

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

Application No:	DM/22/02238/FPA
Full Application Description:	Erection of 181 no.2,3 and 4 bedroom two-storey dwellings with associated works.
Name of Applicant:	Gleeson Regeneration Ltd
Address:	Land South of Greylingstadt Terrace, The Middles, Stanley.
Electoral Division:	Craghead and South Moor
Case Officer:	Louisa Ollivere, Senior Planning Officer Tel: 03000 264878 Email: louisa.ollivere@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The Site

1. The application site consists of 4 adjoining parcels of land located to the south of Greylingstadt Terrace and Bloemfontein Primary School, to the west of a residential area known as 'The Middles', which in turn is located between Craghead and South Stanley. The site has an irregular shape extending to approximately 9.54 hectares (ha) in area, comprising pasture fields and an equestrian stable block. To the west and south of the site South Moor Golf Club is located, further beyond lies the open countryside.
2. The site slopes gently from the south to the north and is relatively open, bar some fencing and trees and hedgerows which define field boundaries. A separate copse of trees is located in the south east of the site, with the stable building located adjacent to the western boundary. There is a single access and farm track into the site, taken from Middles Road near the north western corner of the site.
3. A public Right of Way (Footpath no 28 Stanley) runs along the southern boundary of the site. Approximately 50m south east of the site is Ousterely Wood which is a Local Wildlife Site. Parts of the site are within a high risk area in terms of coal mining legacy and the site is a mineral safeguarding area within

the Local Plan. Parts of the site are prone to surface water flooding, although the site lies outside of defined flood zones. The site lies adjacent to but not within an Area of High Landscape Value.

The Proposal

4. The application seeks planning permission for the erection of 181 dwellings with associated access, infrastructure and landscaping. The amended scheme includes separation from the golf course and the western boundary and two character areas, with detailed landscaping and public space at prominent locations with a new curved entrance road into the site.
5. The site would take access via a purpose built priority junction taken from Middles Road in the same location as the existing agricultural access. In addition to pedestrian access at the vehicle access point, additional pedestrian access would be provided to the residential area to the east, along with two pedestrian paths to connect to the PROW to the south. Each dwelling would have a minimum of 2 parking spaces and there would be 140 garages spread across the scheme, along with 45 visitor parking spaces on site.
6. The development would consist of a mix of 2, 3 and 4 bed detached and semi-detached dwellings which includes 18 bungalows. All dwellings would be built to comply with NDSS, and 71% would be MS42 Compliant. Ten percent of the dwellings would be secured as Affordable Housing through a mix of discount market sale and First Homes scheme.
7. There are several areas of open space proposed, some are multifunctional serving as SUDS basin and areas for landscaping mitigation. A play area is proposed in the southern area of open space. The SUDS basins are proposed in the open space areas to the rear of Bloemfontein school and Greylingstadt Terrace and two swales are proposed in the open space running through the middle of the site .
8. Landscaping is proposed throughout the site in the form of tree planting on street and within areas of open space, structure planting and the creation of amenity grassland, meadow and pond edge. There would be some limited tree removal adjacent the highway and within the site to facilitate the development.
9. The application is being reported to County Planning Committee in accordance with the Council's Scheme of Delegation as it constitutes major housing development with a site area in excess of 4 hectares.

RELEVANT PLANNING HISTORY

10. There is no relevant planning history relating to the application site.

PLANNING POLICY

National Policy

11. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:
12. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
13. *NPPF Part 4 Decision-making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
14. *NPPF Part 5 Delivering a 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.
15. *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.
16. *NPPF Part 8 Promoting Healthy and Safe Communities* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
17. *NPPF Part 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
18. *NPPF Part 10 Supporting High Quality Communications* - The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services. Local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband.

19. *NPPF Part 12 Achieving Well-Designed And Beautiful Places* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
20. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
21. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - 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.
22. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
23. *NPPF Part 17 Facilitating the Sustainable Use of Minerals* - It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

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

National Planning Practice Guidance:

24. 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 stability; land affected by contamination; housing and economic development needs assessments; housing and economic land availability assessment; natural environment; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport

assessments and statements; use of planning conditions; and; water supply, wastewater and water quality.

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

Local Plan Policy:

The County Durham Plan (CDP)

25. *Policy 1 (Quantity of Development)* outlines the levels of employment land and housing delivery considered to be required across the plan period.
26. *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.
27. *Policy 10 (Development in the Countryside)* states that development will not be permitted unless allowed for by specific policies in the Plan or Neighbourhood Plan or unless it relates to exceptions for development necessary to support economic development, infrastructure development or development of existing buildings. The policy further sets out 9 General Design Principles for all development in the Countryside.
28. *Policy 14 (Best and Most Versatile Agricultural Land and Soil Resources)* states that development of the best and most versatile agricultural land will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. All development proposals relating to previously undeveloped land must demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice.
29. *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.
30. *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.

31. *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.
32. *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.
33. *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.
34. *Policy 27 (Utilities, Telecommunications and Other Broadcast Infrastructure)* requires all residential and commercial development to 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.
35. *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.
36. *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.

37. *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.
38. *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.
39. *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.
40. *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.
41. *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.
42. *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.
43. *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.

44. *Policy 44 (Historic Environment)* seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.
45. *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.

Supplementary Planning Documents

46. *Development Viability, Affordable Housing and Financial Contributions SPD (2024)* – Provides guidance on how CDP Policy 25 and other relevant policies requiring planning obligations for affordable housing or other infrastructure will be interpreted and applied.
47. *Trees, Woodlands and Hedges SPD (2024)* – Provides guidance on good practice when considering the impacts of development on trees, woodlands, and hedgerows, as well as new planting proposals.
48. *Residential Amenity Standards SPD (2023)* – Provides guidance on the space/amenity standards that would normally be expected where new dwellings are proposed.
49. *Parking and Accessibility SPD (2023)* – Provides guidance on parking requirements and standards.
50. *County Durham Building for Life SPD (2019)* – Provides guidance on the application of the Building for Life standards and the Design Review process referenced in CDP Policy 29 to ensure well-designed major residential development proposals.

Neighbourhood Plan:

51. The application site is not located within an area where there is a Neighbourhood Plan to which regard is to be had.

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

CONSULTATION AND PUBLICITY RESPONSES

Statutory Consultee Responses:

52. *Highways Authority* – Have no objection, subject to conditions to require approval of full engineering details, drainage, street lighting and construction details of the streets proposed for adoption by the local highway authority. Details of the bus stop improvement on Middles Road is also requested to be secured by condition. Informatives are also requested in terms of highways technical approval, agreements and Traffic Regulation Orders.
53. *Lead Local Flood Authority (Drainage and Coastal Protection)* – Have no objection and confirm the hydraulic calculations and the surface water management plan for the development are acceptable, the development would not have an adverse impact in this respect. The Officer notes the amended design falls short of Policy 35 requirements but accepts this as it would provide flood protection and significant flood risk reduction to properties in Greylingstad Terrace which are in an area of historic flooding and that there are wider flood risk benefits of the design.
54. *Northumbrian Water* – Advise that development should be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy.
55. *The Coal Authority* – No objection but advise that remedial measures are required in order to ensure the stability of the development and request conditions to ensure remediation works are undertaken and checked by a suitably competent person.
56. *Sport England* – Confirm that the development does not fall within their statutory remit and offer general advice regarding additional housing and demands for sport.

Internal Consultee Responses:

57. *Spatial Policy* – Advise that the site has been assessed with the Strategic Housing Land Availability Assessment (SHLAA) as suitable for residential use. The Officer advises that the council can demonstrate a supply of housing land of 5.47 years as of 1st April 2024. The Officer identified Policy 6 of the County Durham Plan as the relevant policy and regards the site as being outside of the

built up area but 'well-related' to the settlement. It is advised that the criteria tests under Policy 6 will help with this consideration but the Officer notes the site performs reasonably well in terms of walkable neighbourhood requirements. The Officer sets out the following requirements :

10% affordable housing for affordable home ownership. (13 affordable Discount Market sale units and 5 units to be required as First Homes).

119 units to be M4(2) Compliant.

18 dwellings for older persons.

199sqm children's play space and 5,973sqm amenity/natural space on site.

£267,987 contribution for offsite provision of other open space typologies.

58. *Design and Conservation* - Note that the site was categorised as a green SHLAA site. Whilst there are no designated heritage assets within the site the adjacent Bloemfontein Primary School is considered to be a non-designated heritage asset. However, there are numerous ancillary buildings and areas of vegetation which limit inter-visibility between the site and the non-designated heritage asset.
59. In respect of design issues, the provision of multiple connections to the wider area via existing streets and the public right of way on the southern boundary is welcome. The built and landscape character have improved and the scheme now better addresses existing landscape features. The landscaping and parking layouts were considered acceptable. The mix of bungalows and two storey dwellings is considered to reflect the scale of development adjacent to the site.
60. *Landscape Section* – Advise that should the housing layout be considered acceptable, the landscape details provided would be generally acceptable.
61. *Ecology* – Advise that the development shows a biodiversity net gain as per the NPPF and Local Plan. The Officer considers the Habitat Management and Maintenance Plan (HMMP) to be sound and will ensure that habitat and linear features are maintained and monitored appropriately over the 30 year lifetime of the plan. It is advised that the delivery of the HMMP should be secured via an appropriate legal agreement, with fees to cover the LPAs responsibilities for assessing the monitoring reports and reviews of the HMMP over the 30 years.
62. The Officer advises that the ecological reports supporting the application are sound, with appropriate methods and survey methodologies applied. There are no impacts expected on European Protected Species, with no potential bat roosting sites and limited activity mostly confined to boundary and linear features. It is advised that a condition for a low level lighting scheme to retain dark corridors based on the findings of the bat surveys will be required. Given the location of the nearest record for great crested newt and the lack of suitable aquatic habitats on site no impacts are expected on this species. No significant impacts on other faunal groups are expected with survey data and data searches not providing any indication of significant impacts.
63. *Environmental Health and Consumer Protection (Nuisance)* – No objections and consider the development unlikely to cause a statutory nuisance; it is however advised that a conditional approach is secured to ensure sound

attenuation measures be incorporated for three affected properties and adherence to the Construction Management Plan.

