

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/20/03558/OUT
FULL APPLICATION DESCRIPTION:	Proposed residential development of up to 500 dwellings (outline including access)
NAME OF APPLICANT:	Banks Property Ltd
ADDRESS:	Land To The East Of Regents Court Sherburn Road Durham
ELECTORAL DIVISION:	Belmont
CASE OFFICER:	Graham Blakey Principal Planning Officer Telephone: 03000 264865 graham.blakey@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The proposed application site is located to the east of Durham on land to the south of the A181, Sherburn Road, of 19.54 hectares in size. It currently comprises a large arable field parcel and a small area of unmanaged grassland. A small section of Bent House Lane which runs between an arable field and the unmanaged grassland is also included within the proposed site boundary. The northern boundary comprises a fence and limited vegetation, existing hedgerows and trees define the south, east and western boundaries. Located beyond existing trees and boundary planting is the A181 to the north, agricultural land to the south and existing residential development to the west. Beyond the eastern boundary is an embankment leading to the A1(M) motorway.
2. Levels across the proposed development area slope gently from the north to south, falling into a lower depression mid-way along the southern boundary; whilst beyond the land slopes away more steeply towards Old Durham Beck to the south. The small section of Bent House Lane that is included within the proposed site boundary runs in a southerly direction providing vehicular access to Bent House Farm, Old Durham Gardens and a small number of residential dwellings. The main body of the site east of the lane lies a lower level to the road for the most part along the length of Bent House Lane which is in proximity to the application site. West of the lane, the land is level or gradually rising towards the Sherburn Road housing estate. Bent House Lane is largely rural in nature and features an agricultural hedgerow to the eastern side bounding the application site. An agricultural hedgerow runs along the north eastern boundary of the site and separates two parcels of land on the ground.
3. There are a number of existing dwellings within close proximity to the proposed site boundary. These include the rear gardens of two storey dwellings to the west of the

unmanaged grassland, single storey bungalows on the western side of Bent House Lane, converted former farm buildings at Bent House Farm to the south west, a three-storey block of flats in the north west corner and two storey terraced houses beyond the A181 to the north of the site.

4. With the exception of Bent House Lane which is identified as a bridleway (No.113, Durham City), there are no public rights of way located within the boundaries of the site. The application site lies within a mineral safeguarding area for a coal resource. The nearest protected wildlife site is the Sherburn Hospital Local Wildlife Site to the south east of the application site across the A1(M) Motorway. Directly to the north, behind the residential development of West Sherburn, lies Dragonville Protected Employment Land site, and to the north west beyond the junction of Sherburn Road and Dragon Lane lies the Sherburn Road / Dragon Lane District Centre for retail shops.

The Proposal

5. This application seeks outline planning permission for up to 500 dwellings with all matters reserved apart from the access. Indicative details of appearance, scale, landscaping and layout have also been provided which shows a scheme with a density of approximately 25 dwellings per hectare (33.3 dwellings per hectare at 75% of net site area excluding landscaping, SuDs, etc.) comprising dwellings with 1, 2, 3, 4 and 5 bedrooms across 2, 2.5 and 3 storeys.
6. Landscape areas are proposed within and surrounding the built-up area of the site taking in to account existing landform features and with swales and SuDs basins proposed throughout and at the southern boundary. The proposed access to the site would be off Sherburn Road via a gateway feature arrangement of dwellings fronting onto this Public Open Space (POS). The vehicular access would take the form of a priority give way junction with protected right-hand turn arrangement situated mid-way between Dragon Lane and Damson Way signalised junctions.
7. Internally, the indicative site plan highlights the main spine road running south towards a central area of POS, with new pedestrian routes following desire lines from the access to Bent House Lane and along the POS focused upon the existing hedgerow on the eastern boundary of the application site. New homes are indicated to front onto areas of POS and SuDs tying into the larger landscape design, mainly connecting the north with south and the southern landscape buffer where a new footpath within would head east to west linking the site extremes.
8. Overall, densities for the new dwellings are shown to be slightly higher to the northern portion of the site closer to Sherburn Road and lesser towards the southern boundary. The majority of dwellings have private garden areas, off-street parking, and it is proposed that each property would have an electric vehicle charging point and private bike storage facility.
9. This application is being considered by committee at the request of a Local County Councillor.

PLANNING HISTORY

10. None relevant.

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

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

NATIONAL PLANNING PRACTICE GUIDANCE:

25. 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>

LOCAL PLAN POLICY:

The County Durham Plan

26. *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.
27. *Policy 5 Durham City's Sustainable Urban Extensions* identify site specific requirements for proposed housing development to two locations on the edge of Durham City (Sniperley Park and Sherburn Road). Development at Sherburn Road should: help regeneration efforts in the adjacent estate through greater housing diversity in the area; design to Sherburn Road should provide a positive gateway to Durham City from the A1(M) in particular, protect the character of Old Bent House Farm, Old Durham and Old Durham Beck; protect and frame the Durham Castle, Cathedral and World Heritage Site; develop a community building on or adjacent the site; pay necessary contributions for additional school places generated by the development; deliver a combined Sustainable Drainage attenuation scheme to manage drainage into the Old Durham Beck from the site and the A1(M) with Highways England; deliver Green Belt compensatory improvements within remaining Green Belt land to the south and west of

the application site; enhance the woodland boundary to the A1(M) to ensure appropriate screening and noise and attenuation, with a minimum of 20 metres of structure planting to the southern boundary; and integrate the development into existing development north of the A181 and west of Bent House Lane.

28. *Policy 10 Development in the Countryside.* Development in the countryside will not be permitted unless allowed for by specific policies in the Plan, relevant policies within an adopted neighbourhood plan relating to the application site or where the proposal relates to one or more of the following exceptions; economic development, infrastructure development or the development of existing buildings. New development in the countryside must accord with all other relevant development plan policies and general design principles.
29. *Policy 14 Best and Most Versatile Agricultural Land and Soil Resources.* Development of the best and most versatile agricultural land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. Soil on previously undeveloped land should be properly managed.
30. *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.
31. *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.
32. *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.
33. *Policy 22 Durham City Sustainable Transport.* Seeks to reduce the dominance of car traffic, address air quality and improve the historic environment within the Durham City area.
34. *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.
35. *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.
36. *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 areas 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).

37. *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.
38. *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.
39. *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.
40. *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.
41. *Policy 39 Landscape* states that proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views and that development affecting valued landscapes will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of the development in that location clearly outweigh the harm.
42. *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.
43. *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.

44. *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.
45. *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.
46. *Policy 45 Durham Castle and Cathedral World Heritage Site.* Both are designated heritage assets of the highest significance. New development should sustain and enhance the significance and be based upon Outstanding Universal Value, protecting and enhancing it in the immediate and wider setting and important views across, out of and into the site. Harmful development is only permitted in wholly exceptional circumstances.
47. *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.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

48. *Belmont Parish Council* offer a range of comments on the proposed development. They highlight concerns in regard to housing densities, air quality, traffic to the A181, emergency vehicle access to Bent House Lane and beyond, lack of opportunities to improve habitat for bird and bat populations, ensuring mitigation impacts from the construction phase of the development are adhered to, and that underground mining issues are acknowledged.
49. Areas of positive intention are noted with the provision of new bus stops, pedestrian and cycleway connectivity, an understanding of the nearby area in developing a sense of place and character, energy efficiency of buildings, creation of green infrastructure on and off site and acknowledgment of contributions being required for off-site impacts. Other areas would be addressed at the Reserved Matters stage.
50. *City of Durham Parish Council* object to the application. While located outside of the parish area, a large proportion of the effects from the development would be felt within it. Sustainable means of transport should be supported and utilise and improve existing linkages; however an outline application (including access) is insufficient to meet Policies 5 and 23 of the County Durham Plan in this regard. Impacts upon the Air Quality Management Area are expected. Furthermore, the impacts upon the World

Heritage Site, within the parish area, with regard to the inner setting require further examination in line with Policy 45 of the County Durham Plan.

51. *The Highway Authority* state that the Transport Assessment (TA), and the various addendums, are deemed generally acceptable in terms of modelling conclusions and the highway network can accommodate likely generated traffic. However, this methodology is established in a time of uncertainty with Covid-19 with altered traffic flows and the building of the signalised junction at Damson Way / A181, Sherburn Road, and this is weighted in any conclusions by the Highway Authority. A total of seven junctions were included within the assessment.
52. The proposed access arrangement to the A181 (Junction 1) is suitably designed to accommodate the traffic expected to be generated by 500 dwellings taking access to the wider network and would operate under stable conditions in modelling with the exception of some delay for right turn movements (eastbound out of the access), however modelling shows this to not be significant.
53. The Dragon Lane / Bent House Lane / Sherburn Road (Junction 2) signalised junction was originally proposed for mitigation through the closure of the Bent House Lane leg; however, while this would have brought clear benefits as displayed in the initial modelling undertaken by the applicant, further analysis by the applicant has concluded that this leg could remain open and traffic flows remain stable though improved timing strategy for the signals.
54. The Damson Way / Sherburn Road (Junction 3) recently signalised junction has been tested, including pre-requisite requirements to ensure queue lengths to Damson Way (southbound) are reduced. The junction is shown as operating satisfactory with this development included.
55. Junction 4 in the assessment is the A181 / Sunderland Road junction in the heart of Gilesgate. This junction is already operating above capacity and is extremely constrained with no opportunity to increase capacity, this has led to traffic diverting to alternative routes. Those diversion effects have been tested by the model in the TA, whereby more immediate diversion could take place (i.e. Belles Ville) or more widely (via Broomside Lane and A690). Some minor improvement works could be required at the Sunderland Road / Broomside Lane roundabout (Junction 7) to improve flow, but confidence in the modelling at this point is reduced. Regardless, a mitigation scheme has been set out in the TA Addendums and is considered acceptable.
56. Junction 5 at the A181 Sherburn Road / B1283 junction east of the A1 is shown as operating unstably in the TA modelling and is proposed for mitigation. A scheme for a roundabout has since been amended by the last TA Addendum to a signalised junction and initial safety audits confirm viable delivery is possible. Junction 6 is A181 Sherburn House / B1198 Shincliffe Lane junction south east of Sherburn House. Here, queuing traffic Durham bound waiting to turn right up to Sherburn House would be modelled to foul the protected right hand turn. A scheme to signalise this junction has been proposed and safety tested for viable delivery.
57. Whilst it is concluded the development could be accommodated on the road network with the proposed mitigation, it must be stressed this conclusion is based on established base data at each junction being correct and assumptions regarding traffic distribution being correct. It is considered that a further future validation study is required if the development is to be approved. Regardless, the above schemes of mitigation should be implemented at set trigger points across the development built out linked to their point of impact upon the highway network.

