

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/22/01981/RM
FULL APPLICATION DESCRIPTION:	Reserved matters application for 470 dwellings (appearance, landscaping, layout and scale) pursuant to DM/20/03558/OUT.
NAME OF APPLICANT:	Miller Homes and Barratt Homes
ADDRESS:	Land To The East Of Regents Court Sherburn Road Durham
ELECTORAL DIVISION:	Belmont
CASE OFFICER:	Graham Blakey Principal Planning Officer Telephone: 03000 264865 graham.blakey@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The proposed application site is located to the east of Durham on land to the south of the A181, Sherburn Road, of 19.13 hectares in size. It currently comprises a large arable field parcel and a small area of unmanaged grassland. A section of Bent House Lane which runs between the arable field and the existing housing and unmanaged grassland to the west. The northern boundary comprises a fence and some vegetation, existing hedgerows and trees define the south, east and western boundaries. Located beyond existing trees and boundary planting is the A181 to the north, agricultural land to the south and existing residential development to the west. Beyond the eastern boundary is an embankment leading down to the A1(M) motorway.
2. Levels across the proposed development area slope gently from the north to south, falling into a lower depression mid-way along the southern boundary; whilst beyond the land slopes away more steeply towards Old Durham Beck to the south. Bent House Lane runs in a southerly direction providing vehicular access to Bent House Farm, Old Durham Gardens and a small number of residential dwellings. The main body of the site east of the lane lies to a lower level from the road for the most part along the length of Bent House Lane. West of the lane, the land is level or gradually rising towards the Sherburn Road housing estate. Bent House Lane is largely rural in character and features an agricultural hedgerow to the eastern side bounding the application site. An agricultural hedgerow runs along the north eastern boundary of the site and separates two parcels of land on the ground.
3. There are a number of existing dwellings within close proximity to the proposed site boundary. These include single storey bungalows on the western side of Bent House

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

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

The Proposal

5. This application seeks reserved matters planning permission for 470 dwellings to the area of the original planning consent east of Bent House Lane (DM/20/03558/OUT). Matters reserved for this later assessment by the original planning consent are 'appearance', 'landscaping', 'layout' and 'scale', with 'access' to the site having been agreed as part of the original outline planning permission. Full detailed plans have been submitted for assessment and primarily relate to the internal layout of the proposed new housing and associated infrastructure, landscaping and connections.
6. The application is submitted on behalf of two proposed developers, Miller Homes and Barratt Homes, with a split in properties 50/50 (235 each) spread across the development. Overall, the scheme includes a total of 470 dwellings of which 66% are proposed as M4(2) compliant, 25% as affordable homes (in line with the agreed Section 106 agreement) and 10% as homes for older people (24 bungalows and 23 multi-generational homes). The dwellings comprise a mix of 1, 2 and 2.5 storey dwellings, with 2, 3, 4 and 5 bedrooms. All homes and tenure mixes are proposed to be split across both developers on the site and in turn across their individual developer areas.
7. Landscape areas are proposed within and surrounding the built-up area of the site taking in to account existing landform features and with sustainable drainage systems proposed throughout with a chain of basins from the centre of the site to the southern boundary. The proposed vehicular access to the site would remain as a single point access off Sherburn Road via a gateway feature arrangement of dwellings fronting onto this Public Open Space (POS).
8. The proposed layout takes direction from the previously approved Design Code for the allocation and includes 6 out of the agreed 7 character areas linked to an approved masterplan. The proposed site layout retains the main spine road running south towards a central area of POS, with new pedestrian routes following desire lines from the access to Bent House Lane and from the development site outward into the adjacent green belt land south of the site. New homes would face outward onto areas of POS and drainage features which are proposed to be landscaped, tying into the wider landscape design. This comprises a connecting space between the north and south and along the southern landscape buffer where a new footpath within would head east to west linking the site extremes.
9. All dwellings feature off-street parking, bike storage capability and private rear gardens. The development is subject to a number of obligations and conditions secured under the original outline planning permission which are subject to separate agreement or delivery.

10. This application is being considered by committee at the request of Councillor Christine Fletcher (Belmont Division) in relation to design, permeability and sustainability grounds.

PLANNING HISTORY

11. DM/20/03558/OUT - Proposed residential development of up to 500 dwellings (outline including access) (amended 24th August 2021) - Land To The East Of Regents Court Sherburn Road Durham – approved 25th March 2022.

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 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.
16. *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.
17. *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.
18. *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.

19. *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.
20. *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.
21. *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.
22. *NPPF Part 15 - Conserving and enhancing the natural environment.* Planning policies and decisions should contribute to and enhance the natural and local environment.
24. *NPPF Part 16 - Conserving and Enhancing the Historic Environment.* Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

NATIONAL PLANNING PRACTICE GUIDANCE:

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

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

LOCAL PLAN POLICY:

The County Durham Plan

26. *Policy 4 Housing Allocations* identifies the locations for new housing within the County. Applications for housing on these allocations if in accordance with the site-specific

requirements of the policy and infrastructure requirements should be approved if in accordance with other relevant policies in the plan.

