

## COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	DM/21/02606/RM
<b>FULL APPLICATION DESCRIPTION:</b>	Details of appearance, landscaping, layout and scale for 97 dwellings pursuant to outline planning permission DM/20/03070/OUT (amended description)
<b>NAME OF APPLICANT:</b>	Stonebridge Homes
<b>ADDRESS:</b>	Land To The North Of Darlington Road Barnard Castle DL12 8QG
<b>ELECTORAL DIVISION:</b>	Barnard Castle East
<b>CASE OFFICER:</b>	Barry Gavillet Senior Planning Officer Telephone: 03000 261958 <a href="mailto:barry.gavillet@durham.gov.uk">barry.gavillet@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application site relates to a roughly rectangular area of agricultural land of 5.59ha located on the eastern edge of Barnard Castle and lies between the A67 Darlington Road to the south and the A688 Bishop Auckland Road further to the north. Immediately to the west of the site is the recently constructed Castle Vale residential development, whilst three detached properties and a caravan park lie to the south across Darlington Road. The site is predominately defined by hedgerows and trees to the edges, although these are gappy in places. Adjacent to north of the site lies the now dismantled railway line with the A688 beyond. To the east of the site is further arable land whilst the A67/ Darlington Road is located along the southern boundary which provides access into Barnard Castle to the west and towards Darlington to the east. There is an existing stone wall along the southern boundary which is characteristic of the local area. The topography of the development site falls steeply from the south towards the A688 to the north.
2. The site is not within a Green Belt although does lie within an area identified in the Durham County Plan as an Area of Higher Landscape Value (AHLV).
3. There are bus stops in the vicinity of the site providing regular services into Barnard Castle centre and Darlington. There are also schools, shops, a petrol filling station, in close proximity whilst other facilities such as a GP surgery, community centre, pharmacy, post offices and local hospital are within a mile of the site.

## The Proposal

4. In June 2021 outline planning permission was granted for the erection of up to 100 dwellings with all matters reserved apart from the access. The scheme included landscape buffer zones within and surrounding the site with a SUDS pond to the northern edge of the site. Access to the site was secured off Darlington Road, passing through a landscape buffer with homes fronting onto open space in line with the neighbouring properties along Darlington Road.
5. This application seeks reserved matters approval for the detail of the appearance, landscaping, layout and scale of the dwellings to be erected on site. The current application initially proposed 100 dwellings, however, following the submission of revisions to the scheme, the application now seeks reserved matters approval for a reduced scheme of 97 dwellings. The proposed site layout reflects the masterplan provided at outline stage in terms of the landscape buffers both within and surrounding the site as well as the SUDs provision on the northern edge of the site.
6. This application is being considered by committee at the request of a Local County Councillor.

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## **PLANNING HISTORY**

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7. On 3 June 2021, an application (DM/20/03070/OUT) was granted for residential development of up to 100 units (outline with all matters reserved apart from access).

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

8. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:
9. *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.
10. *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.
11. *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.

12. *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.
13. *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.
14. *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.
15. *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.
16. *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.
17. *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.
18. *NPPF Part 15 - Conserving and enhancing the natural environment.* Planning policies and decisions should contribute to and enhance the natural and local environment.
19. *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:**

20. 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

21. *Policy 6 - Development on Unallocated Sites* states that the development of sites within the built up area that are not allocated in the plan or in a neighbourhood plan will be permitted provided they accord with all relevant development plan policies and meet specific criteria in relation to existing permitted uses, coalescence of settlements, loss of land with identified value such as in relation to ecology or recreation, is appropriate, is not prejudicial to highway safety, has good access to sustainable modes of transport to relevant services and facilities, does not result in the loss of the settlements last community building, minimises vulnerability and provides resilience to impacts resulting from climate change, maximises the effective of previously developed land and where appropriate reflects priorities for urban regeneration.
22. *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.
23. *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.
24. *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 states that 66% of dwellings on sites of 5 dwellings or more must be built to Building Regulations M4(2) (accessible and adoptable dwellings) standard.
25. *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.
26. *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.