58. *Drainage and Coastal Protection* officers have confirmed that the information provided in the drainage strategy and flood risk assessment is acceptable and should be conditioned. Permeable paving is to be applied throughout the development on all drives and access roads and the details of the SUDS basin and swales throughout the site are acceptable.
59. *Coal Authority* following further submissions raise no objections to the proposals.
60. *Historic England* raise no objections.
61. *Highways England* raise no objections.

INTERNAL CONSULTEE RESPONSES:

62. *Design and Conservation* officers have no objections and comment that it is positive that the whole allocation is now being masterplanned as one site, meeting the requirement of Policy 5 in this regard. A detailed assessment of the proposal has been carried out at a Council internal Design Review Panel whereby the scheme scored three green scores and three amber.
63. *Archaeology* officers advised that the trial trench evaluation shows no significant archaeological resource which is likely to be destroyed. A small area remains untested however this can be evaluated post-determination by condition due to suggested low potential in the area.
64. *Ecology* officers have assessed the submitted Ecology Report and confirm no further surveys are required prior to determination. Details of mitigation, compensation and enhancement, set out in the report, should be conditioned.
65. *Environment, Health and Consumer Protection (Nuisance Action Team)* have raised no objections. Measures of sound attenuation are outlined in the noise assessment and are accepted in principle. Conditions to agree the final detail of those attenuation measures and a Construction Management Plan to control off-site impacts of the construction phase are requested.
66. *Environment, Health and Consumer Protection (Contaminated Land)* have raised no objections subject to conditions requiring further assessment of the part of the application site not covered by the submitted information.
67. *Environment, Health and Consumer Protection (Air Quality)* raise no objections with subject to mitigation measures being condition to address potential impacts from road traffic emissions. Parts of Durham City are subject to an Air Quality Management Area (AQMA) which covers part of the A181 at Gilesgate from the roundabout, up the hill to the junction of Sherburn Road and Sunderland Road and up to the Dragon Lane junction. An Air Quality Assessment has been considered and in the main is accepted; however there remains uncertainty in the impact of the proposed development on sections of the A181 approaching Gilesgate Roundabout. Therefore, conditions are proposed to secure a comprehensive suite of road traffic emissions mitigation measures designed to supplement those already to be undertaken by the Council to the AQMA.
68. *Affordable housing* officers have given advice on the type and tenure of affordable housing requirements in the area. A legal agreement will be required to ensure that the affordable housing requirements of the area are met.

69. *Landscape and Arboriculture* officers consider that the housing layout would appear to have capacity to accommodate a fully integrated Landscape Scheme as set outlined in the LVIA. There would be transformative impacts as a result of the development, however the significance of these are considered to be low. Therefore, no objections subject to the recommendations in the landscape assessment being conditioned together with a final Arboricultural Method Statement and Tree Protection Plan.
70. *Education* officers conclude that based on the projected rolls of the schools, taking into account the likely implementation of the development, build out rates and other relevant committed development it is anticipated that there will be insufficient space to accommodate the pupils generated by the development in primary and secondary schools. Therefore mitigation is required at both levels and as the development exceeds 300 dwellings, the actual cost of mitigation (likely to be classrooms, specialist classrooms dining and changing facilities) will be requested and a feasibility study will be required to determine what the costs are. Following completion of these studies, the required contributions are £1,928,726 for primary school capacity and £1,336,330.65 for secondary school capacity.
71. *Spatial Policy* conclude that the site is allocated for housing under Policy 4 of the CDP and is acceptable for housing in principle. This policy also includes an estimated yield for each housing allocation, these are based on an average density of 30 houses to the hectare using the 'net site area' based on the standard approach (75% of the site area for sites over 2ha) and this site has an indicative yield of 420 units. This application is now for up to 500 in total, to a site boundary matching that of the allocation, therefore, ensuring that the site can accommodate 500 units in a manner which accords with all relevant policies of the CDP, while delivering the specific requirements set out within Policy 5 and the requirements of all other policies will be a key consideration. CDP Policy 5 specifically applies to this site as it is one of the sustainable urban extensions to Durham City and removes the site from the green belt. Any development here should be comprehensively master planned demonstrating phasing of development and having regard to timing of necessary infrastructure to support it.
72. *Sustainable Transport* state that it would be unlikely that bus services would penetrate the site and therefore suitable access to existing bus services on Sherburn Road (A181) is necessary. Acknowledge proposed new bus stops would improve this but southern parts of site are located beyond 400 metres walking distance. These areas should see less dense housing with higher densities located to the northern portions of the site, closer to the stops. Opportunity exists to utilise non-public transport modes to access Durham City. A final travel plan is required by condition.
73. *Public Rights of Way* review of the proposed off-site compensatory improvements to the green belt show new public routes and improvements to others. These are generally accepted; however, a condition is required the finer details of some path upgrades and surfacing.

EXTERNAL CONSULTEE RESPONSES:

74. *Northumbrian Water* have raised no objections to the proposals subject to a condition ensuring the submitted drainage strategy is adhered to.
75. *Durham Constabulary* offer general advice relating to design, burglary and vehicle crime.

76. NHS states that a contribution of £241,500 would be required to increase GP surgery capacity.

PUBLIC RESPONSES:

77. A total of 54 representations have been received in response to the consultation exercise involving individual letters, press and site notices. Of these, 27 of them object to the proposals whilst 27 are in support of the application.

78. The main reasons for objection are as follows:

- An increase from 420 to 500 dwellings from the County Durham Plan to this application is a concern given the sensitivities of the surrounding green belt. The lower number would allow for more green space in the development and reduce wider impacts upon surrounding area and World Heritage Site.
- Economic impacts from the development are questioned over their likelihood of delivery in the current climate.
- Loss of open land around Regents Court and Bent House Lane where there is decreasing amounts of green space in the City. Any loss should be rebalanced by the Council / developer.
- Landscape buffers to key areas are considered inadequate, with additional depth of planting necessary to screen the development better from key vantage points such as from the direction of Shincliffe.
- Having an access in the proposed location, rather than via the recently installed signals at Damson Way, would lead to increased congestion and ultimately affect highway safety.
- Access from Bent House Lane, Regents Court to the wider highway network would now be via the application site rather than the current signals at Dragon Lane / Sherburn Road / Bent House Lane.
- Modelling of wider highway impacts upon the immediate highway network (Sherburn Road) and the broader network west (Gilesgate) and east (Sherburn Hospital) cannot be considered representative due to the on-going Covid-19 Pandemic and its associated restrictions on movement.
- Serious detrimental impact on existing residential amenity due to increased traffic during construction and after completion, bringing more noise, pollution and disturbance to existing residents.
- Views of the World Heritage Site from Bent House Lane should be ensured throughout. The layout of the development proposes a higher impact design than is otherwise possible.
- Further loss of trees to the north of the A181 around the Damson Way junction to accommodate a new bus stop and layby would lead to loss of privacy for residents of West Sherburn and increase noise from road traffic.
- Wider traffic impacts from the development are likely to be had elsewhere, such as Sherburn Hospital, Sherburn village, and beyond.

- 400+ homes would likely lead to increased use by pedestrians of Bent House Lane. Space should be made in the wider public footpath improvements to separate pedestrian and vehicular activity on Bent House Lane.
- Drainage installed should ensure it mitigates the rainwater from the new impermeable surfaces as well as issues of run-off from the site previously.

Gilesgate Residents Association – It is felt that there is a need to consider the relationship with the single storey properties along Bent House Lane and ensure that the new development integrates with these by including single storey properties in the development. Consideration of more rural settings to focal ‘communal squares’ towards the eastern edge of the site should be given to allow better screening of the motorway. Rather than allowing increased dwelling numbers, the space should be provided for more community focused benefits, with the applicant aiding the upkeep of these green spaces for a period of time. Synchronisation of lights at Dragon Lane and Damson Way should allow for better flow of traffic along the A181. Emergency vehicle access to the increased elderly population of existing Bent House Lane residents of the bungalows should be maintained. Other improvements such as increased car parking provision and mitigation of air quality impacts should be required. Construction impacts should be properly controlled.

City of Durham Trust – raise comments in respect to the overdevelopment of the site, deliverability of a master planned layout and its impacts upon the World Heritage Site. Furthermore, changes to the pedestrian and cycle network near to the site and the PROW network south of the site and new proposed connections, limited proposed sustainable transport improvements despite Durham County Council declaring a climate emergency, inclusion of guidance complying pedestrian and cycle crossings to off-site junction improvements and poor compliance with the proposed National Design Code.

CPRE – We accept the principle of development of this site, however issues lie in the detail of the proposals. The proposals tabled refer to 500 dwellings which is more than the Policy allocation states. To increase the number of houses on the allocated site by up to 80 could make it appear crowded and affect services within the site. Given the location of the site within the setting of the World Heritage Site and Durham Conservation Area, we believe that this increase in numbers will have a detrimental impact and should be resisted. More widely, Parts L, O, P, Q, R of Policy 5 have been either satisfactorily addressed or are outside our expertise. While Parts M, N, S, T require further understanding of their future maintenance or details to be assessed at the reserved matters stage.