64. *Environmental Health and Consumer Protection (Air Quality)* – Have reviewed the submitted information and now have no further comments to make.
65. *Environmental Health and Consumer Protection (Contamination)* – No objections are raised; it is however advised that a conditional approach is secured to ensure the proposed ground gas protection measures and subsequent verification.
66. *Archaeology* – Advise that no further work is required from an archaeological point of view.
67. *Public Rights of Way Section* – No objection; advise that any link paths would need to be adopted by DCC who will confirm the surfacing requirements. The Officer requests off-site contributions of £80,500 for PROW improvements to bridleway no. 28 Stanley between the junction with footpath 29 Stanley to the point where it enters the golf course and footpath 36 Stanley between Middles Road and Durham Road. If formal links are not provided there is a concern that future residents, particularly dog owners, will over time create their own desire lines across the open space behind the main estate to access the bridleway increasing the risk of trespass to the golf course.
68. *Travel Planning Officer*– The Travel Plan has been reviewed against the BSI 'National Specification for Workplace travel Plans' (PAS 500). To summarise, the Travel Plan meets the required standard.
69. *Education Provision Lead Officer* – Advises that that there will be sufficient space to accommodate the pupils generated by the development in primary and secondary schools and no further mitigation is required in this instance.
70. *Affordable Housing Lead Officer* - Advises that proposed make up of affordable housing on the site is acceptable, however the affordable housing statement requires further detail in terms of valuations. This would need to be detailed more clearly in the S106 agreement.

External Consultees

71. *Police Architectural Liaison Officer (Durham Constabulary)* – Outlines a series of recommendations from a Secured by Design perspective.
72. *NHS North East and North Cumbria Integrated Care Board* – Requests a contribution of £87,423 to increase GP capacity and mitigate the developments impact in this respect.

Public Responses:

73. The application has been advertised in the local press (Northern Echo) by site notice and individual notification letters sent to neighbouring properties.

74. The following representations have been received in relation to the application: 20 letters of objection, and 1 letter neither objecting to nor supporting the application. These are summarised under the relevant headings below:

Objections

Principle

- There is no need for additional houses.
- Harm to tranquillity of the countryside.

Highway Issues

- The Increase in traffic on roads already struggling to cope.
- Roads are already dangerous to cross with many accidents.
- Lots of school children use the local footpaths to get to the primary school and buses to secondary schools.
- Parking is already an issue in the area.
- The traffic survey data is optimistic.
- DCC will need to pay for road traffic management improvements as a result of the development.
- There should be money for pedestrian calming and traffic calming on Middles Road.

Design

- Lack of variation in design
- Lack of terraces and 2.5 storey dwellings not in keeping with character of area.

Residential Amenity

- Noise disturbance from traffic, construction and new residents
- Increased traffic fumes
- Light pollution
- Position of homes in front of dwellings would block natural light.
- Overlooking to property and garden

Drainage

- The area already floods regularly with local residents having to move out when this happens and the damage raises insurance prices .
- Appropriate measures should be put in place to avoid detrimental impacts to neighbouring land from flooding/run off.
- SUDS can only attenuate and buffer flows, not reduce the volume of run off which will lead to the Millennium field and children's play space being flooded. Money should be made available for drainage improvements to this area.

Ecology

- Habitat lost that is used by wildlife such as deer, pigeons, hares, buzzards, kestrels, sparrowhawks, red kites, pheasant, rabbits, bats, tawny owls, foxes, squirrels etc
- Ecology and biodiversity net gain information is lacking.
- Destruction of this area is contrary to the aims and spirit of DCC partnership with the Durham and Biodiversity Partnership.
- Impacts to Oak trees on site and woodland.
- Queries over accuracy of the Habitat report.

Lack of Infrastructure

- There are not enough doctors or dentists to cater for extra houses.
- Class numbers in school are rising/can't accept new pupils.
- Not enough shops to cope.
- The local child day care centre is oversubscribed.
- Financial contributions should be put forward for school, health and open space provision.

Other Matters

- This will put increased pressure on the Public Rights Of Way.
- Loss of view.
- Will change village into a town.
- Loss of property value will lead to properties being difficult to sell.
- People from town will move in who are not used to living rurally and complain about agricultural /equestrian practices.
- Affordable housing provision will lead to anti-social behaviour in the area.
- Lack of consultation undertaken.
- No provision for any renewable energy in the application in conflict with Policy 29 of the CDP.

Other Representations

- Existing drainage problems should be taken into consideration and resolved as part of scheme.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at: <https://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Applicants Statement:

75. The site provides a sustainable development opportunity and would contribute to the provision of a mix of housing size, types and affordability in The Middles, particularly promoting family housing and appropriate dwellings which allow people to stay in their local community. The proposals aim to deliver quality new homes to local people in addition to providing much needed new housing in this location. Gleeson have an ethos of providing high quality, low cost homes, predominantly targeting first time buyers and those looking to advance

onto the property ladder. Therefore, we are conscious of affordability for a couple who are on the national living wage when setting all open market values, ensuring that a couple can afford to purchase a property on all of our developments.

76. This planning application has considered all relevant planning policy matters in respect of the proposal bringing forward residential development. At a national, regional and local planning policy level, there remains a priority for development in urban areas to which this site would accord, as well as addressing the housing shortage faced at all levels. The site is fully compliant with the adopted County Durham Local Plan, as well as satisfying all the components of the CDLP Policy 6. The development will also fully comply with Local Policy and contribute towards meeting the needs of the county's existing and future residents by providing 100% space standard dwellings, 66% M4(2) compliant dwellings and meeting the needs of older people and people with disabilities by providing bungalows. 10% (18no.) of units on the site will also be designated as affordable homes, secured through a S106 Agreement, in the form of Discount Market Sale and First Homes ensuring affordability across all levels.
77. Additionally, the site will integrate well into the locality through design proposals and density accords with National Planning Policy. The Applicants have undertaken considerable dialogue with architects, local residents, consultants and relevant officers at the Council to ensure that the scheme not only delivers high quality design, but also responds to the aspirations of the local community. The scheme has sensitively designed to ensure its well related to the existing settlement of South Moor, with sizeable landscape buffers to screen the development and create a strong settlement edge as well as ample, usable open space on site. Indeed, the proposals have been amended through the formal planning submission process, to take into account the comments made and ensure the visions of the development remained in line with Planning Officers.
78. The site lies on the edge of a residential area in close proximity to services and facilities including access to sustainable travel options such as bus services and footpath links. There is ready access to local amenities, schools and employment sites, making the development socially sustainable.
79. Development of the site will bring a number of direct social and economic benefits directly to The Middles and the surrounding area, including:
A selection of 181no high quality new homes including 18no bungalows and 18no affordable units.
A health contribution of £87,423 towards improvements to Craghead Medical Centre.
Provision of 7.56 acres of open space on site as well as a contribution of £267,987 towards improving the quality of the existing facilities and open space within the area.
£80,500 for improvements to the nearby Public Right of Way.
80. The value of the community is crucial to Gleeson and this is demonstrated through the Community Matters Programme. Gleeson understand the importance of involving the community before and during the construction of a development and leaving a legacy once the works are complete. Community

engagement is a crucial part of the development process, and Gleeson will work closely with the local schools to make an impact in a positive way by promoting strong community ties and inspiring the future generations. We want to inspire the younger generation with our presence in the area and be part of the learning of local school children. In addition, through the Community Matters Programme, Gleeson are committed to provide 'Local Jobs for Local People' and offer priority of employment to those living within 2 miles of each site, ensuring that the benefit of jobs and spend go directly to the local community.

PLANNING CONSIDERATION AND ASSESSMENT

81. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise.
82. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision making, along with advice set out in the Planning Practice Guidance notes. Other material considerations include representations received.
83. In this context, it is considered that the main planning issues in this instance relate to the principle of development, residential amenity, public safety and impacts to neighbouring business, drainage, ecology, landscape and setting impacts, design considerations, accessibility and sustainable transport, highways safety, impacts to infrastructure, open space and Public Rights of Way, developer contributions, heritage and archaeology, contamination and land safety and other technical considerations.

Principle of Development

84. On the 30th July 2024 the Government published a Written Ministerial Statement outlining the Planning Reform Agenda and also launched a consultation on a revised NPPF with changes proposed to policies relating to housing land supply. Whilst a direction of travel has been outlined within the Written Ministerial Statement, which is a material consideration, the changes to the Framework can only be given limited weight at this stage given that no final document has been published.
85. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at NPPF Paragraph 12. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035 and the Council can demonstrate over 4 years of housing land supply and is therefore considered up to date.

86. NPPF Paragraph 11c requires applications for development proposals that accord with an up to date development plan to be approved without delay. NPPF Paragraph 12 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.
87. The application site is an unallocated and undeveloped parcel of land located outside of the main body of existing development of the Bloemfontein and The Middles settlement cluster, it is therefore regarded as countryside. Policy 10 of the CDP relates to development in the countryside and advises that development will not be permitted unless allowed for by specific policies in the Plan, relevant policies within an adopted neighbourhood plan relating to the application site or where the proposal comprises an exception related to economic development, infrastructure development or the development of existing buildings. There is no neighbourhood plan for the area and none of the exceptions apply in this case therefore the proposal would only be permissible should another CDP policy allow it, the main consideration being Policy 6.
88. Policy 6 of the CDP allows for the development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are either (i) within the built-up area; or (ii) outside the built-up area (except where a settlement boundary has been defined in a neighbourhood plan) but well-related to a settlement provided the proposal accords with all relevant development plan policies and complies with relevant criteria of the policy (a to j, as highlighted above).
89. The site is outside the built-up area therefore a judgment must be made as to whether it is well-related to the settlement of Bloemfontein. The key considerations are the physical and visual relationship of the site to the existing built up area of the settlement. The site would adjoin the urban form of the settlement on two sides. For the initial purposes of CDP Policy 6 it is considered physically and visually well related given the location close to facilities and services such as the primary school, nursery, community centre, medical centre, club and shops on Standerton Terrace and also due to its good interconnectivity with the neighbouring development. Whilst the site is relatively large in scale, which is a concern of local residents, the development would not be highly visible when passing through Bloemfontein via vehicle due to its positioning behind current housing and the school and in between housing and the heavily wooded edge of the golf course.
90. Therefore, whilst the site is well-related to the settlement of Bloemfontein for the initial purposes of CDP Policy 6, the acceptability of the principle of the development is inherently linked to the detailed consideration of the criteria of Policy 6 and other relevant CDP Policies, as set out below.

Housing Land Supply and Need

91. Policy 1 of the County Durham Plan (CDP) states that in order to meet the needs and aspirations of present and future residents of County Durham, and

to deliver a thriving economy, a net minimum of 24,852 new homes of mixed type, size and tenure over the period 2016 to 2035 (1,308 new homes per year) are required.

