



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

Application No:	DM/21/02861/FPA
Full Application Description:	Proposed development of 170 residential dwellings with associated infrastructure and open space (revised description 16/12/2024)
Name of Applicant:	Persimmon Homes (Durham)
Address:	Land To The East Of Fern Dene, Knitsley Lane, Templetown
Electoral Division:	Delves Lane
Case Officer:	Laura Eden Senior Planning Officer Tel: 03000 263980 Email: laura.eden@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The Site

1. The application site lies on the south-eastern edge of Consett, on land to the east of Knitsley Lane. It extends to approximately 11.65 ha. The site is divided into four unintensively managed fields which were previously used for horse grazing. The land falls from north to south, with around 35m level difference between the highest and lowest points on site. Hedgerow trees are present within the centre of the site and service as field boundaries with a low stone wall forming the western boundary.
2. Residential properties predominately lie to the north and east of the site. There are a further two dwellings to the west on the opposite side of Knitsley Lane. Delves Lane Community School lies immediately to east with Delves Lane Industrial Estate to the southeast. To the northwest, a planning application is currently pending determination for the erection of 129 dwellings (DM/21/01245/FPA). Beyond that lies a partially completed solar farm and Hownsgill Industrial Estate.

3. There are no designated or non-designated heritage assets within the immediate proximity of the development site. The nearest listed buildings, the Grade II High Knitsley Grange Farmhouse and Grade II Barn West of High Knitsley Farmhouse, lie approximately 600m to the southwest. Blackhill Conservation Area is located approximately 1.7km to the north of the proposed built development. Ivestone Conservation Area is located approximately 2.2km to the east.
4. The site is not covered by any national or local landscape designations. An Area of Higher Landscape Value (AHLV), as defined in the adopted County Durham Plan, lies approximately 370m to the south of the site.
5. There are no statutory or locally designated ecological sites located within or immediately adjacent to the application site. A non-statutory site, Knitsley and High House Wood Local Wildlife Site (LWS), lies 650m to the southwest of the site.
6. The site falls within Flood Zone 1 as identified by the Environment Agency, which is the lowest risk area of fluvial (river) flooding. There are however some areas of the site identified as being at high risk of surface water flooding. There is also a watercourse running north to south through the centre of the site. Areas of the site lie within the Coalfield Development High Risk Area, as identified by the Coal Authority. The site also falls within a mineral safeguarding area as defined by the County Durham Plan.
7. There are no Public Rights of Way (PRoW) within the site, with the closest ones being Footpath no.78 (Derwentside), 180m to the southeast and Footpath no.43 (Derwentside), 290m to the north. Adjoining the site to the south, lies the Sustrans National Cycle Network Route No. 14, also known as the Lanchester Valley Railway Path. Sustrans National Cycle Network Route No. 7, also known as the Consett to Sunderland Railway Path, lies 700m to the northwest.

The Proposal

8. The application seeks full planning permission for the erection of 170 dwellings, down 31no. units from the 201 originally proposed. The proposal includes a mix of 2, 3, 4 and 5 bedroomed bungalows, houses and 2.5 storey townhouses in a range of detached, semi-detached and terraced options. Two character areas are proposed comprising the main site and rural interface (majority of properties along the southwestern edge). The materials palette proposed differs depending on the character area however includes facing brickwork mainly in red and brindle with a reduced selection of buff plots, contrasting grey brick to plinth course and vertical contrast panelling, grey weatherboarding, clean window treatment with no heads or cills but incorporating artstone full window surrounds on selected house types, flat muted roof tile tones, UPVC windows, fascias, soffits and barge boards in grey and black rainwater goods, front and garage doors. Whilst the Rural Interface character area sees the introduction of a grey timber cladding to the first floor of selected plots. Boundary treatments are

proposed to be a mixture of timber fencing. All properties feature off-street parking and enclosed rear gardens.

9. Vehicular access to the site would be provided through the continuation of the Ovington Court distributor road. Non-vehicular connections points are proposed to the north, south, east and west via shared use paths including a direct connection from the site onto the Lanchester Valley Railway Path. New shared use and pedestrian paths are proposed external to the development along Ovington Court to the north and Fell Side to the east including pedestrian crossing points and a refuse island.
10. Amenity open space would be provided primarily to the north and east of the development, with further areas of open space along the south-western edge and internal parcels of land. Non-equipped children's play facilities are proposed to the south of Langdon Close. The layout proposes a perimeter path around the development site. SuDs features are also incorporated within the layout.
11. The application is being reported to the County Planning Committee because it is a residential development with a site area in excess of 4 hectares.

RELEVANT PLANNING HISTORY

12. There is no relevant site history relating to the application site.
13. This application is one of a number of housing proposals within Consett that are being/have been considered by the Local Planning Authority. Other large scale, residential applications within the surrounding area include;
 - DM/21/01245/FPA - Erection of 129 dwellings including associated access, landscaping, foul water pumping station and electricity sub-station (revised description 08/11/2021) at land south of Wyncrest, Knitsley Lane, Templetown pending determination.
 - DM/17/02333/OUT - Outline planning application with all matters reserved (except access) for up to 105 dwellings including associated infrastructure and open space provision at land to the north east of Castledene Road approved (on appeal) 01/10/2020.
 - DM/19/01987/OUT - Outline application (with means of access) for a mixed-use scheme comprising: community hospital (C2) and pharmacy (A1); sheltered care unit (C2); residential care unit (C2); gym and wellbeing centre (D2); hotel (C1); public house (A4); micro-brewery (B2/A4); and vets practice (D1) at land to the south of Puddlers Corner Roundabout, Genesis Way, Consett approved 04/02/2023.
 - DM/21/03839/FPA - Erection of 288 no. dwellings with associated access, landscaping and infrastructure at land north of Delves Lane, Consett approved 06/04/2023.

- DM/24/00593/FPA - Development of 71 new residential dwellings (Use Class C3), including access, open space and landscaping details at land north west of 20-26 Duchy Close, Consett refused 03/07/2024.

PLANNING POLICY

National Policy

14. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:
15. *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.
16. *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.
17. *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.
18. *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.
19. *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.
20. *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.

21. *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.
22. *NPPF Part 11 Making Effective Use of Land* - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
23. *NPPF Part 12 Achieving Well-Designed Places* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
24. *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.
25. *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.
26. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

National Planning Practice Guidance:

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

28. *Policy 4 (Housing Allocations)* - Identifies a number of sites across the County which are allocated for housing, to deliver the new homes needed across the County to ensure the County Council meets its Local Housing Need. The Policy states that planning applications for housing on these allocations, that are in accordance with the site specific requirements in this policy and any infrastructure constraints identified in the Infrastructure Delivery Plan, will be approved if the proposed scheme is in accordance with other relevant policies in the Plan. The application site is allocated for development of approximately 200 homes, reference H19, and the allocation states: Development of the site will:
- include structural planting along the southern boundary and to the south of Redmire Drive to complement that to the south of Langdon Close;
 - provide a substantial area of open space for public access that connects with existing adjoining housing and the Lanchester Valley Walk;
 - contribute to Delves Lane Community Centre for the benefit of new and existing residents;
 - reinforce the existing screening around Delves Lane Primary School; retain the ditch and stream running through the site to create a wildlife corridor (this could also form part of a SuDS solution for the development);
 - consider potential impacts on the setting of High Knitsley Farm (Grade II listed).
29. *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.

30. *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.
31. *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.
32. *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.
33. *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.
34. *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.
35. *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.
36. *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.

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

43. *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.
44. *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.
45. *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.
46. *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.
47. *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

48. 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.
49. 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.
50. Residential Amenity Standards SPD (2023) – Provides guidance on the space/amenity standards that would normally be expected where new dwellings are proposed.
51. Parking and Accessibility SPD (2023) – Provides guidance on parking requirements and standards.
52. 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.

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

Neighbourhood Plan:

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

CONSULTATION AND PUBLICITY RESPONSES

Statutory Consultee Responses:

54. *Highways Authority* – The submitted Transport Assessment considered the potential highway and transport related impacts associated with this proposal and any mitigation required. In consultation with the Highways Authority, two Technical Notes (TN) were later submitted to assess the potential cumulative development related transportation impacts arising from committed and pending development sites across a number of junctions in and around the Consett area. Overall, the information included within the assessment and methodology used have been considered acceptable. A number of junctions have been assessed and checked by the Highway Development Management team of which the modelling demonstrated that these junctions would continue to work within their design capacity with the traffic from these developments (including pending applications) added to the local road network (Genesis Way, Ovington Court, Durham Road and Redmire Drive roundabouts). With regards to the remaining

four junctions (Delves Lane, Leadgate Road and Gloucester Road roundabouts and Stockerley Lane T-junction), the transport assessment demonstrated that if this development came forward (even alongside pending applications), the junctions would continue to work within their designed capacity subject to the highway improvement schemes secured through previously permitted schemes (DM/19/01987/OUT and DM/21/03839/FPA). Similar conditions would be required to be imposed on this scheme to secure the delivery of five improvement schemes across four junctions by specified triggers within the development phase. Subject to this mitigation, there would be no severe cumulative impact on the local highway network. Following amendments to the scheme, the proposed site access arrangements, parking provision and distribution, non-vehicular access provision and external footway improvements are deemed to be acceptable. No highway objection is raised subject to the imposition of conditions and informatives.