27. *Policy 5 Durham City's Sustainable Urban Extensions* identify site specific requirements for proposed housing development to two locations on the edge of Durham City (Sniperley Park and Sherburn Road). Development at Sherburn Road should:
- m. help regeneration efforts in the adjacent estate through greater housing diversity in the area;
 - n. design to Sherburn Road should provide a positive gateway to Durham City from the A1(M) in particular, protect the character of Old Bent House Farm, Old Durham and Old Durham Beck;
 - o. protect and frame the Durham Castle, Cathedral and World Heritage Site; develop a community building on or adjacent the site;
 - p. incorporate a community building or support improvements to nearby community facilities of Sherburn Road Estate;
 - q. pay necessary contributions for additional school places generated by the development;
 - r. deliver a combined Sustainable Drainage attenuation scheme to manage drainage into the Old Durham Beck from the site and the A1(M) with Highways England;
 - s. deliver Green Belt compensatory improvements within remaining Green Belt land to the south and west of the application site;
 - t. enhance the woodland boundary to the A1(M) to ensure appropriate screening and noise and attenuation, with a minimum of 20 metres of structure planting to the southern boundary;
 - u. and integrate the development into existing development north of the A181 and west of Bent House Lane.
28. *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.
29. *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.
30. *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.
31. *Policy 22 Durham City Sustainable Transport*. Seeks to reduce the dominance of car traffic, address air quality and improve the historic environment within the Durham City area.
32. *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.

33. *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).
34. *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.
35. *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.
36. *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.
37. *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.
38. *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.
39. *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.

40. *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.
41. *Policy 45 Durham Castle and Cathedral World Heritage Site.* Both are designated heritage assets of the highest significance. New development should sustain and enhance the significance and be based upon Outstanding Universal Value, protecting and enhancing it in the immediate and wider setting and important views across, out of and into the site. Harmful development is only permitted in wholly exceptional circumstances.
42. *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.

NEIGHBOURHOOD PLAN:

43. There is no Neighbourhood Plan for this area.

The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

44. *Belmont Parish Council* raise a number of concerns relating to environmental issues, housing mix and sustainability, residents of Bent House Lane, and general accessibility and ease of movement for pedestrians, cyclists and bus operations.
45. *City of Durham Parish Council* raise a number of concerns in relation to the red-line boundary (when compared to the outline approval), failure to comply with CDP Policy 5, lack of access to sustainable active travel, no renewable and low carbon energy provision, design, proximity with Bent House Farm, loss of trees, poor network of open space and heritage impacts.
46. *The Highway Authority* considered the layout is considered acceptable, however, the layout would still be subject to Technical Approval through the S38 process.
47. *Drainage and Coastal Protection* officers confirmed that the engineering layout plans identify an acceptable solution to a sustainable surface water drainage system. Details of plot drainage should be conditioned.
48. *Highways England* raise no objections.

INTERNAL CONSULTEE RESPONSES:

49. *Design and Conservation* a detailed assessment of the proposed development has been carried out through the Councils Enhanced Design Service whereby positive feedback has been given following various workshop sessions which focused on resolving any issues identified. Upon final assessment by the Design Review Panel,

the scheme achieved 4 green scores, 7 amber scores and a single red score relating to the provision of older persons housing.

50. *Archaeology* raise no objections.
51. *Ecology* officers have assessed the landscaping plans and conclude that they are acceptable subject to a Biodiversity Management and Monitoring Plan being conditioned.
52. *Environment, Health and Consumer Protection (Nuisance Action Team)* have raised no objections. The Construction Environmental Management Plan (CEMP) dated 08/08/22, demonstrates that the application will comply with the thresholds stated within the Technical Advice Notes of the Council. This would indicate that the development will not lead to an adverse impact in terms of statutory nuisance. The CEMP must be adhered to at all times during the construction phase, as required by Condition 9 of the outline consent reference DM/20/03558/OUT.
53. *Landscape and Arboriculture* officers consider that the housing layout contains the necessary features and street trees, required by the NPPF, and a fully integrated Landscape Scheme. There would be transformative impacts as a result of the development, however the significance of these are considered to be low. Therefore, no objections are raised.
54. *Spatial Policy* requested further details in relation to the affordable housing provision, as well as the provision of 66% M4(2) dwellings, and 10% older person's provision. Spatial Policy also requested that all houses comply with the NDSS and that the Residential Amenity Standards Supplementary Planning Document is to be adhered to. The requested information has since been provided by the Applicant and various discussions have been held to ensure the provision is appropriate.
55. *Public Rights of Way* identified that at the south eastern site boundary site plans show that a path leaves the site was originally short of a proposed new connection within the greenbelt compensatory land. This path is required to meet with a new public footpath, Durham Footpath 131at Point K. These paths are to be connected and not affected by proposed new hedging or planting.

EXTERNAL CONSULTEE RESPONSES:

56. *Northumbrian Water* have raised no objections.
57. *Durham Constabulary* offer observations and recommendations relating to design, landscaping, burglary and vehicle crime. The comments also set out general Secured by Design Homes Principles and the Construction Site Security Guide (2021) is provided.

PUBLIC RESPONSES:

58. A total of 17 representations have been received in response to the consultation exercise involving individual letters, press and site notices. Of these, 14 of them object to the proposals whilst 1 is in support of the application. Others (2) are representations received.
59. The main reasons for objection are as follows:
 - Concerns raised relate to the type of housing proposed with a need for bungalows and properties for older residents, with bungalows a priority.

- Densities of development proposed are too high.
- Traffic generation from the site would be excessive and lead to impacts upon the highway network.
- Distances to bus stops outside the site would result in lower uptake.
- Amenity of residents of the Bent House Farm complex would be inadequately protected by the proposed woodland planting belt at 7-10 metres in depth.
- Construction of the proposed new housing would be to outdated environmental standards and have limited renewable energy provision
- Routing and impacts from construction traffic to the local area and residents.
- Exit location of the proposed footpath link from the site onto Bent House Lane at its southern most extremity.

