



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

Application No:	DM/22/01647/FPA
Full Application Description:	23no. Affordable Dwellings
Name of Applicant:	Adderstone Living Ltd.
Address:	Land East of Roundabout at Junction of Pease Way and Greenfield Way, Newton Aycliffe
Electoral Division:	Aycliffe West
Case Officer:	Gemma Heron Senior Planning Officer 03000 263 944 gemma.heron@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The Site

1. The application site relates to an undeveloped parcel of land that measures approximately 0.8 hectares in area within the settlement of Newton Aycliffe. The site is bound by the highway 'Pease Way' to the north and 'Greenfield Way' to the west, with residential development lying beyond. An existing tree shelter belt and a dismantled railway line, which is now used as an informal pedestrian walkway is located to the south.
2. Access to the site is taken off Pease Way through an informal field gate. A mature hedgerow encloses the site to the north and west, along Pease Way and Greenfield Way. A number of semi mature trees are located within the hedgerow, the majority of the wider site contains unmaintained grassland.
3. In terms of planning constraints, the site is within the Teesmouth and Cleveland Nutrient Neutrality Constraint area.

The Proposal

4. Full planning permission is sought for the erection of 23no. affordable dwellings. The proposal would comprise a mix of six house types to including:
 - 3 x Oakmont (detached, two storeys; three-bedroom dwelling)
 - 5 x Sherwood (two storey; three-bedroom dwelling)
 - 6 x Ashbridge (two storey; two-bedroom dwelling)
 - 2 x Berwick (two storey; four-bedroom dwelling)
 - 6 x Wentworth (single storey, two-bedroom bungalow)
 - 1 x Brockwood (single storey, two-bedroom bungalow)
5. The dwellings would be laid with the short terraces having an active frontage facing Pease Way, with the remaining dwellings arranged around a parking area/turning head. Each of the dwellings would be compliant with the Nationally Described Space Standards (NDSS) and would comply with Building Regulations Standard M4(2). Access would be taken via 'Pease Way' and would be constructed to an adoptable standard, leading to a turning head and parking bays.
6. The wider site would incorporate an area of Public Open Space alongside a Sustainable Drainage System (SuDs) to the northern corner of the development adjacent to the access. The proposal would retain the existing trees and hedgerow to the eastern and southern boundaries and would include pedestrian footpath links to the dismantled railway to the south and wider Newton Aycliffe to the west.
7. The application is being reported to planning committee in accordance with the Council's Scheme of Delegation as it constitutes a housing development which exceeds 10 dwellings.

PLANNING HISTORY

8. No relevant planning history.

PLANNING POLICY

National Policy

9. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. 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.
10. *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.

11. *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.
12. *NPPF Part 5 Delivering a Sufficient Supply of Homes* - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
13. *NPPF Part 6 Building a Strong, Competitive Economy* - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
14. *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.
15. *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.
16. *NPPF Part 12 Achieving Well-Designed Places* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
17. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
18. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System

should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from Page 73 pollution and land stability and remediating contaminated or other degraded land where appropriate.

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

National Planning Practice Guidance:

19. 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; 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; natural environment; noise; public rights of way and local green space; planning obligations; use of planning conditions.

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

Local Plan Policy:

The County Durham Plan (CDP)

20. *Policy 6 (Development on Unallocated Sites)* states the development on sites not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.
21. *Policy 15 (Addressing Housing Need)* establishes the requirements for developments to provide on-site affordable housing, the circumstances when off-site affordable housing would be acceptable, the tenure mix of affordable housing, the requirements of developments to meet the needs of older people and people with disabilities and the circumstances in which the specialist housing will be supported.
22. *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.

23. *Policy 21 (Delivering Sustainable Transport)* requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
24. *Policy 25 (Developer Contributions)* advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.
25. *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.
26. *Policy 27 (Utilities, Telecommunications and Other Broadcast Infrastructure)* supports such proposals provided that it can be demonstrated that there will be no significant adverse impacts or that the benefits outweigh the negative effects; it is located at an existing site, where it is technically and operationally feasible and does not result in visual clutter. If at a new site then existing site must be explored and demonstrated as not feasible. Equipment must be sympathetically designed and camouflaged and must not result in visual clutter; and where applicable it proposal must not cause significant or irreparable interference with other electrical equipment, air traffic services or other instrumentation in the national interest.

Any residential and commercial development should be served by a high-speed broadband connection, where this is not appropriate, practical or economically viable developers should provide appropriate infrastructure to enable future installation.

27. *Policy 29 (Sustainable Design)* requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable, including: making positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape

proposals. Provision for all new residential development to comply with Nationally Described Space Standards, subject to transition period.

28. *Policy 29* also required major developments to appropriately consider the public realm in terms of roads, paths, open spaces, landscaping, access and connectivity, natural surveillance, suitable private and communal amenity space that is well defined, defensible and designed to the needs of its users. Also new major residential development is required to be assessed against Building for Life Supplementary Planning Document, to achieve reductions in CO2 emissions, to be built to at least 30 dwellings per hectare subject to exceptions.
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)* requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
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 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 wastewater 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.
33. *Policy 39 (Landscape)* states that proposals for new development will only 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 are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape

Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts

34. *Policy 40 (Trees, Woodlands and Hedges)* states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
35. *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.
36. *Policy 42 (Internationally Designated Sites)* states that development that has the potential to have an effect on internationally designated sites, either individually or in combination with other plans or projects, will need to be screened in the first instance to determine whether significant effects on the site are likely and, if so, will be subject to an Appropriate Assessment.

Development will be refused where it cannot be ascertained, following Appropriate Assessment, that there would be no adverse effects on the integrity of the site, unless the proposal is able to pass the further statutory tests of 'no alternatives' and 'imperative reasons of overriding public interest' as set out in Regulation 64 of the Conservation of Habitats and Species Regulations 2017.

Where development proposals would be likely to lead to an increase in recreational pressure upon internationally designated sites, a Habitats Regulations screening assessment and, where necessary, a full Appropriate Assessment will need to be undertaken to demonstrate that a proposal will not adversely affect the integrity of the site. In determining whether a plan or project will have an adverse effect on the integrity of a site, the implementation of identified strategic measures to counteract effects, can be considered. Land identified and/or managed as part of any mitigation or compensation measures should be maintained in perpetuity.

37. *Policy 43 (Protected Species and Nationally and Locally Protected Sites)* development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.

38. *Policy 56 (Safeguarding Mineral Resources)* states 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. This is unless it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value, provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact, the non-minerals development is of a temporary nature that does not inhibit extraction or there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral or it constitutes exempt development as set out in the Plan. Unless the proposal is exempt development or temporary in nature, all planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.
39. The Council's Residential Amenity Standards Supplementary Planning Document (SPD) provides guidance on the space/amenity standards that would normally be expected where new dwellings are proposed.

<https://www.durham.gov.uk/cdp>

Neighbourhood Plan:

40. The application site is within the area of the Great Aycliffe Neighbourhood Plan (GANP) the relevant policies are:
41. *Policy GANP CH1 Landscape Character and Townscape* states developments must respect the character of the parish and its settlements, as defined within the Great Aycliffe Heritage and Character Assessment and incorporate features which contribute to the conservation, enhancement or restoration of local features.
42. *Policy GANP E1 Green Corridors* states developments that ensure the continuation and enhancement of green corridors for wildlife, multi-functional green space and tree lined avenues will be preferred and encouraged.
43. *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.
44. *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.