55. *Lead Local Flood Authority (Drainage and Coastal Protection)* – The proposed design demonstrates compliance with National Standards and Council Policies in providing sustainable surface water management solutions and ensuring the prevention of flood risk to and from the proposed development. No objection is raised subject to a condition to secure the implementation of the approved scheme.
56. *Mining Remediation Authority* - The coal mining legacy potentially poses a risk to the proposed development and that further intrusive site investigation works should be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site and to inform any remedial measures necessary to ensure the safety and stability of the proposed development. A conditional approach is recommended.

Internal Consultee Responses:

57. *Spatial Policy* – The principle of residential development on this site has been established through the development plan. Policy 4 includes some specific matters which will need to be addressed. Further policies are identified which are relevant to the detailed elements of the proposal. No objection is raised in relation to mineral safeguarding on the grounds of Policy 56.
58. *Design and Conservation* – The overall layout and design has been amended to reflect the comments raised at the Council's internal Design Review process and through the developer engaging in the Enhanced Design Review service. This has resulted in the revised scheme scoring 11 greens and 1 amber. No objection is raised on the grounds of heritage impact.
59. *Landscape Section* – The developable space on this site, including areas of proposed landscaping have been determined by physical and technical constraints. Following discussions and reviews of the layout, the proposals appear to provide an improved landscape scheme than that originally submitted.
60. *Active Travel* – Are generally content with the responses provided against the comments, however, note there are still several key facilities and amenities

located outside of an 800m walking distance from the mid-point of the site. It is unclear how the proposed off-site infrastructure will make a material difference to improving the active travel routes to / from the urban core of Consett where the majority of key facilities and amenities are located. Whilst it is appreciated that contributions may have now been agreed, it would have been expected to see a significant enhancement to existing active travel infrastructure to create safe, high-quality, and inclusive routes to / from the site. This is particularly prevalent given the lack of any immediate public transport (bus) routes in the immediate local area (i.e. more than 400m away), with active travel forming the core part of any future sustainable transport to / from the site. Cycle Parking should be conditioned for properties which will not benefit from a garage.

61. *Arboricultural Officer (Trees)* – Defers to comments made by Landscape Officer.
62. *Archaeology* - The fieldwork evaluation exercise indicated an absence of archaeological deposits or features. No further work is required.
63. *Ecology* – The development delivers a biodiversity net gain against Policy 41 of the Local Plan and the approach to this delivery aligns with previous discussions with the consultant ecologist. Both the on and off-site delivery for a net gain will need to be secured alongside appropriate monitoring. Conditions are also required to secure appropriate onsite mitigation measures.
64. *Environmental Health and Consumer Protection (Nuisance)* – Following the submission of additional information, no objection is raised subject to conditions being imposed to secure adherence to the submitted Construction Management Plan and noise mitigation measures alongside one controlling construction hours.
65. *Environmental Health and Consumer Protection (Air Quality)* – Following the submission of an amended Air Quality Assessment resolving previous queries and areas of concern, have no further comments to make.
66. *Environmental Health and Consumer Protection (Contamination)* – Are satisfied with the proposed Phase 3 remedial works. Verification is required post remediation. A condition should be applied to secure this alongside an informative relating to unforeseen contamination.
67. *Archaeology* – The evaluation exercise indicated an absence of archaeological deposits or features and so no further work is required.
68. *Education Provision Lead Officer* – It is considered that the development is likely to produce 45 primary pupils, 22 secondary pupils and 1.7 SEND pupils. Based on the projected rolls of the schools, taking into account the likely implementation of the development, build out rates and other relevant committed development there would be sufficient primary places available, but insufficient places at the nearest secondary school. Consequently, a contribution of £534,864 (22 x £24,312) towards education provision is therefore required. There is a shortage of SEND places across the county. In order to mitigate the impact of the

development, a contribution of £142,766 (1.7 x £83,980) would be required towards SEND provision.

69. *Integrated Passenger Transport* – As the site would fall outside of the 400m recommended walking distance to existing stops, they consider that a properly located bus turning circle is required alongside a S106 contribution to provide funding for a shuttle service to Consett Town Centre. They note it is common for local bus services to require ongoing subsidies from the Local Authority in order to be viable and continue to operate.
70. *Public Health* – From a Public Health perspective there are no grounds on which to challenge the development based on the evidence presented.
71. *Travel Plan Officer* – The updated Travel Plan is now considered to be acceptable.

External Consultees

72. *Northumbrian Water Limited* – Recommend a conditional approach to secure development is implemented in line with the drainage scheme which secures foul flow discharge rates and location point alongside surface water discharging to the existing watercourse.
73. *Police Architectural Liaison Officer (Durham Constabulary)* – Outline a series of recommendations from a Secured By Design perspective.
74. *NHS North East and North Cumbria Integrated Care Board* – Recommend that a financial contribution of £82,110 would be required to provide additional / extended accommodation to mitigate the impact of the development and provide additional capacity for local GP surgeries.
75. *Go North East* – Confirm it would not be possible to re-route any of their existing services to the site therefore the only other option would be a dedicated shuttle service to Consett Bus Station where onward connections to other destinations are available. They estimate it would cost £200k per annum to deliver the service prior to any revenue. As existing houses in this area haven't benefitted from a bus service, they consider car usage is more ingrained therefore are concerned revenue is unlikely to cover the cost of operating the service. They do not consider the position is likely to change moving forward. Whilst they would be happy to operate a route, they would require funding to do so and acknowledge it would be unlikely that the route would ever be viable without some form of funding.

Public Responses:

76. The application has been advertised in the local press (Northern Echo), by site notice and individual notification letters sent to neighbouring properties.
77. A total of 11 letters of objection have been received from local residents. The reasons for objection are summarised below:

Principle of development

- This is Greenbelt/greenfield site therefore should not be built on. Brownfield sites should be prioritised.
- The area has seen significant redevelopment with further applications recently approved or pending determination. Further housing is not required.
- This proposal represents overdevelopment of the site.
- There is a lack of necessary infrastructure to support additional housing resulting in increased pressure on the following;
 - Sewage
 - Doctors
 - Dentists
 - School Places including nursery provision
 - Town Centre

Highway related matters

- The highways assessment is not deemed adequate to fully assess the impacts arising from the development and omits certain information including accidents in the area.
- Query the capacity and suitability of the local network to accommodate the additional traffic arising as a result of this development and others in the area. This will lead to further traffic, journey times and congestion on already heavily congested and poorly maintained roads. This will be unsafe for both motorists and pedestrians.
- The cumulative impacts need to be considered in light of recently approved and pending applications.
- There will be an increase in construction traffic during the build process.
- The development will lead to vehicles speeding along Ovington Court in close proximity of a children's play area
- The above factors will increase risk for pedestrians.
- Development would put pressure on parking within Consett which is already limited.
- Lack of public transport options especially to major towns and cities such as Durham and Newcastle

Impacts upon amenity and adjacent residents

- The development will lead to extra pollution including noise (both from the construction period and future occupants and users of the proposed pathways), dust, air, light and emissions.
- There will be disturbance arising from piling.
- Public safety concerns arising from;
 - Construction Phase.
 - Children not having safe areas to play.
 - Dog waste not being properly disposed of.
- The overall design and layout of the development is considered to be poor.
- Antisocial behaviour and increased crime
- Loss of a valued recreational area
- Structural damage to existing homes arising from;
 - Piling on-site

- Proximity of construction to the existing retaining wall

Landscape and Ecology

- Results in a loss of open countryside.
- Impact to existing landscape features including trees and hedges
- Impact to ecology, wildlife and the beck running through the site

Other issues

- Drainage
- Insufficient public consultation
- Property devaluation
- Loss of attractive views

78. The Campaign for the Protection of Rural England (CPRE) advise that it would be inappropriate to grant permission for the development as it stands and it should be refused permission unless the following areas are addressed;

- Proposed structural planting needs to meet the site specific requirements of Policy 4.
- While connections through the site to adjacent housing and the Lanchester Way are proposed, it is unclear whether these are to be multiuser paths.
- Drainage considerations need to be fully resolved.
- Site specific policy requirements of Policy 4 require a wildlife corridor. Biodiversity Net Gain needs to be fully resolved.

79. One letter has been received in support of this application and two other major housing developments (DM/21/01245/FPA and DM/21/03839/FPA) in the surrounding area which are currently pending determination (DM/21/03839/FPA has since been approved). If they are considered together, it provides a great opportunity to improve transport infrastructure to ease congestion and add traffic calming.