92. The County Council can currently demonstrate a 5.47 year housing land supply, which exceeds the County's 4 year housing land supply requirement due to the County Durham Plan not being more than five years old, in accordance with Paragraph 226 of the NPPF. Whilst officers note that demonstrating sufficient housing land supply is a minimum requirement and not a ceiling, the ability to clearly demonstrate sufficient housing land supply is of substantial weight in the decision making process and is an important material consideration in the event that a conflict with the County Durham Plan is identified.
93. It is acknowledged that within County Durham there is an acute need for affordable housing. To address this, Policy 15 of the CDP requires affordable housing to be sought on sites of 10 or more units, for up to 10% of units in the lowest value areas such as this. The homes provided should be for affordable home ownership (starter homes, discount market sale housing and other affordable routes to home ownership).
94. Policy 15 of the CDP also requires that on sites of 10 or more units, a minimum of 10% of the units should be designed so as to increase the housing options for older persons and people with disabilities comprising of level access flats and bungalows or housing products which can be shown to meet the specific needs of a multi-generational family. Policy 15 of the CDP also requires that 66% of dwellings should be built to Building Regulations Requirement M4(2) (accessible and adaptable dwellings) standard unless site specific factors indicate otherwise.
95. Policy 19 of the CDP requires an appropriate mix of dwellings, types and sizes. Paragraph 63 of the NPPF states that the size, type and tenure of housing needed for different groups in the community should be assessed. Part 5 of the NPPF is also clear that developments should help to address housing needs.
96. The Council's Affordable Housing team advise that there is a high demand for affordable units in the area and that these should be delivered as 2 or 3 bed houses or bungalows for home ownership at discount market sale and that they should be distributed across the site in small clusters.
97. The developers have submitted an updated affordable housing statement committing to meeting the 10% policy requirements via 18 homes for affordable home ownership (including 5 first homes) and these are located in clusters around the development site. The revised layout includes 18 no. bungalows which meets the 10% policy requirement of housing options for older persons, these are also spread throughout the site. These requirements can be secured by s106 legal agreement.
98. In respect to CDP Policy 15 requirements on M4(2) the amended application indicates that 71% of the dwellings would meet the M4(2) standards which slightly exceed the requirements of Policy 15. A conditional approach could secure delivery of the policy requirement.

99. In terms of housing mix, the development would generally provide a range of 2, 3 and 4 bedroomed units including, detached and semi-detached houses and bungalow options in compliance with Policy 19 of the CDP and Part 5 of the NPPF.
100. Overall, the scheme would meet the identified housing needs of the County in respect of affordable and accessible homes and is in compliance with the requirements of Policy 15 of the CDP and Part 5 of the NPPF. Taken together, the provision of affordable and specialist housing attracts substantial positive weight. The Written Ministerial Statement and NPPF consultation of 30th July 2024 are to be afforded limited weight in respect of housing supply considerations.

Residential Amenity

101. Criteria a) of Policy 6 requires development to be compatible with neighbouring land uses.
102. Policies 29 and 31 of the CDP outline that developments should provide high standards of amenity and privacy, minimise the impact of development upon the occupants of existing adjacent and nearby properties and not lead to unacceptable levels of pollution. 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. A Residential Amenity Standards Supplementary Planning Document (SPD) has been adopted by the Council.
103. Guidance within the SPD advocates separation distances of 21m between facing principal elevations and 18m between bungalows, 13m between principal and two storey gable elevations and 10m to a single storey. Where there is a significant change in levels, the minimum separation distance will increase by 1 metre for every 1 metre that the floor level of the development would be above the affected floor or ground level of the neighbouring property. The length of gardens will generally be dictated by the minimum distancing standards but should be no less than 9 metres unless site specific circumstances allow for a reduction in size.
104. The adjacent uses are residential properties, a school and South Moor Golf Club and there had been objections to the proposal from some residents in respect of negative impacts to their residential amenity and health and wellbeing and impacts upon light, outlook and privacy and views. The potential impacts of a proposed development on private views is not a planning consideration, however the residents are receptors in terms of the general visual amenity of the area and this is addressed in the landscape sections below.
105. The amended layout demonstrates that minimum separation distances between proposed properties and existing, including their extensions, and taking into account land levels is achieved. This would ensure that acceptable levels of privacy, light and outlook for existing residents.

106. The application is supported by a noise assessment, which details that road traffic noise is the dominant noise source. Whilst there is noise associated with the school and nursery play areas, this is not considered significant given the dominance of the road traffic noise. The noise assessment demonstrates that the desirable external noise level of 50dB LAeq, 16hr can be achieved across the site without the requirement for mitigation. However, in terms of internal noise 3 plots would require acoustic window vents for habitable rooms to address the internal guidance noise levels during the daytime and night time periods. The remainder of dwellings would achieve the internal guidance levels. There are also two single wind turbines located to the south west of the site but the current noise limits on these are sufficient to ensure that there would not be significant impacts in terms of noise. The Environmental Health Officer is satisfied with these mitigation measures and these can be delivered via condition.
107. There is potential for disturbance during the construction period however the submitted construction management plan (CMP) submitted alongside the application is satisfactory to deal with construction related impacts, including dust. Subject to the imposition of a condition requiring compliance with the CMP the construction related impacts could be adequately mitigated. Disruption arising during the construction process is temporary and the suggested conditions would help to mitigate any significant adverse impacts. No concerns were raised by Environmental Health in respect of construction traffic noise.
108. Concerns have been raised by residents regarding light pollution, however this is not typically associated with housing developments, which incorporate standard street lighting and domestic security lighting. Nonetheless a sensitive lighting scheme is required to protect ecological concerns and therefore it would be appropriate to attach a condition to limit light pollution in this case.
109. In addition to this, an air quality impact assessment has been submitted assessing the impact of the development. Environmental Health Officers are now satisfied with the detail and mitigation proposed to include site inspections, weather monitoring, recording of complaints and dust events, dampening of roads, storage and stockpiles, limits to heights of earthworks and earth moving vehicles, restriction on concrete batching or sand blasting or fires, spraying during demolition works, segregation of compound areas and adherence to dust risk assessments by contractors. There would also be restrictions on vehicle routes and movements, idling, and measures relating to the transportation, storage and handling of materials and measures to manage haul routes.
110. Whilst there will be some minor negative impacts both during and post construction the development would not lead to a significant reduction in residential amenity for existing residents or poor amenity for future residents, subject to appropriate conditions. Overall, the scheme would comply with Policies 29 and 31 of the CDP and Parts 12 and 15 of the NPPF in respect of amenity. As there would be some minor time limited negative impacts to residents and the golf club during construction in terms of disturbance this carries moderate negative weight in the planning balance.

Public Safety and impacts to neighbouring leisure business

111. Criteria a) of Policy 6 requires development to be compatible with neighbouring land uses. Paragraph 101 of the NPPF aims to promote public safety. Paragraph 193 of the NPPF requires development to be integrated effectively with existing business such as sports clubs and that existing business and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.
112. There was an objection to the original proposal from the Golf Club on safety grounds and knock on effects to the club, but following amendments to the layout this objection has now been withdrawn. Nonetheless the following details how the concerns have been addressed and assessed.
113. Safety issues were originally raised by the South Moor Golf club in addition to potential for nuisance complaints and subsequent impacts upon golf course operations as a result of the development such as the need to redesign the course to a cost of approximately £650,000. The Golf Club submitted a safety assessment report prepared by Jonathon Gaunt (Senior Member of the European Institute of Golf Course Architects). The report examined the layout of the golf course and explained the relevant safety margins that are generally adhered to in relation to external boundaries. The report concluded that the proposed original layout of the housing site would have a major negative impact on the playing of golf at South Moor GC and that in order to mitigate the risk the report advised that new greens would need to be built for hole 1 and the tee for hole 2 would need to be shortened. It was concluded that these changes to the course would involve significant costs of £650,000 to the South Moor Golf Course with a serious negative impact on the club and its finances and potential viability. It was also detailed that it may also require changes to another hole to be able to offer the same par for the course as currently exists.
114. In response to these concerns, the developer has redesigned the housing scheme reducing the number of dwellings so that there are no plots or gardens within the safety risk zones and removing a footpath connection. The applicant has also commissioned a report from a Golf course consultant who has confirmed that the amended scheme would mitigate any impact from any golf balls hit from holes 1 and 2. However additional landscaping is recommended in the south west corner in the form of woodland/shrubs and wildflower grassland /meadow with minimal management to deter its use and to mitigate the remote possibility of any golf ball getting into the area of open space. Accordingly amendments have been received detailing native woodland planting and semi-mature tree planting and retained grassland in this area reflecting the recommendations. There is no specific Health and Safety guidance in relation to golf course design and only the accepted margins discussed by the golf course consultants are available to guide the consideration of the impact. Having viewed the amendments South Moor Golf Club have now withdrawn their objection.

115. The proposed changes to the layout and landscaping of the site have sought to address the safety concerns raised by the Golf Club. Based upon the evidence provided it is considered that the amended proposed site layout would achieve a level of safety that meets with best practice for development bordering, or in proximity to golf courses. There remains a risk that the occasional golf ball would land within the open space in the south west of the site however the public accessibility of these areas would be suitably reduced with planting and signage. It is of note that there is already presently a PROW used by the public in closer proximity to the golf club than this area of open space and the Council is not aware of issues in terms of safety, nonetheless this additional planting would improve the safety for its users. Officers are now satisfied that the concerns on this particular matter have been addressed and it is therefore considered that the proposal would comply with Policy 6 criteria a) in terms of compatibility of adjacent uses. In addition there would now be compliance with Paragraphs 101 and 193 of the NPPF as it has been demonstrated in that users of the development would enjoy an acceptable level of safety and that there would not be a detrimental impact upon the golf club that would affect the way in which it is used in the future.
116. It is therefore considered that this issue now carries neutral weight in the planning balance.

Landscape and Visual Impact

117. Policy 6 also requires developments to not result in the loss of open land that contributes to the character of the area that cannot be adequately mitigated or compensated for. This ties in with parts of Criteria d) of Policy 6 in particular where it requires development to be appropriate in terms of scale and location to the character, form and setting of the settlement. Policy 29 of the CDP outlines that development proposals should contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities.
118. Policy 39 of the CDP states proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Similar requirements are outlined in Policy 29. Criteria I of Policy 29 specifically requires that in the case of edge of settlement development, it should provide for an appropriate level of structural landscaping to screen or assimilate the development into its surroundings and provide an attractive new settlement boundary.
119. Policy 40 of the CDP seeks to avoid the loss of existing trees and hedgerows high landscape, amenity or biodiversity value unless the benefits of the proposal outweigh their loss. Where trees are lost suitable replacement planting should be provided.
120. This proposal would represent a large extension, extending the southern edge of the settlement by some 200m and the western edge by some 380m protruding into the countryside. Whilst some limited development has taken

place over time in the Middles part of the cluster settlement, the proposal would represent an increase of roughly 30% above the number of existing dwellings, which is a significant increase. Previous developments represented smaller percentage increases in the settlement cluster size and the most recent development was mostly within the settlement cluster's northern boundary similarly tucked behind existing built development.