WHS Co-ordinator – the impacts upon the World Heritage Site is not fully understood and proposed a higher impact layout and design that is otherwise possible. Attention is needed in order to remedy failings and ensure that it does not have greater negative impact upon the World Heritage Site than is otherwise possible under a more sympathetic design approach and longer term mitigation strategy.

County Durham Green Party – Application fails on CDP Policies: 4 (number of dwellings), 5 (not a masterplan, number of dwellings, WHS inner setting not protected, compensatory improvements to the Green Belt/tree belts are uncommitted, character/integrity of Bent House Farm not protected), 15 (local housing needs not addressed), 19 (housing mix not addressed), 21 (low ambition), 26 (GI improvements uncommitted), 29 (sustainable energy production ignored), 31 (light/noise pollution), 39 (harm to WHS inner setting), 44 (harm to setting of heritage assets), 45 (WHS inner setting affected).

City of Durham Parish Council – implications from development of 500 dwellings over the Policy required 420 dwellings, master planning of the site to achieve sustainable development, accessibility of the site to the City of Durham, and the impacts upon the World Heritage Site.

79. Letters In Support

Out of the letters of support a high proportion of those arise from locations outside of the local area. In summary they raise: -

- The development will provide much needed, high quality homes in the local area.
- The project will deliver significant social, economic and environmental benefits.
- The site is allocated in the County Durham Plan and is a great location for new homes.
- Homes built could contribute £2.5 million in New Homes Bonus and an annual receipt for the Council.
- The site will deliver new footpaths, cycle ways, new open spaces for the community and improve public transport links.

APPLICANT'S STATEMENT:

80. Bent House Lane will deliver a high quality housing development on a strategic housing allocated in the recently adopted County Durham Plan. The proposals have been developed with careful consideration to offer high quality development that respects the local landscape character and urban edge setting, assimilates with existing development, provides a new gateway to Durham City from the east and achieves biodiversity net gain.
81. The proposals accord with the relevant local and national policy framework including the criteria of Policy 5 and 29. The scheme will contribute to all three elements of sustainable development; with benefits weighing heavily in favour of approval of the scheme.
82. Economic benefits – significant contribution to the local economy including the creation of an estimated 95 direct and 143 indirect jobs during the seven year construction period. Long term, additional retail spending power per year associated with new residents will support the vitality and viability of the local area. Over £700,000 additional Council Tax payments per year will be generated.
83. Social benefits – delivery of up to 440 new, high quality homes on the edge of the Durham City with a range of house sizes, types and tenures. The proposals will increase the housing choice in the local area by providing a range of new accommodation catering for different needs, promoting inclusive and sustainable communities.
84. Environmental benefits – delivery of 9% biodiversity net gain and creation of a network of multifunctional green infrastructure including significant compensatory improvements to land remaining in the Green Belt. The site is located on a high frequency public transport corridor and within short walking distances of Sherburn Road/Dragonville District Centre with a wide range of local amenities and employment opportunities.

85. Banks Property has undertaken engagement with the local community and stakeholders during preparation of the proposals in accordance with best practice with measures adapted in response to Government social distancing guidelines. The views of local people have been taken into consideration and engagement will continue as the application is being considered.
86. In summary, the Bent House Lane proposals represent a high quality, sustainable development that complies with local and national policy and will assist DCC in the early delivery of one of the key strategic housing allocations in the County Durham Plan.

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=P8X9C0GDL8J00>

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, landscape and visual impact, heritage and archaeology, residential amenity, ecology, flooding and drainage, infrastructure and public open space, and other matters.

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; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or,

- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
90. As a site allocated under Policy 4 of the CDP, the site is considered acceptable in principle for new housing development. CDP Policy 5 sets aside two sustainable urban extensions to the city, of which one is this site. The policy outlines several site specific criteria against which proposals must adhere in order to be recommended for approval. These are: -
- m. Sherburn Road will be developed to help support regeneration efforts in the adjoining estate by offering a greater diversity of housing offer within the area;
 - n. the design of Sherburn Road will provide a positive gateway for Durham City particularly from the A1(M) and protect the character and integrity of Bent House Farm. Development should protect the character of Old Durham Beck and Old Durham;
 - o. outward views to the Durham Castle and Cathedral World Heritage Site will be retained and framed with any effects on the inner setting of the World Heritage Site minimised and harmful impacts avoided;
 - p. a community building will be incorporated on site or the development will deliver the improvement of an existing community building on the Sherburn Road Estate;
 - q. developer contributions will fund the necessary additional school places that are generated by the new housing development;
 - r. there is an opportunity for Sherburn Road to deliver a combined Sustainable Drainage attenuation scheme in order to manage surface water drainage into the Old Durham Beck which will deal with surface water from the development as well as exploring the potential to deal with drainage from the A1(M) with Highways England;
 - s. compensatory improvements to the remaining Green Belt will be provided, to maintain and enhance the rural character of the valley side and to provide improved public access and ecological value. The planting of new hedgerows along with the gapping up of existing hedgerows will enhance and strengthen field patterns. Structural landscaping to the south of the existing Sherburn Road Estate will improve the character of the wider area. Ecological enhancements will be provided in the area leading down to Old Durham Beck to provide better linkages to existing footpaths through to Pelaw Woods and the city centre and provide benefits to the setting of the buildings at Old Durham;
 - t. the woodland on the boundary with the A1(M) will be enhanced to ensure appropriate screening and noise attenuation where required. The planting on the southern boundary should be sufficient and at least 20 metres wide, to ensure that the perception of the extension of Durham City is minimised in views from the A1(M). This area will remain in the Green Belt; and
 - u. the development must be integrated with existing development to the north of the A181 and west of Bent House Lane, including facilitating safe and convenient crossing points for all users to ensure sustainable and cohesive communities. A network of multi user paths must be created with a number of circular routes of varying lengths ensuring the network is functional for local users, as well as providing connections to existing well used footpaths. An enhanced recreational

route attractive to all users linking Sherburn Road to Durham City centre must also be provided.

91. Furthermore, the policy seeks to reduce the dominance of car traffic and improve permeability with high quality bus, pedestrian and cycle routes within, and connecting to adjoining facilities through compliance with Policies 21 (Delivering Sustainable Travel) and 22 (Durham City Transport), and the Durham City Sustainable Transport Delivery Plan. The policy also notes that key to these should be a network of good-quality, multi-functional green infrastructure in accordance with Policy 26 (Green Infrastructure). Each requirement of the Policy above will be evaluated throughout this report against the proposals in order to assess if they would be considered acceptable.
92. Being considered under the CDP as a suitable housing allocation, the proposed location is, in principle, considered to promote sustainable patterns of development, capable of delivering attractive, well designed places and incorporating sustainable development principles and construction methods. The site would be viewed as contributing successfully to the delivery of new housing in the County in line with the CDP and Policy 4. The application site, forming greenfield land beyond the established built up areas of this part of Durham, is set against the CDP considered to constitute a countryside location. As a result, CDP Policy 10 applies. Policy 10 advises that development in the countryside is acceptable in principle provided that it complies with other specific policies in the plan. As a housing allocation, CDP Policies 4 and 5 comprise those specific policies which accept in principle housing at the site.
93. Consequently, this application receives support in principle from the County Durham Plan subject to the detailed assessment of the specific proposals.

Masterplan

94. A requirement of CDP Policy 5 is that the development should be comprehensively masterplanned. In amending the application, the applicant now shows all of the housing allocation in the CDP is the subject of this application. A masterplan layout has been submitted alongside a Design Code (a descriptive document outlining how the proposed masterplan should be translated into development on the ground). While the masterplan does not include areas of significant infrastructure improvements on site, beside the vehicular access point, the scheme does propose a significant number of improvements off site in the form of formalised walking routes to nearby schools (i.e. Laurel Avenue Primary School), off-site highway network improvements, the support of existing community facilities and open space areas, contributions to off-set primary and secondary school impacts at local schools, and wider ecological benefits to compensate for the loss of Green Belt. Therefore, while some are not delivered on site, delivery off site brings benefits to the wider community that surrounds the housing allocation. The masterplan can be conditioned as an approved plan, ensuring delivery. Commentary upon the masterplan and its suitability can be found later in this report.
95. As a result, the proposed development is considered to meet the primary requirement of Policy 5 of the CDP in proposing a development which is master planned as a whole and which can be delivered as a whole.

Addressing Housing Need

25. Policy 15 of the CDP states that affordable housing will be sought on sites of 10 or more units, for up to 25% of units in the highest value areas to 10% in the lowest. On sites of 10 or more units, 10% of the homes provided should be for affordable home ownership (starter homes, discount market sale housing and other affordable routes to home ownership). Any contribution above 10% should be provided as affordable

housing for rent in order to meet the requirements of Policy of the CDP. As this site is within a highest value area, this development would require 25% affordable housing in the form of affordable home ownership and affordable rent.

26. The applicant has provided evidence to support their application which highlights a possible shift away from the policy position outlined above, this being focused upon the regeneration merits provided from developing new housing in this location. Evidence from Registered Providers (companies who deliver and operate affordable housing products in association with Durham Key Options letting scheme) indicate that demand for affordable housing in the area is high, including products outside of the affordable ownership sector such as affordable rent, shared ownership or rent to buy. To that end the applicant proposes to meet the required policy provision of affordable housing but has requested that the s106 legal agreement provides for a cascade mechanism to apply to the final 5% of the affordable rented properties to permit a change in their tenure should there not be demand for affordable rented tenure at a later stage in the development of the site. This is considered to meet the demand demonstrated within the local housing market and would be considered an acceptable variation under the requirements of Policy 15 of the County Durham Plan. The agreed level of affordable housing would be provided and secured through a Section 106 agreement.
27. Policy 15 also aims to meet the needs of older people and people with disabilities. On sites of 10 units or more, a minimum of 10% of the total number of dwellings on the site are required to be of a design and type that will increase the housing options of older people. This would also be secured.
28. Policy 19 of the CDP states that on all 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. This complements the requirements of Policy 5 (l) in aiding diversity in the area and assisting regeneration. The scheme is in outline, although the indicative housing mix contained within the submitted planning statement proposes a mix of 1, 2, 3, 4 and 5 bedroom houses which would achieve a mix of dwelling types and sizes on the site.