Elected Members

80. Councillor Angela Sterling and Councillor Michelle Walton, whilst not submitting any formal comments during the application process, have held meetings and had email exchanges with the case officer to discuss the concerns raised by local residents, enhancing sustainable transport options for the site and to advocate for community facilities and initiatives for their ward.

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:

81. The proposed development will deliver a high-quality residential scheme on a site allocated for housing within the adopted County Durham Plan. The proposals have evolved significantly during the planning process, guided by the Council's

Design Review Panel, to ensure a development that is both high-quality and sensitive to the site's industrial heritage and rural edge context.

82. The site is sustainably located and eminently suitable for residential development, as evidenced by its allocation within the County Durham Plan. Although situated on the outer edge of Templetown, the proposed development prioritizes connectivity, incorporating over 1.8km of new, off-highway footpaths and cycleways. These features provide multiple access points around the site and ensure seamless connectivity to the wide range of services and facilities in Delves Lane, located to the east of the development.
83. Originally allocated for approximately 200 homes, the scheme has been refined through the planning process to now propose 170 new homes. This reduction reflects design revisions influenced by the Council's Design Review process and updates to highway and parking standards.

Design and Landscape Features

84. The development adopts a landscape-led approach, providing onsite amenities that exceed local policy requirements:
85. 13.58 acres of Play, Amenity, and Parks & Recreation Space (compared to a policy requirement of 2.72 acres, representing a surplus of 10.85 acres).
86. Biodiversity Net Gain achieved through ecological enhancements to an 11.8-acre offsite area at nearby Bridgehill.

Housing Mix and Affordability

87. The scheme offers a wide variety of homes, ranging from 2 to 5-bedroom properties, designed to meet diverse local needs:
88. 10% affordable housing, ensuring access for first-time buyers and small families.
89. 10% elderly persons housing, catering to older residents and promoting inclusive communities.
90. All homes achieve National Described Space Standards.
91. 68.8% of homes to be build to enhanced Accessibility Standard M4(2), ensuring adaptability for aging population.

Compliance and Policy Alignment

92. The proposal fully complies with local and national planning policies, including Policies 4 and 29 of the County Durham Plan. The scheme strongly supports all three pillars of Sustainable Development; economic, social, and environmental, with significant benefits that decisively weigh in favour of approval.

Key Benefits

Economic Benefits:

93. Creation of an estimated 68 direct construction jobs per year and 91 indirect and induced jobs per year over the six-year construction period.
94. Facilitation of £1.2m in first-occupation retail spend and £4.7m annual household expenditure, supporting the local economy.
95. Additional £268,000 in annual Council Tax revenue, alongside £928,000 in Section 106 contributions towards education, healthcare, and open space enhancements.

Social Benefits:

96. Delivery of 170 high-quality homes, enhancing housing choice across size, type, and tenure, while promoting sustainable communities.
97. Inclusion of policy-compliant affordable housing, elderly persons' housing, National Space Standards and M4(2) Enhanced Accessibility Standards to address a wide range of local housing needs.

Environmental Benefits:

98. Creation of a landscape-led development featuring multifunctional greenspaces that integrate seamlessly with residential areas.
99. Achievement of Biodiversity Net Gain through offsite ecological improvements.
100. Construction of all homes to a minimum of 2021 Part L Building Regulations standards (31% carbon emissions reduction) with later plots future-proofed to accord with the anticipated forthcoming Future Homes Standard (80% carbon emissions reduction).

Collaboration and Conclusion

101. Persimmon Homes has worked closely with the Council, statutory consultees, and internal stakeholders to refine the scheme. Following these adaptations, there are no outstanding objections that would, on balance, justify refusal.
102. In summary, this application seeks to deliver a sustainable, high-quality development on a site allocated for residential use in the County Durham Plan. The scheme provides much-needed family housing, achieves substantial environmental, economic, and social benefits, and aligns with local and national policy. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of this proposal and as such we would politely request that members support the Officers recommendation to approve this application.

PLANNING CONSIDERATION AND ASSESSMENT

103. 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.
104. 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.
105. In this context, it is considered that the main planning issues in this instance relate to the Principle of Development, Locational Sustainability, Highway Issues, Landscape and Visual Impact, Design and Layout, Impact upon Heritage Assets, Residential Amenity, Drainage and Flood Risk, Ecology and Biodiversity Net Gain, Ground Conditions and Land Stability, Planning Obligations, Other Matters, and Public Sector Equality Duty.

Principle of Development

106. 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 is therefore considered up to date.
107. 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.
108. This site is allocated in the County Durham Plan under Policy 4 (H19), which identifies an indicative yield of 200 dwellings. Planning applications for housing on these allocations, that are in accordance with the site-specific requirements in Policy 4, will be approved if the proposed scheme is in accordance with other relevant policies in the Plan. The site-specific requirements for H19 requires the development to:
- include structural planting along the southern boundary and to the south of Redmire Drive to complement that to the south of Langdon Close;

- provide a substantial area of open space for public access that connects with existing adjoining housing and the Lanchester Valley Walk;
- contribute to Delves Lane Community Centre for the benefit of new and existing residents;
- reinforce the existing screening around Delves Lane Primary School;
- retain the ditch and stream running through the site to create a wildlife corridor (this could also form part of a SuDS solution for the development);
- and consider potential impacts on the setting of High Knitsley Farm (Grade II listed).

109. Local residents have written letters of objection to express concerns that there are more favourable brownfield sites to develop before considering greenfield sites such as this and there is sufficient new development consented/pending consideration in the surrounding area. Although the CDP and NPPF encourages the use of previously developed land, they do not preclude the development of greenfield land, nor do they impose any sequential requirement. However, any adverse impacts of development on greenfield land should be considered in the planning balance. For the purposes of clarification, the site is not Greenbelt.

110. The principal of housing on the site is therefore supported. The overall acceptability of the proposal is dependent on whether site specific requirements are achieved and the scheme's overall compliance with other relevant policies. Clearly this assessment can only be considered following an examination of all the relevant issues.

Housing Land Supply

111. The provisions of Paragraph 78 of the NPPF maintains the requirement for Local Planning Authorities (LPAs) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. 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, the following levels of development are proposed up to 2035:

- a. 300 hectares of strategic and general employment land for office, industrial and warehousing purposes; and
- b. 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).

112. It was established under the adoption of the CDP that the Council can demonstrate in excess of 5 years housing land supply (5.97 years). The CDP was adopted in October 2020 and therefore, in accordance with Paragraph 78 of the NPPF, a five year supply of deliverable housing sites, with the appropriate buffer can be demonstrated.

113. Residents note with concern that the area has seen significant redevelopment with further applications recently approved or pending determination. On this

basis, they do not consider any further housing is required. Notwithstanding that a housing land supply in excess of 5 years can be demonstrated, the CDP does not seek to cap the growth of housing and Paragraph 61 makes it clear that one of the Government's key objectives is to significantly boost the supply of homes. As such significant weight is attached to the provision of market housing. Furthermore, this site is one of the sites identified within the CDP to meet the Council's 5 year housing land supply.

Locational Sustainability

114. 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. 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. Specifically, the NPPF sets out at Paragraph 110 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 sustainable transport modes are prioritised taking into account of the vision for the site, the type of development and its location whilst Paragraph 117 amongst its advice seeks to facilitate access to high quality public transport.
115. The County Durham Settlement Study 2018 is an evidence-based document which seeks to provide an understanding of the number and range of services available within the settlements of County Durham. The site lies in the Templetown area which forms part of the Consett Cluster comprising of twelve named areas. Although historically settlements in their own right, they all effectively function as part of Consett. The Consett Cluster is ranked 3rd within the County based on the services and facility within the area and is, therefore, considered capable of accommodating appropriate housing growth.
116. However, although the Consett Cluster is, in general, considered to be served by an appropriate range of services and amenities and the site allocated for housing within the CDP therefore ultimately deemed a sustainable location for development, consideration is required to be given as to the ability of future occupiers to access these. In this respect, the application is accompanied by a Transport Assessment, Travel Plan and Proposed Sustainable Infrastructure and Site Accessibility Note, which assess the accessibility of the site to local services and facilities, by foot, bicycle and bus, as well as impacts upon the highway network in terms of vehicular traffic.

Walking

117. Guidance on acceptable walking distances comes from several sources. The Chartered Institution of Highways and Transportation (CIHT) "Guidelines for Providing Journeys on Foot" published in 2000 lists desirable, acceptable and

preferred maximum distances for Commuting and Schools as 500m, 1000m and 2000m respectively. For facilities/services elsewhere, the desirable, acceptable and preferred maximum distances are 400m, 800m and 1200m. The guidelines note that based on the average walking speed, a 10-minute walk equates to around 800m. Manual for Streets (MfS) published in 2007 indicates that walkable neighbourhoods are typically characterised as having a range of facilities within a 10-minute (800m) walking distance. This is not an upper limit and MfS refers to walking as having the greatest potential to replace short car trips, particularly those under 2km.