27. *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.
28. *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.
29. *Policy 29 - Sustainable Design* details general design principles for all development stating that new development 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.
30. *Policy 31 - Amenity and Pollution* states that new 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 should be integrated effectively with any existing business and community facilities.
31. *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.
32. *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.
33. *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.
34. *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.

35. *Policy 40 - Trees, Woodlands and Hedges* states that proposals will be expected to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate standoff distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential.
36. *Policy 41 - Biodiversity and Geodiversity* states that proposal for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or as a last resort, compensated for.
37. *Policy 43 - Protected Species and Nationally and Locally Protected Sites.* Development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.
38. *Policy 44 - Historic Environment.* Seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.

#### Neighbourhood Plan

39. The site lies outside of the Barnard Castle Neighbourhood Plan area.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

40. *Marwood Parish Council* – objects considering it important to protect its unique and picturesque market town from urban sprawl which at present is open countryside. Specific comments are made on a number of matters including increase in traffic from the development and other developments in the vicinity, road safety, impact on local services, impact on ecology, impact on sewer network, the site was not allocated in the Durham Plan, design, lack of open space and parking provision, The Parish Council advises that its objection remains having considered amendments to the proposals.
41. *The Highway Authority* – advise that details relating to either provision of a S38 plan, or tracking of the DCC 11.8m refuse vehicle around the site would need to be provided before further comment can be made. A Section 38 Agreement would need to be entered into before the internal highways could be adopted and this would be added as an informative to the applicant.
43. *Drainage and Coastal Protection* – consider the amended drainage strategy to be acceptable.

## **INTERNAL CONSULTEE RESPONSES:**

44. *Design and Conservation* – initially raised issues regarding the proposals but following revisions advise that the applicant has revisited the approach to materials and the amended proposals are considered acceptable. Officers advise that details of materials and samples for consideration should be conditioned.
45. *Ecology* – following the submission of additional information in relation to habitat creation, management and monitoring and an amended Landscape Management Plan officers have no objections to the proposals on ecological grounds.
46. *Landscape* – advise that appropriate revisions have been made to the submitted landscape plans.
47. *Arboriculture* – Consider that the updated Arboricultural Impact Assessment is comprehensive and acceptable. Specific comments were made regarding the landscape plan in relation to species to be planted and to positioning of the trees.

## **PUBLIC RESPONSES:**

49. A total of 38 representations have been received from members of the public in response to the consultation exercise, of which, one is in support, three are neutral and 34 in objection.
50. The grounds of objection and concern raised in relation to the applications are summarised below:
  - The principle of the development
  - Adverse impact on Barnard Castle
  - Increase in traffic as a result of the proposal and in combination with other developments in the area
  - Associated highway safety implications for pedestrians and other road users
  - Local housing need not being addressed through the proposals
  - Site layout
  - House types proposed
  - Landscaping proposals being inadequate
  - Lack of sustainable design features
  - Lack of open space and play areas
  - Drainage concerns and potential increase in flooding
51. The Open Spaces Society has submitted a representation which raises concerns regarding the lack of provision of dog waste bins, lack of openspace, lack of provision of car parking, materials, and trust that measures and provisions to help in countering climate will be strictly adhered to.
52. The letter of support highlights demand for housing in Barnard Castle to support not only the town itself but the wider population of Teesdale. The proposed layout itself seems well thought out with plenty of green space and landscaping. It is considered that the house types and materials proposed complement the development adjacent and it's good to see 20% affordable housing and bungalows being provided. It is considered that the proposed housing mix has a high number of 4 and 5 bedroom dwellings and consideration should be given to the requirements of Policy 19 of the Local Plan.

