting and reducing communal alleyways. Rear gardens should have 2m fences around the houses. Security around ground floor windows on the apartment block and other security suggestions.
73. Further to the amended plans: ‘With regards to the proposed communal alleyways, we recommend an initial shared gate to the start to denote private space beyond that point. The footpath link onto the cycle lane is not well overlooked. The rear garden shape to plots 1 and 19 may create a hiding space. Landscaping should be well co-ordinated with the proposed play space to maximise natural surveillance over this space from the nearby properties’.

PUBLIC RESPONSES:

74. A consultation exercise consisting of 70 direct letters to surrounding residents, along with site and press notices was undertaken. Six responses were received as summarised below. A reconsultation exercise of the dwellings in Craigowan Walk directly affected by changes to site layout, namely the removal of the footpath link, the reinstatement of the hedge in this location and the rearrangement of house-types from bungalows to two-storey units on the south-east boundary was undertaken in November. No additional representations were received:
75. Pelton Parish Council have indicated concerns in relation to the highways access to the site and ‘lack of planning to increase infrastructure to cope with the increase in residents due to the development which will have an additional burden within the Parish’. Asking for the proposal to be considered for impact cumulatively with recent large housing developments in the village and adjacent areas and the overall effects on infrastructure, specifically on the additional traffic apparent on the A693. Likewise, the effects on demand for public services including doctors, dentists, education and policing is a concern, even where s.106 funds are provided as they provide for floor space, not staff. The planning system should balance the demands of incoming residents with the needs of existing residents. Loss of green space transforms rural settlements to the financial detriment of existing tax-payers. The settlement is over-developed. Urpeth Parish Council endorses these comments.
76. An individual resident highlights concerns for highway safety around the site both for pedestrians and for cars and motorcycles emerging from the streets opposite the site frontage. A resident of the new Persimmon development worries at the potential for hedgerow removal on Craigowan Walk. The height of proposed buildings and potential for loss of light is a concern for another, who mirrors others’ concerns for highway safety and pressure on schools and health services.

APPLICANT'S STATEMENT:

77. Karbon Homes build, manage, and look after affordable homes for people across the North and they are focused on delivering its three strategic aims - to provide as many good quality homes as it can, to deliver excellent service to its customers, and to shape strong, sustainable places for its communities.
78. This application proposes the construction of 104no. much needed 100% affordable dwellings. The scheme includes 8no. bungalows and 31no. apartments to meet the identified housing needs for the local area and will also deliver new family homes through both Affordable Rent and Rent to Buy tenures on site.
79. The proposed site is currently owned by Durham County Council; the disposal of this Previously Developed Land (PDL) is allocated under Policy 4 (Housing Allocations) of the County Durham Plan. In accordance with Part 11 of the NPPF the development makes the most effective use of land, making as much use as possible of this brownfield site.
80. The site is situated within a sustainable location with bus stops located within 200m (3 minutes' walk). Pedestrian footpaths have been designed into the north-western and southern boundaries to connect into the surrounding area; a 3m wide cycle lane has been provided on the southern edge of the development.
81. To meet housing demand, 8no. affordable rented bungalows have been provided on site, along with 31no. apartments which will be available for affordable rent. The apartments are M4(2) compliant and considered suitable for older persons living, with larger doorways and corridors to facilitate wheelchair use if needed. The apartments contain lifts to assist accessibility.
82. Two large areas of Public Open Space (POS) have been designed into the scheme, east and west of the apartment block. The western area retains existing trees where possible and contains the policy required play features. A SuDS basin is located within the eastern area containing a mix of wet grassland/wildflower mix and specimen trees. Additional street trees have been accommodated for across the site to enhance the aesthetic of the street scene. Biodiversity Net Gain will be delivered by both provision on site and off site.
83. Through extensive discussions with Council Officers, the scheme has been amended since its original submission, comprehensively responding to consultee and Design Review comments. With regards to the latest Design Review findings, the issue primarily relates to the pumping station in the north-east corner of the POS. The location of the pumping station has been fully considered and is located to the rear of the proposed apartment building and will not be visible from Pelton Lane. The pumping station is primarily subterranean, with only a small kiosk and access for maintenance vehicles situated above ground. The minimum distance from pumping stations to any habitable building is 15m; the closest proposed dwelling is located 16.7m from the pumping station (plot 47). The potential for odour and noise issues have been fully considered and the effect has been assessed to be 'not significant'.
84. Karbon Homes have worked with both Hilda Park Football Club and the Football Foundation in relation to the adjacent sports pitches and associated car park, to ensure that the floodlights will be upgraded and that access gates will be installed on the Council's retained land.
85. The applicant has continued to work alongside Council Officers to deliver a proposal which represents sustainable provision of 104no. affordable dwellings, including 8no.

bungalows and 31no. apartments within North Durham, responding positively to the Local Authority's comments to ensure a well-designed scheme is developed on a brownfield, allocated housing site.