118. The CIHT's 2015 "Planning for Walking" does not repeat reference to a maximum acceptable walking distance of 2000m. The document refers to Walking Neighbourhoods as having a range of facilities within a 10-minute walk (around 800 metres). The most up-to-date reference to walkable neighbourhoods is in the 2021 National Design Guide (NDG). Here walkable is referred to as local facilities within a 10-minute walk (800m radius).
119. Since the CIHT 2000 guidance and the 2007 MfS were published, the thrust of guidance on walkability has moved on and crystallised to a common range of up to 800m or a 10-minute walk distance. As such, the 2km distance referred to above would not be an appropriate measure to apply. Similarly, given that more recent guidance relates to a single measure, 800m or 10 minutes, the use of desirable, acceptable and preferred maximum distances is not appropriate either.
120. Notwithstanding the references to an 800m radius, the approach adopted by the LPA and the developer is to identify an actual walk distance and time. This is considered the most appropriate measure given it would be impossible to walk the radius. The mid-point dwelling has been used to assess distance and walking times. Whilst accepting that on any scheme, there will be some dwellings closer to facilities and some will be further, it is considered that in coming to an overall conclusion on accessibility this is the most appropriate measure to take.
121. The shortest actual walking routes to the nearest facilities and amenities from the mid-point dwelling are as follows:

Within the Recommended 800m distance / 10 minute walk time

- Templetown Park (equipped children's play area) (500m)
- Delves Lane Primary School (620m)
- Delves Lane Methodist Church and Community Hall (700m)
- Hownsgill Industrial Estate, including Eddis caravans and small industrial units (700m-1.2km)
- Delves Lane convenience store, takeaways, community centre and other retail shops (790-850m)
- Delves Lane (680m) and Knitsley Lane (790m) bus stops

Beyond the Recommended 800m distance / 10 minute walk time

- Briardale Convenience Store and Post Office (1.1km)
- Delves Lane employment site, including car sales, trade counters and industrial units (1.1-1.5km)

- Lidl supermarket (1.2km)
- Greggs restaurant (1.2km)
- Herminston Retail park including Morrisons supermarket, B&Q superstore, gym, KFC restaurant, Costa coffee shop and other retail outlets (1.3-1.6km)
- B&M superstore (1.4km)
- Consett Town Centre including retail health and leisure destinations (1.4-2km)
- Tesco Extra supermarket (1.6km)
- Consett Football Club and playing pitches (1.6km)
- Derwentside College (1.6km)
- Consett Medical Centre (1.6km)
- Consett Academy (2.2km)

122. As outlined above, a number of key services which would serve the day to day needs of residents are located within the recommended 800m distance / 10 minute walk time. The walking routes into Consett town centre and the facilities and services within the surrounding area are (or will be) along adopted highways. It is also noted that the developer has proposed to undertake a series of works to improve existing infrastructure and connections (see Highway Issues section for further details) for the benefit of new and existing residents. Furthermore, with proposed pathways designed to achieve adoptable gradients, there are no significant topographical restrictions for connections to the east where the majority of local services and amenities lie. These factors, primarily with the mitigations proposed, are likely to provide the option for future residents to access these facilities on foot.

123. Consett town centre and a variety of other key services including the post office, larger scale retail opportunities and the medical centre are all well outside the recommended 800m distance / 10 minute walk time. Whilst pedestrian access is afforded along adopted highways, given topographical challenges and the distances involved it is considered unlikely the majority of residents would choose to walk to these particular services. Instead, their likely preference would be to utilise other modes of transport, particularly in winter and periods of bad weather.

124. To conclude, an array of essential day to day services would lie within the recommended walking distances and pedestrian routes to these would not be unattractive walks following the implementation of required mitigation. As such, residents have genuine and realistic opportunities to walk to them rather than resorting to using the private car. For those that lie outside recommended walking distances, other opportunities to access them by sustainable transport modes are considered below.

Cycling

125. Cycling is also likely to be an attractive option and it is recognised the site lies in close proximity to Sustrans National Cycle Network route (NCN 14) with a direct connection proposed onto it alongside a financial contribution to mitigate the impacts of the development and provide improvements to the route (see

Planning Contributions section). Sustrans National Cycle Network route (NCN 7) lies approximately 850m to the north. These routes afford cycle connections through to Consett town centre and further afield including the key regional and sub-regional employment and retail centres of Durham, Sunderland and Newcastle.

126. Consett town centre and a variety of other key services including the post office, larger scale retail opportunities and the medical centre that lay well outside the recommended 800m distance / 10 minute walk time results in them being unlikely to be accessed on foot. Nonetheless, they are easily accessible by cycling and in the main, opportunities to cycle to such destinations would be along some dedicated routes. As such, there is a realistic prospect that future residents would substitute both walking and cycling in place of the private car to access a vast range of key day to day services.
127. To accord with the requirements of Policy 21 of the CDP and help increase cycle ownership and use within the development, a condition is proposed to ensure cycle storage provision is available for each plot.

Public Transport

128. CIHT guidance and the Building for Life SPD highlight that the preferred walking distance to a bus stop is ideally 400m. People may be inclined to walk further than that depending on the nature of their journey and the attractiveness of the destination for either employment or shopping. Again, taking the mid-point dwelling, the walk to existing bus stops would be approximately 680m to those on Delves Lane and 790m to the ones on Knitsley Lane. Clearly, both lie outside the preferred walking distances of 400m.
129. In terms of the bus stops on Delves Lane, they are serviced by two regular services (V1 and X5) to the centres of Consett and Durham City. Buses arrive every 20 minutes at peak times and operate into the evenings and across the weekend. Four scholar services also serve these bus stops in the morning and afternoon, connecting residents to the secondary schools of Consett Academy and St Bedes, Lanchester.
130. In terms of the bus stops on Knitsley Lane, they are served by the V5 which calls once an hour and connects the site to Consett Town Centre and the surrounding villages including employment opportunities. The service operates into the evenings and across the weekend. Two of the same scholar services that serve Delves Lane also stop at these bus stops.
131. Paragraph 5.223 of the CDP directs that “when identifying new development sites the proximity and frequency of bus services is a key consideration. As part of major planning applications, developers should therefore consider the proximity and impact on local bus routes. Where sufficient demand will be generated, developers will be required to make a financial contribution to allow the council and bus operators to work together to improve bus provision for a particular site. Where possible, bus routes should penetrate new development

sites through permeable routes and bus priority measures should be considered”.

132. To achieve the above, the developer explored various options for providing a bus link through the site. After extensive discussions with both the local bus operator and the Council, the following options were discounted;

- Knitsley Lane (to the west) – Given this is a narrow country lane which does not benefit from public footpath links along a significant portion of the route, the Highways Authority conclude that it would not be safe to run a bus service down this road. Any potential upgrades to existing infrastructure would have a significant and transformative adverse impact, urbanising what is currently a pleasant and attractive country lane.
- Delves Lane Industrial Estate (to the south) – Topographical constraints and issues of landownership result in a route being unfeasible.
- Lea Side/Fell Side Cross (to the east) – Topographical constraints and existing road widths running between terraced streets lead the Highways Authority to conclude this route would be unfeasible to support a bus route.
- Redmire Drive (to the northeast) – Redmire Drive (which exits onto Delves Lane), the main route through the existing housing estate to the northeast, was designed with 6.75m wide roads. Although in theory this would provide sufficient road widths to accommodate a local bus service, it is recognised this is an established residential area and site observations show a high prevalence of cars parked on the pavement. As a result, buses would likely struggle to navigate the route and bus stop provision would be difficult to accommodate. Concerns have also been raised that such a connection would result in a rat-run for commuters seeking to avoid congestion in other areas of the network. Whilst the potential for a bus only route enforced by use of AMPR cameras was explored, this was discounted as it would set a precedent (they are typically only used in larger towns and cities rather than local estates) and the Council would ultimately be responsible for future liability costs. Furthermore, in order to facilitate access from Redmire Drive onto the Ovington Court spine road, a 3rd party ransom strip issue would need to be overcome.

133. As no suitable surrounding road connections could be made due to a combination of 3rd party ownership, inadequate road widths and topographical constraints, the developer originally proposed to include a bus turning circle adjacent to the site entrance. The developer held discussions with the bus service provider to establish the financial subsidy required to run a regular service to the site. Go North East advised that it would not be feasible to divert any existing services to the site and as such a new shuttle bus to run between the site and Consett Bus Station would be required, where onward connections to other destinations could be made. Go North East calculated that the necessary bus subsidy would be £200k per year of build. Assuming a delivery rate of 30 dwellings per annum, the development would take 6 years to complete generating a total bus subsidy cost in the region of £1.2m. Once funding ceased, Go North East advised it was unlikely the route would be commercially viable

without some form of additional funding. With the developer's bus subsidies falling away, such costs would fall to the Council should they wish to maintain the route. Notwithstanding, given walking distances to existing stops falls outside the recommended 400m walking distances, the Integrated Passenger Transport Team advise that a properly located bus turning circle is required alongside a S106 contribution to provide funding for a shuttle service to Consett Town Centre. They note it is common for local bus services to require ongoing subsidies from the Local Authority in order to be viable and continue to operate.