## APPLICANT'S STATEMENT:

53. Stonebridge Homes (the Applicant) is an established and successful Yorkshire based house builder which develops high-quality new homes that create a sense of place and add positively to the local community. This reserved matters proposal is the Applicant's first scheme in County Durham and therefore it is keen that its ethos of creating well designed, sustainable and attractive places is emphasised through this submission.
54. The principle of the proposed development and details of the access has been established through the granting of outline planning permission in June 2021. This application therefore considers the detailed design of the proposed development only. The outline planning permission provides a robust basis on which the Applicant has then put forward its proposals.
55. This includes the following key features:
- 97 new family homes (including 10 affordable properties).
  - A wide mix of 2-5 bedroom properties including bungalows.
  - All properties provided to Nationally Described Space Standards and relevant properties to be built to enhanced accessibility standards.
  - Use of materials to fit the local area including natural stone.
  - Incorporation of electric vehicle charging points to all plots and bus stop on Darlington Road.
  - Provision of generous amounts of attractive open spaces incorporating amenity footpaths, seating, bird and bat boxes, native planting and community lending library scheme.
  - Use of sustainable drainage systems integrated into the development which will also contribute to biodiversity enhancements.
56. Since submission of the reserved matters application, the Applicant has worked closely and positively with officers at the Council so that all matters that have been raised through the process have been addressed. The Applicant has also engaged with the public through a leaflet drop and consultation website.
57. The result is high quality, beautiful and sustainable development with generous open spaces, a wide mix of well-designed homes in an attractive landscape setting. The proposals would therefore result in a sustainable addition to Barnard Castle and assist in underpinning the future success of the town.
58. More generally, an increase in quality housing in the area will also support the local economy and provide more opportunities for people to get on the housing ladder. This helps create the conditions which will allow the area to retain its population and at the same time help secure jobs and investment.
59. To demonstrate this the reserved matters application has been supported by an assessment which establishes the following economic benefits:
- Approximately £17mn in construction investment over the build programme.
  - Around 150 direct construction and indirect/induced jobs supported per annum during the build phase of the proposed development.
  - An additional £1.5mn additional retail spending power each year associated with the residents of the development which will stimulate further local investment and jobs.

- Increase in Council Tax receipts for the Council in the order of approximately £190,000.

60. This reserved matters application will therefore allow the proposals to deliver high quality new homes, environmental benefits, and drive significant investment in the county's economy. We therefore fully support the officer's recommendation that the reserved matters should be approved.

*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=QWJ63ZGDHBH00>*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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61. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that as an outline approval for residential development including details of access has been approved on this site and the principle of the development has been accepted for 100 dwellings, the main planning issues in this instance, which now involves 97 new dwellings, relate to the appearance, layout and scale of the development, landscaping, public comments and public sector equality duty.

### Principle of the Development

62. As noted above, outline planning permission granted has previously been granted in March 2021 along with the access to the site and therefore the principle of development has been established. This reserved matters application relates to the appearance, layout, scale and landscaping of the development.
63. However, it is important to note that Natural England have recently published advice in relation to nutrient discharge into nearby water bodies caused by new housing developments. The Habitat Regulations state that where a development would have likely significant effects on a site, an appropriate assessment would be required prior to granting planning permission, and the further requirement that, if following the appropriate assessment adverse effects on site integrity cannot be ruled out, planning permission may not be granted unless there are imperative reasons of overriding public interest. However, the regulations only apply only at the stage when planning permission is sought and as noted above planning permission has already been approved for housing on this application site. Therefore, in this instance, as this is a reserved matters application it is not considered that any nutrient discharge would need to be considered.

### Appearance, layout and scale of the development

64. 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.