121. To screen the site and assimilate the development into its surroundings the application proposes the retention of woodland on the western boundary and parts of the northern and southern boundary and groups of trees on the eastern boundary. It is proposed to plant native woodland on the south western and south eastern corner with semi-mature trees in and around areas of open space and other trees within the streetscape. A small number of trees would be lost within the site to promote growth of others and to facilitate the access but the majority of trees will be retained. This tree loss is a matter of concern to local residents, however none of the trees lost are considered to be of high landscape, amenity or biodiversity value and suitable replacement planting would be secured via condition. This approach would comply with Policy 40 of the CDP.
122. The new urban form would be visible from the PROW to the southern boundary of the site, however the prominence of the development would reduce over time with the planting proposed. The new housing would be visible from the neighbouring residential development, but this is the same for any edge of settlement development. The effect on visual amenity of a residential property is not so great that it would be in the public interest to prevent housing developments where they did not exist before. Given the positioning behind current housing and set back from the Middles Roadway the proposed houses would not be clearly evident from vantage points both when entering and leaving the village.
123. In wider landscape terms than the immediate setting it is accepted that the existing mature tree belt along the western and southern sides of the site would screen the development from wider views from the west and south. The neighbouring residential area screens the development from the east. The neighbouring dwellings and areas of woodland planting also help to screen the site from views from higher land to the north.
124. In summary, despite the large scale of this development there would not be unacceptable harm to the character, quality or distinctiveness of the area and landscape, or to important features or views. This is due to the site context and the current and proposed structural planting which would screen and help assimilate the development into its surroundings over time and ensure the settlement boundary remains attractive. The development would have a very limited impact on the wider landscape and the scheme would not be prominent in longer distance views.
125. The landscape and visual impacts of the proposal are highly localised and account has been taken of the proposed planting and landscaping improvement that would assist to soften the appearance of the development in the longer term from the views from the PROW.

126. Given the mitigation the loss of the open land and the small number of trees is accepted in Landscape terms in accordance with CDP Policy 6 criteria c) and d) and CDP Policies 10, 29, 39 and 40. The landscape and visual harm is afforded moderate negative weight in the planning balance.

Drainage and Flood Risk

127. Criteria h of policy 6 of the CDP requires developments to minimise vulnerability and provide resilience to impacts arising from climate change, including but not limited to, flooding. CDP Policies 35 and 36 relate to flood water management and infrastructure. Policy 35 requires development proposals to consider the effects of the scheme on flood risk and ensure that it incorporates a Sustainable Drainage System (SuDs) to manage surface water drainage. Development should not have an adverse impact on water quality. Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water.
128. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where a sequential test and some instances exception test are passed, informed by a site-specific flood risk assessment.
129. Local residents have raised concerns regarding the potential for flooding on site and to other areas, highlighting previous flooding events and as the site provides slow surface water run off. The application is accompanied by a flood risk assessment (FRA), which highlights that the application site is within Flood Zone 1 which has a low flood risk probability. Nonetheless Drainage Engineers highlighted at an early stage that there is a major flood risk associated with the site which would need to be addressed. The FRA also sets out a drainage strategy including the incorporation of Sustainable Urban Drainage (SuDs) including basins to discharge to an existing watercourse and an existing culverted watercourse. Run off rates would be restricted and surface water attenuation for all storm values up to and including the 100yr+35 Climate Change+10% Urban Creep event. The FRA concludes that there will be no increase in the flood risk to third parties and that this will offer an improved position to the catchment downstream by capturing, controlling and conveying flows at a controlled discharge rate.
130. In order to ensure that the risk to third party land flooding is not increased the FRA advises that the proposed drainage system be designed to ensure that no surcharge of pipes occurs in the 1 in 2 year rainfall event. No surface flooding should occur in 1 in 30 year rainfall event and no flooding to buildings and adjacent properties occurs in 1 in 100 year rainfall event with an allowance for climate change and urban creep, in accordance with LLFA standards. It advises that any flooding from the 100 year event with climate change will need to be stored on site.
131. Drainage and Coastal Protection Officers note that the design falls short of the SuDS management train being fully integrated into the site as required under

CDP Policy 35, nonetheless for the LLFA consider that the amended design would provide suitable flood protections and significant flood risk reduction to properties in Greylingstadt Terrace which are in an area of historic flooding and are satisfied that the design has wider flood benefits. Bearing this in mind the proposed drainage strategy in this instance is accepted. A condition can ensure that the development adheres to the flood risk and drainage strategy and that foul water flows to the combined sewer and surface water to the watercourses. Drainage Engineers do not request any financial contributions for further drainage improvement in the area.

132. Subject to the above conditions the drainage is considered acceptable in accordance with CDP Policies 35 and 36 and Part 14 of the NPPF. The weighting afforded to the wider drainage benefits of the proposal which would address current problems is given moderate positive weight.

Ecology and Biodiversity Net Gain

Impact on Protected Species and their Habitats

133. Policy 6 criteria c) of the CDP requires development to not result in the loss of open land of ecological value that cannot be adequately mitigated or compensated for. Policy 43 relates to protected species seeking to conserve and protect their habitat.
134. The presence of protected species is a material consideration in planning decisions in accordance with requirements of the Wildlife and Countryside Act 1981, the European Union Habitats Directive and the Conservation of Habitats and Species Regulations 2017(as amended).
135. The Habitats Directive prohibits the deterioration, destruction or disturbance of breeding sites or resting places of protected species. Natural England has the statutory responsibility under the regulations to deal with any licence applications but there is also a duty on Planning Authorities when deciding whether to grant planning permission for a development which could harm a European Protected Species for which a licence is necessary, to apply three tests contained in the Regulations. These state that the activity must be for imperative reasons of overriding public interest or for public health and safety, there must be no satisfactory alternative, and that the favourable conservation status of the species must be maintained. Brexit does not change the Council's responsibilities under the law.
136. Local residents have highlighted that the site provides habitat for several species including deer, pigeons, hares, buzzards, kestrels, sparrowhawks, red kites, pheasant, rabbits, bats, tawny owls , foxes and squirrels.
137. A Preliminary Ecological Appraisal has been submitted in support of the application. The appraisal notes that there are 3 statutory designated sites within 2km of the site, the closest being South Stanley Woods LNR which lies approximately 388m to the north of the site, Chapmans Well LNR is 1300m to the west and Greencroft and Langley Moor SSSI is further to the west. The site is within an SSSI impact Risk zone for Langley Moor SSSI but at the outer edge. The site is identified as grass fields with hedgerows and woodland plantation.

This habitat is identified as providing negligible roosting opportunities for bats within the building on site and trees. The commuting and foraging opportunities for bats are also considered to be low. The site is used by 28 bird species, of which 14 species showed evidence of breeding and seven are of conservation concerns, the value is of a local level. There are commuting and refuge opportunities for Great Crested Newts (GCN) but it is considered unlikely that GCN are present on site. There are opportunities for foraging and commuting for badgers but this is low value. The site also has the potential to support priority species such as hedgehog and common toad but none were recorded on site. The site is considered to be of no more than low value for other species. No other protected species were recorded on site.

138. The ecological appraisal makes a series of recommendations for the proposals in relation to lighting, timing of works, management of Himalayan balsam, protection of root protection areas. This also includes adherence to a Construction Ecological Management Plan, providing gaps within fencing, provision of bat and bird boxes, native and berry and fruit tree planting, gapping up of hedges and pond edge planting. These can be secured via condition.
139. Local residents have raised concerns over the lack of detail and accuracy of the reports; however, The Council's Ecologist advises that the methodology and conclusions of the report is sound and offers no objections subject to conditions to secure the detailed mitigation, including a sensitive lighting scheme. It is also advised that as the development would not interfere with protected species for which a license would be required, it is therefore not necessary for the LPA to apply the derogation tests.

Biodiversity Net Gain

140. From the 12th of February 2024, the requirements of Schedule 14 of the Environment Act 2021, as inserted into Schedule 7A of the Town and Country Planning Act 1990, apply to all planning applications for major development unless falling under one of the listed exemptions. This application was valid from the 16th August 2022 and so is not legally required to deliver statutory biodiversity net gains of at least 10%.
141. Notwithstanding the above, CDP Policy 41 seeks to secure net gains for biodiversity and coherent ecological networks, and NPPF Paragraph 180 d) advises that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. NPPF Paragraph 186 d) also 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.
142. The application is supported by a Biodiversity Net Gain Assessment and a completed version of DEFRA's Biodiversity Metric. The information sets out that the development would result in a 12.43% gain in habitat units and a 63.08% gain in hedgerow units, with all trading rules satisfied. The submitted information has been reviewed by the Council's Ecologist who has indicated their satisfaction with the details provided. Therefore, the application fulfils the requirements of CDP Policy 41 and NPPF Paragraphs 180 d) and 186 d).

143. The submitted Habitat Management and Monitoring Plan, including a monitoring strategy for a minimum of 30 years, would need to be updated to reflect the amended plans and secured as well as an agreement to adhere to such under Section 39 of the Wildlife and Countryside Act 1981.
144. Local residents consider that the proposal appears contrary to the aims of the Durham Biodiversity partnership which aims to conserve and enhance biodiversity. However, given the low ecological value of the site and the provision of biodiversity net gain it is considered that there is no conflict in this respect.
145. Overall and subject to the imposition of conditions to secure the mitigation strategy and section 39 legal agreement to secure habitat creation, management and monitoring for a minimum of 30 years the proposal would comply with Policies 41 and 43 of the CDP and Part 15 of the NPPF. The loss of the open land is accepted in terms of Policy 6 criteria c) in relation to ecological impacts, the BNG carries some limited positive weight in the planning balance.

Sustainable Design

146. Criteria d) of Policy 6 requires development to be appropriate in terms of design, and layout to the character of, the settlement. Policy 29 of the CDP requires all development proposals to achieve well designed buildings and places having regard to supplementary planning documents and other local guidance documents where relevant, and: sets out a number of general design criteria to adhere to. Policy 29 also requires landscape proposal to meet criteria in respect of existing topography and features, view protection and provision, include characteristic features in the design and use locally native species, provide more maintenance and management and provide structural landscaping for edge of settlement development. Policy 26 of the CDP outlines developments are expected to provide new green infrastructure and ensure provision for its long-term management and maintenance.
147. For major new build residential development Policy 29 outlines that development will need to comply with the Nationally Described Space Standards (NDSS) and should achieve CO₂ reductions of 10% below the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on current Building Regulations and to secure many greens and no reds when assessed against the Building for Life Supplementary Planning Document.
148. Parts 12 and 15 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 130 of the NPPF also states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. Part 14 of the NPPF advises that the planning system should support the transition to a low carbon future. Paragraph 131 of the NPPF sets out that planning decisions should ensure that new streets are tree-lined.