134. The developer, noting that the bus service was highly likely to cease operation once their subsidy payments stopped, decided to remove the bus turning circle from the scheme and instead focused on improving other sustainable transport provision to enhance accessibility. They assert that such cycle/walkability features which will be embedded into the development, would transcend the build period and result in features benefiting local residents (existing and proposed) in perpetuity whilst also continuing to meet acceptable standards for walking distances to services. Amendments to the scheme include;

Onsite

- A significantly enhanced internal footpath/cycleway network that links into existing infrastructure (to the north, south, east and west).
- A 3m shared footpath/cycleway is proposed along the northern boundary providing a connection from Knitsley Lane extending down the eastern boundary and connecting to Lanchester Valley Railway Path.
- Main routes are proposed for adoption therefore would be tarmacked and lit. All footways/cycleways within the open space of the development would be formed of a consolidated material to ensure safe usability in all weathers. All have been designed to ensure acceptable gradients are achieved.
- In recognition of the sloped nature of the site, 10no. park benches are proposed across the site, in key location, to offer regular resting points.

Offsite

- To the west, a footway/cycleway link is established onto Knitsley Lane.
- To the north, a new shared footway is proposed on the eastern side of Ovington Court before heading east and connecting to Askrigg Close. In addition, a 2m footpath connection adjoining the existing footway adjacent to the Ovington Court Play Area and a new pedestrian refuge island is proposed.
- To the east, a new footway/cycleway link is established onto Fellside. The proposals incorporate an uncontrolled crossing point onto an existing footpath provision to the east of Fellside; providing onward connections into Delves Lane. Both off-site routes will be surfaced, 3m wide and will benefit from streetlighting and relevant wayfinding signage.
- To the south, a new footway/cycleway link is established onto the Lanchester Valley Railway Path. A financial contribution of £51,000 is proposed to mitigate the impacts of the increased usage and to support improvements to Lanchester Valley Railway Path (see Planning Obligations section).

135. Both Policy 21 (a & b) of the CDP and Paragraph 117 (a & b) of the NPPF set out a hierarchy for delivering, accommodating and facilitating investment in safe sustainable modes of transport. Priority should be given to the addressing the

needs of those with mobility issues or disabilities, pedestrian and cycle movements, followed by facilitating access to high quality public transport. The NPPF includes the caveat - so far as possible - in relation to public transport accessibility.

136. Due to higher abnormal costs associated with this particular site (coal mining legacy and topographical constraints), the developer asserts that it would not be financially viable for them to provide the bus subsidy payment (and associated infrastructure costs associated with the turning circle) alongside the aforementioned package of measures primarily aimed at enhancing sustainable transport accessibility by other means especially when considering the range of other obligations they are required to commit to (see Planning Obligations section). Whilst this has not been viability tested, a bus subsidy contribution in the region of £1.2m is deemed to be a significant contribution (higher than all the others combined) especially in light of other obligations required to mitigate the impacts of the development and achieve policy compliance. Technical reports also confirm site constraints, albeit not the specific costs associated with remediating these. As per the requirements of Policy 21 of the CDP and Paragraph 117 of the NPPF, the developer has opted to focus investment towards those with mobility issues or disabilities, pedestrian and cycle movements and has so far as possible, tried to enhance accessibility to public transport.
137. Taken in the round, it is considered that the developer has fully explored opportunities to provide bus routes to the site and the scheme as currently proposed responds appropriately to the site-specific challenges of this Policy 4 housing allocation. Whilst existing bus stops lie outside the preferred 400m walking distance, well served routes to Consett and Durham, operate within 800m of site. The walking routes to bus stops on Delves Lane would (or will be) along adopted well-lit highways and would likely be regarded by residents as attractive routes. Furthermore, even if the developer committed to the bus subsidy, it would only result in a new shuttle bus running between the site and Consett Bus Station. Onward connections would be required to key sub regional and regional employment and retail centres thereafter. The shuttle bus service would likely to be limited in terms of hourly provision, including evening and weekend coverage and wouldn't result in access to high quality public transport like the services provided at existing stops. Furthermore, the service would be unlikely to be commercially viable once the funding ceased and would likely fall away unless the Local Authority stepped in to cover the subsidies required.
138. Conversely, the alternative package of measures proposed by the developer to improve other sustainable transport provision would be more likely to enhance overall accessibility and would result in features benefiting local residents (existing and proposed) which would be retained in perpetuity. Given the distances to bus stops are within the 800m recommended walking distance, the nature of the services available and that routes to those bus stops are considered to be attractive, there is a realistic prospect that future residents would substitute public transport in place of the private care to access a vast range of key day to day services.

Travel Plan

139. A Travel Plan is a package of measures implemented to reduce the number and length of car trips generated by the development. Travel Plans strive to support, promote and encourage sustainable mobility by offering alternative transport choices and therefore reducing the overall need to travel by car.
140. The Travel Planning Officer has been consulted and following receipt of an updated Travel Plan in line with officer feedback and providing an enhanced package, they have no objections.

Agreed Travel Plan Measures

- Appointed of 3rd party Travel Plan Co-ordinator as point of contact for residents to advise on Sustainable Transport options.
 - Provision of Travel Plan Information Pack to all residents
 - Facebook page providing promotional material, incentives, events and initiatives to encourage residents to engage with the goals of the Travel Plan
 - Bus Passes – All residents to be offered a 2 month bus pass free of charge.
 - Residents Letter – Annually delivered to all residents onsite to raise awareness of the annual residents travel survey and Facebook page
 - Information sharing on benefits of car sharing and of car sharing schemes
 - Personal Sustainable Travel Planning.
141. The measures and monitoring programme set out in the Travel Plan are considered acceptable in order to reduce reliance on the private motor car and to promote sustainable transport methods in accordance with Policies 21 and 29 of the NPPF and with Paragraph 118 of the NPPF. This can be secured via condition.

Conclusions on Locational Sustainability

142. The thresholds referred to in this section are guidance and not a binding code, however, are an important tool in assessing the development against sustainability objectives of the MfS, the NPPF and CDP. MfS seeks to encourage a reduction in the need to travel by the car by ensuring that the day to day needs of most residents are within walking distance. The NPPF seeks to manage patterns of growth through focussing development on locations that are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. The development plan objective is to locate new development where the opportunity for sustainable development patterns is maximised.
143. The Council's Active Travel Officer is in the main content with the applicant's responses against the initial comments that were provided. Concerns persist regarding the fact that there are still several key facilities outside the of the 800m walking distance from the mid-point of the site and they aren't clear how the package of measures proposed by the developer will make a material difference to improving the active travel routes to/from the urban core of Consett where the majority of key facilities and amenities are located. This is particularly prevalent

given the lack of any immediate public transport routes in the immediate local area (i.e. more than 400m away).

144. Notwithstanding the concerns raised by both Integrated Passenger Transport and Active Travel sections, taking all relevant matters into account, it is considered that the site has access to an array of services and facilities which would help serve the proposed development and that these are within relatively easy reach of the site via walking, cycling and/or public transport. Opportunities to enhance provision and accessibility to sustainable modes of transport have been fully explored and with the exception of the bus subsidy option, which has its own limitations, have or can be realised through the proposed site layout, imposition of conditions and the developer entering into a planning obligation. This provides existing and future residents with realistic alternative options to the private motor car, following the hierarchical order set out in both the CDP and NPPF, to access a wide range of day-to-day services.
145. Recognising the importance of establishing the internal connections and off-site footway enhancements at the earliest possible opportunity, a footpath phasing plan has been provided by the developer and will be secured via condition.
146. Taken in the round, no overall objection is raised having regards to the locational sustainability of the site. The development would promote accessibility by a range of sustainable travel methods in accordance with Policies 21, 26 and 29 of the CDP and Part 9 of the NPPF.

Highway Issues

147. Policy 21 of the CDP outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity. In addition, it expects developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. Similarly, Policy 29 advocates that convenient access is made for all users of the development together with connections to existing cycle and pedestrian routes. Specifically, the NPPF sets out at Paragraph 115 that safe and suitable access should be achieved for all people. Additionally, Paragraph 116 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.
148. A Transport Assessment (TA) has been submitted to consider the potential highway and transport related impacts associated with this proposal and any mitigation required. In consultation with the Highways Authority, two Technical Notes (TN) were later submitted to assess the potential cumulative development related transportation impacts arising from this site in conjunction with several committed developments (DM/21/03839/FPA Delves Lane, DM/19/01987/OUT Community Hospital, DM/17/02333/OUT Gloucester Road and CMA/1/93 Berry Edge) and multiple pending planning application scenarios (DM/24/00593/FPA Phase 6 Berry Edge and DM/21/01245/FPA Knitsley Lane) across various junctions in and around the Consett area. The modelling took into account the highway improvement schemes secured through committed developments

(DM/19/01987/OUT and DM/21/03839/FPA). Overall, the information included within the assessment and methodology used have been considered acceptable.