Highways Safety and Access

29. 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. Policy 22 of the CDP seeks a modal shift in transport modes for Durham City to reduce car dominance and address air quality issues.
30. A Transport Assessment (TA) has been submitted to consider the potential highway and transport related impacts associated with this proposal and any mitigation required. From the outset the modelling of potential highways impacts has been hit by the on-going Covid-19 pandemic and also the associated works undertaken by the Highway Authority under these conditions to signalise the Damson Way / A181 Sherburn Road. This has presented the Highway Authority a unique set of circumstances against which to assess these development proposals and the impacts

they would have upon the wider network. The applicant, as a policy requirement to mitigate any impacts, has worked extensively with the Highway Authority in working up the TA and setting out possible mitigation measures to the network and which resulted in the submission of addendums where necessary to reflect amendments.

31. As a result, the approach of the Highway Authority has been to work to the worst possible scenario of impacts from the development, accommodating all of the model forecasting and committed development in the area, to assess impacts upon the highway network. Any necessary mitigation will therefore be linked to the biggest impacts in order to ensure that the Highway Authority are satisfied that highway safety is not compromised in the future should traffic flows return to normal or higher levels.
32. Main site access to the development would be taken via a priority junction on to the A181 roughly halfway between two signalised junctions to Dragon Lane and Damson Way. Eastbound traffic would access the site via a protected right hand turn arrangement, with pedestrian refuges for foot traffic permeability. New eastbound and westbound bus stops with laybys are proposed. The westbound stop located adjacent to the new access, with the eastbound stop located east of the Damson Way lights. Concerns are raised that these proposed new stops are located beyond what is considered acceptable and will not encourage use of public transport from occupiers of the new homes built on the site. The stops would be located 550 metres (westbound) and 700 metres (eastbound) from the furthest dwellings proposed in the application site. These would be accessible via safe crossing measures to the A181 (signals / pedestrian)
33. Primary concerns from existing residents revolved around the choice of access point not being via the Damson Way traffic signals and a 4th leg to this junction. Amendments to the application now bring this area into the application site and make the possibility of a modification to this junction possible. However, the applicant has continued to table their original access proposals on the basis that the design is capable of accommodating traffic generated by 500 dwellings. Therefore, the proposals as submitted have to be considered first to assess if they are acceptable. The Highway Authority have reviewed the junction and modelling information in respect to the junction. They consider it capable of accommodating the traffic flows modelled from it for 500 dwellings plus existing flows from the Bent House Lane / Dragon Lane Junction. It is noted that there could be risk of westbound queuing traffic on the A181 from the Dragon Lane signals back to the proposed site access that would increase the likelihood of traffic fouling the junction. The junction design includes separate right and left turning options from traffic existing the application site in response to likely waiting time for vehicles turning right (eastbound) allowing westbound to flow independently. Removal of the existing eastbound bus stop in this location would be required in order to have safe operation of the junction. On balance, the Highway Authority can offer no objections to the proposed junction design and location.
34. Thereafter impacts upon the highway network spread outward from the development site and have been assessed further by the Highway Authority. The newly constructed Damson Way / A181 junction is considered to have sufficient capacity to accommodate the modelled future traffic flows. The Dragon Lane / A181 junction is considered to be close to capacity before this development or any committed development (sites in the vicinity that have planning permission but have yet to be built) produce traffic that impacts upon the safe operation of this junction. Adding these to the junction could see impacts occur without mitigation. Original mitigation was proposed in the form of the closure of the Bent House Lane leg of the lights so that traffic flows to the remaining 3 legs is improved. Existing residents of Bent House Lane, Regents Court, Old Bent House Farm and Old Durham have raised concerns that this will have a negative

impact upon them and their ability to access their properties generally and in times of emergency. Following review by the applicant and assessment by the Highway Authority, not closing Bent House Lane leg of the lights would not, when installing a revised light timing strategy to the lights, lead to increased queuing times to the remainder of the junction to unacceptable levels.

35. Beyond the immediate junctions close to the site, there is potential for impacts at junctions away from the application site. The A181 Sherburn Road / Sunderland Road junction to the west of the site in the heart of Gilesgate is one such junction which is already operating at capacity before any traffic from this development or others yet to be built is added. Here, traffic would add to existing queues in peak times. The Highway Authority consider that this junction cannot be suitably mitigated owing to physical constraints around the junction such as proximity of existing buildings and the petrol filling station. Therefore, traffic will find alternative options of transport, routes and close by. The Highway Authority requested that analysis of this be done by the applicant and they highlighted that percentage of traffic would use an alternative route into or across the city via Broomside Lane and the A690. Impacts at the associated junctions from the site to the A690 were modelled and confirmed that minor mitigation at the Broomside Lane roundabout could be achieved in the form of lane widening at the approach to the roundabout. The Highway Authority confirm that they are satisfied with the assessment of the off-set traffic flows in this regard.
36. To the east, there are two junctions north and south of Sherburn Hospital on the A181 which are considered to have impacts in the future. Firstly, to the north and the A181 / B1283 junction location immediately to the east of the A1(M) overbridge. This is an engineered priority access junction where the A181 heads south towards Sherburn Hospital and the modelling indicates a severe impact at this location. The applicant has proposed a 3-leg signalised junction as mitigation, which the Highway Authority consider would be acceptable with a speed limit reduction to 30mph (extended eastward from the existing limit change) based upon the modelling information.
37. To the south of Sherburn Hospital is the priority junction between the A181 and the B1198 (Mill Lane). Here there is again significant delay shown in the modelling of the network in the future, whereby the protected right hand turn currently in place would see traffic queuing back into the main carriageway. This has two highway safety concerns, the queuing of traffic in the main carriageway firstly, but also the diversionary effect of traffic via Shincliffe Lane. Mitigation is again proposed, this time in the form of signalising the junction to accommodate traffic flows on the worse case scenario. The Highways Authority accept that this is mitigation based upon the highest possible impacts that the modelling put before them shows.
38. Linkages and routes through and out of the application site will be addressed in the assessment of the site layout and design. There is a possibility that once traffic levels stabilise as the current pandemic recedes that the mitigation proposed above and secured by any planning approval may not be necessary or not suitable in the form proposed. Opportunity remains to revisit these in the future once evidence can be collected from the functioning highway network through the planning process. Ultimately, by securing the maximum mitigation to the highway network based upon the possible traffic flows in the future, the Highway Authority are satisfied that the impacts from the development can be mitigated. In doing so this protects the safety of highway users in the future in all eventualities. Furthermore, provision of new bus stops to the A181 aid sustainable transport objectives. As a result, the proposed development is considered to be in accordance with Policies 5, 21 and 22 of the CDP and NPPF paragraphs 108 and 109.

39. 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.
40. Policy 5 of the CDP requires development of this site to be comprehensively master planned as well as aiding regeneration of the adjoining estate by offering greater housing diversity; present a positive gateway to the city from the A1(M); protect the integrity of Old Bent House Farm, Old Durham and Old Durham Beck; and ensure that there are adequate linkages from the site to the surrounding area and back to the city.
41. A Building for Life Supplementary Planning Document (2019) (BfL SPD) has been adopted by the Council. In recognition of national planning advice (outlined above) and to achieve high quality housing developments the Council has adopted an in-house review process to assess schemes against the Building for Life 12 (BfL 12) Standards. The BfL SPD formalises the review process and establishes the guidelines and standards for its operation and is linked to the Sustainable Design Policy (29) in the County Durham Plan. The scheme was considered against the BfL standard through a series of 6 questions owing to the outline nature of the application. The scoring is based on a traffic light system with the aim of the proposed new development to secure as many "greens" as possible, minimise the number of "ambers" and avoid "reds". The more "greens" achieved the better the development will be, "ambers" are usually concerns that can be raised to "green" with revisions, whereas a "red" gives a warning that a particular aspect needs strong reconsideration. The scheme scored positively, achieving 3 green and 3 amber scores following its reassessment after amendments were made to the scheme.
42. A requirement of CDP Policy 5 is that the development should be comprehensively masterplanned. Consultees and the Council's internal Design Review Panel have assessed the proposals on a regular basis and have monitored the scheme's modification through the planning process. The Panel scored the site a green score for providing a masterplanned layout which respected the site and its surroundings and which provided an interconnected layout that brought the existing and proposed communities together.
43. Policy 5 (m) draws specific attention to the 'gateway' potential the site has on one of the main thoroughfares into the city from the south and east. The Design Code on the development highlights a soft edge to the development as well as a setback of development from the A181 to draw in both vehicular and non-vehicular traffic. Key dwelling locations to either side would have longer views from up and down Sherburn Road. Limited front of dwelling parking would be proposed here offering softened views of the dwellings and drawing focus upon the built development. East of the internal hedgerow running north/south, the existing hedgerow to the highway is earmarked for retention in the masterplan, providing separation of dwellings from the highway but also drawing focus beyond to the main site entrance.
44. It was considered by the panel that the connections from the site were of a high quality. The proposed housing around the key points is shown as addressed in the right manner generally and acknowledge likely key desire lines. A route from the main access location south west to the kink of Bent House Lane is shown, this acknowledges the likely desire line that this would be and frames new housing along

it to create a space that is of a high quality and is accessible. Furthermore, development to Bent House Lane is limited in its height (2 storey), is set back from the lane and is also set to a lower level in keeping with the current land levels. Hedgerow to the roadside boundary is retained in the most part except at key points and interchanges, aiding in the assimilation of the new development against the existing low rise bungalows that front Bent House Lane for the most part.