60. *Gilesgate Residents Association* – welcomes the proactive engagement from the developers and sets out concerns on the older-persons housing provision, cycling/pedestrian infrastructure, no provision of a bus route through the site, flood risk and drainage, lack of energy efficiency strategy, and the impact on neighbouring properties. Concerns are also raised in relation to the pedestrian access which is located close to the rear boundary of the Bent House Farm complex.
61. *City of Durham Trust* – raise comments in relation to the red-line boundary (when compared to the outline scheme), poor layout and selection of house types, impact on Bent House Farm and Old Durham, views to the World Heritage Site, detailed drainage proposals, Compensatory improvements in the Green Belt. Multi-user paths and connections, sustainable transport, poor network of green infrastructure/open space, lack of a comprehensive landscape approach, failure to comply with policies of the CDP.
62. *County Durham Green Party* – raises a number of concerns relating to masterplanning, heritage views and screening, housing mix and local character, biodiversity/wildlife, climate emergency/carbon reduction, sustainable transport, sustainable design, and failure to comply with national and local planning policy. The Party also agrees with responses from the Parish Councils and City of Durham Trust.
63. *City of Durham Parish Council* – implications from development of 500 dwellings over the Policy required 420 dwellings, master planning of the site to achieve sustainable development, accessibility of the site to the City of Durham, and the impacts upon the World Heritage Site.
64. *Cllr Christine Fletcher (Belmont Division)* - welcomes the community consultation carried out in August 2022 and confirmed that many concerns previously presented have been addressed. Concerns are however still raised in relation to failure to comply with CDP Polices 5, 15, 19, 21, and 29. These include the detail of the proposed SUDs drainage scheme; the woodland buffer to Bent House Farm; housing which meets the needs of older people; sustainable access to bus stops and provision of EV charging; and the sustainability of the proposed new housing.
65. *Cllrs Eric and Lesley Mavin (Belmont Division)* – Acknowledge that the applicants have addressed some concerns previously raised. Comments are raised in relation to the multi-generational housing provision. They are supportive of the improvements to the buffer between Bent House Farm but request further improvements. Other concerns raised relate to not providing a bus route through the site, cycle storage to properties and consideration of environmental factors.

66. A resident of Cuthbert Avenue has written in support of the proposals. A number of responses from residents also acknowledged the willingness of the applicants to engage with residents to listen to concerns.

APPLICANT'S STATEMENT:

67. This scheme is a reserved matters planning application, with the outline planning permission for the site having been granted by Durham County Council on 25th March 2022. The outline consent granted planning permission for the development of up to 500 residential dwellings on the site (with details of access provided). This planning permission, alongside the site being allocated within the adopted County Durham Plan, means the principle of development has already been firmly established.
68. The applicants are seeking approval for 470 new homes pursuant to the above outline planning permission, meaning that the matters which are under considerations in relation to this application are solely those which relate to appearance, landscaping, layout and scale.
69. To this end, the applicants have worked collaboratively and positively with the officers through the Council's own Enhanced Design Review Panel process. The design of the scheme has therefore been carefully considered, with a mix of house types, which offer a real variety of housing for families, ranging from 2 – 5 bedroom homes across two separate house builders. The development has the real benefit of being able to create a fully sustainable community by providing family housing, 25% affordable housing, 66% M4(2) (accessible and adaptable) housing and 10% older person housing (bungalows and multi-generational housing).
70. The latter means that the proposal is fully in accordance with policy 15 of the County Durham Plan and the affordable housing offer is consistent with that contained in the signed S106 agreement attached to the outline consent.
71. The proposals offer an attractive landscape-led scheme for 470 new homes. Utilising the approved Design Code for the site, the scheme incorporates 4 different character areas which are reflective of the nearby Durham vernacular. This means houses in each character area will have a different look and feel; creating interest across the scheme and enhancing the legibility by making it clear which part of the site you are in. These will all be accompanied by large areas of green space. The open space will be attractive to future residents of the estate and indeed those in the wider area. These areas will be multifunctional and publicly accessible.
72. The new homes proposed have been designed to reflect the most recent changes in building regulations and so are more energy efficient. This will result in lower CO2 emissions, with homes which can be run on less energy. This is particularly welcomed given both the ongoing challenge of climate change and the cost of living crisis.
73. If granted reserved matters approval, the development will deliver the S106 legal agreement signed with the outline planning permission. This includes the following benefits for the wider community:
- A financial contribution of £24,789.33 for the maintenance and upgrading of footpaths
 - A financial contribution of £227,010 for the upgrading of healthcare provision

- A financial contribution of £218,691 towards the provision or improvement of open space and recreational facilities
- A financial contribution of £742,899.12 to upgrade primary school capacity and £1,284,350.82 to upgrade secondary school capacity; and
- A financial contribution of £47,000 to improve the Laburnum Avenue Community Centre
- New bus stops at the site entrance (to be delivered through S278 works)

74. It is considered that development of the site for 470 new homes, will create new investment in the area and increased activity. This will have tangible economic benefits as well as assisting in tackling local issues such as anti-social behaviour, given that the new homes will offer natural surveillance through the careful orientation of the houses. More generally this reserved matters scheme will:

- Adding to the County's housing supply and delivery of an allocated housing site.
- Create a sustainable community by including family housing, affordable housing, M4(2) housing and older person housing (bungalows and multi-generational homes).
- Generate 61 direct construction jobs per annum over the site's construction period.
- Result in direct Gross Value Added (GVA) per annum of £3,354,772 (approx.).
- Create £2,582,250 in total first occupation expenditure (approx.).
- Result in gross potential spending power per annum of £9,680,151 (approx.), a portion of which will likely be spent locally, helping to boost local businesses and services.
- Generate Council Tax receipts of £718,335 per annum (approx.) to reinvest in Council services.