86.

The above is not intended to list every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R698XKGDKEY00>

PLANNING CONSIDERATIONS AND ASSESSMENT

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

Principle of the Development

The Development Plan

88. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035.
89. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay.
90. The site is allocated in the CDP under Policy 4 for housing, it identifies an estimated yield of 65 dwellings. The policy states that development of the site will maintain an access to the adjacent playing pitches. The principal of housing on the site is therefore supported. It is noted however that the proposal is for 104 dwellings, whilst the figure of 65 in the policy is not definitive, it is a guide and makes allowances for expectations of open space, drainage and ecology. The increase in dwellings will have implications for these and other design and layout issues.
91. That the site is also previously developed (brownfield) land in a built-up area is significant in supporting the principle of development, quoted across the County Plan and in particular in Policy 4 and at Part 11 of the Framework.
92. In terms of the principle of development the proposal aligns with Policy 4. The implications of the number of units proposed will be discussed below.

Highways Safety and Access

93. Policy 21 of the CDP outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity. It also expects developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. Similarly, Policy 29 advocates that convenient access is made for all users of the development together with connections to existing cycle and pedestrian routes. Specifically, the NPPF sets out at Paragraph 110 that safe and suitable access should be achieved for all people. In addition, Paragraph 111 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe.
94. The entrance to the development is proposed at a 'kink' in the road, in the position of an established access to the College that gives maximum opportunity for visibility within the 30mph zone. The existing road is wide, at 10m including traffic calming humps and separated roadside parking on the west side of the road serving the existing terraced dwellings. An objector has indicated a highway safety concern and details issues form joining the road from the estate opposite. The volume and nature of traffic generated by the proposed development and the differences from the traffic movements previously generated by the College are not such that they would fail to meet highway safety expectations or exceed the capacities of surrounding highways.
95. Internally, the scheme has been heavily revised in layout and detail so as to achieve the required standards for highway safety and parking. A significant part of the redesign was to ensure a logical and direct route to the sports facilities – this has been achieved. Required standards for in curtilage and on-street visitor parking have been met. The effects on the strategic road network have been assessed and concluded acceptable.
96. Officers have also explored the potential for peak period vehicular access to the sports grounds through the development to compromise residential amenity. The proposal proposes the sports grounds as gated, and whilst there has been some concern that this gives the potential for vehicular congestion of users of the sports facilities if the gates were not opened, there is no evidence that this has been an issue to date in the use of the pitches. Ultimately the Council have control as landowner of the sports areas should this need reviewing in future.
97. Sport England have emphasised the need for a scheme to ensure safe and continuous access to the sports facilities during construction works. A condition is proposed to this end.
98. Sustainable Travel Officers require a Travel Plan to promote and encourage alternatives to car use to be submitted to and approved by the Local Planning Authority. This requirement can be addressed and bring Policy compliance through the imposition of a suitable condition.
99. Officers' opinion is that following the above assessments, and where recommended applying the appropriate conditions, the Policy 21 highway safety implications for this issue are considered satisfied, likewise the expectations of part 9 of the Framework.

Layout and Design

100. Policy 29 of the CDP outlines that development proposals should contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable

communities. Parts 12 and 15 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 130 of the NPPF also states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

101. One of the strengths of the proposal is the quality of architecture proposed. The existing settlement has a number of distinct forms from traditional to modern, allowing a site of this size to have architectural approach and character of it's own. Officers welcome the modern approach to elevational detailing and materials, considering them consistent with the requirements of Policy 29 and part 12 of the Framework.
102. Efforts have been made to provide a strong site frontage, with corner turning properties and higher standard boundary markers where prominent in the public domain – i.e. on the west and south-west boundaries.
103. The layout of the site has been amended in process with bungalows relocated from the south-east to the south-west boundaries, off-site connections have changed, and the parking arrangements, particularly for the apartment block and for visitors has been redesigned. The relocated position of the bungalows does not assist the urban form, and the use of standard detailing on the rear elevations of dwellings on the south-west boundary is a design opportunity missed, as pointed out by the Design Review Panel.
104. There are still issues with the layout and these can be argued to be in large part derived from the density of development proposed – simplistically, the number of houses and bungalows proposed far exceeds the expected yield set out in the County Plan, with the apartment block and it's parking the additional provision. There is an obvious implication for space available for open space, for sustainable drainage and for residential amenity.
105. The redesigns have however ensured that garden lengths meet standards and likewise internal separation distances, both basic failings of earlier iterations. They also removed an extensive network of rear garden accesses that was an issue for the Design Panel and the Police Architectural Liaison Officer.
106. The off-site relationships and their implications for residential amenity are discussed in detail below. There are still some pinch points - plots 9/10 and plot 11 are very close to site boundaries to the point where lowered boundary markers separating from the adjacent playing fields have had to be agreed that provide the minimum acceptable level of residential amenity to front living room windows. These have led to a lowered boundary marker along the boundary including the access to the sports fields and facilities, giving an appropriately secure but more attractive relationship. These improvements and others detailed elsewhere in this report have led to improved scoring at the Design Review Panel.
107. An element lately introduced for assessment by the Panel is the nature of the pumping station in the central landscape area formed around the SuDS basin. Whilst no elevational detail has been provided, this appears from photographs provided of comparable units elsewhere, to consist of a low fenced compound containing a hard-surface tanker stand which is separated by bollards with reflective tops from the ground level inspection chamber covers and an equipment cabinet, painted green approximately 5ft (1.5m) in height. An area for the facility had been shown on site plans from the outset, with an apparent buffer zone around it, but there had been no indication that showed any presence above ground. Whilst the plant is relatively low key in its own right, it's siting as a focal point for overlooking living room windows from surrounding houses, for use of the open space, and prominent from the development's