45. *Policy GANP H1 In-fill Developments and Small Sites* requires proposals for new development will be granted for suitable in-fill development and small sites of less than 30 hours where the development is proportionate to the scale of the settlement; it is within the built-up areas; should be well contained; should respect the character and form of the settlement and should clearly relate to part of an established settlement.
46. *Policy GANP H3 Parking Standards for new Residential Development* sets out the parking requirements for new residential development in regard to off-road provision.
47. *Policy GANP H5 Provision of In-Curtilage Parking and Storage* states that on properties where no garage provision has been made there must be a parking area, in curtilage and suitable provision for bicycle parking and/or storage will be encouraged.
48. *Policy GANP H6 Securing Energy Efficient Homes* states developments should be designed to achieve the highest possible energy efficiency standards and this must be shown in a Design and Access Statement where this is required.
49. *Policy GANP H7 Housing for Older People* states that the Council will require 10% of new dwellings on sites of 10 or more dwellings to meet the needs of older people, including bungalows. Bungalows should contain at least one bedroom with a multifunctional room to provide for adaptable uses or be a minimum of two bedrooms.
50. *Policy GANP H8 Affordable Housing* states that proposals for 11 or more dwellings will be required to provide an element of affordable housing, taking into account of identified affordable housing needs. A viability report will be required to demonstrate why affordable housing is not justified if a developer considers that the provision of affordable dwellings makes the scheme unviable.
51. *Policy GANP H9 Provision of Facilities and Services* states where appropriate, proposals for new housing should demonstrate provision of necessary new facilities on-site and/or provision of, or contribution to, necessary off-site facilities as required to make the development acceptable in planning terms. New development must contribute towards sustainable development.
52. *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.

53. *Policy GANP CIL 1 Developer Contributions* states all new developments must provide necessary and appropriate new facilities, relevant and related to the development, on site, or contribute to off-site facilities, as required. Any necessary facilities and/or infrastructure will be secured by negotiation on a case by case basis taking viability into account.

<https://www.great-aycliffe.gov.uk/neighbourhood-plan/>

CONSULTATION AND PUBLICITY RESPONSES

Statutory Consultee Responses:

54. *Great Aycliffe Parish Council* – Responded to the original proposal with the following concerns:

- The proposed development does not conform to GANP H3 – Parking Standards for New Residential Development.
- Parking provision is considered inadequate for the size of development modern car usage. The provision of one allocated space for a three-bedroom house with potentially multiple car-users is unlikely to be sufficient. The Parking provision falls short of the requirements of the emerging DCC Supplementary Planning Document on Parking and Accessibility. This will lead to congestion within the new estate in an area where on-street parking is already a problem.
- The proximity of the vehicular access point to the development to the Beechfield junction, a bus stop and traffic pinch points on Pease Way.
- Insufficient public amenity open space.
- Question raised in regards to possible run-off from the proposed SUDs and how this water could be accommodated through the existing drainage system.

Since the submission of these comments, Great Aycliffe Parish Council has been re-consulted and no further comments have been received.

55. *Lead Local Flood Authority* – Advise that the principle of the proposed drainage strategy is acceptable, however the fully developed scheme should be submitted for approval.
56. *Highways Authority* – No objection subject to conditions requiring the submission of engineering details of the proposed estate road; the construction of the estate road prior to the first occupation of the dwellings and the parking spaces shall be retained for parking in perpetuity.
57. *Natural England* – The application could have potential significant effects on Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar However the applicant has been awarded credits in the catchment wide mitigation scheme. The LPA should satisfy itself that sufficient number of credits have been secured and that the purchase of these is completed before planning permission is granted.

Non-Statutory Responses:

58. *Spatial Policy* – Advise that within the CDP the site is treated as a windfall proposal as this site is not allocated for housing within Policy 4. The principle of development needs to be assessed against Policy 6 (Development on Unallocated Sites) and the policies of the Great Aycliffe Neighbourhood Plan particularly GANP H1. The site is not identified as one of the ‘Local Green Open Spaces’ identified under Policy GANP CH2 (Protection of Accessible Local Green Space Designations).

To address housing need, 15% of the homes provided need to be affordable comprising of 1 First Home, 1 Affordable Home Ownership and 1 Affordable Rent to total three affordable dwellings. To meet Policy 15 of the CDP, based on a scheme of 23 units, 15 units would be required to be built to M4(2) of Building Regulations and two of the units would be required to be a house type suitable for older people. In terms of open space, a contribution of £36,204.30 should be sought to provide off-site open space and a minimum of 759sq m of amenity/natural green space would be required.

59. *Affordable Housing Team* – Advise that there is an identified housing need for affordable housing in all tenures not solely for Affordable rented products.
60. *Ecology* – Advise that the submitted Nutrient Neutrality calculator is correct and the provision credits secured with Natural England is acceptable but need a prior commencement condition to secure the submission of the full certificate. The Biodiversity Net Gain calculator identified as loss of 2.77 units of biodiversity, and this will need to be compensated for.
61. *Landscape Section* – Advise that comments have been provided via the Council’s Design Review Team with concerns raised in relation to the conflict with the trees on the site.
62. *Education* – No objection as it is anticipated to be sufficient space to accommodate pupils generated by the development in primary and secondary school.
63. *Environmental Health Nuisance* – Advise that the information and mitigation provided within the submitted noise assessment (which requires a 2-metre acoustic fence as well as acoustic glazing and ventilation to some of the plots) complies with the thresholds stated within the TANS and would indicate that the development will not lead to an adverse impact.
64. *Environmental Health Land Contamination* – No comments and there is no requirement for a contaminated land condition.
65. *Archaeology* – Given that the proposal site is less than 1 hectare in size and the lack of any known archaeological features in the immediate vicinity there is no need for any archaeological constraints regarding this application.

66. *Tree Officer* – Advise that the proposals identify the removal of eleven individual trees, two whole groups, two individual trees from one ground and five sections of one hedgerow. The proposed design is likely to result in properties and gardens to be increasingly shaded as the trees develop further, thus increasing pressure for remedial action. A greater stand-off distance between properties and trees would reduce this impact.
67. *Design and Conservation* – Comments provided by Council's Design Review Team which concluded that the site integrates well with the surroundings with numerous facilities, public transport and services in the surrounding area. The proposal would meet local housing requirements. There were concerns around the impact of the existing trees on shading, particularly in the southwest corner as well as the development not being designed to a highways adoptable standard. This led to the site being scored with 4 'Reds', 3 'Ambers' and 5 'Greens'.
68. *Air Quality* – *No objection subject to the requirement for a Construction Management Plan to be conditioned as part of the consent.*

External Consultees

69. *NHS* – Require contribution of £11,109 to be secured via S106 agreement to support creating extra capacity to provide appropriate services to patients.
70. *Northumbrian Water Ltd* – No response received.
71. *Police Architectural Liaison Officer* – Advise on site specific recommendations which states that there are higher levels of anti-social behaviour within the area and would question whether the pedestrian link to the west is necessary. Would advise one entrance/exit for a development of this size, defensive planting and that shared driveways should include lighting to an adoptable standard.

Public Responses:

72. The application has been advertised by way of a site notice, press notice and individual notification letters sent to neighbouring properties.
73. Seven letters of objection have been received raising concerns over the following issues summarised below:-
 - Impact of the development upon local wildlife and ecology.
 - Concerns over the access as will endanger pedestrians and motorists with the exit being onto a busy road with multiple junctions nearby which is unsuitable.
 - The 'New Town Aycliffe' concept from Lord Beveridge sought for this to be retained as green open space and this would remove the open space and impact the history of the town.
 - Concerns over heritage impact of the development as 57 Cumby Road is of important historic value as the home of Lord Beveridge who created the vision of 'New Towns' which led to the development of Newton Aycliffe which included a vision relating to green spaces.
 - Inadequate parking provision.

- Drainage.
 - Inadequate public amenity space.
 - Unsuitable location for development.
 - Overdevelopment of the site.
 - Error in the land ownership.
74. Cllr Adam (West Aycliffe Division) has submitted a letter of concern relating to the following points.
- Failure to meet significant Biodiversity Net Gain Requirements.
 - Density of 23 properties is too high for the location and does not follow the GANP or the original concept of the Beveridge principles to provide green and open space for leisure activities.
 - No indication or plans to install renewable energy installations to mitigate climate change.
 - Long waste bin routes are unsuitable for residents related to properties 11 to 17.
 - Access to railway footpath should be blocked off as the initial part of the route is not recognised as an approved access and this could be used as a cut through for possible Anti-social and criminal behaviour.
 - Location of the entrance to the proposed development with regard to obstructed visibility sight lines to near pinch points and bus stop.

