

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/23/00341/FPA
FULL APPLICATION DESCRIPTION:	Creation of new junction and associated highway improvements on A167
NAME OF APPLICANT:	Durham County Council
ADDRESS:	A167 - B6443 Central Avenue Newton Aycliffe Durham DL5 6JA
ELECTORAL DIVISION:	Aycliffe East
CASE OFFICER:	Steve France Planning Officer Telephone: 03000 264871 steve.france@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The site is formed of and around the northern signalised junction of the A167 into Newton Aycliffe, where it serves Central Avenue and the town centre to the west and Aycliffe Secure Centre and the North-East Centre for Autism at Aycliffe School to the east.
2. Newton Aycliffe sits between Durham City and Darlington, with the site around 2.5 miles north of junction 59 of the A1(M). The settlement is a large town, with a wide range of services, retail offer and employment areas, all located to the west of the A167 trunk road. This road is single carriageway on the approach to the existing junction from both directions. There is a short section of dual carriageway to the south, which reverts to single carriageway again as the road passes between Aycliffe Village and Aycliffe Industrial Estate. There is a bus stop and layby north of the junction on the south-bound carriageway, with a pedestrian crossing point at the traffic lights. Pedestrians can also traverse the A167 close to the access to the above institutions at a controlled crossing north of the junction or an uncontrolled crossing south of the junction, each with a central island refuge. The A167 is subject to a 50mph speed limit in this area. Central Avenue is restricted to a 30mph limit beyond the junction.
3. West of the road, the school and Secure Centre, is countryside which after a distance of around 3/4 mile is designated as an Area of High Landscape Value to reflect a buffer following the course of the River Skerne. There are no Tree Preservation Orders on the site. The site is within a 'pond buffer' that identifies the potential presence of newts. There are no Local Wildlife Sites, SSSIs or other ecological designations in the vicinity. There

are no designated heritage assets within influencing distance, however Welbury House, north-west of the junction does appear on the 1898 OS map and could be considered a non-designated heritage asset (NDHA). This building appears both residential and the base of a commercial landscape gardening business.

4. The existing carriageway is level with the settlement to the west but sits above the screening woodland to the east that separates the two institutions from the road. The woodland appears unmanaged and includes some small functional plant buildings near the roadway in various states of repair.

The Proposal

5. This proposal sits alone as an application to reconfigure the existing 'T' junction from the A167 into Central Avenue and Newton Aycliffe into a crossroad junction. The applicant describes the physical changes to the existing junction arrangement as including: Two lanes southbound on the A167; Two lane exit from the Copelaw allocation; Separate right turn into the Copelaw allocation; A new right lane to allow movements from Central Avenue to the Copelaw allocation; and Signal controlled pedestrian crossing across all arms of the junction. This will involve: widening of the existing A167 and B6443 highways, construction of new traffic lanes, islands and footways, new traffic signal control infrastructure and LED heads, new 200m access road to link with the existing signal junction, a sustainable surface water drainage attenuation system evidenced by the inclusion of a SuDS basin, a new LED system of street lighting columns, earthworks/tree removals/replacement landscape features, removal and topsoiling of the existing unclassified road "Cedar Drive".
6. This would retain vehicular access to the two existing institutions and pedestrian access across the A167. The bus stop and layby on the southbound carriageway north of the junction remains unaffected.
7. The red line application site boundary contains the areas required to undertake widening, new traffic lanes and upgrade works to the existing signalised junction and to also construct a new highway standard link road to connect the site to the improved A167 junction. To enable construction of these works and removal of the redundant existing road the extended site area is 1.98 Hectares.
8. Landscape Plans show works outside the red-line boundary but within the Council, as applicant's wider control.
9. The junction is proposed to serve a future housing development identified in Policy 4 of the Durham County Plan as a housing allocation of 770 dwellings within the Plan period – i.e. up until 2035 and then a further 630 units beyond the Plan period. The allocation is proposed to: provide a new primary school; provide community facilities in the form of a local centre incorporating A1, A2, A3 and A5 where viable and in accordance with other Plan policies; be accessed from a new junction on the A167 and include the redesign of the existing junction at the north end of Newton Aycliffe and Rushyford roundabout; provide strong pedestrian and cycle links across the A167; include significant structural planting along the entire perimeter of the site; incorporate bus, pedestrian and cycle routes within, and connecting to, adjoining facilities. A secondary access will be formed off Ricknall Lane onto the A167. No element of that scheme is being presented as part of the current proposal. There has been no formal scheme or planning application presented for that proposed development. The current roadworks proposed are described as 'unlocking' the potential for future development.

10. This application is being considered by Committee as a 'major' planning application.

PLANNING HISTORY

11. Whilst surrounding facilities have been subject to planning applications, the last significant works being the redevelopment of the Young People's Centre in 2011, the specific application site of the junction has no relevant recent planning history.