75. When these benefits are taken into account, alongside the high quality design and attractiveness of the development proposals (which have resulted from a collaborative approach undertaken with the Council), then it is clear that reserved matters ought to 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> – reference number: DM/22/01981/RM

PLANNING CONSIDERATIONS AND ASSESSMENT

76. 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.

Background

77. In March 2022, outline planning permission was granted for the wider housing allocation off Bent House Lane / Sherburn Road for up to 500 dwellings and access, with all other matters reserved for approval at a later date. On this basis the principle of developing the application site for up to 500 homes has been established together with required planning obligations and conditions required to make the scheme acceptable. The application subject of this report relates to the submission of

reserved matters pursuant to the outline planning permission, and deals with matters of layout, landscaping, appearance and scale.

Layout

78. 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. Policy 5 sets aside two sustainable urban extensions to the city, of which one is this site. Criteria (n) seeks a designed positive gateway feature to Sherburn Road, as well as protecting the integrity of Bent House Farm, Old Durham and Old Durham Beck. 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.
79. 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 County Durham Plan.
80. This 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. Following a re-score of the development, these proposals secured 4 green scores, 7 amber scores and a single red score. The red score relates to the provision of the required older persons housing under Policy 15 of the CDP and which has been discussed in detail later in this report.
81. While being acceptable in principle, as a result of the application site's allocation for housing development in the CDP and the outline planning permission previously granted, the site has good access to public transport and nearby facilities of services scoring green for all related areas. Significant improvements have been made in other areas, specifically relating to the site and its context, the street layout and spaces, wayfinding and the public and private spaces within the development where detailed matters were considered to be the final areas of agreement, achievable outside of the Design Review process.
82. At the outline approval stage, a greater variation in dwelling density was proposed across the site, with higher concentrations of the dwellings envisaged centrally within the site, with lesser to the northern boundary (reflective of the Sherburn Road character) and lesser still towards the transition to countryside along the southern boundary. In translating that masterplan into a reserved matters detailed proposal, the applicants have provided a more uniform density across the development, variation still remains however this is not the level anticipated previously. Through considered design and working through the Council's Design Review process, this departure from the masterplan has been suitably addressed without detriment to the overall scheme.

83. Connectivity both within layouts and to the surrounding area form fundamental criteria of CDP Policy (5, 21, 22, 29) and the NPPF. The site layout proposed differs in small parts from the original masterplan that formed the cornerstone of the outline planning permission, however the core areas remain the same. Central north/south corridor with central public open space (POS), southern landscaped area, gateway entrance and Sherburn Road / Bent House Lane link.
84. The inclusion of more standalone housing versus the vision of the masterplan to include some form of apartments has been the main driver for the main departures from the masterplan. The resultant changes have seen modifications to the road layouts, positions of property frontages and the omission of back-of-property roads. Generally, however, the overall masterplan ideology has been transferred across to the detailed layout and is testament to efforts employed at that stage to ensure the headline number of properties was realistic. Still, the layout as originally submitted was presented with some flaws which were scrutinised by the Council's Design Review Panel and which via the Enhanced Design Review process have been minimised.
85. One area in question is adjacent to the A1(M) where, to meet noise mitigation requirements, development here no longer was proposed to back onto the motorway but now front it. A similar example of such design ethos can be found to the north at Carville around Swinside Drive to the rear of the High Street. As submitted this area featured a linear streetscene with a linear building line close up to the site boundary and acoustic fencing. Following review with the applicants this has now been staggered, moved into the site away from the boundary and a strip of POS introduced between the carriageway and the boundary fence with opportunity for landscaping. This represents an example of where the detail of the scheme has been brought forward though positive discussions between the applicants and the Local Planning Authority through the Design Review process. Another departure from the masterplan include the switch of a cul-de-sac road through the north/south green spine into a through road to create more of an intersection of the two and maintain the ethos of then north/south spine as well as allowing functionality within the layout.
86. Connections outside of the site are also important, both for residents (old and new) and for travellers through the site between nearby facilities. Critically to the latter was the provision of a route from the site entrance to south west to Bent House Lane. Here a natural 'kink' in the road create an opportunity for a direct line of sight connection to the site entrance of the development but also for a hub like layout to the proposed housing in this area. The development has responded by providing a route between the two points, fronting housing on to the route and by providing a gateway feature from Bent House Lane, the details of which can be secured by condition. Other connection points have been addressed, including a pedestrian link north out of the site to align with the signalised junction of Damson Way / Sherburn Road crossing.
87. To the south of the site, rights of way out into the adjacent land have been provided in line with the Greenbelt Compensation package of improvements to connect the site to nearby public rights of way and to allow for access to travel routes as alternatives to the private motor car. These exist to the extreme south east, centre south and south west on to Bent House Lane, acknowledging likely desire lines of future occupiers in providing access to other parts of the public right of way and highway network. Balancing the usage of these links and countryside fringe location in a manner which respects the location, the amenity of existing residents and safety of the users is required. Ensuring necessary vehicular access restrictions are in place together with protecting users' safety in detail which can be secured by way of condition. The position of the connection points in these three locations has been

established via the outline planning application and secured for implementation as public rights of way in the accompanying Section 106 agreement.