road network is poor, reflected in the additional 'red' attributed by the November Design Review Panel. The degree to which this affects the planning balance must be considered.

108. The area of open space to the west of the proposed apartment block is sited to retain some of the existing trees and includes footways connecting to the site frontage and a small play area with seating. This is a positive element of the layout. A smaller area of space has been reserved to include retained trees at the north end of the site, and whilst recent changes to the highways layout have intruded towards this, again, this is a positive feature. The latest landscape plan has latterly been commented on by Landscape Officers, who are satisfied with the approach, but require detail on implementation and maintenance – a suitable condition is proposed to secure these requirements: Policy 40 requires proposals for new development to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate stand-off distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential. These requirements are met or can be secured.

Residential Amenity

109. Policies 29 and 31 of the CDP outline that developments should provide high standards of amenity and privacy, minimise the impact of development upon the occupants of existing adjacent and nearby properties, protect amenity and not lead to unacceptable levels of pollution. A Residential Amenity Standards Supplementary Planning Document (SPD) has also been adopted by the Council. The aforementioned policies and SPD can be afforded significant weight. Parts 12 and 15 of the NPPF. Policy 15 includes requirements for NDSS space standards to be met and a proportion of the development to be accessible to M4(2) standard.
110. For the spatial aspect, the Residential Amenity Standards Supplementary Planning Document must be adhered to and sets out the privacy/amenity requirements for new build proposals, with consideration of the design will be through the design review process reflecting in the requirement for a positive scoring outcome through the Review Panel.
111. The scheme has evolved from an initial proposal of 113 units, to 107 units then 104. The design changes have sought to address problems with the proposed highways and parking provision and deficiencies in facing distances and garden lengths as required by the Amenity Standards SPD. Facing distances and garden lengths within the scheme are now met.
112. There are direct relationships proposed between the dwellings proposed sited on the south-east corner of the site and existing dwellings in Craigowan Walk. Plot 55 has a slightly indirect relationship – facing directly over its rear garden - to the front elevation of a two-storey dwelling of Craigowan Walk. This faces the proposed gable wall of Plot 55 over a well-used footpath and the proposed replacement hedge at a distance of 13m, which meets the requirements of the distances set out in the Residential Amenity SPD. The gable end of proposed plot 56 presents itself across the aforementioned hedge and path to two bungalows at Craigowan Walk – one directly and one at an angle, the separation in this instance being over 16.5m, meeting the required separation distance, with the intervening features further helping mitigate the relationship.

113. No objection has been received from existing dwellings for the proposed relationship. The Policy requirements for the spatial relationships of the scheme are met.
114. Policy 31 seeks to ensure amenity and states that 'development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment. These have been considered across the scheme with latterly special attention directed to the potential for the foul pumping station to affect residential amenity, both from noise and odour.
115. The applicants had indicated the minimum separation distance between the compound and surrounding dwellings, however for odour Officers were concerned that with the position of the apartment block potentially interfering with the prevailing winds the minimum standard may not have been sufficient. The additional reports have been considered by Environmental Health officers who confirm the 'sewage pumping station, will be likely on occasion to give rise to noticeable odour for NSRs (Sensitive Receptors), however given the proposed limited frequency it should not be unreasonable'.
116. The applicant also argues that a suggested condition to give the Council as Local Planning Authority control over potential noise issues from the operation of the pumping station is unnecessary given the expected noise levels. Officers propose to retain the condition as a safeguard.