The above 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/>

Applicants Statement:

75. The application proposes the construction of 23no. affordable dwellings, including much needed bungalows, and will deliver both affordable rent and Rent to Buy tenures on site.
76. Through extensive discussions with Planning Officers and Local Authority professionals, the scheme has been amended since its original submission, comprehensively responding to both consultee and public comments. Working closely with officers has resulted in the sustainable provision of much needed affordable housing within South West Durham on an under-utilised site.
77. In working closely with urban design and landscape officers, several areas of Public Open Space (POS) have been designed across the site; including centrally and adjacent to the site access which includes associated SuDS Basin. Street-scenes and dwellings have been positioned to make use of views towards these areas. Significant landscaping has been incorporated across the site; street trees have been interspersed to create aesthetic streets and structural planting around the open space successfully integrates the development within its surroundings.
78. To positively address Pease Way, dwellings have been plotted facing the existing highway. A positive relationship to Cumby Road has additionally been achieved.

Bungalows have been set back behind the central POS and landscaping features.

79. Significant work to the layout has been undertaken to address any concerns regarding overshadowing on site. Through autumn and winter (when shadowing is at greatest potential), the impact of this is reduced during seasons due to loss of leaves; by situating plots 17-23 outside of tree canopy, the trees are protected in the public realm.
80. With regards to Nutrient Neutrality, the Applicant has been successful within the Natural England Mitigation Scheme and the credits required to off-set nitrogen produced.
81. The applicant has continued to work alongside Planning Officers to deliver a proposal which represents sustainable provision of 23no. affordable dwellings within South West Durham, responding positively to the Local Authority's comments to ensure compliance with Policy 6 and other relevant Policies of the County Durham Plan.

PLANNING CONSIDERATION AND ASSESSMENT

82. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues relate to the Principle of development, Locational Sustainability, Design / Layout, Landscaping and Visual Impact, Highway Safety, Residential Amenity, Open Space, Affordable Accessible and Adaptable Housing, Ecology, Flooding/Drainage, Ground Conditions, Sustainability and other matters.

Principle of Development

83. 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) 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.
84. Paragraph 11c of the NPPF requires applications for development proposals that accord with an up-to-date development plan to be approved without delay. Paragraph 12 of the NPPF states that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

85. The application site is not allocated for housing within CDP Policy 4, however the site is within the built-up area of Newton Aycliffe. Therefore, the application falls to be considered against CDP Policy 6, this policy sets out that the development of sites which are not allocated in the plan or a Neighbourhood Plan within a built-up area which accord with all relevant development plan policies, and which:

- a. *are compatible with, and not prejudicial to, any existing, allocated or permitted use of adjacent land;*
- b. *do not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;*
- c. *do not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;*
- d. *are appropriate in terms of scale, design, layout, and location to the character, function, form and setting of the settlement;*
- e. *would not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;*
- f. *have good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;*
- g. *do not result in the loss of a settlement's or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;*
- h. *minimise vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;*
- i. *where relevant, make as much use as possible of previously developed (brownfield) land; and*
- j. *where appropriate, reflect priorities for urban regeneration.*

It is considered that criteria a), b), c), d), e) and f) will be the most relevant in this case, all of which are covered in more detail in the main body of this report.

86. Policy H1 of the Great Aycliffe Neighbourhood Plan (GANP) relates to in-fill developments and small sites and states the following:

'Permission will be granted for suitable in-fill developments and small sites of less than 30 houses where:

- 1) *The development is proportionate to the scale of the settlement.*

- 2) *Within the built-up areas for an in-fill development.*
- 3) *Should be well contained.*
- 4) *The development design respects the character and form of the settlement or locality.*
- 5) *It clearly relates to part of an established settlement.'*

87. The proposals would comprise a mix of house types including bungalows located within an existing residential setting. The site is bound to the north by 'Peaseway' before further residential development continues; there is residential development to the east and Aycliffe Business Park (North) located to the south of the site beyond the dismantled railway line. This leads the site to be considered within the existing settlement of Newton Aycliffe which is identified as Large Town Centre in the CPD. The site is well served by existing public transportation infrastructure and links to local services to make the site a suitable location for housing under CDP Policy 6.
88. The site has not been considered within the Council's Strategic Housing Land Availability Assessment (SHLAA) for its appropriateness for housing. However, the site is surrounded by residential development to the wider north and eastern directions, alongside the site being within the settlement of Newton Aycliffe. Whilst the site at present is considered to be open land, it is not designated under the Open Space Needs Assessment by the Council, nor has the site been identified as one of the 'Local Green Open Spaces' identified under GANP Policy CH2 (Protection of Accessible Local Green Space Designations).
89. The principle of re-developing this site considered to be acceptable under Policy 6 of the CDP and Policy H1 of the Great Aycliffe Neighbourhood Plan. The main issues therefore relate to whether the impacts of the development in terms of landscape, townscape and integration with the settlement pattern would be within acceptable parameters.

Locational Sustainability of the Site

90. Criteria f of CDP Policy 6 requires that developments on unallocated sites have good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement. CDP Policy 21 requires all developments to deliver sustainable transport by providing appropriate, well designed, permeable and direct routes for walking, cycling and bus access, so that new developments clearly link to existing services and facilities together with existing routes for the convenience of all users. CDP Policy 29 requires that major development proposals provide convenient access for all users whilst prioritising the needs of pedestrians, cyclists, public transport users, people with a range of disabilities, and emergency and service vehicles whilst ensuring that connections are made to existing cycle and pedestrian networks.
91. GANP Policy T3 relates to cycle provision and walking routes and states that: "major development proposals must, where appropriate, provide or contribute toward, safe well lit, accessible and attractive cycle routes and public footpaths."

92. The NPPF sets out at Paragraph 105 that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 110 of the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken whilst Paragraph 112 amongst its advice seeks to facilitate access to high quality public transport.
93. In considering this the development against the above policy context, Newton Aycliffe is identified as a Large Town Centre in the CPD, with a wide range of employment opportunities, retail provisions and accessible services. The Chartered Institute of Highways and Transportation 'Proving for Journeys on Foot' document contains suggested acceptable walking distances for pedestrians to access facilities and services. In terms of access to bus routes, a walk of 400m falls within the 'desirable' range. In this respect there are nine bus stops with 250 metres of the site which is well within the 400 metres desirable range which would comply with this standard. Also, there is an existing highway and footpath links from the application site into Newton Aycliffe where there are a wide range of facilities and services. The development proposes cycle and pedestrian connection onto these routes.
94. Overall, it is considered that the site has access to an array of services and facilities to serve the development proposed and that these are within a relatively easy reach of the site and can be accessed by public transport. Established bus services, walking and cycling routes would give future residents alternative options to the private motor car to access services and facilities.
95. In conclusion, the development would promote accessibility by a range of methods in accordance with Policies 6, 21 and 29 of the County Durham Plan, Policy T3 of the Great Aycliffe Neighbourhood Plan and the National Planning Policy Framework.

Scale/Design/Landscaping and Visual Impact

96. CDP Policy 6 criterion d) requires that development on unallocated sites is appropriate in terms of scale, design, layout and location to the character, function, form and setting of the settlement.
97. CDP Policy 29 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. In total, CPD Policy 29 sets out 18 elements for development to be considered acceptable, including: buildings being adaptable; minimising greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape proposals.
98. CDP Policy 39 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.