65. Policy 29 of the CDP also states that all new residential development will be required to comply with the Building for Life SPD and achieve reductions in CO2 emissions. As set out in policy 29, all new residential development will be required to comply with the Nationally Described Space Standards (NDSS). The applicant has been encouraged to comply with these standards and has done so along with the [Residential Amenity Standards Supplementary Planning Document](#) which sets out the privacy/amenity requirements for new build proposals.
66. In recognition of national planning advice and to achieve high quality housing developments DCC has adopted an in-house review process to assess schemes against the Building for Life 12 (BfL 12) Standards. The Building for Life Supplementary Planning Document (2019) (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 CDP. The scheme was considered against the BfL standard through a series of 12 questions. 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. After initial plans were submitted the proposals scored 1 red, 4 ambers and 7 green scores meaning at the design review panel meaning that the proposals needed to be amended in order to comply with Policy 29 of the CDP.
67. Design and Conservation officers have been consulted on a revised scheme after the applicants review of the initial design panel outcome. The amended application now proposes a suitable mix of dwellings including 2, 3 and 4 bedroomed dwellings and bungalows.
68. The appearance of the dwellings are considered to be of a generally high standard. The scheme has been developed as a traditional development which would work well in this location. The choice of materials, which is dominated by traditional stone, reconstituted stone, natural slate and grey tile roofing materials would relate well to the surrounding area and would add interest and create a high quality feel to the development.
69. The applicant was initially advised to include a full window surround, responding positively to the characteristics of Barnard Castle. There were also a significant number of units including just the head and cill detail which was not reflective of the local vernacular, plans have since been amended to reflect the local characteristics and vernacular and the housetypes are considered acceptable.
70. The applicant has also introduced natural stone to the frontage facing onto Darlington Road and reconstituted stone in other publicly visible parts of the site. The use of natural stone has been increased across the streetscene at the site entrance and at the vista stop into the site. In addition, further reconstituted stone has been introduced at the eastern edge.
71. With regard to the layout, the northernmost east-west green space has been widened and landscape buffers introduced which reflects the landscape concepts shown at the outline stage. Corner turning units are proposed and the open spaces and footpaths are overlooked by the frontages of dwellings providing natural surveillance and a pleasant street scene.

72. Design and conservation officers acknowledge that the applicant has revisited the approach to materials and the amended proposals are considered acceptable subject to details of materials and samples for consideration are conditioned.
73. The Residential Amenity Standards Supplementary Planning Document states that all new development, including new dwellings, will have some bearing on neighbouring properties and it is important to ensure that the impact does not result in a significant loss of privacy, outlook or light for occupiers of new dwellings and existing dwellings. The design and layout of new development should ensure that reasonable privacy and light is provided for surrounding residents and occupiers, particularly in relation to residential use and enjoyment of dwellings and private gardens. Spacing between the windows of buildings/dwellings should achieve suitable distances for privacy and light, whilst also preventing cramped and congested layouts. In order to achieve these objectives, minimum distancing standards are applied. The main facing elevation to main facing elevation containing windows serving a habitable room is 21 metres between two storey buildings, 18 metres between bungalows. Main facing elevation to gable wall which does not contain a window serving a habitable room is 13 metres to a two storey gable and 10 metres to single storey gable. The proposed development would meet these requirements in accordance with the supplementary planning document both internally and to existing residents on the new estate to the west of the site.
74. The revised scheme scored 10 green scores and 2 amber scores. Policy 29 of the CDP advises that if any “reds” are scored the application should be refused unless there are significant overriding reasons otherwise. The proposal would therefore accord with criteria in Policy 29 of the CDP and Part 12 of the NPPF in this respect and the Residential Amenity Standards Supplementary Planning Document.