PLANNING POLICY

NATIONAL POLICY

12. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:
13. *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.
14. *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.
15. *NPPF Part 6 – Building a strong, competitive economy:* The Government is committed to ensuring the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.
16. *NPPF Part 8 – Promoting healthy and safe communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
17. *NPPF Part 9 – Promoting sustainable transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
18. *NPPF Part 11 Making Effective Use of Land.* Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while

safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

19. *NPPF Part 12 Achieving Well-Designed Places.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
20. *NPPF Part 14 – Meeting the challenge of climate change, flooding and coastal change.* The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
21. *NPPF Part 15 - Conserving and enhancing the natural environment.* Planning policies and decisions should contribute to and enhance the natural and local environment.
22. *NPPF Part 16 - Conserving and Enhancing the Historic Environment.* Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

NATIONAL PLANNING PRACTICE GUIDANCE:

23. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; historic environment; design process and tools; determining a planning application; flood risk; healthy and safe communities; land affected by contamination; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions; and; water supply, wastewater and water quality.

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

LOCAL PLAN POLICY:

The County Durham Plan

24. *Policy 4 Housing Allocations* identifies the locations for new housing within the County. Applications for housing on these allocations if in accordance with the site-specific requirements of the policy and infrastructure requirements should be approved if in accordance with other relevant policies in the plan.

25. *Policy 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.
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 24 Provision of Transport Infrastructure* states that new and improved transport infrastructure will be permitted where it meets all of the following criteria: being necessary to improve the existing highway network and/or public transport infrastructure; minimising and mitigating any harmful impact upon the built, historic and natural environment and the amenity of local communities including by incorporating green infrastructure; and making safe and proper provision for all users which prioritises the movement of pedestrians, cyclists and public transport.
28. *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).
29. *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.
30. *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.
31. *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.
32. *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.

33. *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.
34. *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.
35. *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.
36. *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.

Great Aycliffe Neighbourhood Plan (2017)

37. *Policy GANP CH1 Landscape Character and Townscape* states developments must respect the landscape character of the parish and its settlements, as defined within the Great Aycliffe Heritage and Character Assessment (December 2015) and incorporate features which contribute to the conservation, enhancement or restoration of local features.
38. *Policy GANP CH2 Protection of Accessible Local Green Space Designations* states: 'In order to protect local green space new development that would change the character of accessible local green space will only be permitted if the applicant could demonstrate that very special circumstances exist that would justify such an exception, including that the proposal will have a direct community benefit and this outweighs the harm that would otherwise result from the loss of the green space in question'.
39. *Policy GANP E4 Existing Tree Retention and Removal* states proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the need for, and benefits of, the proposal clearly outweigh the loss. Where tree removal is justified proposals will only be supported if there is a compensatory mitigation proposal which forms part of the submission. Where the removal of a tree(s) is proposed and essential to the delivery of the site, the developer is required to replace at least two of similar amenity value on site. Where a group of trees are removed a similar number must be replaced in a nearby suitable location. Any trees proposed for removal should be detailed, including the reason for removal, through the submission of a Design and Access Statement.

40. *Policy GANP E5 Protection of existing trees within new development* requires that Proposals for new development will be expected to safeguard existing trees where appropriate and integrating them fully into the design and protecting them during construction having regard to their management requirements and growth potential.
41. *Policy GANP T3 Cycle Provision and Walking Routes* states; Major development proposals must, where appropriate, provide or contribute toward, safe well lit, accessible and attractive cycle routes and public footpaths. New routes may be provided within the site and/or off site depending on local circumstances and should wherever appropriate connect to local schools and shops and maintain or improve access to the countryside. Alternatively, this may include upgrading existing cycle routes and public footpaths. Conversely, development proposals which limit the potential to enhance local cycle or public footpaths will not be permitted.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

42. *Highways* – The proposed improvement enables suitable highway access to the proposed Low Copelaw housing site. The revised signalised junction also removes the uncontrolled Cedar Drive access to the developments to the east of the junction. The design of the signalisation in terms of capacity has been based upon and taking into account the future development of the Low Copelaw site. It is noted that additional lanes have been added to introduce additional capacity’.
43. ‘The design has been developed in conjunction with DCC Traffic Signals Team and in accordance with DMRB standards’.
44. ‘Analysis of personal injury incidents in the vicinity of the site show 4 RTCs in the previous 5 years with one being at the Cedar Drive junction. Two of the RTCs involved a failure to obey the signals and the remainder were rear end shunts. This represents a reasonably good record given the volume of traffic controlled by the existing signals. The revised layout is considered an improvement on the previous layout and therefore does not represent a serious safety concern’.
45. ‘The proposed signalised junction includes phasing for pedestrians and cyclists to provide safe means of crossing the various legs of the junction which is a safety improvement’.
46. ‘On the basis of the above I offer no objection to the proposal from a highways road safety perspective’.
47. *Highways England*, consulted on the basis that the proposals affect a trunk road have not responded to their consultation and have therefore not raised objection.

INTERNAL CONSULTEE RESPONSES:

48. The *County Ecologist* advises the development must accord with the requirements of the Development Plan and the NPPF. There are potential options for delivery of the Biodiversity Net Gain (BNG), either through the Countryside Estate or more local delivery, and preferable delivery within Newton Aycliffe in partnership with Aycliffe Town Council and Clean and Green. However, at the current time no specific sites have been identified

and so a bespoke cost cannot be generated for the BNG delivery. As such a rate of £15k per Biodiversity Unit must be applied. Therefore, a maximum of £70,500 will be required as a financial contribution and this must be paid prior to commencement.