149. In terms of design in recognition of national planning advice and to achieve high quality housing developments, the Council has adopted an in-house review process to assess schemes against the Building for Life 12 (BfL 12) Standards. The Building for Life Supplementary Planning Document (2019) (BfL SPD) formalises the review process and establishes the guidelines and standards for its operation and is linked to the Sustainable Design Policy (29) in the County Durham Plan.
150. This full scheme has been considered against the BfL standard through a series of 12 questions. The scoring is based on a traffic light system with the aim of the proposed new development to secure as many “greens” as possible, minimise the number of “ambers” and avoid “reds”. The more “greens” achieved the better the development will be, “ambers” are usually concerns that can be raised to “green” with revisions, whereas a “red” gives a warning that a particular aspect needs strong reconsideration.
151. Following review and amendments, the scheme scores 0 “reds” and 8 “ambers” and 4 “greens”. The Ambers were scored in relation to meeting housing need and to the “creating a place” and “Street and Home” chapters which are directly within the power of the applicant to influence covering issues such as character, site features, good streetscape design, wayfinding, car parking, quality of open space and storage on site. The development has positively evolved since this review with further landscaping and better sited parking and bin storage. In the round given the amber scoring, subsequent improvements and that the layout has been constrained around the need to incorporate flood protection and flood risk reduction to neighbouring properties and to avoid conflict with the neighbouring golf course the development is considered appropriate in terms of design and layout to the character of the settlement.
152. Whilst local residents would prefer more variety in the design and terraces rather than 2.5 storey dwellings the settlement cluster has a mix of roadside Edwardian Terraces and aged miners bungalows with post war housing estates and modern housing to the rear. The modern form and design are therefore accepted as there is no dominant character.
153. The amended application details that all dwellings meet NDSS which meets the requirements of Policy 29.
154. In respect of climate change, the applicants propose that the development would surpass the requirements of part L of the Building Regulations 2013. Policy 29 of the CDP requires development to achieve reductions in Carbon Dioxide (CO₂) emissions of 10% below the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on those Building Regulations unless the relevant Building Regulations are enhanced. The Building Regulations were enhanced in 2022 and now require all new homes to produce 31% less CO₂ emissions than what was previously acceptable in the Part L regulations and this includes the use of renewables in the design and there have been changes to parts F (ventilation) and new regulations in respect of overheating. The development would now need to comply with these new requirements and therefore conditions in relation to adherence to these new requirements are required. In relation to electric vehicle charging, given that there are some disparities between the building control regulations in this

respect and planning policy requirement a condition delivery of EV chargers at each dwelling is recommended.

155. The Landscaping within the site, including planting in the open space and SuDs areas and the incorporation of tree lined streets is acceptable in terms of landscape design requirements. The developer has submitted amended boundary treatments for rear gardens in line with Landscape Officer advice. Conditions can ensure that there would be appropriate protection of new planting and long term management.
156. To conclude on this matter, the design and layout are considered suitable. The proposal is considered therefore to accord with CDP Policy 6 criteria d) and CDP Policy 29 and the Parts 12 and 15 of the NPPF in this respect and neutral weighting is afforded in the planning balance in this respect.

Accessibility and promoting sustainable transport

157. Criteria f of Policy 6 of the CDP 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.
158. Policy 21 of the CDP 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.
159. Policy 29 of the CDP 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.
160. Specifically, the NPPF sets out at Paragraph 109 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. At paragraph 114, the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken, whilst paragraph 116 amongst its advice seeks to facilitate access to high quality public transport.
161. The Bloemfontein and the Middles cluster falls quite low in the settlement study at 58th but has a reasonable number of facilities such as a primary school, nursery, community centre, social club, medical centre, club, sports ground and small shops and takeaways to meet the day to day needs of many residents. There is no significant employment in the settlement therefore residents would need to travel for employment.
162. The site is 1.8km from Stanley Town Centre, which is one of the County's larger Town Centres containing an array of amenities and services including shopping, leisure facilities, secondary and primary educational facilities and a transport hub.

163. The application is supported by a Transport Assessment and Travel Plan, which assess the accessibility of the site to local services and facilities by foot, bicycle and bus. Even though The Middles is considered to be served by an appropriate range of services and amenities, consideration is required to be given as to the ability of future occupiers to access these in a sustainable manner.
164. The proposed properties within the middle of the site lie within approximately 450m of Bloenfontein Primary School and nursery, 404m of the Doctor's surgery and pharmacy, 437m of the Community centre, 417 m to a small local shop and 447m to takeaways.
165. In terms of distances to services and amenities, a walking distance of around 800m or 10 minutes' walk is accepted as being an acceptable range as set out in "Planning for Walking" 2015 CIHT and the 2021 National Design Guide. All of the services are well within this range. It is however not only distance that influences transport choice, the CIHT planning for walking 2015 guidance states that "the propensity to walk or cycle is not only influenced by distance but also the quality of the experience; people may be willing to walk or cycle further where their surroundings are more attractive, safe and stimulating".
166. All of the footpaths that the site would link to are well lit. The two footpaths that residents would walk along to access these services are of an acceptable width. The journey to school would be pleasant due to the restrictions of on street parking on the road and given the substantial vegetation along the roadside. The journey residents are more likely to use for most journeys to the east is also pleasant and stimulating as it is overlooked by properties but also adjacent areas of green communal areas of open space and again the urban section benefits from parking restrictions to prevent on-street parking.
167. In terms of cycling, the local facilities and services in Bloemfontein/The Middles would be in easy cycling distance and Stanley Town Centre would be within reasonable distance for those are able and prefer to cycle. However, the area is lacking in good cycling links and this combined with the steep incline to Stanley would not be attractive to all cyclists in terms of the effort required and the perceived traffic danger.
168. There is existing bus stop provision at Middles Road (341m westbound) and 380m eastbound from which there are regular service throughout the week and into the evenings. These include 2 services covering Durham (the sub regional centre), Stanley Town Centre and Consett Town Centre. These bus stops fall within the maximum convenient walking distance of 400m to bus stops detailed within the Council's adopted County Durham Plan County Durham Building for Life SPD and the advice set out in Planning for Waking by the Institute of Highways and transportation (IHT) in 2015. There are further bus stops to the east some 570m away that provide regular journeys to Sunderland, Chester-le-Street, the local hospital and a further education college. This distance is over these maximum distances, but not significantly and it is an easy flat and well-lit route with minimal crossings required. Given the distances and journey to the bus stops it is considered that outside of day to day needs residents would be likely to use public transport for travel to employment and wider shopping, education and healthcare provided in Stanley and beyond.

169. A Travel Plan has been submitted with which outlines sustainable transport measures to be incorporated such as provision of footpath links, electric vehicle charging points, the provision of a travel information pack for new residents and a £50 pre-loaded discount card for public transport use and an annual resident newsletter. The applicants also propose to replace the current bus stop on the south side of the main carriageway outside the site which is in poor condition. A condition would secure the measures outlined within the Travel Plan and the delivery of the new bus stop to reduce reliance on the private car and to improve upon the sustainable transport methods in accordance with Policy 21 of the CDP.
170. Overall, it is considered that the site has acceptable access to the range of services and facilities within Bloemfontein/The Middles and local area to meet day to day needs as the majority of these are within easy reach of the site on foot or bike. In terms of the wider area options for cycling are poor. However, the site has good access to public transport to the local town centre and the sub regional centre. Bearing the above in mind it is considered that the proposal is acceptable in terms of accessibility when taken in the round.
171. The proposal would be in accordance with Policies 6 criterion f, 21 and 29 of the CDP and Paragraphs 109, 114 and 116 of the NPPF. The weighting afforded in the planning balance in this aspect is neutral.

Highway Safety and capacity

172. Policy 6 (criteria e) of the CDP outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity. Policy 21 reiterates the requirement of Policy 6 in addition to expecting developments to deliver sufficient car parking provision.
173. Specifically, the NPPF sets out at Paragraph 114 that safe and suitable access should be achieved for all people. In addition, Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
174. Concerns have been raised by local residents that local roads do not have the capacity to accommodate the additional traffic. There are also concerns over the safety of the local roads as there have been recent Road Traffic Accidents (RTA'S), particularly as the site is in close proximity of a primary school. There are also concerns over the safety of the access so close to the Golf Club access and in relation to increased parking demand in the area.
175. A Transport Assessment has been submitted to consider the potential highway and transport related impacts associated with this proposal and a number of different mitigation options have been explored.
176. The initial proposed development of 197 dwellings was estimated to generate approximately 108 two-way vehicle movements and 124 two way movements in both the AM and PM Peak hours respectively. The assessment concluded that this number of vehicles could be accommodated on the local highway

network and the strategic highway network without need for mitigation works. It is noted that residents consider the data to be optimistic, however The Highways Authority agrees with the methodology and conclusions of the Assessment. The impacts have been further reduced with the subsequent reduction in vehicles numbers from fewer houses, following amendments to the scheme. Given the above it is concluded that there will be no significant impact to the safety or capacity of the local highway network and no need for road traffic management improvements.

177. The proposed development proposes one access, a purpose built priority junction taken from the Middles Road in the same location as the existing agricultural access. The Highways Officer has confirmed that this meets current technical standards including appropriate visibility.
178. With regards to highway design within the site, in response to comments raised by the Highways Authority the design has been amended to improve footway design and bin storage.
179. The Highways Authority confirm they are satisfied with the highways arrangements subject to engineering, parking numbers, drainage, street lighting and constructional details of the streets being agreed and implemented as agreed.
180. Overall, based on the advice of the Highway Authority and the detailed information submitted, it is considered that the development would not have a severe cumulative impact on network capacity and would not be prejudicial to highway safety, subject to the conditions and informatives. The proposal therefore accords with Policy 6 (criteria e) and Policy 21 of the CDP and Paragraphs 114 and 115 of the NPPF. Neutral weight is afforded this aspect.

Heritage and Archaeology

181. Policy 44 of the CDP sets out development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate.
182. The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
183. There are no designated heritage assets within close proximity of the development site, however at the northern boundary, Bloemfontein Primary School is considered a non-designated heritage asset. However, there are numerous ancillary buildings and areas of vegetation which limit inter-visibility between the site and the non-designated heritage asset. The building was designed as part of a 19th century mining village and was not intended to be

read in an open landscape therefore development of the site would not impact on its setting.

184. In respect of archaeology, trial trenching has been undertaken which concluded that no significant archaeological features were located in the trenches and that no further fieldwork is required. The Council Archaeologist is satisfied with these reports and has not requested any further works.
185. The proposal would be considered to comply with Policy 44 of the CDP and Part 16 of the NPPF and the weighting is neutral in this respect.

Ground Conditions and Land Stability

186. Policy 32 of the CDP requires sites to be suitable for use taking into account contamination and unstable land issues. Paragraph 189 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.
187. Given part the site lies in an area of high risk in terms of coal mining legacy and as there would be a sensitive end user of the site, a Phase I and II site investigation report and a coal mining risk assessment have been submitted in support of the application considering the issue of land contamination and stability.
188. Environmental Health Officers have considered this report, concluding that conditions to secure a phase 4 (verification) reports in addition to an informative relating to unforeseen contamination and gas protection measures would be required to ensure that the site is suitable for its intended use taking account of any risks arising from contamination. Similarly, the Coal Authority request conditions to ensure remediation works are undertaken and checked by a suitably competent person. With such conditions the proposal would accord with Policy 32 of the CDP and Paragraph 189 of the NPPF. The weighting for this aspect in the planning balance is neutral.