99. CDP Policy 40 seeks to avoid the loss of existing trees and hedgerows unless suitable replacement planting is provided.
100. GANP Policy CH1 relates to landscape character and townscape. It sets out that new development, where appropriate, should maintain existing hedgerows, trees and woodland and encourage the planting of new trees and hedgerows; should accommodate and provide tree lined avenues on main thoroughfares to continue existing character already in place across the area; and should ensure green open space is provided within the development site to maintain the Beveridge 'vision' for the new town of Aycliffe.
101. GANP Policy E4 relates to existing tree retention and removal. It states 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. To continue this, it states new development proposals will be expected to have regard to the local distinctive landscape character of Great Aycliffe and in particular to retain tree lined avenues where they exist. It states that where tree removal is justified, proposal will only be supported if there is a compensatory mitigation proposal which forms part of the submission. Where the removal of trees is proposed and essential to the delivery of the site, the developer is required to replace at least two of similar amenity value on the site and where a group of trees are removed, a similar number must be replaced in a nearby suitable location.
102. GANP Policy E5 relates to the protection of existing trees within new development. It seeks new development to safeguard existing trees where appropriate and integrate them fully into the design of the development.
103. Parts 12 and 15 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 127 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.
104. The site comprises a grassed field with an existing shelterbelt of broad land trees to the southern and western boundary. Although the site is has an undeveloped appearance it is read as part of a wider established residential setting comprising a mix of house types from terraces to bungalows to semi-detached properties. The site is not located within a conservation area and contains no designated heritage assets. Also, there are no other landscape designations on the land and none of the trees are protected by a Tree Preservation Order.
105. With regard to detailed design, the applicant has proposed a simple approach to architecture with a limited material palette, which responds to an assessment undertaken of the local character, architectural detailing and materials. This approach is considered acceptable and the design of the dwellings would be appropriate relate to the surrounding area.

106. The scheme also includes a mix of housing types to include bungalows alongside small terraces and semi-detached and detached dwellings. The mix is considered to be appropriate and provides a variety of house types within the vicinity which is welcomed.
107. Concerns have been raised in regard to the loss of the green open space, the density of the layout and the overdevelopment of the site. However, the surrounding residential development, particularly to the north of the application site is characterised by numerous terraced properties of a dense, albeit historic, layout and it is considered that this proposal would be in-keeping with the surrounding residential development. It is also considered that the proposal would not represent an overdevelopment of the site and would have the appropriate number of dwellings whilst still providing SUDs, open space, separation distances and gardens for each of the dwellings proposed. In terms of the loss of the green open space, this concern is recognised, however, the site is not allocated as open space within the Council's Open Needs Assessment, nor is it allocated in the Great Aycliffe Neighbourhood Plan under GANP Policy CH2 (Protection of Accessible Local Green Space Designations) and is in private ownership. Therefore, whilst the proposal would result in the loss of open land, it is not formally recognised open space.
108. Concerns have been raised by members of the public in regard to the impact of the development upon 57 Cumby Road which was the house of Lord Beveridge. In considering this, the development is not considered to have a harmful impact upon this dwelling as it would remain on the adjacent site and there are numerous existing trees and vegetation which would provide a natural screening to the development.
109. The application has been considered by the Council's Internal Design Review Team in accordance with CDP Policy 29. The scheme has received 5 'Green', 3 'Amber' and 4 'Red' classifications at the latest Design Review meeting the scheme was presented at. However, 3 of the 'Red' classifications were directly related on highways matters which have now been addressed as discussed in the 'Highway Safety' section below. The remaining 1 'Red' classification related to 'Working with the site and its context' as the submitted information did not demonstrate the actual impact of the development on surrounding trees.
110. Since the above Design Review comments, an updated Arboricultural Impact Assessment (AIA) has been submitted alongside a detailed landscaping scheme. The AIA sets out that the proposed layout would result in the removal of fourteen trees, two groups of trees, and five small sections of hedgerow which vary in classification.
111. It is recognised that as set out above, as a result of the development, there would be a loss in the existing trees on the site. However, it is considered that the loss of the trees is necessary to deliver an improved layout and designed scheme, with the trees (outside the application site) to the south and east being retained which are characteristic of the area. It is recognised that GANP Policies E4 and E5 and CDP Policy 40 seek the retention of trees on the site and sets out that where tree removal is justified, proposals would only be supported if there is compensatory mitigation proposal which forms part of the submission.

In this regard, a detailed landscaping scheme has been submitted which shows that 29no. trees would be planted on the site as well as the planting of sections of hedgerows within the development. In this regard, whilst there is an impact upon the existing trees, these trees are not considered worthy of protection or retention and a detailed landscaping scheme has been submitted which would compensate for their loss.

112. A condition is recommended to be attached to ensure that appropriate tree protection fencing is erected prior to the commencement of the development to ensure the integrity of the root protection area of retained trees and the adjacent trees to the south and east boundary. It is also recommended that an additional condition is imposed to ensure the retention of the north hedgerow (apart from small pedestrian access points for the new houses) to a height of approximately 1.25 metres as well as the implementation of the landscaping scheme.
113. Therefore, on balance, the proposal complies with Policies 6, 29, 39 and 40 of the County Durham Plan in terms of design and landscape impacts, alongside GANP Policy CH1, E4 and E5 and Parts 12 and 15 of the National Planning Policy Framework and a high-quality development would be delivered.

Highway Safety/Access

114. CDP Policy 21 outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity, expecting developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. Similarly, CDP Policy 29 advocates that convenient access is made for all users of the development together with connections to existing cycle and pedestrian routes. CDP Policy 6 criteria (e) requires development to not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity.
115. GANP Policy H3 sets out 'Parking Standards for new Residential Development' and requires 2-off road car parking spaces for a two- or three-bedroom dwelling and 3-off road car parking spaces for a four-bedroom dwelling.
116. The County Durham Parking and Accessibility Standards 2019 set out that a minimum of 1-off road car parking spaces are required for a two-or three-bedroom dwelling and 2-off road car parking spaces for a four-bedroom dwelling.
117. GANP Policy H5 relates to the 'Provision of In-Curtilage Parking and Storage' and requires properties with no garage provision, suitable bicycle parking and/or storage will be encouraged.
118. Specifically, the NPPF sets out at Paragraph 110 that safe and suitable access should be achieved for all users. 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.
119. Concerns have been raised by objectors in relation to highway safety of the site and inadequate provision of parking.

120. Access to the site is proposed to be taken via Pease Way into the site and would be built to an adoptable standard with shared drives to the western and southern corner of the site.
121. As highlighted above, the application has been assessed under the Council's Internal Design Review Team and received three red classifications relating to highways matters. Concerns were raised that the streets are not designed to adoptable standards with potential raises highway safety concerns. To address these concerns, amended plans have been submitted.
122. The Highway Authority have reviewed the amended plans and have assessed the proposal against the Council's current Parking and Accessibility Standards. It is recognised there is a difference between the parking standards outlined under GANP Policy H3 and the County Durham Parking and Accessibility Standards 2019 in terms of GANP Policy H3 requires a four-bedroom dwelling to have three off-road parking spaces, whereas and the DCC Parking Standards have a minimum of 1 space for less than 4 bedrooms. In addition, the DCC Parking Standards requires the provision of non-allocated Visitor Parking spaces to accommodate additional parking where required. In looking at this, the GANP was adopted in 2017 and the County Durham Parking Standards were adopted in 2019 leading to the County Durham Parking Standards taking precedence in this case.
123. The Highway Authority conclude that the development is now acceptable from a highways point of view subject to conditions being imposed to require the submission of engineering details of the proposed estate road; the construction of the estate road prior to the first occupation of the dwellings and the parking spaces shall be retained for parking in perpetuity. On this basis, it is considered that the amended plans address the previous 'red' classification, and they would now be regarded to be 'green' under Design Review process.
124. Overall, whilst recognising local objections subject to conditions, the proposals are not considered to adversely affect highway or pedestrian safety and therefore accord with Policies 6 and 21 of the County Durham Plan and Policies H3 and H5 of the Great Aycliffe Neighbourhood Plan and Part 9 of the National Planning Policy Framework.

Residential Amenity

125. CDP Policy 31 states that all new development that has the potential to lead to, or be affected by, unacceptable levels of air quality, inappropriate odours and vibration or other sources of pollution, either individually or cumulatively, will not be permitted including where any identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level.
126. Parts 12 and 15 of the NPPF 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.