49. The Council will aim to determine the off-site location for delivery of BNG prior to commencement and provide a bespoke cost for its delivery, long-term management and monitoring. If off-site locations can be identified prior to development, then the bespoke cost will determine the extent of the financial contribution but will not exceed the previously stated amount.
50. *Landscape Officers* note that a landscape strategy has been produced which is generally acceptable. The principle of planting Suds area (assuming no liner is necessary) with appropriate tree planting has been accepted by DCC drainage. The possibility of such an approach within this scheme should be explored, to provide a SuDS precedent for development within the County. Full detailed planting proposals should be provided in due course. An Arboricultural Impact Assessment has been provided. Landscape comments would concur with those of the Arb. Officer.
51. *Tree Officers* note the proposals involve the loss of twenty-five individual trees and sections of six groups to accommodate the proposals. The loss will have a medium negative impact in the short to medium term. This is a conflict with Policy 40 of the County Plan.
52. *Design and Conservation Officers* point out the presence of Welbury House which lies to the north-west of the existing junction. It is visible on the second edition OS map circa 1898 and may be considered a non-designated heritage asset. The proposed scheme is an amendment to the existing highway arrangement and is not expected to impact on the setting of the identified non-designated heritage asset.
53. *County Archaeology* write that 'the area on the eastern side of this junction has been evaluated by geophysical survey as part of the wider Low Copelaw Development. This survey still needs to be tested and confirmed by trial trenching. Depending on the results of this trenching, further work may need to be carried out. These works could be secured by suggested conditions.
54. *Drainage Officers*, 'advise approval of the surface water management for the proposal'.
55. *Environmental Health (Contamination)* confirm they have no adverse comments to make. There is no requirement for a contaminated land condition. It should be noted that the future residential developments would require consultation under a separate application. A standard 'informative' is suggested for unforeseen contamination.
56. *Environmental Health (Air Quality)* and *(Nuisance)* have acknowledged that in terms of this stand-alone application for the junction works, for the operational phase of the project there will be no increase in traffic movements, and indeed from the more efficient proposed arrangement north-bound with the new filter lane into Central Avenue, air quality and nuisance impacts may be reduced – although this has not been evidenced.
57. For the construction process, standard conditions to ensure working hours Noise and Vibration and Dust Control arrangements will be required, to be secured through a

Construction Management Plan. It would also have been expected for any application to be accompanied by an environmental noise assessment, any such assessment would be expected to be undertaken in line with the Design Manual for Roads and Bridges (DMRB); the DMRB provides guidance and direction for noise evaluation and mitigation in relation to both the construction phase and operational phase of such works.

PUBLIC RESPONSES:

58. A total of 2 representations from the public and the views of Great Aycliffe Town Council have been received in response to the consultation exercise involving 252 individual letters, press and site notices. Of these, 1 objects to the proposals whilst 1 is neutral. Additionally, the Town Council are supportive of the proposals:
59. The Town Council confirm they have no objection and comment that, 'although the construction of this junction will involve the removal of a number of trees, which is against Neighbourhood Plan policies, this is acknowledged in the planning statement. There will be re-planting in due course and the necessity to provide a junction for the expected new development outweighs the GANP policies in planning terms'.
60. In objection, one resident in the adjacent St. Oswald's Court development suggests a roundabout as preferable, with the current proposals purported to be designed 'to annoy motorists and residents' with the ultimate aim of discouraging car usage.
61. A representation neither in support or against the proposals queries working hours and the likely implementation period of the scheme.

APPLICANT'S STATEMENT:

62. The junction improvements on the A167 / B6443 Central Avenue in Newton Aycliffe, will provide suitable access that will help to enable and unlock the future development of the Low Copelaw strategic housing site to the east of the A167. The proposed works will take place in public highway and new highway will also be created with a new access road extending in to the Copelaw site. Works will comprise construction of new traffic lanes, islands and footways, improved traffic signals, a new sustainable drainage attenuation system, new LED lighting columns, earthworks and vegetation removal, along with replacement landscape features and the removal of the existing Cedar Drive access once the areas of highway are complete. The benefits resulting from the scheme are summarised as follows:
 - reconfiguration of the junction and additional traffic lanes will ensure efficient operation and address future anticipated traffic growth;
 - the existing businesses and residents on the Low Copelaw site will benefit from the highway improvements that offer safer egress on to the A167;
 - pedestrians will benefit from improved crossing facilities including push button pedestrian phases that promote safe passage across the A167;
 - improved pedestrian connectivity with street lit footways linking the junction crossings with the Autism Centre and the Secure Unit;
 - new LED lighting installed will be more energy efficient offering cost savings and a lower carbon footprint; and
 - surface water drainage will be improved through provision of sustainable attenuation on site that will offer environmental benefits improving both amenity and biodiversity.
63. The proposal is in line with the development plan (both the County Durham Plan and the Great Aycliffe Neighbourhood Plan) and whilst there will be some disruption experienced by road users during the construction period, this will be overcome by the longer-term

benefits offered by the improved A167 junction scheme and the new highway access that will unlock the development potential of a major strategic housing site for County Durham.