Affordable Housing

117. Policy 15 (Addressing Housing Needs) states that affordable housing will be sought on sites of 10 or more units, for 25% of units in the highest value areas to 10% in the lowest. The proposed site falls within a 'Medium Viability' area and therefore requires 15% of proposed housing units to be affordable. On sites with 10 or more units, 10% of homes should be for affordable home ownership (starter homes, discount market sale housing and other affordable). Any contribution above 10% should be provided as affordable rent (5% in this case). To meet the needs of older people and people with disabilities, on sites of 5 units or more, 66% of dwellings must be built to Building Regulations Requirement M4(2) (accessible and adaptable).
118. Housing Officers indicate that for the proposed development of 104 affordable units split between affordable rent and rent to buy products, and with apartment and bungalow accommodation for elderly residents, there is evidence of moderate demand in this area in relation to the wider community. Spatial Policy have advised that the housing provision proposed on the site therefore complies with and exceeds the requirements of Policy 15 which is welcomed, although for the planning determination this must be considered at the level of weight required by the Policy requirement.
119. Policy 15 requires 15% of the development to be secured as affordable housing. The application is titled and presented as a scheme wholly of affordable units, with the applicant, Karbon Homes, a Registered Provider. The proposed legal agreement will secure the Policy provision of 15%, and whilst the Council as land-owner have potential controls outside the planning application to ensure the full affordable nature of the scheme, full weight in the assessment of the planning balance can only be given to the 15%. The requirements of Policy 15 are met.
120. Considering a different dimension of the affordable provision, whilst the concentration of large developments of wholly affordable units has the potential to bring some conflict with part 8 of the Framework's requirements for mixed communities, the mix of

dwelling types across the site and that they reflect the identified local need balances this to a degree.

121. On a brownfield site in an established urban area with strong locational sustainability, the affordable housing offer is considered to accrue significant positive weight.

Ecology

122. Policies 26, 35, 41 and 43 of the CDP seek to secure net gains for biodiversity and coherent ecological networks. Policy 43 relates to protected species and nationally and locally protected sites. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them.
123. The significant potential for protected species presence on site was removed with the demolition of the built structures – i.e. the potential for bat roosts. Whilst the proposed landscape scheme will provide some opportunities for net biodiversity gain, off-site contribution is required. The County Council takes a strategic approach to this, with 300 wildlife site across the County, there is potential for raising biodiversity across this network. The applicant has latterly engaged with the Council to identify a site at Tanfield where a detailed scheme supported by a 30-year management plan can be undertaken to offset the net loss on site. This will need to be secured by a s.106 agreement, with this requirement considered to meet the necessary tests as set out below. A final figure, required for the s.106 The cost of providing this has been identified as £155,124.13 to achieve the mitigation for a shortfall of 6.3 Biodiversity Units, including the required 30-year management and a 10% contingency, and provide a displaced 3.37ha of mitigation.

Flooding and Drainage

124. Policies 35 and 36 of the emerging CDP relate to flood water management and infrastructure. Policy 35 requires development proposals to consider the effects of the scheme on flood risk and ensure that it incorporates a Sustainable Drainage System (SuDS) to manage surface water drainage. Development should not have an adverse impact on water quality. Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.
125. The development is in flood zone 1. The scheme includes a SuDS basin, and in strategic terms for the wider drainage network is acceptable: the scheme will not result in flooding beyond the site. Whilst permeable drives have been added into the scheme the proposal still does not reflect all the required components of a sustainable drainage hierarchy and Drainage Officers therefore maintain objection to the scheme on this basis. This is another consequence of the density of development on site, with no land available for swales, filtration strips and rain gardens. Again, the estimated yield for the site will have factored for this. Whilst the site is in the lowest risk flood area, and the effect on the wider drainage system off-site is acceptable for surface water, the full range of required sustainable drainage elements are not provided on-site and therefore Drainage Officers advise that the application fails the requirements of Policy 35. This will have to be assessed within the planning balance.

126. For foul drainage Northumbrian Water have set out their formal requirements and confirmed capacity in their network to accept the flows the development will generate. Their suggested condition for compliance with the submitted scheme will ensure the development can be completed in accordance with the requirements of Policy 36 subject to standard conditions to ensure an adoptable standard drainage system is achieved.

Infrastructure and Open Space

127. Policy 26 of the CDP outlines that new residential developments will be required to make provision for open space to meet the needs of future residents having regard to the standards of open space provision set out in the Open Space Needs Assessment (OSNA). Where it is determined that on-site provision is not appropriate, the Council will require financial contributions to be secured through planning obligations towards the provision of new open space, or the improvement of existing open space elsewhere in the locality. Paragraph 98 of the NPPF highlights that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 127 requires amongst its advice that developments function well and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).
128. The Council's Open Space Needs Assessment (OSNA) 2018 is considered the most up to date assessment of need. It identifies the five typologies (allotments; amenity/natural greenspace; parks, sports and recreation grounds; play space (children) and play space (youth)), sets out requirements for public open space on a population pro rata basis and whether provision should be either within the site, or through a financial contribution towards offsite provision, in lieu taking into consideration factors such as the scale of the development, existing provision within suitable walking distances and the level of contribution sought.
129. The applicant has provided a detailed landscape scheme that seeks to provide a number of functions: providing for passively policed recreation space, providing a setting for the apartment block in particular, 'softening' the appearance of the SuDS basin, screening the foul pumping station and mitigating net bio-diversity loss. The land available for this provision is restricted by the number of units proposed.
130. The OSNA calculation shows a shortfall in provision, with figure identified as required for mitigation being £153,982.40 notwithstanding the open space to be provided on site which includes the landscaped SuDS basin and the area with the small play area. Again, it should be noted that with a level of development on site above that anticipated by the SHLAA assessment and subsequently reflected in Policy 11, the land available for open space provision is reduced.
131. It is noted that the formal OSNA assessment of the adjacent playing field washes over elements. This is taken as a broad-brush approach to mapping in the County Plan that reflects the extent of the former school buildings, rather than having micro implications: the intent of the defined area is clearly to protect the playing fields – the development does not compromise this intent.
132. Paragraph 95 of the Framework states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They