45. To the south, connections are proposed out to Bent House Lane and south from the east of Old Bent House Farm and to the boundary with the A1(M). These aid in providing access to the countryside from the development but is shown to be possible in a manner that does not overly disturb existing residents in terms of foot and cycle traffic. What the indicative layout does display is the shift in traffic flows from existing residential dwellings at Old Durham and Old Bent House Farm via the main body of the site. The challenge for the design of the layout would be how to integrate the development proposed west of Bent House Lane into the wider site. The revised masterplan shows two story development setback from the lane in keeping with the positioning of the bungalows. The proposals are therefore considered to achieve a suitable design approach in this location. Wider linkages into Cuthbert Avenue for non-vehicular traffic are provided further allowing occupiers of the proposed site to access facilities and services within the adjacent estate.
46. In the southern landscaped area footpath links traverse the periphery of the site and forms a link between outward heading footpath connections, cohesively allowing the development to flow between key areas along this boundary. Amalgamation of SuDs features in this location further provides a robust and useable green infrastructure for existing and proposed residents.
47. Within the site, a central area of public open space (POS) forms the focal point of the development. New housing is framed accordingly, with priority given to outward facing properties to lift the appearance of this key node in the site. To the east and the existing field boundary along this application site boundary but within the allocation forms a green corridor between housing areas that links well into the wider structural landscaping proposed to the southern boundary. The result is whole suite of connections both within the site and around it that allow current and future residents both functional and recreational green spaces in which to traverse or enjoy.
48. Density of the proposed new housing on the site has been a key focus for existing residents. The CDP in allocating the site highlighted that the development should yield 420 dwelling across the entirety of the allocation. This figure is derived from taking a reduction of 25% of the total area of the site to give a 'net developable area' that does not include green and blue infrastructure. The plan then applies a uniform 30 dwellings per hectare (dph) to achieve the figure of 420 dwellings. This application has proposed at the outset to develop more than this figure and after revisions sets this at 500 dwellings for whole of the allocation. At 19.54 hectares and with approximately 4.27 hectares of POS on site (excluding the structure planting south of the site), these proposals present a site wide density of 32.7 dph. For comparison purposes, the adjacent estate to the west of Bent House Lane up to Laurel Avenue Primary School features around 664 dwellings across 19.95 hectares of land (excluding open space, community buildings totally 1.75 hectares) which equates to 33dph. The submitted Design Code highlights that this density is not uniform across the development, with higher densities close to the centre and more northerly parts of the site increasing to 37.5dph, while lower density areas to the periphery of the site to the south decrease to between 15 and 25 dph. This mix of housing types and densities aims to accommodate a broad mix of dwelling types that would increase housing diversity in the area.

49. While the CDP allocation suggests a standard methodology figure of 420 dwellings across the site, the proposed 500 dwellings outlined in this application would still be considered to be acceptable owing to a masterplanned layout which is deemed of high quality and which can accommodate this uplift from the standard methodology applied across the CDP allocations.
50. The approach to scale and massing generally varies across the site from 1-3 storeys. The central POS area and locations to the northern and western parts of the site feature proportionally more 2.5 and 3 storey properties in addition to the standard 2 storey dwellings, with locations to the southern periphery feature more single storey properties. This mix acknowledges the falling topography of the site towards the south and views from the A1(M) of the southern periphery of the site. Specific areas have been addressed, with no 2.5 or 3 storey development along the western boundary to Bent House Lane. A mix of materials across the site acknowledges the differing surrounding development, with rendered and brick properties adjacent to the existing dwellings on the western side of the site; and a more rural stone appearance to the southern parts of the site aiding the transition to countryside.
51. The proposed development is deemed locally distinctive, and street scenes have variety in built form, architectural detailing and materials. To ensure a high-quality development is achieved a number of conditions would be required including agreement on final materials and surfacing. Both the Council's Design and Conservation and its Urban Design Officer raise no objection to the development as they consider the proposed development is of a high quality which draws on local influences to deliver a development with local distinctiveness. In this regard, the overall design and layout of the development would be compliant with Policies 5, 26 and 29 of the CDP and Parts 12 or 15 of the NPPF.

Landscape and Visual Impacts

52. Policy 39 of the County Durham Plan states proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Policy 5 (r) requires development of this site to maintain and enhance the rural character of the valley side as well as provide public access, employ robust structural planting both on site and in off-site improvements with the aim of ensuring that the perception of this extension to Durham City is minimised from the A1(M). Policy 26 outlines developments are expected to provide new green infrastructure and ensure provision for its long-term management and maintenance. Similar requirements are outlined in Policy 29. Policy 40 seeks to avoid the loss of existing trees and hedgerows unless suitable replacement planting is provided. Parts 12 and 15 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment by (amongst other things) recognising the intrinsic character and beauty of the countryside.
53. The application site forms part of what was once green belt and area of high landscape value. Therefore, how this site transitions from urban extension to open countryside in a prominent location is critical to managing the impact of this proposed development. Planning policy offers direction through creation of robust structural planting along the southern boundary of the site, this is shown at the specified 20 metres depth in the policy, however it is not simply a block of woodland. 'Louvre' type gaps in the planting on angles away from the perpendicular allow those from inside of the development to gain key outlooks into the countryside without compromising the ability to screen the development from the main vantage point of the A1(M) as it descends the southern

valley slopes of the Old Durham Beck. Planting of this structural landscaping at the earliest possible timeframe would be crucial to managing the above impacts.

54. Key hedgerows are retained in the most part around the site, broken only where necessary for connections. A new hedge has been planted already to the southern boundary of the site which will in time complement the structural planting scheme. No trees are present on the site owing to the functional agricultural nature of the site. Underplanting of the mature popular trees along the northern boundary of Old Bent House Farm would screen the new development from views to the south west which include areas towards central Durham and the World Heritage Site. Internally within the site the landscaping ethos of the masterplan and Design Code work together but these areas are for detailed inspection at reserved matters stage.
55. Ultimately however, major development of this scale to agricultural land would lead to transformational impacts and as a result there would be some inherent harm. This harm is controlled to a significant degree by the suite of measures required by the CDP and through their implementation in this application submission. In doing so, these proposals are considered to be well considered in landscape terms and to result in impacts which are not deemed unacceptable.
56. Landscape Officers consider the scheme to comply successfully with the requirements of Policy 5 of the CDP and provide sufficient structure planting in a suitable manner to lessen the impacts of the urban extension to the city. Overall, the proposals indicatively show the necessary requirements of Policies 5, 26, 29, 39 and 40 of the CDP and Parts 12 and 15 of the NPPF.

Heritage and Archaeology

57. Policy 44 of the CDP sets out development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate.
58. CDP Policy 45 seeks to ensure that developments within the World Heritage Site (WHS) sustain and enhance the significance of the designated asset, are based on an understanding of, and will protect and enhance the outstanding universal value (OUV) of the site in relation to the immediate and wider setting and important views into, and out of the site. Any harm to the OUVs will not be permitted other than in wholly exceptional circumstances. The supporting text to the policy states that where a development proposal leads to less than substantial harm to the significance of the WHS, that the harm should be weighed against the public benefits of the proposals. Policy 5 (n) specifically requires outward views to Durham Castle and WHS to be retained and framed with any effects on the inner setting of the WHS minimised and harmful impacts avoided.
59. The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
60. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty that, when considering whether to grant planning permission for a development

which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Any such harm must be given considerable importance and weight by the decision-maker. Under the Act also, special attention to the desirability of preserving or enhancing the character and appearance of a conservation area must be equally considered.

61. The application site is not located near to any listed buildings in respect to the immediate site and its boundaries. Buildings to Old Durham and Sherburn Hospital represent the nearest listed buildings. The World Heritage Site to the west is visible from beyond the existing structure planting to the south west boundary of the application site, which also implies views from the WHS of the application site and of the application site is in the backdrop of the WHS in views from western side of the city.
62. The applicant has updated their Heritage Statement following comments and the assessment of the impacts upon the WHS are now considered robust. They consider that the impacts of the development have been suitably mitigated through appropriate structural planting where it is deemed necessary, but ultimately the positioning of the bulk of the site beyond the Sherburn Estate and the small ridge located close to the northern boundary of Old Bent House Farm aid in significantly reducing the harm of the development upon the Castle and WHS. Furthermore, the same mitigation helps to reduce the impacts upon the settings of the listed buildings of Old Durham and Sherburn Hospital.
63. Design and Conservation officers have raised no objections to the proposal on heritage grounds. They consider that the impacts upon the WHS are mitigated successfully to a level resulting in less than substantial. Paragraph 200 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In this case it is considered that through masterplanning the proposed development site and securing a robust design code there would be no harm to the setting of the WHS.
64. Provision of highway mitigation to the south of Sherburn Hospital would result in signalisation of a highway junction within the conservation area. These works are considered to be necessary to the improve functionality of the highway network in this area as a result of this development and the inclusion of this upgraded junction would be considered to have reduced impact on the conservation area and nearby listed buildings with no harm resulting.
65. The proposals would, therefore, accord with Policies 5, 44 and 45 of the CDP and Part 16 of the NPPF.
66. Extensive work has been done by the applicant to undertake trial trenching to the main body of the site to support an Archaeological Evaluation Report submitted with the application. The Council's Archaeologist has confirmed that the findings concluding no significant archaeological resources on site are sound and that the small area west of Bent House Lane can be evaluated post-determination as there is low potential of any remains in this area. On the basis that conditions are imposed to secure this archaeological programme of works and reporting and achieving thereafter, the Council's Archaeologist raises no objection. The proposal is therefore considered to comply with Policy 44 of the CDP and Paragraph 194 of the NPPF.