149. The modelling results demonstrate that so long as all of the approved highways improvement schemes from the committed developments of DM/19/01987/OUT and DM/21/03839/FPA are implemented, then the Regents Park, Knitsley Lane and Templetown developments have the potential to all come forward together without causing a significant impact to the wider highway network. Whilst the additional traffic from the proposed development(s) does add to traffic at the assessed junctions, it is considered that the impact of this additional traffic would not be classified as 'severe' as set out in the policy test of Paragraph 116 of the NPPF. Therefore, it is considered that no further additional mitigation schemes are needed to facilitate these developments. Notwithstanding, conditions are still required to secure the highway improvement schemes secured through committed developments DM/19/01987/OUT and DM/21/03839/FPA. In practice, this equates to the requirement for the developer to deliver five improvement schemes across four junctions (Genesis Way, Ovington Court, Durham Road and Redmire Drive roundabouts) by specified triggers within the build phase. Overall, the Highway Authority conclude that whilst there would be a modest impact at some junctions, with the mitigation measures proposed it would not result in a severe impact and the development should not, therefore, be refused on transport and highway impact grounds.
150. Vehicular access to the site would be provided through the continuation of the Ovington Court distributor road. This access point would comprise a new 5.5m wide, single point of vehicular access into the development site with 1.8m footways to either side to connect to both new and existing footway infrastructure. A raised speed table, internal to the site entrance, would help reduce traffic speeds entering into the development.
151. A new shared use path is proposed external to the site, running alongside the eastern boundary of Ovington Court and connecting to Askrigg Close. Pedestrian crossing points with a refuge island would be provided. To the north, an onward 2m wide footpath connection be provided linking the development site to Templetown Park and existing adopted footpaths.
152. To the east, the internal shared used path would be extended outside the site boundary to provide a connection to Fell Side. An onward 2m wide footpath is proposed to part of the northern boundary to Lea Side/Fell Side Cross before the introduction of a series of uncontrolled crossing points to existing adopted streets providing improved access to Delves Lane for those with mobility issues or disabilities. The developer has committed to providing all of these off-site improvement works prior to first occupation. Appropriately worded conditions could secure all the necessary highway improvement works.
153. Internally, the scheme has been amended to address areas of initial concern raised by the Local Highway Authority. The raised table feature at the site entrance would reduce vehicle speeds upon entering the site, parking provision and distribution is now considered to be appropriate as too are footpath connections both internal and external to the site. In the event of an approval, a

condition to secure the estate roads being designed and constructed to meet adoptable highway standards and two informatives relating to the creation of a 20mph speed limit controlled by a Traffic Regulation Order and entering into an adoption agreement would be required. A condition would also be required to secure all dwellings being provided with electric vehicle charging points.

154. Overall, the highway impacts of the proposed development are considered to be acceptable and in accordance with Policies 21 and 29 of the CDP as well as Part 9 of the NPPF.

Landscape and Visual Impact

155. Policy 39 of the CDP states proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Policy 26 of the CDP outlines developments are expected to provide new green infrastructure and ensure provision for its long-term management and maintenance. Similar requirements are outlined in Policy 29. Criteria I specifically requires that in the case of edge of settlement development, provide for an appropriate level of structural landscaping to screen or assimilate the development into its surroundings and provide an attractive new settlement boundary. Policy 40 of the CDP seeks to avoid the loss of existing trees and hedgerows unless suitable replacement planting is provided. Parts 12 and 15 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment by (amongst other things) recognising the intrinsic character and beauty of the countryside. Paragraph 136 of the NPPF sets out that planning decisions should ensure that new streets are tree-lined.
156. The site lies in the West Durham Coalfield County Character Area which forms part of the larger Durham Coalfield Pennine Fringe National Character Area (NCA 16). The site lies within an area identified in the County Durham Landscape Strategy (2008) as a Landscape Improvement Priority Area with a strategy of enhance. The site does not lie in an area covered by any national or local landscape designations however an Area of Higher Landscape Value (AHLV) lies approximately 370m to the southwest. Trees within the site are not covered by a Tree Preservation Order (TPO).
157. The site comprises of reclaimed valley farmland situated at the bottom end of Ovington Court. The land falls from north to south, with around 35m level difference between the highest and lowest points on site. The site is divided into four not intensively managed fields which were previously used for horse grazing. Hedgerow trees are present within the centre of the site and service as field boundaries with a low stone wall forming the western boundary. A small burn runs through the centre of the site. To the south of Langdon Close, out width of the development site, lies an established woodland belt. The site is visible at close range from the existing housing in the immediate vicinity, although it is well screened from Langdon Close. The Lanchester Valley Railway Path (National Cycle Route 14) passes to the south of the site and the site is visible from this

route. There are view across the valley to the site and the edge of the settlement from rights of ways, roads and residence to the south-west, south and south-east of the site.

158. The site currently forms a green buffer to the southern edge of the settlement and development of the site would represent an incursion into open countryside. Areas of reclaimed valley farmland would be lost including trees and hedgerows where access is required and built development is proposed. The development of this site for housing would have a transformative and significant adverse impact on the immediate local landscape character appreciated most in views of the immediate locality. The impact on the surrounding area would be of a lower magnitude given the proposed design and landscape mitigation which includes amenity open space, tree planting and SUDs areas to the southwestern boundary which aims to create a new green settlement edge. This approach would also minimise any potential harm to an Area of Higher Landscape Value (AHLV) some 370m to the south of the site. Development of the site will extend the settlement edge southwards into the surrounding countryside. The development would however be read as an extension to the urban form of Consett but not necessarily affect the general character of the area to a substantial degree. The proposal does not contribute to coalescence with neighbouring settlements, would not result in ribbon development or inappropriate backland development.
159. The revised landscape strategy plan now reflects the advice given by Landscape Officers and as part of the wider Design Review and Enhanced Design Review process. The proposed layout retains existing landscape features where not required for the development. There would be a tree lined approach along the main access road. Development responds positively to the existing houses being outward facing and including buffer zones. Native hedge planting is proposed to soften rear boundary treatment, significant additional tree planting in open space, sufficient buffer and structural planting and SuDs treatment. Over time these landscape mitigation measures would help to progressively reduce the impact of the development within the immediate locality and in addition to wider views. Details of hard and soft landscaping, in accordance with the principles established within the landscape strategy are required to be secured by condition in the event of an approval. This would also secure a phased delivery to ensure landscaping is brought forward at the earliest possible opportunity. Any loss to landscape features is considered minimal and would be more than compensated for by the additional tree and hedge planting. A condition would be required to ensure existing features are suitably protected during the construction phase.
160. Site specific requirements for this housing allocation (see H19, Policy 4) include the requirement to provide structural planting along the southern boundary and to the south of Redmire Drive to complement that to the south of Langdon Close in addition to reinforcing the existing screening around Delves Lane Primary School. Local residents have raised concerns over the proximity of construction to the existing retaining wall to the rear of Redmire Drive. The developer has provided a section through existing retaining wall and buffer planting illustrating the proposed native shrub planting, stand off distances from the retaining wall, the proposed footpath and tree planting proposed between the footpath and the

proposed dwellings. There is in the region of 35m between the opposing rear fence lines of existing and proposed residents within this area of the site. The revised scheme includes sufficient structural and screening planting to satisfy the objectives of the policy.

161. Overall, it is recognised that there would be some adverse landscape and visual impact arising from the development which needs to be considered in the planning balance. Whilst the development of the site would result in an incursion into the surrounding countryside, any identified harm needs to be considered in the context that the development will be read as an extension to the urban form of the settlement and would not necessarily change the character of the area to a substantial degree. The scheme would provide the appropriate level of structural landscaping to screen or assimilate the development into its surroundings and provide an attractive new settlement boundary. The impact of the development will progressively reduce over time as the proposed landscaping establishes. Internally, the scheme mitigates against the existing landscaping features that would be lost and represents good design through providing features such as tree-lined streets. The site-specific housing allocation requirements to provide additional screening to particular areas of the site are also achieved. The proposals would therefore not conflict with Policies 4, 26, 29, 39 and 40 of the CDP and Parts 12 or 15 of the NPPF.

Design and Layout

162. Policy 29 of the CDP outlines that development proposals should contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities. Parts 12 and 15 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 135 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.
163. In recognition of national planning advice and to achieve high quality housing developments DCC has adopted an in-house review process to assess schemes against the Building for Life 12 (BfL 12) Standards. The Building for Life Supplementary Planning Document (2019) (BfL SPD) formalises the review process and establishes the guidelines and standards for its operation and is linked to the Sustainable Design Policy (29) in the CDP. The scheme was considered against the BfL standard through a series of 12 questions. The scoring is based on a traffic light system with the aim of the proposed new development to secure as many "greens" as possible, minimise the number of "ambers" and avoid "reds". The more "greens" achieved the better the development will be, "ambers" are usually concerns that can be raised to "green" with revisions, whereas a "red" gives a warning that a particular aspect needs strong reconsideration. Following amendments to the scheme, it scored very positively achieving 11 greens and 1 amber.