#### Landscaping

75. Policy 39 of the CDP 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. These are similar requirements to those outlined at Policy 6. Policy 26 of the CDP 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 of the CDP. Criteria I specifically requires that in the case of edge of settlement development, provide for an appropriate level of structural landscaping to screen or assimilate the development into its surroundings and provide an attractive new settlement boundary. Policy 40 of the CDP 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. Paragraph 131 of the NPPF sets out that planning decisions should ensure that new streets are tree-lined.
76. The proposed layout includes a comprehensive landscaping scheme, two areas of public open space with footpaths through the centre of the site running east to west along with landscaped footpaths running from north to south. A sustainable drainage (SuDs) basin is to the north which would also create an attractive open green space. The application also includes substantial planting During the application process the proposals have been to the Councils Design Review panel as noted above. Some landscape amendments were required which required the accordance with the

landscape principles as set out in the outline approval which were conditioned and have now been addressed. Specifically, the removal of hedge planting to proposed roadside wall now ties into local landscape character. There is an increase planting to SuDs area to the north of the site, and there has been an alteration of tree species schedule to lessen quantity of birch and increase quantity of larger canopy species.

77. Overall, Landscape Officers consider the scheme to provide sufficient planting in a suitable manner would meet the necessary requirements of Policies 26, 29, 39 and 40 of the CDP and Parts 12 and 15 of the NPPF.

#### Public responses

78. As noted above, A total of 584 letters of consultation responses have been sent out. 38 representations have been received from members of the public in response to the consultation exercise, of which, one is in support, three are neutral and 34 in objection.
79. The objections mainly relate to the principle of the development including, an adverse impact on Barnard Castle, the increase in traffic, highway safety issue and housing need, all of which have been approved at the outline stage of planning permission.
80. Other issues raised include issues with the site layout, house types, open space and landscaping and flooding issues which have been addressed in the report or by way of conditions.
81. The Open Spaces Society has submitted a representation which raises concerns regarding the lack of provision of dog waste bins, lack of openspace, lack of provision of car parking, materials, and trust that measures and provisions to help in countering climate will be strictly adhered to.
82. The letter of support highlights demand for housing in Barnard Castle to support not only the town itself but the wider population of Teesdale. The proposed layout itself seems well thought out with plenty of green space and landscaping. It is considered that the house types and materials proposed complement the development adjacent and it's good to see 20% affordable housing and bungalows being provided. It is considered that the proposed housing mix has a high number of 4 and 5 bedroom dwellings and consideration should be given to the requirements of Policy 19 of the Local Plan.
83. With regard to concerns that the site is not allocated in the County Durham Plan it should be noted that Policy 6 of the CDP does specify unallocated sites can be considered for development and housing is not only acceptable on those allocated sites under Policy 4 of the CDP. It is considered for the reasons set out in the application for outline planning approval, that the proposal complies with Policy 6 and is therefore acceptable and the principle of development has already been accepted.
84. Overall, the concerns of objectors have been taken into account and addressed either during the outline application process or in this report or by way of condition. It is not considered that the proposals would lead to any significant loss of amenity to nearby residents that would warrant refusal of planning permission.

#### Public Sector Equality Duty

85. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons

who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

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## CONCLUSION

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86. 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.
87. In summary, it is acknowledged that this proposal is not an allocated housing site under Policy 4 of the CDP. However, Policy 6 of the CDP allows for unallocated sites on the basis that specific criteria are met. In this instance, and for the reasons set out in the previously approved outline planning permission, it is considered that the proposed development complies with the criteria of Policy 6. This current application for reserved matters is considered acceptable for the reasons set out above in terms of appearance, layout, scale and landscaping. Paragraph 11 of the NPPF states that development proposals accord with an up-to-date development plan, should be approved without delay.