Planning Contributions

189. CDP Policy 25 states that new development will be approved where any mitigation necessary to make the development acceptable in planning terms is secured through appropriate planning conditions or planning obligations. Such mitigation will relate to the provision, and/or improvement, of physical, social and environmental infrastructure taking into account the nature of the proposal and identified local or strategic needs.
190. Policy 25 goes on to state that developers will be required to enter into Planning Obligations which are necessary to make the development acceptable, directly related to the development, and fairly and reasonably related in scale and kind to the development, in order to secure the mitigation that is necessary for a development to be acceptable in planning terms. In this regard, CDP Policy 25 reflects NPPF Paragraphs 55 and 57.
191. The Council has recently published a Development Viability, Affordable Housing and Financial Contributions Supplementary Planning Document

(SPD), dated April 2024. This document supports Policy 25 of the CDP and provides guidance on how the required contributions are calculated.

192. Local residents have raised concerns that the current infrastructure such as NHS services, education and other facilities cannot cope with the additional users. 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. This is considered in more detail below.

Affordable Housing Provision

193. The developers have submitted an updated affordable housing statement committing to meeting the 10% policy 15 requirements via 18 homes for affordable home ownership (including 5 first homes).

Public Open Space Provision

194. Policy 26 of the CDP outlines that new residential developments will be required to make provision for open space to meet the needs of future residents having regard to the standards of open space provision set out in the Open Space Needs Assessment (OSNA). Where it is determined that on-site provision is not appropriate, the Council will require financial contributions to be secured through planning obligations towards the provision of new open space, or the improvement of existing open space elsewhere in the locality.
195. Paragraph 102 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.
196. 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.
197. Given the scale of the development, it would generally be expected that all amenity space and play space would be provided on-site. A requirement of 5,973 sqm of amenity/natural space and 199 sqm of children's play space would be required for a development of this size which is exceeded on the site.
198. The developer has confirmed that a private management company would be used to manage and maintain the areas of open space within the development. A condition would be imposed proposed to secure the details of the future management and maintenance arrangements.

199. The developer is willing to enter into 106 agreement to contribute money in lieu of onsite provision of other typologies. A financial contribution of £267,987 towards the upgrade of off-site allotments and parks, recreation ground and youth play equipment is proposed. Having regard to the availability and proximity of existing facilities to the site this proposal is considered to be acceptable and in accordance with OSNA requirements, Policy 26 of the CDP and Paragraph 102 of the NPPF with regards to the provision of public open space.

Public Rights of Way

200. Policy 26 of the County Durham Plan requires development to maintain and protect, and where appropriate improve, the county's green infrastructure network. The policy advises that where green infrastructure assets are affected proposals must incorporate suitable mitigation. In respect of Public Right of Way the policy advises that development will be expected to maintain or improve the permeability of the built environment and access to the countryside for pedestrians, cyclists and horse riders. Where proposals would result in the loss of, or deterioration in the quality of, existing Public Rights of Way (PROWs) the policy advises that these will not be permitted unless equivalent alternative provision of a suitable standard is made.
201. Paragraph 104 of the Framework seeks to protect and enhance public rights of way and access and advises that decision should take opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.
202. It is a positive that Footpath 28 will be retained with additional connections despite the quality of the experience to the users changing as a result of the development. Given the increased pressure on other local footpaths the applicants have agreed to a s106 contribution of £80,500 to fund improvements to public rights of way in the vicinity. It is noted that there are concerns that increased use of the PROW due to the development and any associated upgrades could be problematic for the Golf Club, however it is better to formalise public access over publicly maintainable routes and reduce the risk of trespass, and DCC Rights of Way would work with the golf course to try to alleviate any concerns.

Education

203. NPPF Paragraph 97 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. It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Paragraph 99 goes on to advise that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities.
204. The Council's Education Provision Lead Officer has advised that the development is located within the Stanley local school place planning area of which Bloemfontein Primary School, Burnside Primary School, South Stanley

Infant School, South Stanley Junior School, Greenland Community Primary, East Stanley Primary and Shield Row Primary could serve the development based on a 2 mile safe walking distance. In relation to secondary schools, the development is located within the North Durham local school place planning area, with the nearest school to the proposed the development being North Durham Academy which is located 1.84 miles away.

205. Based on the projected rolls of the schools, taking into account the likely implementation timeframe of the development, build rates and other commitments there would be sufficient space to accommodate the pupils of primary school age generated by the development in existing local primary schools whilst maintaining a 5% surplus. There would also be sufficient space to accommodate pupils of secondary school age generated by the development in local secondary schools whilst maintaining a 5% surplus. Therefore, no contributions are required for additional primary or secondary teaching accommodation.

Health Care

206. The closest GP practice to the site is Craghead Medical Centre, which is located 0.4km away from the centre of the site. The NHS North East and North Cumbria Integrated Care Board have confirmed that this practice falls within the Derwentside Primary Care Network which are at full capacity and would require additional space to deliver their services to an increased number of patients. Therefore, they recommend that a financial contribution of £87,423 would be required to provide additional / extended accommodation to mitigate the impact of the development and provide additional capacity for local GP surgeries. This figure is calculated using the NHS Property Service build cost rate of £3,000 per square metre.

Planning Obligations Summary

207. NPPF Paragraph 55 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
208. Under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the applicant has agreed to:
- £267,987 towards upgrading/delivering open space off site.
 - £80,500 towards improvement works to footpaths no.28 and no.36 (Stanley).
 - £87,234 to increase GP surgery capacity in the area.
 - The delivery of 10% Affordable housing units on site, equating to 18 units for affordable home ownership, 5 of which will be first homes.
209. Under the provisions of Section 39 of the Wildlife and Countryside Act 1980 (as amended) the applicant has agreed to secure the long-term management and maintenance, including a monitoring strategy of the biodiversity land.

210. NPPF Paragraph 57 and Paragraph 122 of the Community Infrastructure Levy Regulations 2010 set out three planning tests which must be met in order for weight to be given to a planning obligation. These being that matters specified are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. In this case these contributions and agreements are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. Accordingly, weight can be afforded to them in accordance with para 122. However, they would carry only neutral weight in the planning balance.

Other Matters

Loss of Agricultural Land

211. The proposal would result in the loss of agricultural land. Policy 14 of the CDP states that the development of the best and most versatile agricultural land, will be permitted where it can be demonstrated that the benefits of the development outweigh the harm and significant weight can be attributed to this policy. NPPF Paragraph 180 states that LPAs should recognise the economic and other benefits of the best and most versatile agricultural land and where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality and should bear in mind the availability of land for food production. Best and most versatile agricultural land is classified by the NPPF as grades 1, 2 or 3a.
212. An Agricultural Land Classification Statement has been submitted in support of the application which identifies that the development would result in the loss of approximately 4ha of Grade 3b (moderate) agricultural land and 4 hectares of Grade 4 (poor quality) agricultural land. Neither of these grades would be considered best and most versatile land therefore it is considered that the loss is not significant and therefore holds very little negative weight in the planning balance.

Soil Resource Management

213. Policy 14 of the CDP requires all development proposals relation to previously undeveloped land must demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice. A soil resource management strategy has been provided with the application; further detail can be secured by condition. This carries neutral weight in the planning balance.

Mineral Safeguarding

214. The site lies within a Mineral Safeguarding Area due to it lying within a coal resource area. Policy 56 of the CDP states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within such areas unless specific criteria apply. In this instance evidence has been submitted that details the coal resource has

already been extracted from this site. On this basis, no objection is raised on the grounds of either Policy 56 of the CDP or Part 17 of the NPPF.

Broadband Connectivity

215. Policy 27 of the CDP outlines that new residential development should be served by a high-speed broadband connection. Part 10 of the NPPF also has similar aims. The developer is willing to agree to a condition to secure that the site will be served by fibre broadband.

Other Issues Raised

216. Whilst the development is the agent of change there are no close rural practices that would be adversely affected by the neighbouring housing use.
217. Concerns raised in respect of anti-social behaviour are not an issue usually presented by new housing development and accordingly no weight can be afforded to this in the planning assessment.
218. Depreciation in house values and consequent difficulties with selling are not material planning considerations.
219. Concerns have been raised over a lack of consultation however significant consultation was undertaken including a site and press notice and neighbour notification which go beyond the statutory requirements.

CONCLUSION

220. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.
221. In this instance, it is concluded that the principal issues for consideration on this site are the Council's Housing Need and Sustainable Communities objectives as reflected through the requirements of Policies 6, 10 and 15 of the CDP.
222. Policies 6 and 10 of the CDP overarch a number of other topic areas that specifically further policy assessed, such as residential amenity, public safety and impacts to neighbouring business, drainage, accessibility and promoting sustainable transport, ecological impacts, landscape and setting impacts, sustainable design and highways safety. The criteria of the above CDP policies effectively set out a systemised methodology for assessing whether a proposal represents an acceptable form of development that is appropriate, justified, can integrate and can mitigate harms- in short, whether it represents 'sustainable development', both in location and operation. The proposal is considered to be well related to the settlement and comply with all relevant criteria of Policy 6. As such, despite being in the countryside it is supported under the provisions of Policy 6 and 10 of the County Durham Plan. It is also

accessible, affordable and meets the needs of those residents unable to access the open housing market in accordance with CDP Policy 15.

223. Other policies detailed are associated with the technicalities of developing land and which the scheme has been assessed against and Officers conclude that the land is or can be made suitable for development.
224. The responses of individual consultees indicates that the scheme is one that Officers consider generally satisfies the Policy requirements and can be supported as housing scheme that meets the Councils Housing Need and Sustainable communities objectives and constitutes sustainable development. It would boost housing supply, including affordable homes and accessible homes and homes for the elderly in a sustainable location. It would bring biodiversity, economic and drainage benefits to the area. The scheme mitigates its own impacts in terms of public safety and impacts to neighbouring business, impacts to the character of the area, highways safety and capacity, sustainability, climate change impacts, heritage impacts, health and open space provision, site safety and remediation, soil resource management and in terms of broadband communications. The identified harms in terms of residential and visual amenity, localised landscape harm, loss of trees and loss of agricultural land are not significant and can be adequately mitigated or compensated for.
225. The scheme is not fully policy compliant in respect of Policy 35 of the CDP as the design falls short on a SUDS management train concept being fully integrated into the site.
226. The following benefits of the proposal should be weighed against this minor policy 35 conflict identified above to allow for a detailed assessment of the planning balance:
- The amended proposal would boost the supply of market housing, affordable housing and housing for the elderly and those with mobility issues, taken together this attracts substantial positive weight.
 - There would be some betterment to local drainage problems and this carries moderate positive weight.
 - The amended proposal also has benefits in terms of biodiversity improvements which carries moderate positive weight.
 - The economic benefits associated with housing construction and occupation carry significant positive weight.
227. In assessing the conflicts of the development against its benefits is a fine balance as the weight attributed to each conflict and benefit will differ given the site specific material considerations. However, in this instance it is considered that the economic, environmental and social benefits of the proposal outweigh the identified policy conflict.