164. The development is considered to represent good design and the scheme has been significantly improved since it was first submitted. In response to earlier feedback, stronger and more appropriately designed character areas are proposed, elevational treatment has been enhanced, unit numbers have been reduced, development is outward facing, corner turners have been successfully introduced to add to the streetscape and provide informal surveillance of shared spaces, additional greenspace has been provided to create buffers with existing development in addition to allowing the creation of a perimeter path and overdominance of car parking has been reduced. Conditions are recommended to secure materials and boundary enclosure details.
165. The Council's Urban Design Officer raises no objection to the development. The overall design and layout of the development would be compliant with Policy 29 of the CDP and Part 12 of the NPPF in this respect.

Impact upon Heritage Assets

166. 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. 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.
167. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty that, when considering whether to grant planning permission for a development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Any such harm must be given considerable importance and weight by the decision-maker. Under the Act, special attention to the desirability of preserving or enhancing the character and appearance of a conservation area must be equally considered.
168. There are no designated or non-designated heritage assets within the immediate proximity of the development site. The nearest listed buildings, the Grade II High Knitsley Grange Farmhouse and Grade II Barn West of High Knitsley Farmhouse, lie approximately 600m to the southwest. One of the site specific requirements of the housing allocation (H19) is to consider the potential impacts on the setting of High Knitsley Farm.
169. The heritage values of these listed buildings are best experienced, appreciated and understood at close visual receptors, sequential views approaching along the lanes and from some wider vantage points mainly relating to its position in

the landscape. Whilst it is anticipated that there would be intervisibility between the listed buildings and the new housing, these would be long distance views and set against the backdrop of existing built development. Lanchester Valley Railway Path will continue to provide a definitive edge and separation between the more rural landscape to the south in which these buildings are set and the main settlement to the north. The proposed design and landscape mitigation which includes materials in muted tones, amenity open space, tree planting and SUDs areas to the southwestern boundary aims to create a new green settlement edge and help blend the housing development into its surroundings.

170. Blackhill Conservation Area is located approximately 1.7km to the north of the proposed built development. Iveston Conservation Area is located approximately 2.2km to the east. There would be no intervisibility between the development site and aforementioned conservation areas due to existing vegetation, intervening development and the typography of the land. As a result, there would be no impact on their setting.
171. The line of the Lanchester Valley Branch of the North Eastern Railway, now the Lanchester Valley Railway Path, is visible on the first edition OS map circa 1860 and is considered a non-designated heritage asset (NDHA). It lies within approximately 90m of the site's main southwestern boundary and a direct connection from the site is proposed onto it. The main significance of the Lanchester Valley Railway Path relates to the preservation and legibility of the route, its usability/community value as a well-used route for pedestrians and cyclists and its intimate green lane character enclosed by trees and vegetation. None of these attributes would be lost or diminished as a result of the development. Due to the existing vegetation and topography along the route, in addition to the additional landscape planting to the site boundaries, it is anticipated there would be limited inter-visibility between the designated heritage asset and the site. Furthermore, the developer has committed to providing a financial contribution towards the mitigation and enhancement of the Lanchester Valley Railway Path alongside a scheme of interpretation boards which tell the history of the area. Such measures would help to better reveal the understanding of the NDHA (see Community Initiatives section of the report) and improving access to it via a direct connection onto it from the development site.
172. Whilst there will be changes in views and thus setting of both High Knitsley Farm and Lanchester Valley Railway Path, it is considered this change would not be harmful based on the proposed development under consideration. It is therefore considered that the proposal would have no adverse impact on heritage assets within the vicinity of the site in accordance with Policies 4 and 44 of the CDP and Part 16 of the NPPF. Design and Conservation Officers raise no objection to the scheme on these grounds.
173. Paragraph 207 of the NPPF states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, Local Planning Authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

174. An archaeological evaluation report has been submitted in support of this application including the results of trial trenching fieldwork. The evaluation has provided sufficient information to characterise the archaeological potential of the site, indicating an absence of archaeological deposits or therefore no further mitigation will be necessary. On this basis, the Council's Archaeologist raises no objection and confirms no further work is required. The proposal is therefore considered to comply with Policy 44 of the CDP and Part 16 of the NPPF.

Residential Amenity

175. Policies 29 and 31 of the CDP outline that developments should provide high standards of amenity and privacy, minimise the impact of development upon the occupants of existing adjacent and nearby properties and not lead to unacceptable levels of pollution. A Residential Amenity Standards Supplementary Planning Document (SPD) has been adopted by the Council. 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.

176. Guidance within the SPD advocates separation distances of 21m between facing principal elevations and 18m between bungalows, 13m between principal and two storey gable elevations and 10m to a single storey. The length of gardens will generally be dictated by the minimum distancing standards but should be no less than 9 metres unless site specific circumstances allow for a reduction in size. The layout demonstrates that minimum separation distances between proposed properties and existing dwellings would be achieved. Internal arrangements are also considered to provide an adequate level of amenity although it is acknowledged that on some occasions where they fall slightly short of the required standards. As an example, some front to front distances fall slightly short (there is approximately 18.5m between the facing elevations of plots 107 and 114). Front to front arrangements have a tendency to fall short where corner turners are used however such features improve the overall character and appearance of the street. Garden lengths are all acceptable. It is not considered that arrangements fall short to an unacceptable degree and are such that the privacy and amenity of existing and prospective occupiers will be safeguarded.

177. Overall, it is considered that the layout arrangements are acceptable, provide adequate levels of private amenity space and would not lead to any unacceptable impacts with regards to loss of light, overshadowing, loss of privacy or overbearing impact in accordance with the requirements of Policies 29 and 31 of the CDP and Parts 12 and 15 of the NPPF.

178. The proposed housing would be in close proximity to existing residential areas and adjacent industrial estates, therefore, the noise arising from this and the impact to future occupants needs to be considered. The submitted noise assessment established the soundscape was exceptionally quiet, reflecting a rural location and measured noise levels from nearby commercial businesses were regarded as insignificant (low impact). Due to slightly elevated noise levels, a design strategy in relation to glazing has been proposed. Environment,

Health and Consumer Protection (Nuisance) Officers have reviewed the submission and recommend the mitigation measures outlined within the report are secured via condition. Subject to this condition being imposed, it is not considered that there would be any unacceptable noise impacts upon dwellings from the adjacent industrial estate. This satisfies the requirements of Policies 29 and 31 of the CDP and Parts 12 and 15 of the NPPF.

179. There is the potential for disturbance during the construction period, therefore, a construction management plan (CMP) has been submitted by the developer to address construction related impacts. It sets out measures to control emission of dust, dirt, noise and vibration, mud and other materials migrating onto the highway, construction traffic routes, access and egress points, directional signage, compounds, material management and storage, as well as detail in relation to other construction management requirements. The revised CMP has been reviewed by both the Environment, Health and Consumer Protection Team and Monitoring and Compliance Officers and found to be suitably comprehensive. It includes details of methods for piling foundations including measures to suppress any associated noise and vibration. The information provided demonstrates that there will be no unreasonable impact from those operations should the CMP be followed. Subject to the imposition of such a condition to secure adherence to the agreed CMP and one controlling hours of working, 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.
180. The site is not within or adjacent to an Air Quality Management Area (AQMA) and it is not considered that the development would have any significant effect on air quality based upon the conclusions of the submitted Air Quality Assessment. Environment, Health and Consumer Protection raise no objection to the scheme following the submission of additional clarification and there is no requirement to undertake any further assessment. With respect to the construction phase of the development, the CMP includes dust management strategies. On balance, it is not considered there would be an adverse impact on the environment having regard to Policy 31 of the CDP and Paragraph 192 of the NPPF.
181. The development would not lead to a significant reduction in residential amenity for existing or 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.

Drainage and Flood Risk

182. Policies 35 and 36 of the CDP 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. 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.

183. The application is accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy which highlights that the application site is within Flood Zone 1 with a low flood risk probability. Environment Agency surface water flood maps show that most of the site is not classified as being at risk from surface water flooding. Some areas within the site are identified as being at high, medium and low risk of surface water flooding, primarily around the existing watercourse sections of which will need to be culverted at road crossing points. Finished floor levels will be raised sufficiently, site levels redesigned and a positive network drainage installed so existing and proposed dwellings will be at low risk from surface water flooding.
184. The drainage strategy includes the incorporation of Sustainable Urban Drainage (SUD's) including permeable paving, swales and attenuation tanks to treat and attenuate surface water runoff. Drainage and Coastal Protection Officers advise that this approach would be in compliance complies with National Standards and Council Policies in providing sustainable surface water management solutions and ensuring the prevention of flood risk to and from the proposed development. A conditional approach can be applied to secure the development takes place in accordance with the agreed scheme.
185. In relation to foul water, it is proposed to connect to the existing sewerage network to the northeast of the site. This connection will require a foul water pumping station located to the southern site boundary. Northumbrian Water raise no objections to this approach subject to the imposition of a condition.
186. A water main crosses the site close to its northern boundary. It is proposed to divert this to suit the site layout along with its associated easement.
187. On this basis no objections to the development on the grounds of flood risk or drainage are raised having regards to Policies 35 and 36 of the CDP and Part 14 of the NPPF.