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## RECOMMENDATION

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That the application be **APPROVED** subject to the following conditions:

- The development hereby approved shall be carried out in strict accordance with the following approved plans:

Plan	Drawing No.	Date Received
Location Plan	PA-DRBC-01	20/07/21
Drainage Plan - Sheet 1 of 2	BC-500-001	20/07/21
Drainage Plan - Sheet 2 of 2	BC-500-002	20/07/21
Floor Plans 2 Bed Afford Bungalow	2 Bed Afford Bung - 801	06/08/21
Elevations 2 Bed Afford Bungalow	Bungalow - 803	08/03/22
Detailed Landscape Proposals Sheet 1 of 4	P21-0911.001 Rev: L	08/03/22
Detailed Landscape Proposals Sheet 2 of 4	P21-0911.002 Rev: L	08/03/22
Detailed Landscape Proposals Sheet 3 of 4	P21-0911.003 Rev: L	08/03/22
Detailed Landscape Proposals Sheet 4 of 4	P21-0911.004 Rev: L	08/03/22
Proposed Materials Plan	P21:5458:05 D	08/03/22
Proposed Street Scenes	P21:5458:06 K	08/03/22
Proposed Site Layout	P21:5458:01 L	24/03/22
PRIVATE DRIVE PERMEABLE PAVING DETAIL	BC-SK-003	11/03/22
EXTERNAL WORKS PLAN - SHEET 4 OF 4	BC-EW-004	07/02/22
EXTERNAL WORKS PLAN - SHEET 2 OF 4	BC-EW-002	07/02/22
PROPOSED MATERIALS PLAN	P21:5458:05 B	07/02/22
DETAILED LANDSCAPE PROPOSALS SHEET 1 OF 4	P21-0911.001 Rev I	07/02/22
DETAILED LANDSCAPE PROPOSALS SHEET 3 OF 4	P21-0911.003 Rev I	07/02/22
Surface Water and Silt Management Schematic	01 Rev C01	07/02/22
EXTERNAL WORKS PLAN - SHEET 3 OF 4	BC-EW-003	07/02/22
EXTERNAL WORKS PLAN - SHEET 1 OF 4	BC-EW-001	07/02/22
DETAILED LANDSCAPE PROPOSALS SHEET 4 OF 4	P21-0911.004 Rev I	07/02/22
DETAILED LANDSCAPE PROPOSALS SHEET 2 OF 4	P21-0911.002 Rev I	07/02/22
PROPOSED STREET SCENES	P21:5458:06 H	07/02/22
ESTATE RAILINGS (1000mm)	SBH-BT-SD-021	07/02/22
RETAINING WALL - BETWEEN GARDENS	SBH-BT-RW-SD-002	07/02/22
STONE WALL & FENCE (1800mm)	SBH-BT-SD-017	07/02/22
TIMBER FEATHER EDGE FENCE (1800mm)	SBH-BT-SD-009	07/02/22
BRICK WALL (1800mm)	SBH-BT-SD-016	07/02/22
KNEERAIL FENCE (450-600mm)	SBH-BT-SD-001	07/02/22
TIMBER ACCESS GATE (1800mm)	SBH-BT-SD-007	20/07/21