should: a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

133. Education Officers have advised of a sum of £215,202 as being required to mitigate the demands the development would place on the education system for a development of 107 dwellings. The scheme has been reduced from this figure, but Education have confirmed not to a degree that affects the requested sum. The proposed monies will be ensured through a legal agreement which is considered to bring Policy compliance and meet the tests for such as set out below.
134. Paragraph 93 of NPPF recognises the need for planning decisions to ensure an integrated approach when considering the location of new housing and to plan positively for the provision and use of community facilities and local services. This provides policy justification to seek mitigation in respect to essential services including GP provision where a deficit would result or be exacerbated by the proposal. The Local Healthcare provider has indicated a sum of £50,232 is required to mitigate the demands the development will bring. Again, the proposed monies will be ensured through a legal agreement which is considered to bring Policy compliance and meet the tests for such as set out below.
135. The Parish Councils ask whether a more strategic approach can be taken to the consideration of schemes and the cumulative effects of multiple developments in an area and criticise where funds to provide mitigation on schemes are only directed to capital projects. There are two aspects for this: In the first instance each development must be assessed on its own merits and must mitigate its own impacts. Secondly there are conventions for the use of monies secured under planning legal agreements including that funds should be used for capital schemes rather than for areas of revenue such as employment of staff, as suggested by the Parish Council.

Planning Obligations

136. With a County Plan requirement set out in Policy 25, Paragraph 57 of the NPPF, and Paragraph 122 of The Community Infrastructure Levy Regulations 2010 set out three planning tests which must be met in order for weight to be given to a planning obligation. These being that matters specified are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. The S106 Agreement which would secure the following all of which are considered to meet the required tests;
 - Appropriately secure the tenure of the affordable housing offered within the Policy requirements.
 - Contribution to the balance of required net-biodiversity gain not achievable on site, to be directed towards implementation of a defined amount of biodiversity improvements on a site in Tanfield, with provision for a 30-year management scheme and 10% contingency: £155,124.13.
 - Provide the sum of £215,202 to mitigate additional demand for education created by the development.
 - The Local Healthcare providers have identified a requirement for £50,232.
 - To mitigate demands for Public Open Space typologies not met within the submitted layout a sum of £153,982.20 is required.
 - The erection of enhanced shrouds on the AGP to protect residential amenity.
 - The erection of gates within the sports ground.

Other Considerations

137. Part 8 of the Framework requires planning decision to ensure Sports Pitches are not lost or compromised with Policy 26 of the County Plan protecting open and green spaces. Sport England, a Statutory Consultee in consultation with the Football Foundation has set out a number of requirements acknowledging the findings of the submitted technical reports for noise and light to ensure that the use of the existing sports pitches – and in particular the floodlit artificial pitch – is not compromised either by the presence of residential amenity expectations, nor the construction process. The suggested controls are reasonable, directly related to the proposals and proportionate and can be addressed through the imposition of appropriate conditions.
138. Policy 29 of the emerging CDP sets out that major new build residential development should achieve CO2 reductions. Part 14 of the NPPF advises that the planning system should support the transition to a low carbon future. The submission advises that at the detailed design stage of the scheme, a 'fabric first' approach will be adopted in order to reduce capital and operational costs, improve energy efficiency and reduce carbon emissions in addition to potentially reduce the need for maintenance during the building's life. The application submits that the proposed dwellings will be designed to have high standards of energy efficiency, by limiting the heat loss across the building envelope and optimising natural ventilation, in order to minimise the overall energy demand. This approach is accepted.
139. Policy 44 of the County Plan following part 16 of the Framework seeks to ensure that heritage assets, designated and non-designated are properly assessed in the decision-making process. There are no designated heritage assets in the area – the nearby Newfield Farm having been demolished and replaced with a facimilie. The Primary/Infant School building first appears on the 1923 OS Plan and could be defined as a non-designated heritage asset (NDHA), however the building and it's setting are considered unaffected by the proposals.
140. Policy 40 states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Efforts have been made to retain existing trees on site wherever possible – those in the main area of open space supplements by other landscaping to become an attractive focal point. At the north end of the site the highway layout has been extended to allow for vehicular turning in front of plots 1 and 2, bringing built development closer to trees T5 and T11 – a relationship not yet assessed. There will be trees retained in this area and this is to the benefit of the scheme. The applicant has made efforts for this Policy and relies on the affordable housing offer to outweigh the harm to the trees.
141. The size of the site required an archaeological assessment that found no evidence of remains. To properly address the requirements of the Policy, the findings of this investigation must be achieved and deposited in full in specified systems. A condition to ensure this will occur before the first property approved is occupied is suggested to ensure compliance.
142. Part of the site lies within a Mineral Safeguarding Area. Policy 56 of the CDP states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within such areas unless specific criteria apply. Spatial Policy Officers advise that with the site having been allocated for Housing in the County Durham Plan, the overriding need for non-minerals related development has been established and therefore the proposed development accords with the Policy.