67. 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 and not lead to unacceptable levels of pollution. Policy 32 seeks to ensure that historic mining legacy and general ground conditions are suitably addressed by new development. 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, which require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.
68. Guidance within the SPD advocates separation distances of 21m between facing principal elevations and 18m between bungalows, 13m between principal and two storey gable elevations and 10m to a single storey. It is advised that additional separation may be required where there are changes in levels across a site. The site indicative layout shows that generally separation distances between dwellings in the development meet or are in excess of that advocated by the SPD, however this will be scrutinised in detail at the reserved matters stage to ensure compliance. While the site sits close to existing properties of Regents Court and Bent House Lane, officers are confident that there would be no overlooking impacts anticipated to existing residents from the masterplan layout and that control is retained at the reserved matters stage to maintain acceptable levels of amenity to existing residents.
69. The application site is surrounded by roads on three sides to varying intensities of use, therefore, the noise arising from this and the impact to future occupants needs to be considered. Environment, Health and Consumer Protection (Nuisance) Officers advise that a condition be imposed to secure the noise mitigation measures outlined within the submitted noise assessment report including required noise levels to each dwelling that should not be exceeded. Subject to the imposition of this condition, it is not considered that there would be an unacceptable noise impact on the new dwellings from highway sources.
70. Objections associated with the increased noise and vibration impacts from traffic generated from this development upon the existing residents of the West Sherburn area have been lodged against these proposals. Impacts from the recent Damson Way junction improvements were assessed at the time as having a 'Not Observed Adverse Effect Level' impact upon the nearby residents under the guidance of the NPPG and the noise exposure hierarchy. Impacts from traffic generated from this development are considered to fall into that same category when placed against the backdrop of the current noise climate of the A181 area to the northern boundary of the application site.
71. There is the potential for disturbance during the construction period, therefore, a construction management plan should be secured to deal with construction related impacts. Subject to the imposition of such a condition and one controlling hours of working, construction related impacts could be adequately mitigated. Disruption arising during the construction process is temporary and the conditions would be imposed to mitigate any significant adverse impacts.
72. Air quality is a fundamental issue which is increasingly causing residents close to new developments concerns. In addition to CDP Policy 31, the NPPF under Paragraph 180 provides protection against new developments causing impacts of pollution upon health and living conditions whilst Paragraph 186 advises more specifically in regards to air quality including that opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management. The application

is supported by an Air Quality Assessment which covers the wider Gilesgate, Dragonville and West Sherburn area and the presence of the Air Quality Management Area (AQMA) at the Sunderland Road / Dragon Lane junction down to Gilesgate Roundabout. AQMAs are designated in locations where levels of nitrogen dioxide have been at or exceed the air quality objective level, signalling potential impacts upon health levels in the vicinity.

73. The assessment has been reviewed by the Council's Senior Air Quality officer who has confirmed that the methodology and scope of the report is appropriate. The conclusions of the assessment are accepted in the most part, however there remains uncertainty in respect to impacts from this development on the section of Gilesgate Bank (A181) leading down to the roundabout. Here impacts remain possible without suitable mitigation measures being put in place to reduce road traffic emission impacts. These measures can be conditioned and would be designed to supplement those measures to be taken by the Council within the AQMA.
74. Investigations and reports associated with ground conditions have been vetted by the Council's Senior Contaminated Land Officer and the reports are considered sound. A split strategy to the level of detail provided for relevant parts of the site would be possible following amendments. The Coal Authority have also considered the submitted documentation and request conditions accordingly. The proposals would therefore accord with Policy 32 of the CDP subject to necessary conditions.
75. The development would not lead to any unacceptable pollution impacts or reduction in residential amenity for existing or future residents, subject to appropriate conditions. Overall, the scheme would comply with Policies 29 and 31 and Parts 12 and 15 of the NPPF.

Ecology

76. 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.
77. An Ecological Appraisal has been submitted in support of the proposal and is considered sufficient by the Council's Ecologist to inform this application and no further surveys are required. Existing habitats are mainly of poor ecological value (agricultural land) with the only priority habitat being hedgerows. The majority of the hedgerows are to be retained in the development and a large area of habitat compensation is proposed off-site. In the event of an approval details of mitigation, compensation and enhancement outlined in the Ecological Appraisal should be secured by condition.
78. The application is required to achieve net biodiversity gain across the site, and the application is accompanied by a report detailing that when the above is implemented the development would achieve a net gain of 8.67% for area habitats and 145.69% for hedgerow habitats. This is deemed acceptable by the Council's Ecologist and as a result, the application complies with CDP Policies 26, 35, 41 and 43 in this regard, and Part 15 of the NPPF.
79. CDP Policy 5 (r) requires off-site compensatory improvements to the remaining green belt be provided to maintain and enhance the rural character of the valley side and improve ecological value. Planting of new hedgerows and gapping existing hedgerows are key parts of this strategy, and both are proposed as part of this application. The evidence shown, in the part, through the uplift in ecological values in this regard. A suite of improvements are shown off site, these would be considered

sufficient to accommodate the requirements of Policy 5 (r) and are deemed acceptable subject to delivery through planning obligation.

Flooding and Drainage

80. 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 and only consider development appropriate in areas at risk of flooding where a sequential test and some instances exception test are passed, informed by a site-specific flood risk assessment.
81. The application is accompanied by a Flood Risk Assessment (FRA) and Surface Water Drainage Strategy which highlights that the application site lies entirely within Flood Zone 1 with a low flood risk probability. Therefore, the site is at the lowest risk from fluvial flooding. Further assessment of flood risk to the site is not required.
82. A Drainage Strategy is included with the application which includes the incorporation of Sustainable Urban Drainage (SuDs) including permeable paving and a series of swales and basins to treat and attenuate surface water runoff. Subject to securing the finer detail of this approach for implementation at the reserved matters stage, Drainage and Coastal Protection officers offer no objections to the development or the overall drainage strategy advising that the development would not increase flood risk.
83. Northumbrian Water have offered no objections on the proposed application, subject to a conditional approach to securing implementation of the foul water drainage strategy would be included with any recommendation to satisfy the requirements of Policy 36 of the CDP.
84. Policy 5 (q) of the CDP highlights an opportunity for a scheme to this site to deliver a combined drainage solution to explore the potential to deal with drainage from the A1(M). Highways England have commented upon the application and have offered no requirements in this regard.
85. The proposals are as a result deemed acceptable with respect to CDP Policies 5, 35 and 36 together with Part 14 of the NPPF.

Infrastructure and Open Space

86. 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).

87. 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.
88. The site layout demonstrates that large areas of green space (equating to 4.53ha) would be provided on site fulfilling and significantly exceeding the open space/natural green space (requirement is for 1.426ha) and parks/recreational grounds (requirement is for 1.331ha) requirements. It has been advised that a private management company would be used to manage and maintain the areas of open space within the development, funded by future residents paying an annual service charge. Conditions can secure the details of the future management and maintenance arrangements. It is acknowledged that the open space is likely to be attractive to future residents of the estate and indeed those within the wider area as this is lacking in parts on this side of the city. These areas would be multifunctional in improving ecological value that can be publicly accessible.
89. A contribution of £232,650 has been put forward by the developer to be used towards off-site provision for those typologies not provided for onsite (allotments, children and youth play space). Having regard to the OSNA, the availability and the proximity of existing facilities to the development this is considered to be an acceptable deviation away from the requirement to implement all typologies on site. The contribution would be secured through a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). This would satisfy the OSNA requirements, Policy 26 of the CDP and Paragraph 98 of the NPPF with regards to the provision of public open space.
90. Policy 25 of the CDP supports securing developer contributions where mitigation is necessary to make the development acceptable in planning terms including for social infrastructure such as education and health facilities. Paragraph 94 of NPPF confirms that the government places great importance to ensure that sufficient choice of school places is available to meet the needs of existing and new communities. CDP Policy 5 (p) further supports this requirement.
91. The School Places Manager has advised that the proposed development is likely to generate an additional 150 primary age school pupils and 60 secondary age school pupils. They consider that there is insufficient capacity in either school age bracket to accommodate the number of pupils expected to be generated from this development. As the proposals exceed 300 dwellings, the Council's adopted Securing Developer Contributions towards Education Provision in County Durham policy requires the development to mitigate the actual cost of the impacts from the increased pupil numbers. Following feasibility studies into the ability of schools in the local area to accommodate improvements, contributions of £1,928,726 for primary school capacity and £1,366,330.65 for additional secondary school capacity should be secured to mitigate the impacts of the proposed development on schools in the local area. This would satisfy Policies 5 and 25 of the CDP and Paragraph 95 of the NPPF with regards to school place impacts.

92. 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. Paragraph 57 explain the circumstances when it is appropriate for planning obligations to be used to mitigate the impacts of the development. 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 Tees Valley Clinical Commissioning Group (TV CCG) has advised that the increase in resident population as a result of this development would have a material effect on the local GP surgeries and their abilities to provide care. As such a contribution of £241,500 has been sought to make the proposed housing expansion supportable from a health infrastructure perspective.
93. Policy 5 (o) of the CDP requires the development of this Sherburn Road allocation to provide a community building onsite or deliver an improvement to an existing facility on the adjacent estate. The developer has engaged with the nearby centres in the estate and the Laurel Avenue Community Centre has proposed a series of improvements which they would like to achieve at the centre totalling £50,000. The applicant has confirmed that they would provide this to support the community centre improvements and as a result the proposed development would comply with Policy 5 (o) of the CDP.

Other Considerations

94. 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. A condition can be imposed to secure this in the event of an approval.
95. Policy 14 of the CDP states that the development of the best and most versatile agricultural land, will be permitted where it can be demonstrated that the benefits of the development outweigh the harm and significant weight can be attributed to this policy. NPPF Paragraph 170 states that LPAs should recognise the economic and other benefits of the best and most versatile agricultural land and where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Best and most versatile agricultural land is classified by the NPPF as grades 1, 2 or 3a. An Agricultural Land Classification Statement has been submitted in support of the application which identifies that the development would result in the loss of approximately 14.56ha of Grade 3b (moderate quality) agricultural land. The land is therefore not deemed to be best and most versatile.
96. 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. The application site is underlain by deposits of coal, forming part of a larger deposit to surrounding area east of Durham City. Whilst some sterilisation could occur, it is considered the proposed development would have minimal impact on the future working of the more extensive deposit. In addition, given the site's proximity to the built edge of Durham City and sensitive receptors, the prior extraction of minerals may not

be feasible as it could lead to an adverse impact on the environment and/or local communities. This outweighs the need to safeguard the mineral thereby satisfying Policy 56 criteria d and Paragraph 204 c) of the NPPF. Due to the close proximity to the settlement the Spatial Policy team do not object to the proposed development on mineral safeguarding grounds.