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=RPPBVJGD0BK00>

PLANNING CONSIDERATIONS AND ASSESSMENT

64. 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, ecology, residential amenity, public open space, historic environment and other matters.

Principle of the Development

The Development Plan

65. 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) 2020 and the Great Aycliffe Neighbourhood Plan (GANP) 2017 together constitute 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.
66. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay.
67. Whilst there is extensive reference in this application to the proposed works as a precursor to unlock the housing land allocation to the east of the A167 at Low Copelaw, it is submitted as a stand-alone development and must be considered in its own right.
68. To this end, the lead Policy in the County Plan is Policy 24, 'Provision of Transport Infrastructure'. New and improved transport infrastructure will be permitted where it meets all of the following criteria:
- a. is necessary to improve the existing highway network and/or public transport infrastructure;
 - b. minimises and mitigates any harmful impact upon the built, historic and natural environment and the amenity of local communities including by incorporating green infrastructure; and
 - c. makes safe and proper provision for all users which prioritises the movement of pedestrians, cyclists and public transport.
- Transport infrastructure proposals should also meet at least one of the following criteria:
- d. supports economic growth;
 - e. enhances connectivity either within the county or with other parts of the region; or
 - f. accommodates future development sites.

69. Considered in its own right, as submitted, the proposed layout results in a more efficient and safer access into Central Avenue, and also into the establishments to the east. Detailed implications for the individual criteria will be discussed in the topic headings below. The intent of the proposed works is ultimately to serve criteria f.

Highways Safety and Access

70. 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. Highways aspects of the Neighbourhood Plan relate to parking and cycling issues, where Policy T3 requires that major development proposals must, where appropriate, provide or contribute toward safe well lit, accessible and attractive cycle routes and public footpaths.
71. Highways Officers offer no objection to the proposals, noting the low accident level data at the junction and the benefits of adding an additional lane and control over the traffic movements into Central Avenue. That the junction has the capacity to accommodate future allocated housing development east of the A167 is acknowledged.
72. A nearby resident has written in objection suggesting use of a roundabout as a preferred design. The applicant notes, *'the current signal junction works well and is better suited to manage variable traffic flows, differing speed limits and pedestrian movement. The strategy was therefore to improve and enhance what is already there. To accommodate future traffic numbers, our transport engineers modelled the junction with predicted traffic flows, and this determined it would operate more efficiently by introducing additional lanes to separate turning movement. Modelling the proposed layout and extra arm demonstrated that it would function not dissimilar to what is experienced currently, plus it will still operate on similar stages - main road/right-turns/side roads. The current proposal also improves pedestrian/cyclist management and promotes safe passage from one side of the A167 to the other and with future pedestrian activity to increase and the possibility of a school being built on the site, we wouldn't wish to remove this facility'*. Ultimately, the planning assessment and decision must be based on the merits of the scheme as proposed and not suggested alternatives.
73. Neighbourhood Plan Policy T3 Cycle Provision and Walking Routes requires major development proposals to contribute toward, safe well lit, accessible and attractive cycle routes and public footpaths. New routes may be provided, or this may include upgrading existing cycle routes and public footpaths. The County Highways Officer notes that 'the proposed signalised junction includes phasing for pedestrians and cyclists to provide safe means of crossing the various legs of the junction which is a safety improvement', a device which is concluded to bring compliance with this Policy.
74. No objection has been received from Highways England for the proposed scheme.
75. The proposals have been assessed in detail for their highway safety implications and notwithstanding the objection from a nearby resident are concluded to be a Policy compliance improvement to the existing junction of a standard that can accommodate

anticipated residential development to the east of the A167 at Low Copelaw. The requirements of CDP Policy 21, GANP Policy T3 and part 9 of the Framework are met.

Layout and Design

76. 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. Neighbourhood Plan Policy CH1 similarly states developments must respect the landscape character of the parish and its settlements.
77. As changes proposed by the application relate to the layout of the carriageway and its immediate surroundings there are limited implications for the requirements of these conditions. The introduction of an additional filter lane northbound to access Central Avenue does result in the loss of some open area and landscaping in that location and this must be carefully assessed. These open spaces are of critical importance to the character and social history and townscape of the settlement, west of the A167, reflecting (to quote the Neighbourhood Plan), 'Lord Beveridge's vision for the new town of Newton Aycliffe was of a 'Welfare State', where poverty, unemployment and squalor would be no more. Newton Aycliffe was to be 'a paradise for housewives' with houses grouped around greens, so children could play safely away from the roads'. 'Beveridge's Vision is an important aspect to our heritage and defines the character of Newton Aycliffe, protecting the green and open spaces is vital'. The extent of the works proposed, and the mitigating landscape works proposed is such that Officers consider the essential compliance with Policy GANP CH1 and therefore CDP Policy 29 is met.

Landscape and Visual Impacts

78. 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 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 CDP Policy 29. CDP Policy 40 seeks to avoid the loss of existing trees and hedgerows unless suitable replacement planting is provided. Neighbourhood Plan Policy CH1 Landscape Character and Townscape states developments must respect the landscape character of the parish and its settlements. 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. Again, Policy GANP as quoted in the previous section is considered relevant.
79. Landscape Officers consider the first landscape strategy generally acceptable. They asked that as the principle of planting Suds area with appropriate tree planting has been accepted by DCC drainage, the possibility of such an approach within this scheme should be explored, to provide a SuDS precedent for development within the County. An updated landscape scheme to include planting in the SuDS basin has been included.