127. A Residential Amenity Standards Supplementary Planning Document (SPD) has been adopted by the Council, which recommends that dwellings should benefit from private, usable garden space of at least 9 metres long. In considering this, each of the dwellings have a private amenity space which complies with the required 9 metres distance set out in the SPD.
128. Concerns have been raised in relation to the impact of the trees upon the private amenity space of the proposed dwellings, particularly along the southern and eastern boundary of the application site. In response to this, a daylight and sunlight assessment has been submitted to demonstrate the impact of the trees, at different times of the year. The report set out that the garden space of Plots 17 to 23 and Plot 9 to 16 would have varying time periods in shade across the year, particularly during the winter months. To address this, Plots 17 and 18 have been re-orientated to be west facing and as a result their garden space is now outside of the main overshadowing areas as demonstrated by the assessment. Plots 19 to 23 would experience shading in their gardens for periods of time during the winter months, especially through from October to early spring. The garden spaces for these plots would however have sunlight and daylight provision through the summer and spring months where gardens are most likely to be used. It is also recognised that, the trees on the perimeter of the site lose their leaves through the winter months which would reduce the impact of the shading in the gardens of these plots and would allow some filtered sunlight through. Whilst shading of garden space is undesirable, on the whole, Plots 17 to 23 are considered to have sufficient amount of usable amenity space for future occupiers and would provide adequate living conditions.
129. In relation Plots 9 to 16, the sunlight assessment sets out that these rear gardens would also experience shading to the from the existing trees to the east for periods primarily during the winter months when the sun is lower. However, the gardens would have sunlight and daylight provision through the summer and spring months, again where gardens are most likely to be used. Also, the trees on the perimeter of the site would again lose their leaves winter months allowing filtered sunlight through. Therefore, whilst shading of garden space is undesirable, on the whole, Plots 9 to 16 have sufficient amount of usable amenity space and would provide adequate living conditions for future occupiers.
130. The Residential Amenity Standards SPD also sets out separation distances for new development to comply with. It states that a minimum distance of 21.0m between habitable room windows, where either dwelling exceeds single storey, and a minimum of 18.0m between habitable room windows and both dwellings are single storey should be achieved. Where a main facing elevation containing a habitable room windows is adjacent to a gable wall which does not contain a habitable room window, a minimum distance of 13.0m shall be provided where either dwelling exceed single storey or 10.0m where both dwellings are single storey.
131. In reviewing the to the site layout against these requirements, due to the internal courtyard layout of the site, every dwelling can achieve minimum separation distances to separation distance from each other. In addition to this, the nearest

dwelling within the development would be situated approximately 38 metres from the nearest existing residential property to the east. The development would also exceed the required separation distances to existing residential development.

132. Environmental Health Officers have been consulted on the application and have reviewed the submitted Noise Assessment. They state that the information and mitigation provided within the submitted noise assessment (which requires a 2-metre acoustic fence to the rear of Plots 20-23 as well as acoustic glazing and ventilation to some plots) would ensure that the development complies with the thresholds set out within the TANS and would indicate that the development would not lead to an adverse impact in terms of noise. Conditions are recommended to be imposed requiring this mitigation to be fully completed on the site prior to the first occupation of any of the dwellings.
133. Overall, subject to conditions, the proposals are considered to provide a good standard of amenity for existing and future residents, in accordance with Policies 29 and 31 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

Infrastructure and open space provision

134. CDP Policy 25 supports securing developer contributions where mitigation is necessary to make the development acceptable in planning terms including for social infrastructure such as education and health facilities.
135. CDP Policy 26 seeks to resist development proposals which would result in the loss of open space or harm to green infrastructure, unless the benefits of the development clearly outweigh that loss or harm, and an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirement. The Policy also outlines that new residential developments will be required to make provision for open space to meet the needs of future residents having regard to the standards of open space provision set out in the Open Space Needs Assessment (OSNA). Where it is determined that on-site provision is not appropriate, the Council will require financial contributions to be secured through planning obligations towards the provision of new open space, or the improvement of existing open space elsewhere in the locality.
136. GANP Policy E1 relates to green corridors and seeks development that ensures the continuation and enhancement of green corridors for wildlife, multi-functional green space and trees lined avenues will be preferred and encouraged.
137. GANP Policy H9 relates to the provision of facilities and services and requires proposals to demonstrate provision of necessary new facilities on-site and/or provision of, or contribution to, necessary off-site facilities to make the development acceptable in planning terms.
138. GANP Policy CIL 1 relates to Developer Contributions and states: 'All new development must provide necessary and appropriate new facilities, relevant and related to the development, on site, or contribute to off-site facilities as

required either by means of planning conditions, a Section 106 Agreement and/or use of CIL.

139. Paragraphs 55-58 of the NPPF explain the circumstances when it is appropriate for planning obligations to be used to mitigate the impacts of the development. Paragraph 98 of the NPPF highlights that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 130 requires amongst its advice that developments function well and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).
140. Concerns have been raised in regard to the loss of the open space and how this would not be in line with the 'New Town Aycliffe' concept created by Lord Beveridge. The application site comprises an area of privately owned, contained scrubland which is not designated as amenity open space within the Open Space Needs Assessment. There are no Public Rights of Way (PROWs) across the site which would otherwise allow for public access through the land. In considering this, there would be no objection in principle to the loss of this grassland and the proposal would comply with CDP Policy 26 in this regard. The site is also not covered by GANP Policy CH2 which designates local green spaces which are considered to contribute to public access and the openness/character of the area.
141. It is important to ensure that development proposals contribute to improvements in infrastructure capacity to mitigate for the additional demands that new development creates. By securing financial contributions through planning obligations, developers would help fund the physical, social and environmental infrastructure that is needed to make development acceptable and ensure that the development mitigates its impact upon existing infrastructure.
142. In relation to open space provision, the Council's Open Space Needs Assessment (OSNA) 2018 is considered the most up to date assessment of need. It identifies the five typologies (allotments; amenity/natural greenspace; parks, sports and recreation grounds; play space (children) and play space (youth), sets out requirements for public open space on a population pro rata basis and whether provision should be either within the site, or through a financial contribution towards offsite provision, in lieu taking into consideration factors such as the scale of the development, existing provision within suitable walking distances and the level of contribution sought.
143. In this respect, the Council's Spatial Policy Team confirmed that a contribution of £36,204.30 should be sought to provide off-site open space and a minimum of 759sqm of on-site amenity/natural green space would be required. The proposed site plans shows the required provision of amenity/natural green space dispersed throughout the development to meet the requirement. The development has also indicated their willingness to enter into a legal agreement to secure the off-site contribution.

144. The Council's Education Team have been consulted on the application and confirm there is no requirement in this instance for a financial contribution for education.
145. NPPF Paragraph 93 recognises the need for planning decisions to ensure an integrated approach when considering the location of new housing and to plan positively for the provision and use of community facilities and local services. Paragraphs 55-57 explain the circumstances when it is appropriate for planning obligations to be used to mitigate the impacts of the development. This provides policy justification, alongside CDP Policy 25 and GANP Policy CIL 1 to seek mitigation in respect to essential services including GP provision where a deficit would result or be exacerbated by the proposal.
146. The NHS have been consulted as part of the application and confirm they would be seeking a financial contribution totalling £11,109.00 to mitigate the developments impact in respect of G.P provision. The development has also indicated their willingness to enter into a legal agreement to secure this contribution.
147. Overall, subject the development of the site does not result in the loss of designated open space or land with a functional recreational value. Subject to the applicant entering into a Section 106 Legal Agreement to secure £11,109.00 for the NHS G.P provision and £36,204.30 for open space, the proposal could mitigate its impacts and would be compliant with Policies 25 and 26 of the County Durham Plan, Policies H9 and CIL 1 of the Great Aycliffe Neighbourhood Plan and Paragraph 34 of the National Planning Policy Framework

Affordable, Accessible and Adaptable Homes

148. CDP Policy 15 requires applications for 10no. or more units to provide a percentage of Affordable Housing provision which is accessible, adaptable and meets the needs of those residents unable to access the open housing market. The application site is located within a low value area where 10% of the approved units must be provided for affordable home ownership. Since the CDP was adopted, the Government's First Homes policy has come into force and requires a minimum of 25% of all affordable housing units secured through developer contributions to be First Homes. The 25% expected First Homes contribution for any affordable product can make up or contribute to the 10% of the overall number of homes expected to be an affordable home ownership product on major developments as set out in the NPPF.
149. GANP Policy H7 relates to 'Housing for Older People' and requires 10% of new dwellings on sites of 10 or more dwellings to meet the needs of older people, including bungalows.
150. GANP Policy H8 relates to 'Affordable Housing' and seeks proposals for 11 or more dwellings to provide an element of affordable housing taking into account the defined local need, and should contribute to meet the affordable and social rented needs of residents.