Retaining Wall - Between Gardens	SBH-BT-RW-SD-002	20/07/21
Stone Wall & Fence (1800mm)	SBH-BT-SD-017	20/07/21
Brick Wall (1800mm)	SBH-BT-SD-016	02/11/21
FLOOD ROUTING PLAN	BC-500-008	02/11/21
IMPERMEABLE AREA PLAN	BC-500-007 B	02/11/21
S104 AGREEMENT PLAN - SHEET 1 OF 2	BC-500-001 C	02/11/21
S104 AGREEMENT PLAN - SHEET 1 OF 2	BC-500-001 C	02/11/21
PLOTS 12-16		11/10/21
PLOTS 94-100		11/10/21
S104 AGREEMENT PLAN - SHEET 2 OF 2	BC-500-001 B	11/10/21
S104 AGREEMENT PLAN SHEET - 1 OF 2	BC-500-001 B	11/10/21
2 BED AFFORD (A) STANDARD HOUSE FLOOR PLANS	2 BED AFFORD (A)-801	11/10/21
2 BED AFFORD (A) STANDARD HOUSE ELEVATIONS	2 BED AFFORD (A)-803	11/10/21
2 BED AFFORD. BUNGALOW FLOOR PLANS	2 BED AFFORD BUNG-801	11/10/21
3 BED AFFORD (A) STANDARD HOUSE FLOOR PLANS	3 BED AFFORD (A)-801(SC)	11/10/21
3 BED AFFORD (A) STANDARD HOUSE ELEVATIONS	3 BED AFFORD (A)-803	11/10/21
ASTON STANDARD HOUSE TYPE FLOOR PLANS	ASTON-801 REV I	11/10/21
ASTON STANDARD HOUSE TYPE ELEVATIONS	ASTON-803 REV D	11/10/21
IMPERMEABLE AREA PLAN	BC-500-007 B	11/10/21
BELFRY STANDARD HOUSE TYPE FLOOR PLANS	BELFRY-801(SC)	11/10/21
BELFRY STANDARD HOUSE TYPE ELEVATIONS	BELFRY-803 REV B	11/10/21
2 BED AFFORD. BUNGALOW ELEVATIONS	BUNGALOW-803	11/10/21
CAMBERLEY STANDARD HOUSE TYPE FLOOR PLANS	CAMBERLEY-801 REV B	11/10/21
CAMBERLEY STANDARD HOUSE TYPE ELEVATIONS	CAMBERLEY-803	11/10/21
GOODWOOD STANDARD HOUSE TYPE FLOOR PLANS (1)	GOODWOOD-801 REV B	11/10/21
GOODWOOD BRICK HOUSE TYPE ELEVATIONS	GOODWOOD-803(1) REV B	11/10/21
HADLEY STANDARD HOUSE TYPE FLOOR PLANS	HADLEY-801 REV B	11/10/21
HADLEY BRICK HOUSE TYPE ELEVATIONS	HADLEY-803(1) REV A	11/10/21
HAMILTON "A" STANDARD HOUSE TYPE FLOOR PLANS	HAMILTON "A"-801 REV H	11/10/21
HAMILTON "A" STANDARD HOUSE TYPE ELEVATIONS	HAMILTON "A"-803(1) REV	11/10/21
HAMILTON "B" STANDARD HOUSE TYPE FLOOR PLANS	HAMILTON "B"-801 REV F	11/10/21
HAMILTON "B" STANDARD HOUSE TYPE ELEVATIONS	HAMILTON "B"-803(3) REV	11/10/21
LONGWOOD STANDARD HOUSE TYPE FLOOR PLANS	LONGWOOD-801 REV E	11/10/21
LONGWOOD STANDARD HOUSE TYPE ELEVATIONS	LONGWOOD-803 REV A	11/10/21
LYTHAM STANDARD HOUSE TYPE FLOOR PLANS	LYTHAM-801(SC)	11/10/21
LYTHAM STANDARD HOUSE TYPE ELEVATIONS	LYTHAM-803 REV A	11/10/21
MERION STANDARD HOUSE TYPE FLOOR PLANS	MERION-801	11/10/21
MERION STANDARD HOUSE TYPE ELEVATIONS	MERION-803	11/10/21
NEWPORT STANDARD HOUSE TYPE FLOOR PLANS	NEWPORT-801(SC)	11/10/21
NEWPORT STANDARD HOUSE TYPE ELEVATIONS	NEWPORT-803	11/10/21
OAKLAND STANDARD HOUSE TYPE FLOOR PLANS	OAKLAND-801 REV A	11/10/21
OAKLAND STANDARD HOUSE TYPE ELEVATIONS	OAKLAND-803(3R)	11/10/21
RIDGEWOOD STANDARD HOUSE TYPE FLOOR PLANS	RIDGEWOOD-803(1)	11/10/21
RIDGEWOOD STANDARD HOUSE TYPE ELEVATIONS	RIDGEWOOD-801	11/10/21
SANDRINGHAM STANDARD HOUSE TYPE FLOOR PLANS	SANDRINGHAM-801(SC)	11/10/21
SANDRINGHAM STANDARD HOUSE TYPE ELEVATIONS	SANDRINGHAM-803(3) REV C	11/10/21
SHERINGHAM STANDARD TYPE FLOOR PLANS	SHERINGHAM-801 REV A	11/10/21
SHERINGHAM BRICK TYPE ELEVATIONS	SHERINGHAM-803(1) REV A	11/10/21
TROON STANDARD HOUSE TYPE FLOOR PLANS	TROON-801 REV B	11/10/21
TROON STANDARD HOUSE TYPE ELEVATIONS	TROON-803 REV A	11/10/21
TURNBERRY STANDARD HOUSE TYPE FLOOR PLANS	TURNBERRY-801(SC)	11/10/21
TURNBERRY STANDARD HOUSE TYPE ELEVATIONS	TURNBERRY-803 REV D	11/10/21