88. 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. A Residential Amenity Standards Supplementary Planning Document (SPD) has been adopted by the Council.
89. Guidance within the SPD advocates separation distances of 21m between facing principal elevations and 18m between bungalows, 13m between principal and two storey gable elevations and 10m to a single storey. The length of gardens will generally be dictated by the minimum distancing standards but should be no less than 9 metres unless site specific circumstances allow for a reduction in size. The layout demonstrates that minimum separation distances between proposed properties and existing dwellings can be achieved. Minimum separation distances between proposed properties can be achieved for the vast majority of plots, where there is a shortfall for a few plots this is marginal 0.5 to 1m and would not warrant refusal of the application. For example, plot M42 which backs onto a shared parking courtyard. Here the need for the parking arrangements results from properties to the South East having vehicle free frontage onto a key thoroughfare between Sherburn Road and Bent House Lane. Here a key design decision results in a single plot having minor substandard garden space and a compromise is considered reached that fits within the planning balance in the view of officers.
90. Colleagues in the Highway Authority are satisfied that the proposed site layout adheres to the requirements of the Parking and Accessibility Guidelines at the point of determination and provide the required level of parking and slow vehicle speeds around the site, allowing compliance with Policies 21 and 29 of the CDP.
91. Overall, the proposed layout is considered to follow the ethos of the original outline masterplan and the design code secured through that permission to achieve a layout which is considered to meet the levels of high quality design required by Policies 21, 22, 29 and 31 of the County Durham Plan. Colleagues in multiple disciplines are satisfied that the proposals accord with their requirements and the development plan.

Scale

92. Policy 29 confirms that all new residential development needs to comply with Nationally Described Space Standards; however, this development received a resolution to grant planning permission from committee members prior to the first anniversary of the County Durham Plan, the grace period afforded by the policy for implementation. During this time, applications which were determined would be exempt from the need to formally meet this requirement, yet it is noted from this submission that most of the property types specified exceed minimum standards. 72% (168 properties) for Miller Homes and 64% (150 properties) for Barratt Homes either come close to or exceed the overall minimum floor space requirements set out by the national technical guidance.
93. CDP Policy 15 requires properties within new housing developments to meet the required level of accessibility and adaptability standards under Building Regulations Part M4(2) for 66% of the overall total, and a condition is included with the outline planning permission to this effect. Furthermore, housing designed specifically for the needs of older people are required for 10% of the overall total also under Policy 15. These dwellings should be built to M4(2) level of accessibility and adaptability and appropriate house types considered to meet this 10% include: level access flats; level

access bungalows; or housing products that can be shown to meet the specific needs of a multi generational family.

94. The CDP continues to expand upon this requirement within its supporting text outlining that an aging population in County Durham will lead to an increased number of households over the age of 65. Underpinning the Plan, the Strategic Housing Market Assessment (SHMA) outlines that most of those 'new' households would look at buying a property on the open market or renting from a Registered Provider, where the assessment found that the stock of bungalows and flats in the private sector across County Durham is much too small to meet the need identified above with little evidence of those being built leading to a decline of properties of these types. The CDP in allocating the site tested the delivery of all housing allocations as if all developments provided the Policy required 10% older person dwellings as bungalows in order to assess their suitability, with sites only being allocated for future development if they could be considered viable to deliver older person dwellings on this basis.
95. The application at point of submission included the provision of 10% of the overall total as a multi generational housing product, or 47 dwellings. These were assessed against Policy 15 as well as the specific housing type provided by the applicants. In the supporting text of Policy 15, multi generational homes are considered to "have potential for a semi-private living space within the house with an additional bathroom and perhaps kitchen facilities". Following work between officers and the applicants, a revised set of housing types and a revised split of housing types were provided. For determination, the applicants present a total of 24 bungalows and 23 multi generational homes. The introduction of bungalows is welcomed and is in line with the evidence which supports Policy 15 of the CDP. The multi generational home types proposed show standard house types from each applicant which have been adapted with modest single story rear extensions to the ground floor to give around 15 square metres and 17 square metres to the two product types.
96. Supporting text to Policy 15 further develops to promote the requirement that all new housing for older people must meet high standards of accessibility and amenity relevant to their needs. As the only product initially offered by the applicant, officers considered that this was not fully met by the single product types tabled and that across such numbers (47 dwellings) some variation should be proposed, ensuring greater options for meeting the requirements of the policy. As a mix of close to 50/50 bungalows and multi generational homes, these proposals have moved towards providing the variation listed under Policy 15 of the CDP. While concerns remain with regard to the overall level of amenity which could be provided between living spaces within the multi generational products proposed, there remains the flexibility within them to achieve independent living; and despite the CDP viability soundness of each housing allocation deeming bungalows as being able to meet the requirement for older person accommodation on site, in the round the proposals as tabled are considered to marginally qualify as meeting the requirements of CDP Policy 15. A condition remains in place for adherence as part of the outline planning permission requiring that 66% of all dwellings on site should meet M4(2) levels of accessibility and adaptability as well as 10% being for older persons.
97. Within the approved Design Code, the scale parameters of the site were defined to reflect the topography of the site and the transition from the settlement into the countryside fringe. Development fronting Sherburn Road has been designed to mirror the character of that street scene in scale terms but leaving the existing apartment building to the corner with Bent House Lane as a higher focal point. Within the site, 2.5 storey dwellings were considered appropriate, with some 3 storey possible centrally, however the applicants have not taken this approach. And, to the

southern portion of the site 2 storey maximum properties have been proposed which would fall with the land in views from the A1(M) northbound.

98. Properties that front westward onto Bent House Lane would face existing bungalow development opposite. While privacy distances are comfortably met, those properties are 2 stories in height, however taking into account current level differences where the field subject to the application site is lower in the areas closest to the existing bungalows, the new development would be around three quarters of storey lower or 1.8-2 metres generally and there the closest distances are proposed. This decreases the further north up Bent House Lane you travel, where closest to the apartment block in the North West corner of the site levels are equalised. Combined with the retention of the hedgerow to the boundary of the application site with Bent House Lane, the proposed scale of properties along this stretch are considered acceptable with regard to Policy 31 of the CDP.