143. Policy 32 seeks to ensure that historic mining legacy and general ground conditions are suitably addressed by new development. Environmental Heath Officers suggest standard phase 3 and 4 conditions – the first with a suggestion for additional protection over that suggested in the submitted reports, along with an informative for unexpected contamination. Suitable conditions are suggested. The Coal Authority suggest conditions to ensure the ground stability implications of the Coal Mining Legacy are properly investigated and remediated. In line with the advice in part 15 of the Framework, the suggestion appropriately addresses this issue and brings Policy compliance.
144. The proposal has generated some public interest, with a small number of representations of objection from residents and the Parish Councils. Officers have paid particular attention to the direct relationships proposed to existing dwellings and the high value given to the hedge boundary on the south-east by existing residents. Highways Officers have worked to ensure the proposal will meet all aspects of highway safety concern. Some of the longer objections are more strategic in nature, as discussed above: the scheme must be assessed on it's own merits and can only be expected to mitigate its own direct impacts. The objections, queries and concerns raised have been taken account, addressed within the report, and weighted accordingly.

CONCLUSION

145. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.
146. In summary, the application site is locationally sustainable, previously developed land and identified in the County Plan for residential development. The principle of development is wholly acceptable.
147. Assessment of the detailed Policies in the County Durham Plan must then be undertaken to ensure the detailed scheme meets their requirements, and where there is conflict with some Policy requirements the 'planning balance' must be considered.
148. There are positive elements of the scheme: including the affordable housing offer and the architectural approach. The application is described as consisting wholly of affordable homes, and this is reflected in the offered legal agreement. With a Policy 15 requirement to deliver 15% of any scheme in this part of the County as affordable units, this secured overprovision can be afforded positive material weight. The site is sustainably located, previously developed land and not subject to any protective designations. That the development results in a large concentration of affordable dwellings reduces this positive weight only be degree.
149. Whilst the development has significantly improved and been reduced in number of units since originally presented, there are still clear Policy fails – such as the lack of a full SuDS scheme (Policy 31), and design compromises made apparent very late in the day – in particular the above ground presence of the pumping station compound in a prominent location, reflected in the 'reds' in the Design Review (Policy 29). Ultimately it is Officers' advice that whilst a significantly improved scheme would result from a yield closer to that anticipated by Policy H4 of the County Plan, the proposal must be assessed on its own merits as presented.

150. With determination as required on the planning balance between the Policy fails and the benefits of the scheme, it is Officers' opinion that the recommendation lies with the proposal, the development of affordable housing on a sustainable, brownfield site being the determining feature.

RECOMMENDATION

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

- Secure 15% of the scheme as affordable housing to meet the requirement of the Development Plan.
- Contribution to the balance of required net-biodiversity gain not achievable on site, to be directed towards implementation of a defined amount of biodiversity improvements on a site in Tanfield, with provision for a 30-year management scheme and 10% contingency: £155,124.13.
- Provide the sum of £215,202 to mitigate additional demand for education created by the development.
- The Local Healthcare providers have identified a requirement for £50,232.
- To mitigate demands for Public Open Space typologies not met within the submitted layout a sum of £153,982.20 is required.
- A scheme to upgrade the Artificial Grass Pitch floodlighting to the specification recommended in MUGA lighting redesign report undertaken by Strenger (October 2021) to be completed prior to occupation of any of the following plots: 9, 10, 11, 12, 24, 25, 26, 27, 28, 29
- Erection of two sets of gates, at the vehicular access and egress of the sports pitches of a specification, design and precise location to be agreed.

And subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in strict accordance with the approved plans listed:

Plan	Reference
Apartment Block	4077-JDDK-DR-A-20-10-RevP3-Apartment Block
Apartment Units	4077-JDDK-DR-A-20-11-RevP1-Apartment Units
Arboricultural Impact Assessment	Karbon_RoseberryCollege_AIA1.4
Boundary Treatment Details	4077-JDDK-DR-A-90-01B1 - Boundary Treatment Details
Direct Comparison Cut and Fill	D600-DIRECT_COMPARISON_CUT_FILL-REV_4
Drainage Areas	D203-DRAINAGE_AREAS_REV_2
Drainage Plan	D202-DRAINAGE_PLAN_REV_4
Engineering Layout	D001-ENGINEERING_LAYOUT-REV_5
Flood Route Plan	D201-FLOOD_ROUTE_PLAN-REV_3

House Type A	4077-JDDK-DR-A-2001 RevP1 House Type A - 2B3P Bungalow
House Type A2	4077-JDDK-DR-A-2009 RevP1 House Type A2 - 2B3P Bungalow
House Type B	4077-JDDK-XX-XX-DR-A-2002 RevP2 - House Type B - 2B4P House
House Type C	4077-JDDK-XX-XX-DR-A-2003 RevP2 - House Type C - 3B5P House
House Type D	4077-JDDK-XX-XX-DR-A-2004 RevP2 - House Type D - 3B5P House
House Type E	4077-JDDK-XX-XX-DR-A-2005 RevP2 - House Type E - 3B5P House
House Type F	4077-JDDK-XX-XX-DR-A-2006 RevP2 - House Type F - 3B5P House
House Type H	4077-JDDK-XX-XX-DR-A-2008 RevP4 - House Type H - 4B6P House
Kerbs and Surfacing Plan	D500-KERBS_SURFACING_PLAN-REV_4
Landscape Strategy Plan	1584-3-1F Landscape Strategy Plan 171122
Manhole Schedule	D200-MANHOLE_SCHEDULES-REV_1
Planting Plan	1584-3-50B Planting Plan 171122
Proposed Boundary Treatment Plan	4077-JDDK-DR-A-10-05 revE Proposed Boundary Treatment Plan
Proposed Levels	D100-PROPOSED_LEVELS-REV_3
Proposed Part M Plan	4077-10-06 revB Proposed Part M Plan
Proposed Roof Plan	4077-10-03 revE Proposed Roof Plan
Proposed Site Plan	4077-10-04 revAD Proposed Site Plan
Proposed Site Sections	4077-JDDK-DR-A-40-01-RevA-Proposed Site Sections
Proposed Tenure Plan	4077-10-07 revB Proposed Tenure Plan
Road Construction Details	D700-ROAD_CONSTRUCTION_DETAILS-REV_1
SuDS Detail	D702-SUDS_DETAILS_REV_1
Vehicle Tracking	D900-VEHICLE_TRACKING_REV_4

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy(ies) 4, 15, 19, 21, 25, 26, 29, 31, 32, 35, 36, 40, 41, 43, 44, 56 of the County Durham Plan and Parts 2, 4, 5, 6, 8, 9, 11, 12, 14, 15, 16 of the National Planning Policy Framework.

3. The construction of the proposed highways and drainage elements of the scheme, other than site investigations and remediation works, shall not commence until full engineering details of the estate roads including traffic calming measures have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

Reason: In the interests of Highway Safety as required by Policy 21 of the County Durham Plan 2020 and part 9 of the National Planning Policy Framework.

4. Notwithstanding any details of materials submitted with the application no construction of any dwelling above ground level shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

5. Means of enclosure must be completed wholly in accordance with plan 4077-90-01A including 1.8m close-boarded fences where indicated in the submitted Noise report from NJD dated September 2021. The enclosures shall be constructed in accordance with the approved details thereafter. All acoustic fencing must be retained in perpetuity.
Reason: In the interests of the visual amenity and residential amenity of the area and to comply with Policies 29 and 31 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.
6. Acoustic ventilation glazing and acoustic fencing measures detailed in the noise assessment NJD Environmental Associates Noise Assessment reference NJD21-0052-002R, dated September 2021, shall be completed in full before the first occupation of any affected property.
Reason: In the interests of residential amenity as required by Policy 31 of the County Plan and part 15 of the National Planning Policy Framework.
7. Prior to commencement of development on site, a scheme to ensure safe and continuous access to the sports facilities west of the site during construction works must be submitted to, approved in writing by the Local Planning Authority and thereafter adhered to during the full course of construction works.
Reason: In the interests of Highway Safety and further to ensure the unaffected operation and use of the adjacent sporting facilities as required by Policy 21 of the County Durham Plan 2020 and part 9 of the National Planning Policy Framework.
8. Prior to the first occupation of any dwelling hereby approved, a Travel Plan to promote and encourage alternatives to car use must be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details and the approved travel plan thereafter adhered to during the lifetime of the development.
Reason: In the interests of promoting sustainable transport options having regard to Part 9 of the National Planning Policy Framework.
9. Development shall be constructed and completed in line with the drainage scheme contained within the submitted document entitled "Drainage Plan" dated "13th October 2022 and plan ref: D202-DRAINAGE_PLAN_REV_4. The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2502 and ensure that surface water discharges to the surface water sewer at manhole 4502. The surface water discharge rate shall not exceed the available capacity of 9.8 l/sec that has been identified in this sewer. The final surface water discharge rate must be agreed in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority before the occupation of any dwelling hereby approved.
Reason: To prevent the increased risk of flooding from any sources in accordance with Policies 35 and 36 of the County Durham Plan and the National Planning Policy Framework.
10. No dwelling on the scheme hereby approved shall be occupied until the Archiving elements of the Archaeology WSI including reporting to OASIS have been completed in full and confirmed in writing by the Local Planning Authority.
Reason: To ensure the recording of the heritage investigations of the site are properly recorded in accordance with the requirements of Policy 44 of the County Plan and Part 16 of the National Planning Policy Framework
11. To support the submitted landscape strategy and detailed planting proposals, an establishment and maintenance specification and a landscape management and