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 21, 29, 31, 25, 36, 40 of the County Durham Plan and Parts 2, 4, 5, 8, 9, 12, 14, 15 of the National Planning Policy Framework.*

2. Notwithstanding Condition 1, prior to the construction of any part of the development hereby approved above damp-proof course level a schedule and/or samples of all surfacing materials and external building materials, including doors and windows shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

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

3. Construction of the development should be carried out in accordance with the Surface Water Drainage Strategy Submission – Letter Report Date 31/01/2022

*Reason: To comply with Policy 35 of the County Durham Plan and Part 14 of the National Planning Policy Framework.*

4. Notwithstanding Condition 1, no part of the development hereby approved shall be occupied until details of the hard surfaces for driveways and parking spaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be implemented prior to the occupation of each dwelling and shall be permanently maintained and retained as such.

*Reason: To comply with Policies 21, 29 and 35 of the County Durham Plan and Parts 9, 12 and 14 of the National Planning Policy Framework.*

5. Notwithstanding Condition 1, no part of the development shall be occupied until a scheme for internal highways not offered for adoption by the Local Highway Authority (LHA) has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of private lighting, street nameplates and signage. The developer will need to submit details of the proposed maintenance regime including details of the appointed management company.

*Reason: To ensure that a satisfactory form of development is obtained in accordance with Policies 21 and 29 of the County Durham Plan and Parts 9 and 12 of the National Planning Policy Framework.*

6. Areas of landscape associated with the development shall be brought forward, maintained, monitored and managed in accordance with the approved Landscape Management Plan (Rev C, February 2022).

*Reason: To comply with Policies 39, 40 and 41 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.*

7. The landscaping scheme shall be implemented in accordance with the approved plans listed and implemented within the first available planting season upon completion of the development. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, are removed, die or become seriously damaged or defective within three years of planting, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

*Reason: To comply with Policies 39 and 40 of the County Durham Plan and Part 12 of the National Planning Policy Framework.*

8. All works should be carried out in accordance with the approved Arboricultural Method Statement (dated March 2022).

*Reason: To comply with Policy 40 of the County Durham Plan and Part 12 of the National Planning Policy Framework.*

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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

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## **BACKGROUND PAPERS**

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

Statutory, internal and public consultation responses

The National Planning Policy Framework (2019)

National Planning Practice Guidance Notes

County Durham Plan

County Durham Strategic Housing Land Assessment Report (2019)

County Durham Strategic Housing Market Assessment (2019)

Open Space Needs Assessment (2018)

Residential Amenity Standards SPD (2020)

County Durham Building for Life SPD (2019)

County Durham Landscape Strategy (2008)



<p><b>Planning Services</b></p>	<p>DM/21/02606/RM          Details of appearance, landscaping, layout and scale for 97 dwellings pursuant to outline planning permission DM/20/03070/OUT (amended description)          Land To The North Of Darlington Road, Barnard Castle, DL12 8QG</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding.          Durham County Council Licence No. 100022202 2005</p>	<p><b>Date</b> May 2022</p>	<p><b>Scale</b> NTS</p>