Appearance

99. As previously stated, CDP Policies 29 and 5 look at positive and high quality design to bring forward the proposed sustainable urban extensions to the City of Durham, in line with the relevant SPDs and Design Review process. The proposed development is required under the approved design code to breakdown the development into six different character areas with detailed design features and material palettes across each.
100. A review of the initial proposals found the development was lacking in some of the detailed features of the Design Code and had parallels with the applicant's standard house type products. Progress through the Council's Enhanced Design Review process saw a greater understanding by the applicant's of the vision of the masterplan and the Design Code in achieving the requirements of Policies 5 and 29. A greater diversity to the individual properties within each character area has been achieved, allowing variation both within an individual street but also some consistency across the character area and some themes across the development. Those have been achieved through variations in material palette, with use of render, brick and stone, as well as architectural variations to key properties in prominent location. The development as proposed does bring together a suite of different designs and themes which allows a transition from the current development nearby into the site and through to the newer character areas to the south of the development site.
101. Design features from the positive elements of Gilesgate and Sherburn Road / Sunderland Road are interwoven with site specific design along the frontage of the A181 / Sherburn Road, that together with retained existing landscaping, help give a transitional arrival in to Durham following travel across the A1(M) from the open countryside east of the City and contributing to the requirements of CDP Policy 5 (n). The Council's Design Review Panel has acknowledged the work done to improve the scheme from first submission in the aforementioned areas and in scoring no reds for relevant areas here consider that the scheme would be bring suitable development to edge of Durham in accordance with Policies 29 and 5 of the CDP.

Landscaping

102. 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. Policy 5 (r) requires development of this site to maintain and enhance the rural

character of the valley side as well as provide public access, employ robust structural planting both on site and in off-site improvements with the aim of ensuring that the perception of this extension to Durham City is minimised from the A1(M).

103. 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. Criteria I specifically requires that in the case of edge of settlement development, it should 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 29 requires development to include landscape proposals to respond to the area and its views and features, to use locally native species and make appropriate provision for maintenance and long-term management. Policy 40 seeks to avoid the loss of existing trees and hedgerows unless suitable replacement planting is provided. Parts 12 and 15 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment by (amongst other things) recognising the intrinsic character and beauty of the countryside.
104. The application reflects the approved masterplan associated with the outline planning permission in securing robust structure planting to the primary southern boundary with the agricultural field, as per the requirements of Policy 5 (t). This features directional gaps, or slots, within the woodland belt for access purposes but also for view out from the development south over the valley and wider landscape. They have been angled in a certain fashion as to provide those outlooks for users of this development while also giving as solid as possible green edge to the development in this area.
105. To the South West boundary and the Bent House Farm complex of buildings, the development has responded to the requirements of Policy 5 (n) and (s) to maintain the character of the Bent House Farm by introducing further structure planting along that boundary. Visually, from the World Heritage Site to the west, the Bent House Farm complex and a line of now established Poplar Trees dominate the ridge in this location; however, the nature of the Poplar Trees is such that the under canopy area allows for some visual exposure under neath. It is therefore a positive step to include structure planting in this location to firstly bring a green focus to this boundary of the development from the World Heritage Site but also to bring a stop to the development and protect the Bent House Farm character and amenity.
106. The proposals in this location have waxed and waned through various amendments and engagement with the residents of Bent House Farm. The proximity of the proposed built development to Bent House Farm has caused concern with residents there who fear the loss of their residential amenity from these proposals. While a tree belt would bring stand off and visual break between the two developments, noise impacts would not be physically prevented by the tree planting. The proposed structure planting varies in depth while interplaying with drainage features and wildflower planting in this area together with a green coniferous tall hedge on the site boundary. The scheme is considered close, and while the principles of the landscaping scheme to this area are considered acceptable, officers feel that a condition be proposed to conclude the planting specification for this area to ensure concerns of residents of Bent House Farm are protected.
107. Along Bent House Lane, the existing hedge to the east of the lane would be retained. Breaks in the hedge are proposed for pedestrian based connections, however these are at current breaks within the hedge line so as to minimise the impacts upon the hedge. Where the hedge becomes more sporadic to the north of the Lane, the

proposed landscaping scheme looks at improving the situation in these locations to continue the character of the site to Bent House Lane.

108. To Sherburn Road, the landscaping scheme redefines the boundary west of the site access, with open space introduced standing development off from the roadside. Appropriate low-level landscaping is proposed which would allow visual permeability into the development and contribute towards the creation of the gateway entrance to the City required under Policy 5 (n). East of the site access, a step in the site boundary leaves an area of vegetation which runs alongside the A181 / Sherburn Road, which is punctuated once for a pedestrian connection. Here, the application proposes to strengthen the existing vegetation with additional tree planting and other vegetation to bring a considered boundary edge and transition from countryside to urban along the A181.
109. In the round, officers from Landscaping consider the structure of the landscaping scheme to be fully considered and responsive to policy. Full detailed planting specifications are required by condition alongside the final conclusion to the south western boundary area of the site to ensure a suitable scheme is secured into perpetuity, with the scheme complying with Policies 5, 26, 29, 39 and 40 of the CDP, and parts 12 and 15 of the NPPF.