97. 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;
- Contribution to mitigate impacts upon schools in the local area;
 - An off-site public open space contribution;
 - Contribution to mitigate the impacts upon local GP surgeries;
 - The delivery of 25% affordable housing;
 - Contribution to secure improvements to an existing community facility;
 - The delivery of off-site compensatory improvements to the green belt including ecological and public access improvements.
98. Part of the application site includes land owned by the Council. As a result, the planning obligations which are required to mitigate the impact of the development cannot be secured in reflect of the Council's land as the council cannot enter into a legal agreement with itself. While planning conditions should not ordinarily be used to secure financial contributions, the Planning Practice Guidance advises that in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate, where there is clear evidence that the delivery of the development would otherwise be at serious risk. In this case and given the need for a comprehensive approach to the development of the site, not taking such an approach would threaten the ability to be able to develop part of the application site. Accordingly, it is considered that a condition requiring a future landowner / developer of this part of the site to enter into a planning obligation with the Council will be required to ensure that the impacts from this portion of the housing allocation area mitigated.
99. The proposal has generated some public interest, with 27 representations of objection having been received from local residents. The objections, queries and concerns raised have been taken account and addressed within the report, where appropriate.

CONCLUSION

- 153 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.
154. In summary, the application site is allocated in the CDP for new housing which this application proposes. CDP Policy 5 sets out a suite of criteria for this specific site that if met would allow development to be considered acceptable for this site. In this instance, and for the reasons set out in this report, it is considered that the proposed development complies with the requirements of Policy 5 and the wider development plan. Paragraph 11 of the NPPF states that development proposals that accord with an up to date development plan, should be approved without delay.

RECOMMENDATION

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

- a financial contribution of £232,650 towards open space and recreational facilities in the Belmont Electoral Division;
- 25% affordable housing to be delivered on site in a tenure split of 10% discount market sale, 15% affordable rent (5% affordable rent subject to cascade to other forms of affordable housing product);
- a financial contribution of £241,500 for the upgrading of healthcare provision;
- a financial contribution of £1,928,726 to upgrade primary school capacity and £1,366,330.65 to upgrade secondary school capacity;
- a financial contribution of £50,000 to improve the Laburnum Avenue Community Centre;
- the requirement to deliver and long term maintenance of agreed off-site green belt compensatory improvements and increased public access.

And subject to the following conditions:

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

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

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

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

3. The development hereby approved shall be carried out in strict accordance with the following approved plans: 'Site Boundary Plan HJB/767/90 PA02a', 'Masterplan HJB/767/79b PA05a', 'Proposed Detailed Site Access (A181) HJB/767/84c PA09a', 'HJB/767/73 Joint Application Site' and 'Revised Design Code, received 1st October 2021'.

Reason: To define the consent and ensure that a satisfactory form of development is obtained and in accordance with Policies 4, 5, 10, 14, 15, 19, 21, 22, 25, 26, 29, 31, 32, 35, 36, 39, 40, 41, 43, 44, 45 and 56 of the County Durham Plan.

4. The amount of open amenity / recreation and green space provided in the development shall be equivalent to the level of provision set out on the plan: 'Open Space and Landscape Framework HJB/767/81b PA16a'.

Reason: In order for future residents of this development and the wider area reserved by an appropriate amount of open space in accordance with Policies 26, 29 and 41 of the County Durham Plan and Parts 8 and 15 of the NPPF.

Pre-Commencement

5. Prior to the commencement of development to the land show in blue on plan ref: 'HJB/767/73 Joint Application Site', the landowner shall be required to enter into a planning obligation under Section 106 of the Town and Country Planning Act (1990) (As Amended). The obligation shall provide for the following: -
- a financial contribution of £13,959 towards open space and recreational facilities in the Belmont Electoral Division;
 - 25% affordable housing to be delivered on site in a tenure split of 10% discount market sale, 15% affordable rent (5% affordable rent subject to cascade to other forms of affordable housing product);
 - a financial contribution of £14,490 for the upgrading of healthcare provision;
 - a financial contribution of £115,723.56 to upgrade primary school capacity and £81,979.84 to upgrade secondary school capacity;
 - a financial contribution of £3,000 to improve the Laburnum Avenue Community Centre;
 - the requirement to deliver and long term maintenance of agreed off-site green belt compensatory improvements and increased public access.

Reason: To ensure that the development mitigates its impacts in accordance with Policy 25 of the County Durham Plan.

6. Prior to the commencement of development (excluding demolition, archaeological investigation, services diversions and any land remediation/ground improvement works) to the land edged red on plan ref: 'HJB/767/73 Joint Application Site' a phasing plan setting out the proposed phasing of the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application for a phase or part thereof submitted pursuant to Condition 2 above shall be accompanied by an updated phasing plan for the approval of the Local Planning Authority. The updated phasing plan shall set out any proposed changes from the phasing plan previously approved pursuant to this Condition. For the purposes of this permission all references to a "phase" shall be interpreted as being a reference to a phase or part thereof as defined on the phasing plan approved pursuant to this condition.

Reason: To define the consent and ensure a satisfactory form of development is obtained in accordance with Policies 4, 5, 10, 14, 15, 19, 21, 22, 25, 26, 29, 31, 32, 35, 36, 39, 40, 41, 43, 44, 45 and 56 of the County Durham Plan.

7. Prior to the commencement of the development detailed measures for compensatory improvements to the green belt, as shown on plan: 'Compensatory Improvements to Land Remaining in Green Belt HJB/767/82 PA17', together with a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The improvement works thereafter shall be completed in accordance with the details and timetable agreed.

Reason: In order to provide improvements to the wider area in accordance with Policies 5, 39 and 41 of the County Durham Plan and Parts 8, 11, 13 and 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that improvements are implemented alongside construction works to the development hereby approved.

8. Prior to the commencement of the development details of mitigation measures to control the impacts from the development upon the Air Quality Management Area from Gilesgate Roundabout east to Sunderland Road together with a timetable for their implementation have been submitted to and agreed in writing by the Local Planning Authority. The measures thereafter shall be completed in accordance with the details and timetable agreed.

Reason: To ensure that the impacts from the development in terms of road traffic emissions are adequately mitigated in accordance with Policy 31 of the County Durham Plan and Part 8 and 15 of the National Planning Policy Framework.

9. Prior to the commencement of each phase of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority for each build. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
 1. A Dust Action Plan including measures to control the emission of dust and dirt during construction.
 2. Details of methods and means of noise reduction/suppression.
 3. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
 4. Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
 5. Designation, layout and design of construction access and egress points.
 6. Details for the provision of directional signage (on and off site).
 7. Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.
 8. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.
 9. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.
 10. Routing agreements for construction traffic.
 11. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
 12. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
 13. Management measures for the control of pest species as a result of demolition and/or construction works.

14. Detail of measures for liaison with the local community and procedures to deal with any complaints received.

Each management strategy shall include a plan indicating which part of the development the strategy covers.

Each 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(s) 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.

10. Prior to the commencement of development to the land show in blue on plan ref: 'HJB/767/73 Joint Application Site' a written scheme of investigation setting out a phased programme of archaeological work in accordance with 'Standards For All Archaeological Work In County Durham And Darlington' shall be submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

Reason: To safeguard any Archaeological Interest in the site, and to comply with part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

11. Prior to the commencement of development to the land show in blue on plan ref: 'HJB/767/73 Joint Application Site' a land contamination scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and include a Phase 1 preliminary risk assessment (desk top study).

If the Phase 1 assessment identifies that further investigation is required a Phase 2 site investigation shall be carried out, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.

Reason: To ensure that the presence of contamination is identified, risk assessed and proposed remediation works are agreed in order to ensure the site suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

12. Prior to the commencement of development to the land show in yellow on plan ref: 'HJB/767/73 Joint Application Site' a land contamination scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and include a Phase 1 preliminary risk assessment (desk top study).

If the Phase 1 assessment identifies that further investigation is required a Phase 2 site investigation shall be carried out, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.

Reason: To ensure that the presence of contamination is identified, risk assessed and proposed remediation works are agreed in order to ensure the site suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

13. Prior to the commencement of development to the land show in yellow on plan ref: 'HJB/767/73 Joint Application Site' a written scheme of investigation setting out a phased programme of archaeological work in accordance with 'Standards For All Archaeological Work In County Durham And Darlington' shall be submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

Reason: To safeguard any Archaeological Interest in the site, and to comply with part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

Pre-Construction

14. No development to the land show in red and yellow on plan ref: 'HJB/767/73 Joint Application Site' other than ground clearance, site preparation, or remediation works shall commence until a scheme for the provision of foul water drainage works for each phase of development have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the details and timetable agreed.

Reason: To ensure that foul water is adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.

15. No development to the land show in red and yellow on plan ref: 'HJB/767/73 Joint Application Site' other than ground clearance, site preparation, or remediation works shall commence until a scheme for surface water drainage and treatment for each phase of development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with 'Flood Risk Assessment & Drainage Strategy Issue 2 – November 2020'. The development thereafter shall be completed in accordance with the details and timetable agreed.

Reason: To ensure that foul water is adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.

16. No development to the land show in blue on plan ref: 'HJB/767/73 Joint Application Site' other than ground clearance, site preparation or remediation works shall commence until a scheme for the provision of foul water drainage works for each

phase of development have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the details and timetable agreed.

Reason: To ensure that foul water is adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.

17. No development to the land show in blue on plan ref: 'HJB/767/73 Joint Application Site' other than ground clearance, site preparation or remediation works shall commence until a scheme for surface water drainage and treatment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with 'Flood Risk Assessment & Drainage Strategy Issue 2 – November 2020'. The development thereafter shall be completed in accordance with the details and timetable agreed.

Reason: To ensure that foul water is adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.