80. Full detailed planting proposals should be provided in due course. A condition to this end, to provide both landscape and ecology benefits is proposed. With this additional requirement, the proposed approach to landscape effects is considered acceptable subject to compliance conditions.

Open Space and Trees

81. Whilst the area of open space affected by the development east of the A167 is small in area, with its position adjacent the trunk road and limited in terms of functional leisure value, the green spaces framing the main transport arteries of Newton Aycliffe are however of particular value.
82. The Great Aycliffe Neighbourhood Plan contains Policy GANP CH2 for Protection of Accessible Local Green Space Designations. The entrance to Central Avenue at the junction with the A167 is identified as both Local Green Open Space and a Green Corridor. The first of these Policies states that *'in order to protect the 'vision' of Lord Beveridge local green space will be protected in Great Aycliffe'. 'New development that would change the character of accessible local green space will only be permitted if the applicant could demonstrate that very special circumstances exist that would justify such an exception'*. Exceptions include where: *'the Applicant can demonstrate that such loss is related to essential infrastructure works required by a service utility which cannot be accommodated elsewhere'*, and where *'the proposal will have a direct community benefit and this outweighs the harm that would otherwise result from the loss of the green space in question'*. Again, Policy 40 of the CDP is of relevance here also.
83. The proposed works do not fit neatly into either criteria, however both are relevant by degree. The works the application proposes are obviously specific to the site and the extent of the works is such that intrusion into the 'Local Green Open Space' and Green Corridor' designations shown in Appendix C and D of the Neighbourhood Plan is minimal. The proposals will in the short term make the junction more efficient with benefits for its users. In time the proposals have the potential to provide wider benefits if and when the development east of the A167 envisaged by the housing allocation in the County Plan is presented, but at present this is not material in the assessment of the application – contrary to the applicant's Planning Statement. The proposal therefore conflicts with GANP CH2 as it would result in loss of accessible local green space and would not fit within any of the exceptions in that policy. This is an adverse impact which will need to be weighed up in the planning balance.
84. Tree Officers note conflict from the proposed tree removals with Policy 40 of the County Plan. There are similar implications from the tree loss against Policy E4 of the GANP.
85. The submitted Landscape Strategy shows the mitigation proposed for the works, with the AIA and Planning Statement acknowledging the tree removals required to facilitate the proposed works. New tree planting, hedging and grass and wildflower areas are proposed. Existing woodland and tree areas west of the A167, i.e., on the settlement side are largely unaffected, with all retained trees to be protected during construction works. Proportionate to the nature of the works proposed in that area, this mitigation is considered appropriate, and respectful of the intent of the Neighbourhood Plan Policy, and if the option of BNG mitigatory planting in land within Newton Aycliffe can be agreed, the level and value of this mitigation is increased.
86. Whilst mitigation has been shown and can be secured by condition, that the tree loss has been raised as a Policy conflict brings this element of the proposals into the planning balance to be considered against the benefits of the scheme.

Ecology

87. Paragraph 180 of the NPPF sets out the Government's commitment to halt the overall decline in biodiversity by minimising impacts, providing net gains where possible and stating that development should be refused if significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for. CDP Policy 41 reflects this guidance by stating that proposals 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. Elements of 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.
88. The County Ecologist notes there are potential options for delivery of the BNG, with discussions underway for either implementation through the Countryside Estate or more local delivery, and preferable delivery within Newton Aycliffe in partnership with Aycliffe Town Council and Clean and Green. However, at the current time no specific sites have been identified and so a bespoke cost cannot be generated for the BNG delivery. As such a rate of £15k per Biodiversity Unit should be applied. Therefore, with 4.7 bio-diversity units involved, a maximum of £70,500 will be required as a financial contribution and this must be paid prior to commencement.
89. Were the ecology gains to be delivered in Great Aycliffe they would need to comply with the requirements of Policy CH1 of the Neighbourhood Plan, but by their very nature, this should be compliant.
90. The BNG will also need to mitigate any ecological shortfall between the proposed landscape plan and the tree losses as highlighted by the Tree Officer.
91. The Council as applicant, with constrained timescales relating to funding, has stated they aim to determine the off-site location for delivery of BNG prior to commencement and provide a bespoke cost for its delivery, along with long-term management and monitoring proposals. If off-site locations can be identified prior to development, then the bespoke cost will determine the extent of the financial contribution but will not exceed the amount stated above. This must be a minimum expectation.
92. An applicant would usually be expected to secure the delivery of a specific BNG scheme through a s.106 planning legal agreement and a long-term maintenance agreement under s.39 of the Wildlife and Countryside Act to secure management agreements with the owners and occupiers of land. If the BNG is delivered in the landholdings of the Town Council, a s.39 agreement will be required. If on County Council controlled land, with the County Council unable to enter into a legal agreement with itself a condition would be required. A preference for a condition for all these requirements has been indicated.
93. A requirement within the recommendation to secure an internal transfer of funds to County Ecology will be needed to secure the essential net bio-diversity gain, with a condition to ensure the subsequent implementation, monitoring and maintenance of the scheme this will enable. This would bring compliance with Policies 26, 35, 41 and 43 of the CDP, Policy CH1 of the Neighbourhood Plan if required and part 15 of the Framework.