Public Sector Equality Duty

228. 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.

229. 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 legal agreement under Section 106 of the Town and County Planning Act 1990 (as amended) to secure the following:

- £267,987 towards upgrading/delivering open space off site.
- £80,500 towards footpath improvement works in the vicinity.
- £87,234 to increase GP surgery capacity in the area.
The delivery of 10% Affordable housing units on site, equating to 18 units for affordable home ownership, 5 of which will be first homes and 13 of which will be discounted sale.
- An updated Habitat creation, management and monitoring plan and an agreement under Section 39 of the Wildlife and Countryside Act 1981 for long term management and monitoring.

And subject to the following conditions:

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

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

2. The development hereby approved shall be carried out in accordance with the following approve plans and documents:

LOCATION PLAN 1904.01.01	16/8/2022
HOUSING LAYOUT 1904.04.02 (REV M)	12/6/2024
AFFORDABLE HOUSING PLAN 1904.09.02 (REV G)	12/6/2024
250 Housetype (Rural) 21-350-R-0001 Rev C03	12/6/2024
250 Housetype (Urban) 21-250-U-0001 Rev C01	28/7/2022
254 Housetype (Rural) 21-254-R-0001 Rev C02	12/6/2024
254 Housetype (Urban) 21-254-U-0001 Rev C02	28/7/2022
350 Housetype (Rural) 21-350-R-0001 Rev C05	12/6/2024
350 Housetype (Urban) 21-350-U-0001 Rev C02	28/7/2022
353 Housetype (Urban) 21-353-U-0001 Rev C01	28/7/2022
354 Housetype (Urban) 21-354-U-0001 Rev C01	28/7/2022
355 Housetype (Urban) 21-355-U-0001 Rev C02	28/7/2022

358 Housetype (Rural) 21-358/9-R-0001 Rev C03	20/11/2023
358 Housetype (Urban) 21-358/9-U-0001 Rev C01	20/11/2023
359 Housetype (Rural) 21-358/9-R-0001 RC03	12/06/2024
359 Housetype (Urban) 21-358/9-U-0001 Rev C01	20/11/2023
360 Housetype (Rural) 21-360-R-0001 Rev C04	12/06/2024
360 Housetype (Urban) 21-360-U-0001 Rev C01	28/07/2022
361 Housetype (Urban) 21-361-U-0001 Rev C08	28/07/2022
450 Housetype (Rural) 21-450-R-0001 Rev C03	12/06/2024
450 Housetype (Urban) 21-450-U-0001 Rev C01	28/07/2022
451 Housetype (Urban) 21-451-U-0001 Rev C01	28/07/2022
454 Housetype (Rural) 21-454-R-0001 Rev C06	12/06/2024
454 Housetype (Urban) 21-454-U-0001 Rev C01	28/07/2022
455 Housetype (Rural) 21-455-R-0001 Rev C03	12/06/2024
455 Housetype (Urban) 21-455-U-0001 Rev C03	12/06/2024
TARMAC DRIVE AND SHARED DRIVE DETAILS NSD710 REV G	28/7/2022
DETACHED SINGLE GARAGE SD1700	28/7/2022
DETACHED DOUBLE GARAGE SD1701	28/07/2022
SALES GARAGE SD704	28/7/2022
1.8M TIMBER FENCE SD100 REV F	28/7/2022
BOUNDARY TREATMENTS 1904.06.02 REV L	25/7/2024
ADOPTION PLAN 1904.09.01 Rev B	12/6/2024
TYPICAL EV CHARGING POINT DETAILS NSD 251	16/8/2022
TREE LOCATION AND CONSTRAINTS PLAN TCP_TPP01	31/8/2023
TREE CONSTRAINTS AND PROTECTION PLAN TCP_TPP02	31/8/2023
DETAILED LANDSCAPE PROPOSALS (1 OF 4) 5012/1 (REV G)	12/6/2024
DETAILED LANDSCAPE PROPOSALS (2 OF 4) 5012/2 (REV G)	12/6/2024
DETAILED LANDSCAPE PROPOSALS (3 OF 4) 5012/3 (REV G)	12/6/2024
DETAILED LANDSCAPE PROPOSALS (4 OF 4) 5012/4 (REV G)	12/6/2024
DETAILED LANDSCAPE PROPOSALS 5012/5 (REV G)	12/6/2024
TYPICAL HEADWALL DETAIL FOR SWALES D209 (REV 1)	12/6/2024
TYPICAL HEADWALL BASIN INLET DETAIL WEST D205 (REV1)	12/6/2024
TYPICAL HEADWALL BASIN INLET DETAIL EAST D207 (REV2)	12/6/2024
TYPICAL HEADWALL BASIN OUTLET DETAIL D208 (REV2)	12/6/2024
TYPICAL HEADWALL BASIN OUTLET DETAIL D206(REV1)	12/6/2024
DRAINAGE AREAS PLAN D204 (REV4)	12/6/2024
MANHOLE SCHEDULE 20103-D210 R5	12/6/2024
ENGINEERING LAYOUT SHEET 2 OF 4 D003 (REV4)	12/6/2024
PROPOSED DRAINAGE PLAN SHEET 1 OF 4 20103-D200 R4	12/6/2024
PROPOSED DRAINAGE PLAN SHEET 2 OF 4 D201 (REV3)	12/6/2024
PROPOSED DRAINAGE PLAN SHEET 3 OF 4 20103-D202 R3	12/6/2024
PROPOSED DRAINAGE PLAN SHEET 4 OF 4 D203 (REV3)	12/6/2024
FLOOD ROUTING PLAN D213 REV 5	12/6/2023
SUDS IDENTIFICATION PLAN D211 REV3	12/6/2024
TYPICAL SUDS DETAILS D212 REV 4	12/6/2024
OVERALL ENGINEERING LAYOUT 20103-D001 R5	12/6/2024
PRIVATE DRAINAGE SCHEDULE 20103-D214 R4	12/6/2024
DRAINAGE DETAILS 20103-D701 R2	12/6/2024
PREMEABLE PAVING DETAILS 20103-D702 R1	12/6/2024
ENGINEERING LAYOUT SHEET 1 OF 4 D002 (REV 5)	12/6/2024
ENGINEERING LAYOUT SHEET 3 OF 4 D004 (Rev 4)	12/6/2024
ENGINEERING LAYOUT SHEET 4 OF 4 D005 (Rev 4)	12/6/2024
PROPOSED LEVELS PLAN 1 OF 4 20103-D100 R4	12/6/2024

PROPOSED LEVELS PLAN 2 OF 4 20103-D101 R3	12/6/2024
PROPOSED LEVELS PLAN 3 OF 4 20103-D102 R3	12/6/2024
PROPOSED LEVELS PLAN 4 OF 4 20103-D103 R3	12/6/2024
SECTION 38 PLAN 20103-D800 R5	12/6/2024
SECTION 104 PLAN 20103-D801 R5	12/6/2024
SUDS MAINTENANCE PLAN 20103-D802 R5	12/6/2024
ECONOMIC BENEFITS REPORT	28/7/2022
MINERALS ASSESSMENT	28/7/2022
TRANSPORT ASSESSMENT	12/6/2024
PRELIMINARY ECOLOGICAL APPRAISAL	16/8/2022
AIR QUALITY ASSESSMENT	22/12/2022
GAS PROTECTION MEASURES VERIFICATION PLAN	16/8/2022
OPEN SPACE ASSESSMENT	16/8/2022
NOISE ASSESSMENT	16/8/2022
SUDS MAINTENANCE PLAN	12/6/2024
INTERNAL SPACE STANDARD ASSESSMENT	16/8/2022
BUILDING FOR LIFE ASSESSMENT	16/8/2022
TRAVEL PLAN Ref: AT/22025/TP/2 – Rev 2 – 04.06.24	12/6/2024
FLOOD RISK ASSESSMENT AND DRAINAGE STRATEGY	12/6/2024
GEOENVIRONMENTAL APPRAISAL REPORT	17/8/2022
SOIL RESOURCE MANAGEMENT STRATEGY	31/8/2022
CONSTRUCTION MANAGEMENT PLAN	21/9/2023
CEMP BIOC21-039 – V4	20/11/2023
BIODIVERSITY METRIC	12/6/2024
ARCHAEOLOGICAL GEOPHYSICAL SURVEY Ref:AD410	21/9/2022
ARCHAEOLOGICAL EVALUATION Ref: AD416	31/8/2023
HEALTH IMPACT ASSESSMENT	31/8/2022
PLANNING STATEMENT	31/8/2022
SUSTAINABILITY STATEMENT	31/8/2022
DESIGN AND ACCESS STATEMENT	22/9/2022
ECOLOGICAL IMPACT ASSESSMENT	21/9/2023
TREE SURVEY, ARBORICULTURAL IMPACT ASSESSMENT	31/8/2023
WRITTEN SCHEME OF INVESTIGATION	22/12/2022
HABITAT MANAGEMENT AND MONITORING PLAN	20/11/2023
BIODIVERSITY NET GAIN ASSESSMENT	12/6/2024
GOLF DESIGNERS REPORT VOLUME 1	14/5/2024

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 6, 10 and 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

3. No development shall commence until a material management plan has been submitted to and approved in writing by the Local Planning Authority, to include the following:
 - Soil Resource Management Strategy
 - Identification of the locations of topsoil and subsoil types and areas to be stripped and left in-situ.
 - Methodologies for topsoil and sub-soil stripping and stockpiling.
 - Location of proposed stockpiles including type of material and volumes for each.
 - End use of each stockpile.
 - Details of Responsible person on site who will supervise soil management.

Subsequently the soil management on site should take place in accordance with the approved material management plan and the stripping, stockpiling, placement, sourcing and use methodology identified in the approved soil resource management strategy.

Reason: In the interests of the protection of soil resources and to comply with Policy 14 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required as a pre commencement condition because this will comprise one of the commencement elements of the development.

4. No development other than site clearance works, investigations or remedial works shall commence before a timetable for the completion of drainage works has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved drainage strategy, timetable and plans detailed under condition 2.

Reason: In the interest of the adequate disposal of foul and surface water in accordance with Policies 35 and 36 of the County Durham Plan and Part 14 of the NPPF.

5. No development other than site clearance works, investigations or remedial works shall commence until remedial treatment works to address land instability arising from shallow coal mining legacy have been carried out in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

6. No development other than site clearance works, investigations or remedial works shall commence until details of bus stop improvements on Middles Road have been submitted to and approved in writing by the Local Planning Authority. The approved bus stop improvements shall thereafter be completed prior to the occupation of the 10th dwelling.