maintenance plan to include all of the landscape typologies on the site, along with management and maintenance objectives for each hard and soft landscape component, specification, schedule of operations including frequency and timing and any restrictions including but not restricted to the bird nesting season, along with an undertaking for replacement of any vegetation which dies, or fails to flourish within a period of 5 years from planting, must be submitted to and approved in writing by the Local Planning Authority before the occupation of any dwelling hereby approved, and be implemented in the first available planting season. The landscape strategy and detailed landscape plan must form the appendix of the landscape management and maintenance plan document.

The approved landscaping scheme shall thereafter be undertaken in accordance with the approved details and timeframes.

Reason: In the interests of the visual amenity of the area and to comply with Policy 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

12. Contaminated Land (Phase 3) No development (excluding demolition) shall commence until a land contamination scheme has been submitted to and approved in writing by the Local Planning Authority, including a 750mm and 450mm clean cover system to be adopted. The submitted scheme shall be compliant with the YALPAG guidance and include a revised Phase 3 remediation strategy. Reason: To ensure that the presence of contamination is identified, risk-assessed and proposed remediation works are agreed in order to ensure the site is suitable for use, in accordance with Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.
Reason: To ensure that the remediation works are completed as agreed and the site is suitable for use, in accordance with Part 15 of the National Planning Policy Framework.
13. Contaminated Land (Phase 4) Remediation works shall be carried out in accordance with the approved remediation strategy. The development shall not be brought into use until such time a Phase 4 verification report related to that part of the development has been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that the remediation works are undertaken and completed as agreed and the site is suitable for use, in accordance with Part 15 of the National Planning Policy Framework.
14. No development shall commence (excluding the demolition of existing structures and site clearance works) until remedial treatment works to address land instability arising from shallow coal mining legacy have been carried out in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance.
Reason: to ensure ground stability in light of the Coal Mining Legacy as required by Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework
15. Prior to the first occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the

remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.

Reason: to ensure ground stability in light of the Coal Mining Legacy as required by Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework

16. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:

- A Dust Action Plan including measures to control the emission of dust and dirt during construction.
- Details of methods and means of noise reduction/suppression.
- Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
- Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
- Designation, layout and design of construction access and egress points.
- Details for the provision of directional signage (on and off site).
- Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.
- Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.
- Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.
- Routing agreements for construction traffic.
- Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
- Management measures for the control of pest species as a result of demolition and/or construction works.
- Detail of measures for liaison with the local community and procedures to deal with any complaints received.
- The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre commencement to ensure that the whole construction phase is undertaken in an acceptable way.

17. In undertaking the development that is hereby approved:

- No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0730 to 1400 on Saturday.

- No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.
- No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

18. The rating level of noise emitted from the operation of the pumping station, including maintenance and discharge via external plant, shall not exceed 40dB LAeq (1 hour) between 07.00-23.00 and 30dB LAeq (15 mins) between 23.00-07.00. The measurement and assessment shall be made according to BS 4142: 2014+A1: 2019. On written request by the planning authority the operator shall, within 28 days, produce a report to demonstrate adherence with the above rating level.

Reason: In the interests of residential amenity and to ensure compliance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework

STATEMENT OF PROACTIVE ENGAGEMENT

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

BACKGROUND PAPERS

Submitted application form, plans, supporting documents and subsequent information provided by the applicant

Statutory, internal and public consultation responses

The National Planning Policy Framework

National Planning Practice Guidance Notes

County Durham Plan

County Durham Strategic Housing Land Assessment Report (2019)

County Durham Strategic Housing Market Assessment (2019)

Open Space Needs Assessment (2018)

Residential Amenity Standards SPD (2020)

County Durham Building for Life SPD (2019)

County Durham Landscape Strategy (2008)



<p>Planning Services</p>	<p>DM/22/00195/FPA - Construction of 104no. affordable homes including 31no. apartments and 8no. bungalows with associated open space</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005</p>	<p>Roseberry Playing Fields Pelton DH2 1NW</p>	
	<p>Date 22 December 2022</p>	<p>Scale NTS</p>

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