Heritage and Archaeology

94. 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, mirroring the advice in part 16 of the Framework. 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. Policy 24 seeks to ensure that transport infrastructure works respect the historic environment.
95. 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.
96. There are no listed buildings on or adjacent the site, so no implications under the Planning (Listed Buildings and Conservation Areas) Act 1990. Welbury House can be identified on the OS Survey from 1898 onwards, and this including the stable building to its rear, can be considered a non-designated heritage asset (NDHA). Part 16, paragraph 203 of the Framework advises the effect of an application on the significance of a NDHA should be taken into account in determining an application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The application proposes minor alterations to the extent of the highway around Welbury House. The Landscape Strategy shows a small area of trees in the public highway south of the property retained, with new planting proposed adjacent the footpath. Welbury House and its curtilage are not physically affected by the proposed junction works, and the retained and new planting ensures there is no affect on the setting of or harm to the NDHA. This aspect of the assessment is considered compliant with the requirements of Policy 44 of the County Plan, informed by part 16 of the Framework. There are no relevant Policies in the GANP for NDHAs.
97. The County Archaeologist has advised that the area on the eastern side of this junction has been evaluated by geophysical survey as part of the wider Low Copelaw Development. This survey still needs to be tested and confirmed by trial trenching. Depending on the results of this trenching, further work may need to be carried out. These works could be secured by the conditions set out below.
98. The open spaces separating the A167 and the main transport arteries in Newton Aycliffe have a historical value as described elsewhere in this report and as protected in Policy CH2 of the Neighbourhood Plan. As assessed and justified in the relevant section, the effect on these areas is minimal and does not undermine their value in reflecting the 'vision' of Lord Beveridge.
99. These assessments and conclusions show that the proposals can meet the requirements of Policies 44, 24 of the CDP, Policy CH2 of the GANP and part 16 of the Framework.

Residential Amenity

100. 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. An updated 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.

101. North-east of the junction, the current 19.8m separation distance between the edge of the vehicular carriageway and the nearest property in St. Oswald's Court is proposed reduced by 2.3m. This distance is principally composed of open space and a footway that runs parallel with but separate from the roadway. This land is not public highway but is owned by the Council.
102. South of the junction, with an extra lane proposed to serve Central Avenue and the access into Newton Aycliffe the current separation of 61.5m is reduced by 8.0m to 53.5m affecting 6 dwellings in Welbury Grove.
103. Environmental Health (Air Quality) and (Nuisance) acknowledge that in terms of this stand-alone application for the junction works for the operational phase of the project, there will be no increase in traffic movements, and indeed from the more efficient proposed arrangement north-bound with the new filter lane into Central Avenue, air quality and nuisance impacts may be reduced – although this has not been evidenced. Given the distance to the nearest sensitive receptors, this element of the works is concluded acceptable.
104. The construction works have the potential to affect residential amenity and it is advised that the imposition of conditions to secure a Construction Management Plan that will include control of noise and dust is required, an addition to standard working hours conditions to mitigate the potential for disturbance.
105. In terms of reasonable expectations of residential amenity, the proposed works are concluded acceptable in terms of the requirements of Policies 29 and 31 subject to the imposition of appropriate conditions where indicated.

Flooding and Drainage

106. Policy 35 County Durham Plan 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. 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 tests are passed, informed by a site-specific flood risk assessment.
107. Council Drainage Officers who represent the Lead Local Flood Authority raise no objection to the proposals which includes a new SuDS basin adjacent the new east leg of the crossroads that replaces the existing access to the school and Young Persons' facility meeting the Policy requirement for a Sustainable Drainage System. There is no foul water element to the proposals.
108. The requirements of Policy 35 of the County Plan, advise by parts 14 and 15 of the Framework are considered addressed.

Other Considerations

109. The site does not lie within a Mineral Safeguarding Area and is not affected by records of historic mining activity that would require land stability investigations. A gas pipeline and restrictive buffer zone pass to the north-east of the proposed junction, under the Young Persons' Facility, but not affecting the development site. The relevant parts of Policies 28, 32 and 56 are therefore unaffected following the guidance of part 15 of the Framework.
110. Environmental Health (Contamination) Officers have assessed the historical maps and available information with respect to land contamination and confirm they have no adverse comments to make, nor any requirement for a contaminated land condition. A standard 'informative' is suggested to cover the potential for unexpected contamination. This would meet the requirements of CDP Policy 32 - Despoiled, Degraded, Derelict, Contaminated and Unstable Land.
111. Whilst within the catchment areas that have Nutrient Neutrality constraints, the proposals have no implications for this concern.
112. The proposal has generated some public interest, with 1 objection and 1 representation having been received from local residents. The points raised have been taken account and addressed within the report, the objection arguing for a roundabout arrangement as an alternative to the proposed crossroad arrangement.
113. Special attention is drawn to the Town Council's comments who acknowledge that there will be re-planting in due course and the necessity to provide a junction for the expected new development outweighs the conflict with the Neighbourhood Plan Policies in planning terms.
114. Considered for Environmental Impact Assessment it is concluded that the proposed planning application does not fall under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') and therefore an Environmental Impact Assessment is not a mandatory requirement.
115. A Screening Opinion undertaken for the proposals concludes that the scheme falls under Schedule 2. Column 10.f. - Construction of Roads, as an upgrade of the existing facility. A Screening Opinion is the local planning authority's (LPA) formal view as to whether a particular proposal is EIA development and should be the subject of an Environmental Statement (ES) as part of the planning application process. Taking account of the selection criteria in Schedule 3, the proposal is not likely to have significant effects on the environment. An Environmental Impact Assessment is concluded as not required (subject to Secretary of State's power to make directions).