151. The Council's Spatial Policy Team have been consulted on the application and advise that to address housing need, 15% of the dwellings provided would need to be affordable which on a scheme of 23no. units, equates to three affordable units comprised of 1 First Home, 1 Affordable Home Ownership and 1 Affordable Rent.
152. In considering this, the proposal is presented as a 100% affordable housing scheme. However, only three of the 23 dwellings are offered to be secured as affordable units in perpetuity under a Section 106 Legal Agreement and the remaining 20 dwellings are being provided as affordable on a voluntary basis. It is understood that this is due to complexities around Homes England Funding on such matters. Notwithstanding this, while recognising the voluntary offer and the likelihood that the dwellings would be secured as affordable under other mechanisms, no weight can be afforded to the voluntary element of affordable element in the planning balance. The development would still however deliver the minimum policy requirement of 15% (3) affordable dwellings as set out under Policy 15 which the applicant has indicated a willingness to secure by entering into a Section 106 Legal Agreement.
153. CDP Policy 15 also states that in order to meet the needs of older people and people with disabilities, on sites of 5 units or more, 66% of dwellings must be built to Building Regulations Requirement M4 (2) (accessible and adaptable dwellings) standard. Furthermore, on sites of 10 or more, a minimum of 10% of the total number of dwellings on the site should be of a design and type that would increase housing options of older people. These properties should be built to M4(2) standard and would contribute to meeting the 66% requirement set out above. They should be situated in the most appropriate location within the site for older people. Appropriate house types considered to meet this requirement include:
- Level access flats;
 - Level access bungalows; or
 - Housing products that can be shown to meet the specific needs of multi-generational family.
154. In this regard, based on a scheme of 23 units, 15 units would be required to be built to M4(2) Standard of Building Regulations and two units would need to be of a house type which would be suitable for older people. The proposal would provide 7no. bungalows and 16no. two storey dwellings. The 7no. bungalows would be in excess of the policy requirement for two units to be suitable for older people which a welcome aspect of the application. Each of the six house types would be built to comply with M4(2) standard which is also above the 66% policy requirement which is also a positive aspect of the scheme in regard to housing provision and a factor to weigh in the planning balance.
155. Overall, the application proposes 100% affordable housing although 85% would be provided on a voluntary basis, the remaining 15% would satisfy Policy 15 of the CDP. The scheme would be fully compliance with M4(2) to exceed the 66% policy requirement, alongside providing 7 bungalows to meet the housing needs of older people which is also above the policy requirement for 2 units. Therefore,

the proposal would comply with Policy 15 of the County Durham Plan and Policies H7 and H8 of the Great Aycliffe Neighbourhood Plan in this regard.

Ecology

156. CDP Policy 41 seeks to ensure new development minimises impacts on biodiversity by retaining and enhancing existing diversity assets and features. Proposals for new development should not be supported where it would result in significant harm to biodiversity or geodiversity.
157. CDP Policy 43 (Protected Species and Nationally and Locally Protected Sites) development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.
158. NPPF Paragraph 180 d) advises that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate. In line with this
159. Concerns have been raised by members of the public in relation to the impact of the development upon local wildlife and ecology. In response to this, the applicant has undertaken an ecological survey and a Biodiversity Net Gain Assessment and Report has been also submitted in support of the application. The report concludes that the proposal would fail to achieve a net gain in biodiversity as the development would result in the loss of 2.77 biodiversity units on the site. The developer intends to provide off site mitigation in order to achieve a net gain.
160. In reviewing the submitted Biodiversity Net Gain Assessment the Council's Ecology section offer advise that the methodologies and conclusions of the report are sound. It is also advised that there are a number of mechanisms to secure offsite net gain, including providing mitigation on land within the applicant's ownership, through a third party provider or through a national credits scheme. A relevant legal agreement (Section 106 or Section 39 Agreement) should be entered into to secure this.
161. Subject to the above, the proposal would accord with Policy 41 of the County Durham Plan and Paragraph 180 of the National Planning Policy Framework.

Nutrient Neutrality

162. Under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitat Regs), the Local Planning Authority must consider the

nutrient impacts of any development proposals on habitat sites and whether those impacts may have an adverse effect on the integrity of a habitats site that requires mitigation, including through nutrient neutrality. In this respect Natural England have identified that the designated sites of the Teesmouth & Cleveland Coast Special Protection Area/Ramsar (SPA) is in unfavourable status due to excess Nitrogen levels within the River Tees.

163. In this instance the development proposes the formation of 23 additional dwellings, which would ultimately give rise to additional loading of nitrogen into the Tees catchment. Given the advice provided by Natural England, it is likely that in combination with other developments, the scheme would have a significant effect on the designated SPA/RAMSAR sites downstream both alone and in-combination. The Habitat regulations therefore require the Authority to make an 'Appropriate Assessment' of the implications of the development on the designated sites in view of the sites conservation objectives. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest (IROPI) and the necessary compensatory measures can be secured.
164. Nutrient Neutrality advice is provided by Natural England, including the provision of a Neutrality Methodology. This requires a nutrient budget to be calculated for all types of development that would result in a net increase in population served by a wastewater system including residential development that would give rise to new overnight accommodation. In utilising the nutrient budget calculator produced by Natural England mitigation is identified as being required in order to achieve Nutrient Neutrality as the total annual nitrogen load to mitigate is 49kg TN/year. The application has been successful in reserving 49 credits from Natural England and has supplied its provisional certificate as part of the planning application. The Nutrient Neutrality Budget Calculator has been reviewed by the Ecology Team who are satisfied that the correct number of credits have been reserved by the development via Natural England in order to mitigate the proposals impact upon the Teesmouth and Cleveland Coast Special Protection Area/Ramsar to an acceptable level.
165. Subject a condition to secure the submission of the completed Nutrient Neutrality Certificate from Natural England prior to the commencement of the development, the proposal would be in accordance with Policies 41 and 42 of the County Durham Plan and Paragraph 180 of the National Planning Policy Framework. The Authority can also satisfy itself under its obligations under the Conservation of Habitats and Species Regulations 2017 (as amended) and ensure that protected sites would not be adversely affected by the development.

Drainage

166. Part 14 of the NPPF seeks to resist inappropriate development in areas at risk of flooding, directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 167 advises that when determining planning applications, local planning authorities should ensure that flood risk is not

increased elsewhere and that where appropriate applications should be supported by a site-specific flood-risk assessment. Paragraph 169 goes on to advise that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

167. CDP Policies 35 and 36 relate to flood water management and infrastructure. CDP 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. CDP Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water.
168. Concerns have been raised by members of the public in terms of the impact of the development upon the drainage. In assessing this, the site is not located within a flood zone. The application is supported by a Flood Risk Assessment and a Drainage Strategy. The drainage strategy proposes to attenuate water on the site using an attenuation tank and then discharging it at a greenfield run off rate. The Lead Local Flood Authority have reviewed the submitted information and the principle of the drainage is acceptable. However, a detailed drainage scheme is required to be submitted to the LPA. It is considered that this can be dealt with by planning condition.
169. The application is considered to demonstrate that the proposed development would be safe without increasing or exacerbating flood risk elsewhere as required by Policies 35 and 36 of the County Durham Plan and Part 14 of the National Planning Policy Framework.