Reason: In the interests of highway safety in accordance with Policies 6, 21 and 29 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

7. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, scheduled for retention, have been protected in accordance with the details contained within the Arboricultural Impact Assessment . Protection measures shall remain in place until the cessation of the development works. The tree protection shall be retained throughout the construction period. No materials, equipment or vehicles shall be stored inside the protective fencing. Any pruning works would need to be agreed with Durham County Council's Arboricultural Officer in advance.

No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats.

Large areas of whip planting shall be protected by rabbit proof fencing, rather than spiral guards.

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

8. No development, other than site remediation works, shall commence until the submission to and approval of the LPA of a biodiversity management and monitoring management plan. The development shall take place in accordance with the approved details.

Reason: This information is required in order to ensure that the stated level of net gains can be achieved in accordance with CDP Policy 26 and 41 requirements and Paragraph 174 of the NPPF.

9. Prior to the erection of the first dwelling, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.

Reason: To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

10. Remediation works shall be carried out in accordance with the approved remediation strategy. A phase 4 verification report relating to each dwelling shall be undertaken prior to the occupation of each dwelling and final site wide verification report shall be submitted to and approved in writing prior to the occupation of the last dwelling.

Reason: To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

11. Prior to the construction of the first dwelling a timetable for the completion of the on-site equipped Childrens Play Area shall be submitted to and approved in writing by the local planning authority. Thereafter the play area shall be constructed and made available for use in accordance with the approved timetable.

Reason: In the interest of ensuring the delivery of a play area of acceptable size and quality, in accordance with Policies 26 and 29 of the County Durham Plan, and the National Planning Policy Framework.

12. Prior to the construction of the first dwelling details shall be submitted to and approved in writing by the Local Planning Authority of a timetable for the

provision and completion of the footpath connections out of the site. Thereafter the footpath Connection points shall be installed and ready for use in accordance with the agreed timetable.

Reason: To promote the connectivity and sustainability of the development, in accordance with Policies 21 and 29 of the County Durham Plan and with the National Planning Policy Framework.

13. Prior to the construction of the first dwelling 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 detail.

Reason: To ensure a high quality of development is achieved and to comply with the requirements of Policy 27 of the County Durham Plan and Part 10 of the NPPF.

14. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in accordance with a timetable of completion to be submitted to and agreed in writing by the Local Planning Authority prior to the erection of the first dwelling. The landscaping shall be completed in accordance with the agreed timetable thereafter.

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 and character of the area and to comply with Policies 26, 29, 39, 40 and 44 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

15. Prior to the construction of the first dwelling a scheme for the ongoing maintenance of the areas of public open space and play provision within the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. In the event of proposals to maintain the public open space by means other than through transfer to the Local Authority then the scheme shall provide for details of an agreed maintenance and cutting schedule for the lifetime of the development.

Reason: In the interests of appearance of the area in accordance with Policy 26 and 29 of the County Durham Plan and Parts 12 and 15 of the NPPF.

16. Prior to the occupation of relevant properties all sound attenuation measures detailed in the noise assessment reference NJD22-0148-001R, prepared by NJD Environmental Associates, dated July 2022 and published 16 August 2022 and within the subsequent updated noise note dated 7th August 2024 shall be fully installed. The installed measures shall thereafter be retained for the lifetime of the development.

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

17. Prior to occupation of the first dwelling the main site access as detailed on plan D800 Rev 5 to Middles Road shall be constructed and made available for use.

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

18. No development, other than site remediation works, shall commence until full engineering, drainage, street lighting constructional details and a maintenance regime (or any agreement under S.38 of the Highways Act 1980) for highway works, and a timetable for the completion of the works has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details and timetable.

Reason: In the interests of highway safety in accordance with Policies 6, 21 and 29 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

19. No new dwelling shall be occupied until the car parking area for that dwelling, as set out on the approved plans, has been completed in accordance with the approved plans. Thereafter, the car parking areas shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interest of highway safety, in accordance with Policy 21 of the County Durham Plan and Durham County Council Parking and Accessibility Supplementary Planning Document 2024 and the National Planning Policy Framework.

20. A minimum of 119 dwellings shall be built to a standard which meets the requirements set out in M4(2) of the Building Regulations 2010 Approved Document Part M: Access to and use of building (as amended) or any updated version of replacement document. A verification report compiled by a suitably competent person demonstrating that the relevant dwellings have been constructed to achieve Buildings Regulations M4(2) standard shall be undertaken prior to the occupation of each relevant dwelling and submitted to and approved in writing by the Local Planning Authority prior to the occupation of the final dwelling.

Reason: To ensure the development complies with the requirements of Policy 15 of the County Durham Plan to meet the needs of older people and people with disabilities.

21. All dwellings shall comply with the Nationally Described Space Standard and be built to a standard which meets the requirements set out Building Regulations Approved Document L 2021 edition incorporating 2023 amendments, Approved Document F 2021 edition and Approved Document O

2021 edition or any updated version of replacement documents. A verification report compiled by a suitably competent person demonstrating that the relevant dwellings have been constructed to achieve these Buildings Regulations standards or updated standards shall be undertaken prior to the occupation of each dwelling and submitted to and approved in writing by the Local Planning Authority prior to the occupation of the final dwelling.

Reason: To ensure the development complies with the requirements of Policy 29 of the County Durham Plan to ensure sustainable design in the buildings.

22. All of the dwellings hereby approved shall be provided with electric vehicle charging points prior to their occupation.

Reason: In the interests of sustainable construction and in accordance with Policy 29 of the County Durham Local Plan and Part 14 of the National Planning Policy Framework.

23. The Construction Management Plan dated 21/09/2023 shall 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.

24. No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 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.

In addition, piling operations should be restricted to the following hours:

No piling, including vibro-piling, operations shall be undertaken outside of the hours of 0900 and 1600hrs.

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.

25. Where a garage is not provided for a dwelling, alternative secure provision must be made on site for the storage of cycles/mobility scooters/motorbike parking in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

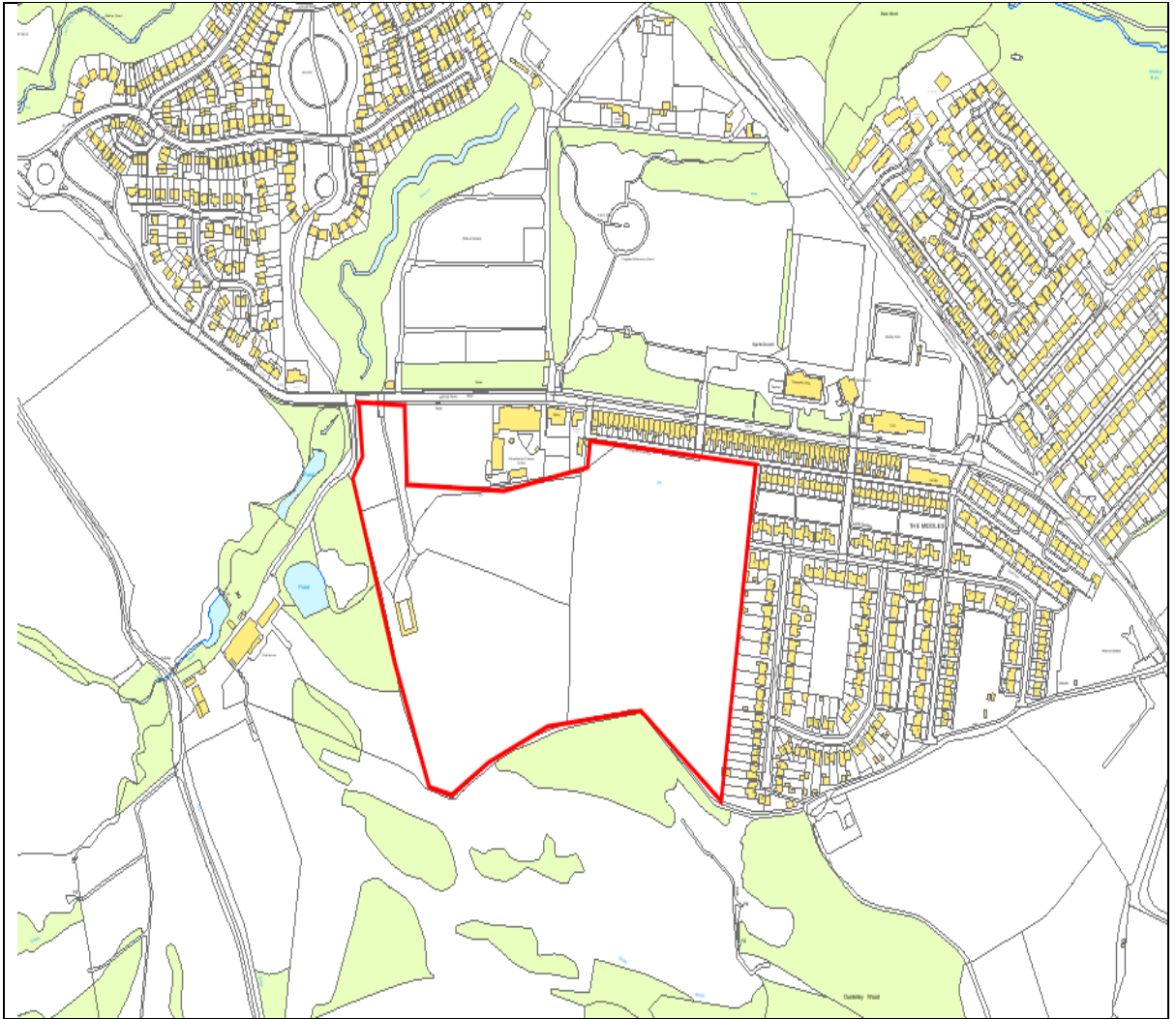
Reason: In the interests of sustainable construction and in accordance with Policy 29 of the County Durham Local Plan and Durham County Council Parking and Accessibility Supplementary Planning Document 2024 and Part 14 of the National Planning Policy Framework.

26. The development shall take place in accordance with the mitigation outlined within the Construction Ecological Management Plan V4 dated 20th November 2023.

Reason: To safeguard protected species in accordance with CDP policy 41 and part 15 of the NPPF.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
National Planning Policy Framework
National Planning Practice Guidance Notes
County Durham Plan (2020)
Trees, Woodlands and Hedges SPD (2024)
Development Viability, Affordable Housing and Financial Contributions SPD (2024)
Residential Amenity Standards SPD (2023)
Parking and Accessibility SPD (2023)
County Durham Plan Strategic Housing Land Availability Assessment (2019)
County Durham Building for Life SPD (2019)
County Durham Settlement Study (2018)
Durham County Council Open Space Needs Assessment (2018)
CIHT Planning for Walking 2015
National Design Guide 2021
CIRIA The SuDS Manual (2015)
Building the Homes we need MHCLG 30/7/2024
Statutory consultation responses
Internal consultation responses
External consultation responses



<p>Planning Services</p>	<p>DM/22/02238/FPA Erection of 181 no.2,3 and 4 bedroom two storey dwellings with associated works.</p>	
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	<p>Date: 25th September 2024</p>	