CONCLUSION

116. 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.

117. The proposal is in its own right for a more efficient form of road junction. Highways Officers have confirmed that traffic flows will be more efficient with the improved access to Newton Aycliffe by Central Avenue. Access across the A167 and to the facilities east of the junction and to the southbound bus stop will be improved by degree. There are the benefits of this scheme as it stands alone.
118. It is also a development that could serve future applications for allocated housing development. Whilst as set out in the submission these future developments could deliver significant planning benefits, in the absence of formal proposals for such, they are of little if any weight.
119. Bio-diversity Net Gain must be secured by the approval, in terms of defining the proposals and making sure they meet the required thresholds, and then in its implementation, monitoring and management over the standard extended period of time. The proposed mechanism for securing this is not standard but put forward as the best available in this case.
120. The proposal conflicts with GANP CH2 as it would result in loss of some accessible local green space and would not fit within any of the exceptions in that policy. The small area of land involved, and the planned compensatory landscaping scheme is considered an appropriate mitigation for the level of harm involved.
121. Between the early stage at which the ecology has been submitted and the loss of trees contrary to Policy 40 of the CDP means this application must be considered in the planning balance. Even considered alone as a more efficient version of the existing junction, with improved access into Newton Aycliffe, the proposals are considered to have sufficient benefits as to outweigh identified harms, as acknowledged by the Town Council.
122. Undertaking the required 'planning balance' of the merits of the scheme against its conflicts with the Development Plan, the proposals are concluded to be acceptable, subject to the mitigations and conditions set out in the recommendation below.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of an internal transfer of funds to the Council's Ecology section, prior to commencement of the scheme, to secure the following:

- £70,500 to be used towards biodiversity enhancements as part of a 30-year management plan in accordance with the framework identified in Durham County Council's Biodiversity Compensation Strategy:

and subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the Approved Plans.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 4, 10, 19, 21, 24, 29, 31, 32, 35, 36, 39, 41, 44 and 56 of the County Durham Plan, Policies CH1, CH2, E4, E5 and T3 of the Great Aycliffe Neighbourhood Plan and Parts 2, 4, 6, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. Prior to commencement of the development a scheme to meet the biodiversity net gain requirement of 4.7 Biodiversity Units to include a Biodiversity Management and Monitoring Plan (BMMP) covering a 30-year period from the date the habitats were created, or a payment in lieu of such at a rate of £15k per Biodiversity Unit shall be submitted to the Local Planning Authority for approval in writing. Monitoring should be undertaken in years 2, 5, 10, 15, 20 and 30 and the results supplied in writing to the Local Planning Authority after each monitoring visit. The BMMP should include any proposed ecological enhancements. Where land identified for delivery is not within the control of the applicant the BMMP must be subject to a s.39 agreement under the Wildlife and Countryside Act 1981.

Reason: In order to deliver Biodiversity Net Gain in accordance County Durham Plan Policy 41 and Part 15 of the National Planning Policy Framework. Required to be a pre-commencement condition as the Biodiversity Management and Monitoring Plan must be devised prior to the development being implemented.

4. Prior to the development being brought into use full details of hard and soft landscape proposals shall be provided to the Local Planning Authority for approval in writing. Hard landscape details should include all street furniture and street lighting locations. Details of external finishing materials should include finished levels, and all construction details confirming materials, colours, finishes and fixings. Soft landscaping details should include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers and details of the maintenance of the landscaping. Details of rabbit protection should be provided. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The landscaping shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the area and to comply with County Durham Plan Policies 6, 29, 39 and 40, Great Aycliffe Neighbourhood Plan Policies CH1, CH2, CH3, E1 and E4 and Parts 12, 15 and 16 of the National Planning Policy Framework.

5. No development shall commence until 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' has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in full and in complete accordance with the approved scheme of works.

Reason: To safeguard any archaeological interest in the site, and to comply with Policy 44 of the County Durham Plan 2020 and part 16 of the National Planning Policy Framework (NPPF). Required to be a pre-commencement condition as the

archaeological investigation/mitigation must be devised prior to the development being implemented.

6. No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be brought into use until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. 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 comply with paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

7. Before undertaking the approved development scheme, the applicant must provide and receive written agreement for:

A Dust Action Plan including measures to control the emission of dust and dirt during construction in line with Institute of Air Quality Management (IAQM) guidance and with reference to Durham Council's Construction/Demolition Management Plan Guidance.