Ground Conditions

170. CDP Policy 32 requires sites to be suitable for use taking into account contamination and unstable land issues. Paragraph 183 of the NPPF requires sites to be suitable for their proposed use taking account of ground conditions and any risks arising from land instability and contamination.
171. The application has been supported by a Phase 1 and 2 Geo-Environmental Site Assessment. The Council's Contaminated Land Team have been consulted on the reports supplied and they confirm there is no requirement for a contaminated land condition to be imposed on the consent. The site lies outside of the Coal Mining High Risk Area. Therefore, there is no need to consult with the Coal Authority on the application.
172. Policy 56 of the CDP seeks to safeguard mineral resources. Significant areas of the County fall into such mineral safeguarding areas, including the application site and wider area. Although a non-mineral development is proposed, it is not considered that the current proposals would sterilise mineral resource taking into account the scale of the site and residential setting. No objections are raised in this regard and the proposal does not conflict with Policy 56.
173. The proposal is considered to comply with Policies 32 and 56 of the County Durham Plan and Paragraph 183 of the National Planning Policy Framework.

Sustainability

174. Criterion c) of CDP Policy 29 requires all development to minimise greenhouse gas emissions, by seeking to achieve zero carbon buildings and providing renewable and low carbon energy generation. Where connection to the gas network is not viable, development should utilise renewable and low carbon technologies as the main heating source.
175. In addition, criterion o) of CDP Policy 29 requires all major residential development to achieve reductions in CO₂ emissions of 10% below the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on current Building Regulations.
176. Criterion d) of CDP Policy 29 requires all development to minimise the use of non-renewable and unsustainable resources, including energy, water and materials, during both construction and use by encouraging waste reduction and appropriate reuse and recycling of materials, including appropriate storage space and segregation facilities for recyclable and non-recyclable waste and prioritising the use of local materials.
177. GANP Policy H6 relates to 'Securing Energy Efficient Homes' and requires developments to be designed to achieve the highest possible energy efficiency standards.
178. No energy assessment or similar has been provided to demonstrate compliance with CDP Policy 29. However, the Building Regulations have changed since the submission of this application and now require all new homes to produce 31% less CO₂ emissions than what was previously acceptable in the Part L regulations and there have been changes to Part F in respect of ventilation with new regulations in respect of overheating and electric vehicle charging. In light of the changes to Building Regulations, the development would now need to meet this new requirement and as this is covered under separate legislation there is no need for a condition to reflect this.
179. By virtue of the recent changes to Building Regulation requirement, the proposal is considered to exceed the requirements of Policy 29 of the County Durham Plan and accords with Part 2 of the National Planning Policy Framework.

Other Matters

180. A concern was raised during the course of the application in regard to the land ownership as the incorrect Certificate on the application form had been completed. This was brought to the attention of the agent and an amended Certificate B has been provided and a full re-consultation on the application was undertaken. This resolves the land ownership query raised by a member of the public.
181. CDP Policy 27 relates to utilities, telecommunications and other broadband infrastructure and requires any residential and commercial development to be served by a high-speed broadband connection and where this is not

appropriate, practical or economically viable, developers should provide appropriate infrastructure to enable future installation.

In considering this policy requirement, due the location of the development within Newton Aycliffe, there would be existing high-speed broadband availability in the area to comply with CDP Policy 27. A condition is recommended requiring the precise broadband details to be submitted to comply with CDP Policy 27.

182. In relation to Air Quality, CDP Policy 31 sets out: "Development which has the potential to lead to, or be affected by, unacceptable levels of air quality, inappropriate odours, noise and vibrations or other sources of pollution, either individually or cumulatively, will not be permitted including where any identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level." In assessing this, the application site is not located within a designated Air Quality Management Plan and the Council's Air Quality Team have been consulted on the application who have no objection to the development subject to a condition requiring the submission of a Construction Management Plan. Therefore, the development is compliant with Policy 31 of the CDP in terms of air quality.
183. The application site is within the Health and Safety Executive Major Hazard Sites Consultation Zone and accordingly, the HSE have been consulted via their online platform. They confirm that they do not advise against the development. Therefore, the proposal is acceptable in this regard.

CONCLUSION

184. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Council has an up-to-date development plan which is the County Durham Plan alongside the Great Aycliffe Neighbourhood Plan. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision making, this means approving development proposals that accord with an up-to-date development plan without delay.
185. It is acknowledged that this proposal is not an allocated housing site under CDP Policy 4. However, CDP Policy 6 does permit development on unallocated sites on the basis that specific criteria are met. It is concluded that the development of this application site for housing would not be in conflict with CDP Policy 6 or GANP Policy H1 as it is well-related to the settlement, would not significantly affect the landscape character, is sustainably located with access to public transport and services, acceptably designed and would not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity.
186. The application site is neither locally, nor nationally designated in terms of its landscape quality. Whilst the development would alter the character of site, it is not considered that this would cause harm to the wider area given the bounds

of the application site between the Pease Way, Greenfield Way and existing residential development. Concerns have been raised regarding the impact of the development upon the existing trees especially in regard to the removal of trees from the site. However, whilst the loss of the trees is regrettable, without their removal the proposal would be undeliverable. To mitigate against this, a detailed landscaping scheme has been submitted which includes the planting of additional trees which is considered to be acceptable in such a residential setting in accordance with Policies 6, 29, 39 and 40 of the County Durham Plan.

187. Concerns have been raised by members of the public in terms of the highway safety implications of the development. However, these concerns have been taken into consideration in the assessment of the application, with the Council's Highways Team reviewing the details and having no objection to the development.
188. In terms of the residential amenity, the proposal complies with the required garden lengths and separation distances as set out under the Residential Amenity Standards SPD. Although, there are concerns about the impact of the existing trees upon the useability of some of the rear garden due to shading. Whilst this is a deficiency in the application, this needs to be weighed in the overall planning balance of the application as a whole, especially weighed against securing affordable housing within Newton Aycliffe with an oversupply of bungalows (beyond the policy requirement set out under CDP Policy 15). Whilst there are some issues with the shading of the rear gardens, this is considered to be outweighed by the provision of affordable housing on the site which is a positive of the scheme.
189. The proposal is considered to comply with the requirements of the policies of the County Durham Plan in relation to ecological impacts, developer contributions, air quality, drainage, and ground conditions.
190. Overall, the proposal is considered to be acceptable and in accordance with Policies 6, 15, 19, 21, 25, 26, 27, 29, 31, 32, 35, 36, 39, 40, 41, 42, 43 and 56 of the County Durham Plan, GANP Policies CH1, E1, E4, E5, H1, H3, H5, H6, H7, H8, H9, T3 and CIL1 and Parts 2, 5, 8, 9, 12, 14 and 15 of the National Planning Policy Framework. There are no material considerations which indicate otherwise, and the application is recommended for approval subject to the completion of a Section 106 Agreement.

Public Sector Equality Duty

191. 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.
192. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

RECOMMENDATION

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

- A financial contribution totalling £11,109.00 for the NHS;
- A financial contribution of £36,204.30 for off-site open space provision;
- Provision of 15% affordable housing on site.
- The securing of biodiversity net gain off-site.

And 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 following plans and documents:

- Site Location Plan. Drawing Number: BHA-ST-XX-DR-A-0500 Rev P02 received by the Local Planning Authority on 7th June 2022
- Proposed Site Layout. Drawing Number: BHA-ST-XX-DR-A-1220 Rev P12 received by the Local Planning Authority on 30th June 2023
- Proposed External Finishes Layout. Drawing Number: BHA-ST-XX-DR-A-1400 Rev P05 received by the Local Planning Authority on 30th June 2023.
- Detailed Landscape Proposals. Drawing Number: c-2070-01- Revision C received by the Local Planning Authority on 13th June 2023.
- Boundary Treatments Plan. Drawing Number: BHA-ST-XX-DR-A-1410 Rev P06 received by the Local Planning Authority on 30th June 2023.
- Proposed Parking Plan. Drawing Number: BHA-ST-XX-DR-A-1420 Rev P04 received by the Local Planning Authority on received by the Local Planning Authority on 30th June 2023.
- Proposed Drainage Layout. Drawing Number: 148583/2004 Rev B received by the Local Planning Authority on 30th June 2023.
- Brookwood Proposed Floor Plan and Roof Plan. Drawing Number: DR-A-1501 Rev P03 received by the Local Planning Authority on 13th June 2023.
- Brookwood Proposed Elevations. Drawing Number: DR-A-1601 Rev P02 received by the Local Planning Authority on 13th June 2023.
- Wentworth Proposed Elevations. Drawing Number: BHA-V211-ZZ-DR-A-1601 Rev P03 received on 25th April 2023.
- Wentworth Floor Plan and Roof Plan. Drawing Number: BHA-V211-ZZ-DR-A-1501 Rev P03 received by the Local Planning Authority on 25th April 2023.