Time Limited Conditions

18. Prior to the occupation of the 153rd dwelling off-site highway works at the junction of A181 / B1283 as shown on plan: 'A181 / B1283 Junction – Mitigation Scheme JN1845-Dwg-0022 April 2021' shall be constructed and operational.

Reason: To ensure that impacts from the development upon highway safety are mitigated in accordance with Policies 5 and 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

19. Prior to the occupation of the 242nd dwelling off-site highway works at the junction of A181 / B1198 as shown on plan: 'A181 / B1198 Junction – Mitigation Scheme JN1845-Dwg-0017C Feb 2021' shall be constructed and operational.

Reason: To ensure that impacts from the development upon highway safety are mitigated in accordance with Policies 5 and 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

20. Prior to the occupation of the 214th dwelling off-site highway works at the junction of Broomside Lane and Sunderland Road as shown on plan: 'Broomside Lane Roundabout – Mitigation Scheme JN1845-Dwg-0016 Feb 2021' shall be constructed and operational.

Reason: To ensure that impacts from the development upon highway safety are mitigated in accordance with Policies 5 and 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

21. Within 6 months of occupation of the land edged in red on plan ref: 'HJB/767/73 Joint Application Site' a Final Travel Plan, conforming to the ethos and direction of the National Specification for Workplace Travel Plans, PAS 500:2008, Bronze level, shall be submitted to and approved in writing by the Local Planning Authority. Once approved the Travel Plan must be implemented for the lifetime of the development.

Reason: To reduce reliance on the private motor car and to promote sustainable transport methods in accordance with Policies 21 and 22 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

Pre-Occupation

22. Prior to occupation of the first dwelling the main site access to the A181 (Sherburn Road) as shown on plan: 'Proposed Detailed Site Access (A181) HJB/767/84c PA09a' shall be constructed and available for use.

Reason: To ensure that the development has safe access to the highway network in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

23. No part of an individual phase of development to the land show in red on plan ref: 'HJB/767/73 Joint Application Site' shall be occupied until a post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation for that relevant phase. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to and approved by the Local Planning Authority.

Reason: To ensure that findings are recorded appropriately in accordance with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework.

24. No part of the land show in yellow on plan ref: 'HJB/767/73 Joint Application Site' shall be occupied until a post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation for that relevant phase. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to and approved by the Local Planning Authority.

Reason: To ensure that findings are recorded appropriately in accordance with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework.

25. No part of the land show in blue on plan ref: 'HJB/767/73 Joint Application Site' shall be occupied until a post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation for that relevant phase. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to and approved by the Local Planning Authority.

Reason: To ensure that findings are recorded appropriately in accordance with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework.

26. Remediation works shall be carried out in accordance with the approved remediation strategy. The development to the land show in blue on plan ref: 'HJB/767/73 Joint Application Site' 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 fully implemented as agreed and the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

27. Remediation works shall be carried out in accordance with the approved remediation strategy. The development to the land show in yellow on plan ref: 'HJB/767/73 Joint Application Site' 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 fully implemented as agreed and the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

In Accordance with

28. Sound attenuation measures to proposed new dwellings shall be undertaken in accordance with mitigation detailed in the noise assessment by 'Wardell Armstrong, dated November 2020, reference NT14888 and published 27 November 2020'. Measures should be undertaken for each dwelling, completed prior to first occupation of each dwelling and be retained in perpetuity.

Reason: To ensure that the amenity of future occupants of the development is protected in accordance with Policy 31 of the County Durham Plan and Part 8 of the National Planning Policy Framework.

29. All subsequent reserved matters shall be accompanied by a detailed noise impact assessment that demonstrates that each new dwelling shall meet the following noise levels:

- o 35dB LAeq 16hr bedrooms and living room during the daytime (0700 - 2300)
- o 30 dB LAeq 8hr in all bedrooms during the night-time (2300 - 0700)
- o 45 dB LAmax in bedrooms during the night-time
- o 55dB LAeq 16hr in outdoor living areas

Any noise mitigation measures required shall be installed prior to the first occupation of the relevant phase of the development and shall be retained in perpetuity.

Reason: To ensure that the amenity of future occupants of the development is protected in accordance with Policy 31 of the County Durham Plan and Part 8 of the National Planning Policy Framework.

30. Development shall be carried out in accordance with mitigation measures outlined in the "Ecology Report" by BSG Ecology, dated November 2020.

Reason: To ensure that existing habitat is protected and loss mitigation in accordance with Policies 5 and 41 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

31. 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.

32. All subsequent reserved matters applications shall include 66% of properties built to a standard which meets the requirements set out in M4(2) of the Building Regulations 2010 Approved Document Part M: Access to and use of building (as amended) or any updated version of replacement document, and 10% of properties designed for older persons.

Reason: In the interests of meeting the needs of older people and people with disabilities and to comply with Policy 15 of the County Durham Plan and Part 5 of the National Planning Policy Framework.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no dwelling or residential property shall change use to Class C4 (houses in multiple occupation).

Reason: In the interests of residential amenity of neighbouring properties in accordance with Policy 31 of the County Durham Plan.

34. All subsequent reserved matters applications shall include details of bike storage and EV charging points.

Reason: To ensure that sustainable transport modes are encouraged in accordance with Policies 21, 22, 29 and 31 of the County Durham Plan and Parts 8, 9 and 15 of the National Planning Policy Framework.

35. Within 6 months of occupation of the development hereby approved, a Final Travel Plan, conforming to the ethos and direction of the National Specification for Workplace Travel Plans, PAS 500:2008, Bronze level, shall be submitted to and approved in writing by the Local Planning Authority. Once approved the Travel Plan must be implemented for the lifetime of the development.

Reason: To reduce reliance on the private motor car and to promote sustainable transport methods in accordance with Policies 21 and 22 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its recommendation to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the

economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)

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)

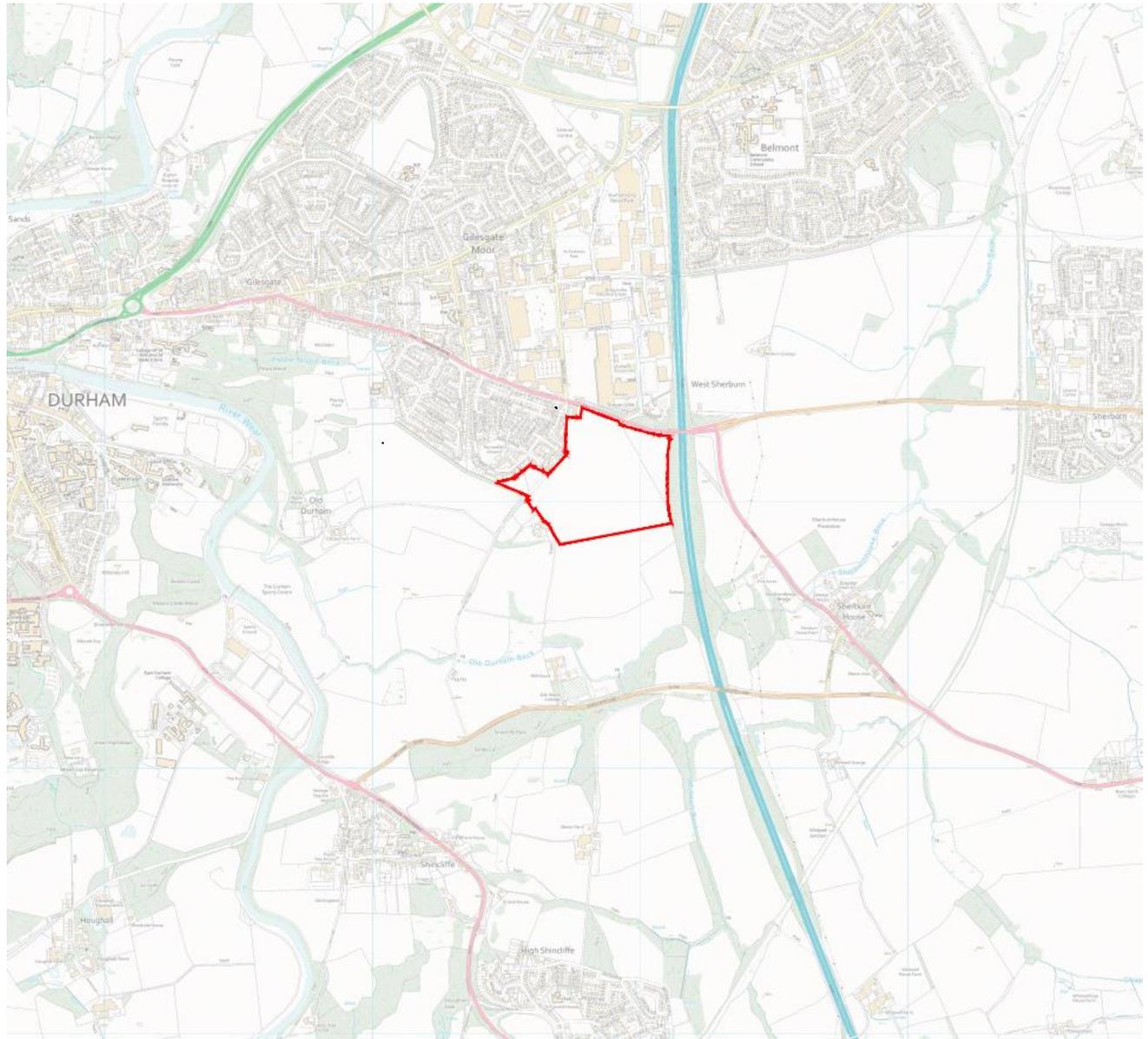
County Durham Strategic Housing Market Assessment (2019)

Open Space Needs Assessment (2018)

Residential Amenity Standards SPD (2020)

County Durham Building for Life SPD (2019)

County Durham Landscape Strategy (2008)



Planning Services

DM/20/03558/OUT

Proposed residential development of up to 500 dwellings (outline including access)

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Date 19th October 2021

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