- a. Details of methods and means of noise reduction/suppression.
- b. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
- c. Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
- d. Designation, layout and design of construction access and egress points.
- e. Details for the provision of directional signage (on and off site).
- f. Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.
- g. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.
- h. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.
- i. Routing agreements for construction traffic.
- j. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- k. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
- l. Management measures for the control of pest species as a result of demolition and/or construction works.
- m. Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations. The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

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

8. Before undertaking the approved development scheme, the applicant must provide and receive written agreement from the Local Planning Authority for an environmental noise assessment, to be undertaken in line with the Design Manual for Roads and Bridges (DMRB) and with adherence to any mitigation identified therein as necessary during the full course of 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.

STATEMENT OF PROACTIVE ENGAGEMENT

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

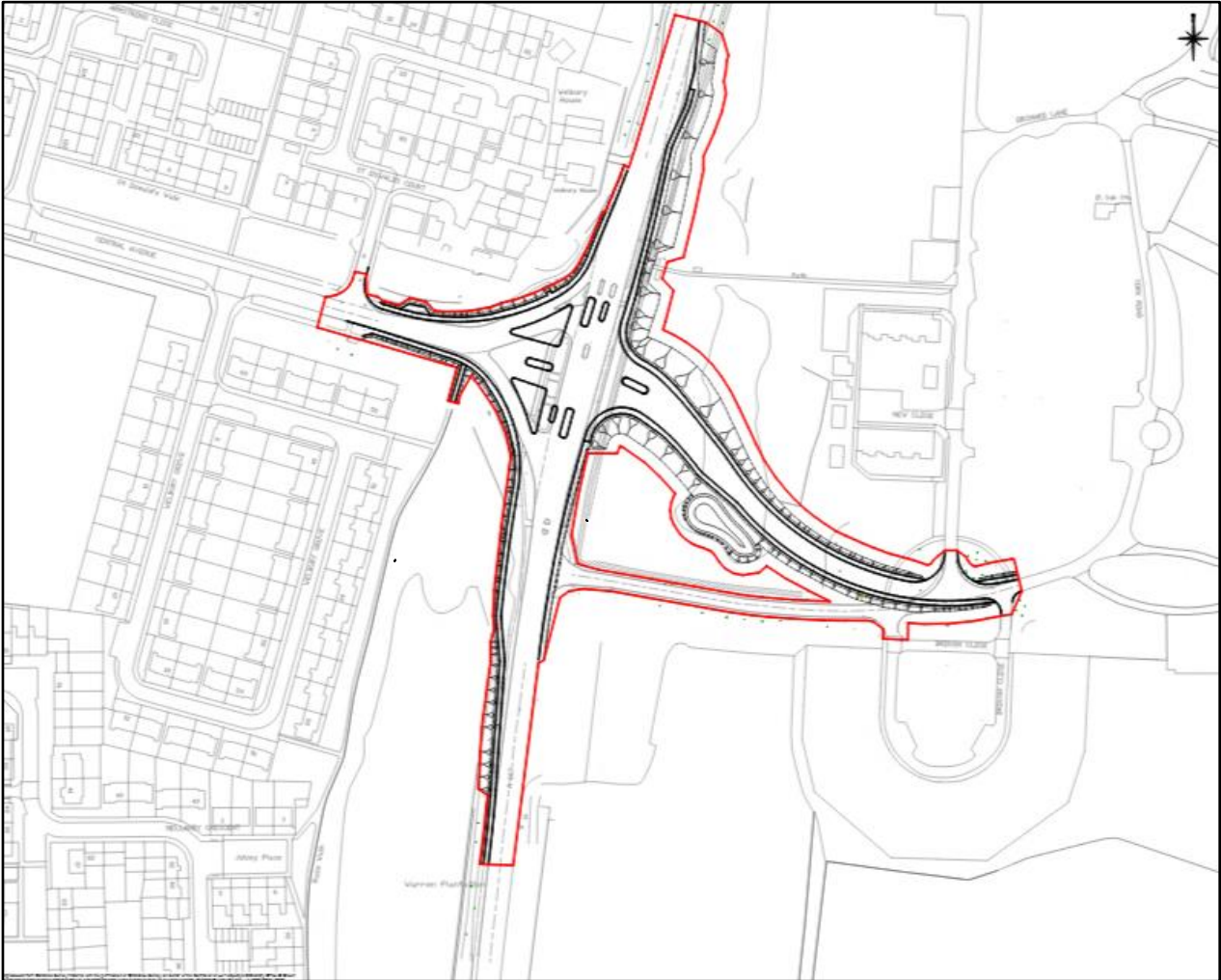
PUBLIC SECTOR EQUALITY DUTY

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 consider that the scheme in reflecting in particular the needs of members of the public with accessibility issues to a Policy compliant standard incorporates elements that ensure the development has the potential to be attractive to all and demonstrates that the requirements of this Act have been considered.

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 2020
- Great Aycliffe Neighbourhood Plan 2017



Planning Services

DM/23/00341/FPA

Creation of new junction and associated highway improvements on A167

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Date 4 April 2023

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