- Berwick Proposed Elevations. Drawing Number: BHA-V411-ZZ-DR-A-1601 Rev P03 received by the Local Planning Authority on 25th April 2023.
- Berwick Proposed Floor Plan and Roof Plan. Drawing Number: BHA-V411-ZZ-DR-A-1501 Rev P03 received by the Local Planning Authority on 25th April 2023.
- Ashridge Proposed Elevations. Drawing Number: BHA-V213-ZZ-DR-A-1601 Rev P03 received by the Local Planning Authority on 25th April 2023.
- Ashridge Proposed Floor Plans and Roof Plan. Drawing Number: BHA-V213-ZZ-DR-A-1501 Rev P03 received by the Local Planning Authority on 25th April 2023.
- Sherwood Proposed Elevations. Drawing Number: BHA-V313-ZZ-DR-A-1601 Rev P03 received by the Local Planning Authority on 10th July 2023
- Sherwood Proposed Floor Plans and Roof Plan. Drawing Number: BHA-V313-ZZ-DR-A-1501 Rev P02 received by the Local Planning Authority on 25th April 2023.
- Oakmont Proposed Elevations. Drawing Number: BHA-V312-ZZ-DR-A-1601 Rev P03 received by the Local Planning Authority on 25th April 2023.
- Oakmont Floor Plans and Roof Plans. Drawing Number: BHA-V312-ZZ-DR-A-1501 Rev P04 received by the Local Planning Authority on 25th April 2023.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 6, 15, 19, 21, 29, 31, 32, 35, 36, 39, 40, 41 and 43; of the County Durham Plan and Parts 2, 5, 8, 9, 12, 14, 15 of the National Planning Policy Framework.

3. No development shall commence until a completed Final Nutrient Credit Certificate has been submitted to and approved in writing by the Local Planning Authority.

Reason: To conserve protected species and their habitat in accordance with Policy 42 of the County Durham Plan.

4. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
 - A Dust Action Plan including measures to control the emission of dust and dirt during construction.
 - Details of methods and means of noise reduction/suppression.
 - Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.

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

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

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

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

5. No development shall commence until 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.

6. No development shall commence until full details of a scheme for foul and surface water drainage in accordance with the principles demonstrated on 'Proposed Drainage Layout' Drawing Number: 148583/2004 Rev B has been submitted to and approved in writing. The details shall include detailed drawings to show proposed site levels, finished floor levels and MDX calculations. The development shall be undertaken in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

Reason: To ensure effective drainage measures and sustainable principles are adhered to, and to safeguard the proposed development from flood risk, whilst not increasing flood risk elsewhere in accordance with Policy 35 of the County Durham Plan and Part 14 of the National Planning Policy Framework.

7. No development shall commence until details of the means of access and estate road, including full engineering and construction details, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

Reason: In the interests of highway safety to comply with Policy 21 of the County Durham Plan, GANP Policies H3 and H5 and Part 9 of the National Planning Policy Framework.

8. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated on the approved tree protection plan (Appendix 2: Arboricultural Impact Plan, Drawing Number: ARB/CP/2844/AIP in 'Arboricultural Impact Assessment' prepared by Elliot consultancy Ltd Dated June 2023) to be retained, are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2010.

No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree.

No removal of limbs of trees or other tree work shall be carried out.

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.

Reason: In the interests of the visual amenity of the area and to comply with Policies 29 and 40 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

9. Notwithstanding any details of materials submitted with the application, no development shall be carried out above damp proof course level until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies 6 and 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

10. No development shall be carried out above damp proof course level until details of the pedestrian footpath link to existing dismantled railway as shown on Proposed Site Layout. Drawing Number: BHA-ST-XX-DR-A-1220 Rev P12 received by the Local Planning Authority on 30th June 2023 have been submitted to and approved in writing. The details shall include site sections and full engineering details. The pedestrian footpath link shall be constructed in accordance with the approved details prior to the occupation of the 5th dwelling hereby approved.

Reason: In the interests of highway safety and in order to improve the accessibility of the site in accordance with Policies 21 and 29 of the County Durham Plan

11. Prior to the first occupation of any of the dwellings hereby approved, details of 1no. electric vehicle charging point per dwelling shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details and retained in perpetuity unless replaced with an equivalent or better low carbon vehicle power source.

Reason: To ensure a satisfactory form of development in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

12. Prior to the first occupation of any of the dwellings hereby approved, the access as shown on Proposed Site Layout. Drawing Number: BHA-ST-XX-DR-A-1220 Rev P12 received by the Local Planning Authority on 30th June 2023 shall be fully constructed in accordance with these details.

Reason: In the interests of highway safety to comply with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

13. Prior to the first occupation of any of the dwellings hereby approved, details of 1no. bat and 1no. bird box per dwelling shall be submitted to and approved in writing by the Local Planning Authority. The details shall be installed on the site and remain so in perpetuity prior to the first occupation of any of the dwellings hereby approved.

Reason: In order for the development to meet biodiversity net gains as outlined in Policy 41 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

14. Prior to the first occupation of any of the dwellings hereby approved, the boundary treatments as detailed on 'Boundary Treatments Plan' Drawing Number: BHA-ST-XX-DR-A-1410 Rev P06 received by the Local Planning Authority on 30th June 2023 shall be fully installed on the site and remain so in perpetuity.

Reason: In order to protect the amenity of future occupants from noise in accordance with Policy 31 of the County Durham Plan.

15. Prior to the first occupation of any of the dwellings hereby approved, the noise mitigation measures outlined in 'Revised Noise Assessment by njd Environmental Associates' dated July 2023, Report Reference: NJD21-0134-002R/R3 and 'Figure 4: Mitigation for Gardens, Ground Floor Living Rooms and Ground Floor Bedrooms' shall be fully implemented on the site and remain so in perpetuity.

Reason: In order to protect the amenity of future occupants from noise in accordance with Policy 31 of the County Durham Plan.

16. Prior to the first occupation of any of the dwellings hereby approved, a scheme detailing the precise means of broadband connection to the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To ensure a high quality of development is achieved and to comply with the requirements of Policy 27 of the County Durham Plan.

17. The existing hedgerow along the north boundary of the site as shown on Appendix 2: Arboricultural Impact Plan, Drawing Number: ARB/CP/2844/AIP in 'Arboricultural Impact Assessment' prepared by Elliot consultancy Ltd Dated June 2023 shall be retained for the lifetime of the development to a minimum height of 1.25 metres.

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.

18. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development.

No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.

Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial 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 of the area and to comply with Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

19. The parking spaces as shown on 'Proposed Site Layout. Drawing Number: BHA-ST-XX-DR-A-1220 Rev P12 received by the Local Planning Authority on 30th June 2023' shall be retained for the lifetime of the development for the parking of motor vehicles only.

Reason: In the interests of highway safety to comply with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

20. In undertaking the development that is hereby approved:

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

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

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

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

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
National Planning Policy Framework
The County Durham Plan (CDP)
County Durham Strategic Housing Market Assessment 2019
County Durham Plan Building for Life Supplementary Planning Document 2019
Residential Amenity Standards Supplementary Planning Document 2020
Statutory consultation responses

Internal consultation responses
External consultation responses



Planning Services

23no. Affordable Dwellings

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Comments

Date: 20th July 2023