Other Issues

110. As part of introducing a detailed layout, the finer detail of the proposed site drainage scheme could also be detailed and provided for determination by the Local Planning Authority. Policies 35 and 36 of the CDP relate to drainage matters and seek full compliance with Sustainable Drainage principles from source to discharge. The scheme proposed follows the overall principles of the masterplan approved at the outline stage, and following discussion includes detail over the dual purpose drainage feature located centrally within the site. The drainage basin would be designed to allow for dual use as both a drainage feature and public open space for the development. The public open space use is essential to the alignment with the masterplan and is secured through the proposals tabled.
111. The scheme includes some overland transportation of surface water drainage between the series of drainage basins across the site. The southern most two basins are designed to retain a level of water throughout the year and have been landscaped accordingly. Full drainage specifications are required as part of a condition attached to the outline planning permission and would need to be agreed alongside this application to allow development to proceed on site. In principle the scheme proposed provides for sustainable drainage hierarchy on site and so complies with Policies 35 and 36 of the CDP.

Other objections raised.

112. Several matters required by Policy 5 and other Policies within the CDP have been addressed as part of the outline planning permission, such as wider ecology, community building improvements and greenbelt compensatory improvements, and have been secured by way of condition or planning obligation.
113. The construction of new dwellings with limited sustainability credentials has been queried by several representations made upon this application. Policy 29 (o) refers specifically to reducing CO2 emissions for new buildings based upon building regulations requirements at the time the CDP was adopted (2020), however Part L of the building regulations has since been revised and the levels required exceed that of Policy 29 of the CDP.

114. The proposal has generated some public interest, with 17 representations of objection having been received from local residents. The objections, queries and concerns raised have been taken account and addressed within the report, where appropriate.

Public Sector Equality Duty

115. 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.

116. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

CONCLUSION

117. 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.

118. In summary, the application site is allocated in the CDP for new housing with formal planning permission granted in outline in 2022. CDP Policy 5 sets out a suite of criteria for this specific site that if met would allow development to be considered acceptable for this site. Detail relating to layout, scale, appearance and landscaping have been provided which translates, in the main, the requirements of the approved masterplan of the outline permission and CDP Policy. Areas of finer detail and management remain to be conditioned to ensure progress to delivery on site and in the interests of local residents.

119. In this instance, and for the reasons set out in this report, it is considered that the proposed development complies with the requirements of Policy 5 and the wider development plan. Paragraph 11 of the NPPF states that development proposals that accord with an up to date development plan, should be approved without delay.

RECOMMENDATION

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

1. The development hereby approved shall be carried out in strict accordance with the approved plans listed in Part 3 - Approved Plans.

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

2. No development above 'DPC' level to any dwelling shall take place until details of the make, colour and texture of all walling and roofing materials of each dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

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

3. Prior to the commencement of development (excluding demolition, archaeological investigation, services diversions and any land remediation/ground improvement works) detailed drawings, including sections, showing the existing and proposed site levels, and the finished floor levels of the proposed development and those of existing neighbouring buildings (if any), has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details thereafter.

Reason: In the interests of the amenity of the surrounding areas and neighbouring properties, in accordance with Policy 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework. Required as a pre-commencement condition to ensure that the implications of changes in level are properly considered and accounted for in the development.

4. No development above 'DPC' level of the first dwelling hereby approved, full details of all means of enclosure to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details must include details of any retaining walls/structures required including their interaction with other means of enclosure such as garden fences within the site. The development shall thereafter be carried out in accordance with the approved details.

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

5. Prior to the construction of the first dwelling hereby approved, final walling, roofing and other external building materials for all dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

6. No development above 'DPC' level to any dwelling shall take place until full details of the surface treatment and construction of all hard-surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

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

7. Prior to the occupation of the first dwelling full engineering details of the proposed pedestrian links to Bent House Lane and the A181 Sherburn Road together with a timetable for their installation shall be submitted to and agreed by the Local Planning Authority. Once agreed, the connections shall be installed and made available in accordance with the approved timetable.

Reason: In the interests of securing access to recreational pathways in accordance with Policies 21, 22, 26 and 29 of the County Durham Plan and Parts 9, 12 and 15 of the National Planning Policy Framework.

8. Notwithstanding the submitted information, prior to the first occupation of the development hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include the following:
- Any trees, hedges and shrubs scheduled for retention, including method of protection.
 - Details soft landscaping including planting species, sizes, layout, densities, numbers.
 - Details of planting procedures and/or specification.
 - Finished topsoil levels and depths.
 - Details of temporary topsoil and subsoil storage provision.
 - The timeframe for implementation of the landscaping scheme.
 - The establishment maintenance regime, including the replacement of vegetation which die, fail to flourish within a period of 5 years from planting.
 - A plan showing the public/structural landscaping and private/in-curtilage landscaping.
 - Full details of the management, maintenance and accessibility of all areas of open space in perpetuity.

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

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

9. The approved detailed landscaping scheme shall be implemented and completed in accordance with the approved details in the first planting season following the substantial completion of each relevant area of the development.

Any trees or plants which die, fail to flourish or are removed within 5 years of completion of the development shall be replaced in the next planting season with others of similar size and species.

Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity and character of the area and to comply with Policies 26, 29, 39 and 40 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

10. Prior to the first occupation of the development hereby approved a scheme for the ongoing maintenance of the areas of public open space and structural landscaping within the development shall be submitted to and approved in writing by the Local Planning Authority. In the event of proposals to maintain the public open space by means other than through transfer to the Local Authority then the scheme shall provide for details of an agreed maintenance schedule in perpetuity.

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

11. No development other than ground clearance or remediation works shall commence until a scheme for the provision of foul and surface water drainage works have been

submitted to and approved in writing by the Local Planning Authority. The scheme shall be developed in accordance with the Councils Sustainable Drainage Systems (SuDS) Adoption Guide 2016. The development thereafter shall be completed in accordance with the details and timetable agreed.

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

12. No works adjacent to trees and hedges shall take place, nor any site cabins, materials or machinery be positioned adjacent trees and hedges until all trees and hedges, have been protected in accordance with the details contained within the Arboricultural Impact Assessment and Tree Protection Plan titled 'Arboricultural Method Statement Inc. Impact Assessment' Reference ARB/CP/2740' and BS 5837:2012. Protection measures shall remain in place until the cessation of the development works. The tree protection shall be retained throughout the construction period. No materials, equipment or vehicles shall be stored inside the protective fencing.

Reason: In the interests of the visual amenity of the area and to comply with Policies 26 and 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

13. Prior to the construction of the substations hereby approved, full details of their design, appearance and scale shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, the substations shall be constructed in accordance with the details approved.

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

14. House types Belford ('502N – 5B / 10P / 1840 – Belford') and Wren ('WREN – MGH Apr 23') shall have installed all kitchen, bathroom and storage facilities within the self-contained accommodation elements at ground floor level prior to first sale. All amendments to the proposed house types prior to construction shall be subject to the same requirements.

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

15. Prior to first occupation of the development hereby approved, a Biodiversity Management and Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority. Once agreed, the management and monitoring of ecological improvements shall be carried out in accordance with the agreed plan.

Reason: To ensure that biodiversity improvements are managed to ensure their benefits are delivered in accordance with Policy 41 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

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

BACKGROUND PAPERS

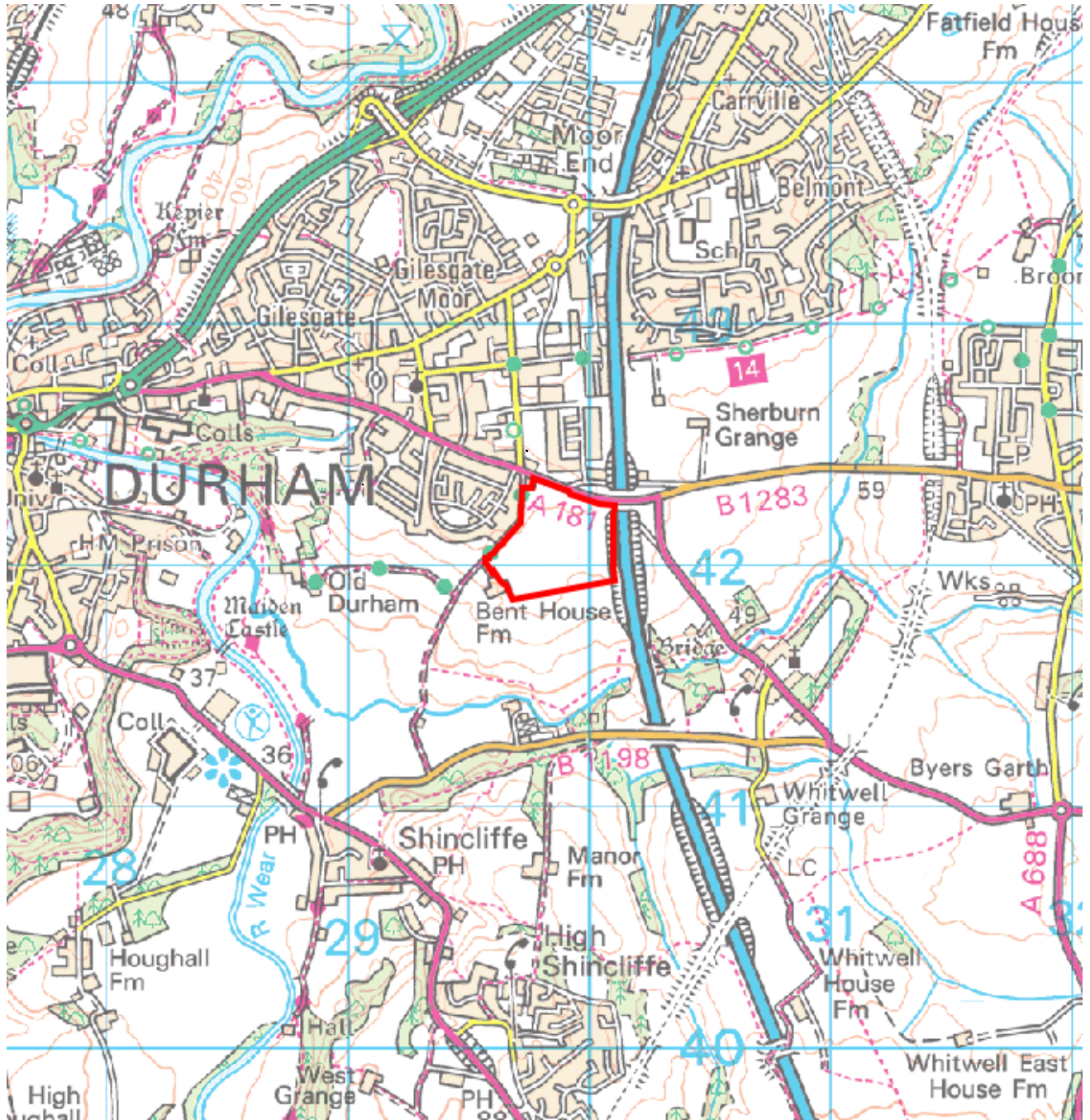
Submitted application form, plans, supporting documents and subsequent information provided by the applicant

Statutory, internal and public consultation responses

The National Planning Policy Framework

National Planning Practice Guidance Notes

County Durham Plan (2020)



Planning Services

DM/22/01981/RM

Reserved matters application for 470 dwellings (appearance, landscaping, layout and scale) pursuant to DM/20/03558/OUT.

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Date 6th June 2023

Scale NTS