Ecology and Biodiversity Net Gain

188. Policies 26, 35, 41 and 43 of the CDP seek to secure net gains for biodiversity and coherent ecological networks. Policy 43 relates to protected species and nationally and locally protected sites. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them. The presence of protected species is a material consideration in planning decisions as they are a protected species under the Wildlife and Countryside Act 1981 and the European Union Habitats Directive and the Conservation of Habitats and Species Regulations 2017 (as amended).

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 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.

189. A Preliminary Ecological Appraisal (PEA) has been submitted in support of the proposal. Subsequent surveys for reptiles, breeding birds, botany, dingy skipper and bats were also commissioned with the breeding birds and bats survey results presented as separate reports. The appraisal notes no statutory designated sites falls within 2km of the site boundary. A non-statutory site, Knitsley and High House Wood Local Wildlife Site (LWS), lies 650m to the southwest of the site. The development is not predicted to have any impact on statutory sites though there may be increased footfall to the LWS.
190. The submitted surveys outline the potential impacts of the development to both habitats and species as well as a series of recommendations to minimise these. The mitigation measures can be secured via condition. No interference with protected species is identified as a result of the development. A European Protected Species Licence is therefore not considered to be required as a result of the development having regards to the requirements of the Habitats Directive brought into effect by the Conservation of Habitats and Species Regulations 2017 and the Council's Ecologist is satisfied with the submitted assessments. Conditions secure the package of mitigation measures, a Construction Environmental Management Plan, a low level lighting scheme and the installation of bat and bird boxes would ensure the scheme's compliance with Policy 43 of the CDP and Part 15 of the NPPF.
191. Site specific requirements for this housing allocation (see H19, Policy 4) include the requirement to retain the ditch and stream running through the site to create a wildlife corridor. The watercourse is to be retained and enhanced through the introduction of a number of weirs to retain larger volumes of standing water, enriching the habitat value of the feature. Additionally, the areas surrounding the watercourse bank sides will benefit from wildflower seeding. As such, the scheme meets the requirements of the policy in this regard.
192. 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 13th of September 2021 and so is not legally required to deliver biodiversity net gains of at least 10%.
193. Notwithstanding the above, Policy 41 of the CDP seeks to secure net gains for biodiversity and coherent ecological networks, and Paragraph 180 d) of the

NPPF advises that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 193 d) of the NPPF 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.

194. The application is supported by a Biodiversity Net Gain Assessment and a completed version of DEFRA's Biodiversity Metric. Site design has sought to retain as much higher value habitat as possible with an emphasis on retaining and enhancing higher value habitats. Small areas of land adjacent to the site are also within the developer's ownership and will be utilised for ecological enhancement. Habitats within undeveloped areas on site will be protected throughout construction works via the erection of heras style fencing to ensure they are not accidentally damaged. An additional 4.81ha parcel of land owned by the developer off Barley Mill Road, Consett will be used as an off-site compensation area. This site is located approximately 2.7km north west of the site and is currently a pasture field with woodland and scrub habitats.
195. The on-site post development site will provide 46.56 units for habitats, and 4.60 units for hedgerows. The off-site areas will provide 41.99 units for habitats, resulting in a combined total of 88.55 habitat units and 4.60 hedgerow units. The metric indicates a predicted net gain of 0.32 habitat units, constituting a change of +0.49%. This would result in an overall net gain and therefore compliance with Policies 26, 35 and 41 of the CDP and Part 15 of the NPPF. A detailed habitat creation and management document, including a monitoring strategy for a minimum of 30 years will need to be secured under Section 39 of the Wildlife and Countryside Act 1981.

Ground Conditions and Land Stability

196. Policy 32 of the CDP requires sites to be suitable for use taking into account contamination and unstable land issues. Paragraph 196 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.
197. Given the sensitive end use of the site, a series of reports have been submitted in support of the application considering the issue of land contamination. Environmental Health Officers have reviewed Phase 1 (preliminary risk assessment), 2 (site investigation) and 3 (remediation strategy) reports noting they are satisfied with the proposed remedial works. To ensure the site is suitable for its intended use taking account of any risks arising from contamination, they recommend a conditional approach to ensure that remedial works are carried out in accordance with agreed strategy and to secure the submission of a Phase 4 (verification) report. An informative relating to unforeseen contamination should also be included. The proposal would therefore accord with Policy 32 of the CDP and Paragraph 196 of the NPPF.
198. The application site lies within the coal mining high risk area with the Mining Remediation Authority records indicating parts of the site lie within an area where

shallow coal mining has taken place. The application is supported by a Phase 2 Geoenvironmental Appraisal. The report confirms that all plots within the scope of the former opencast will incorporate piled foundations to mitigate stability risks. The Mining Remediation Authority deems this to be a proportionate approach and that it will be a matter for the Building Regulations process to ensure. Identified shallow coal mining workings will require stabilising in parts of the site and further intrusive investigations of adit 1 are required to help inform the exact extent of remedial stabilisation works and any mitigation measures necessary to ensure the safety and stability of the site as a whole.

199. The Mining Remediation Authority has recommended that such works are conditioned, that a verification report is submitted confirming the remedial works have been completed and the site has been made safe, stable and suitable for its proposed use. Subject to the imposition of these conditions, the proposal will meet the requirements of Policy 32 of the CDP and Part 15 of the NPPF.

Planning Obligations

200. 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.
201. 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 Paragraph 58.

Addressing Housing Need

202. Part 5 of the NPPF is clear that developments should help to address housing needs. Policy 15 of the CDP states that affordable housing will be sought on sites of 10 or more units, for up to 25% of units in the highest value areas to 10% in the lowest. On sites of 10 or more units, 10% of the homes provided should be for affordable home ownership (starter homes, discount market sale housing and other affordable routes to home ownership). Any contribution above 10% should be provided as affordable housing for rent in order to meet the requirements of Policy of the CDP.
203. The site falls within a low value area, meaning this development would be required to deliver 10% affordable housing solely in the form of affordable home ownership. The Spatial Policy Team have confirmed for this scheme, the requirement would equate to 17 units for affordable home ownership of which a minimum of 4 units required to be First Homes. To meet these requirements, the scheme proposes the following affordable housing provision;

- 17no. affordable homes comprising;
 - 4no. First Homes comprising 4no. 2 bed dwellings
 - 13no. Discounted Market Sale Homes comprising 7no. 2 bed and 6no. 3 bed dwellings

204. The Council's Affordable Housing Officer notes the above provision and raises no objection based on the tenure and discount levels have already been agreed. The requirements of Policy 15 of the CDP and Paragraph 66 of the NPPF. The affordable housing would be secured in perpetuity through a planning obligation under S106 of the Town and County Planning Act 1990 (as amended).

Public Open Space Provision

205. 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. Paragraph 98 of the NPPF highlights that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 135 requires amongst its advice that developments function well and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).

206. As per the requirements of Paragraph 103 of the NPPF, the Council's Open Space Needs Assessment (OSNA) 2018 is considered the most up to date assessment of need. It identifies the five typologies required (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.

207. Given the scale of the development, it would generally be expected that amenity open space and children's play space (non-equipped) would be provided on site with financial contributions secured towards providing offsite provision for remaining typologies. Although parks/recreational areas would normally be expected to be accommodated within larger development schemes (250+ units) there is no objection in principle to a development seeking to mitigate its own impact in this regard.

208. The site layout demonstrates that large areas of green space (equating to 5.4964ha) would be provided on site fulfilling and significantly exceeding the open space/natural green space (requirement is for 0.561ha), children's play space (requirement is for 0.0187ha) and parks/recreational grounds (requirement is for 0.5236ha) requirements. This would comprise of a non-

equipped children's trim trail, 1.8km of off-highway footpath / cycleways, all provided to adoptable gradients which provide attractive, safe routes for walking, cycling and jogging through and around the site, environmental enhancements to the beck, amenity and structural planting. Open space would come forward on a phased basis as the development site progresses. Triggers for delivery would be conditioned so that it is delivered at the earliest and safest opportunity given this would be an active construction site.

209. It is acknowledged that the open space is likely to be attractive to future residents of the estate and indeed those within the wider area especially as this typology is not currently present within this part of ward. The land would provide a variety of benefits including but not restricted to providing an attractive new settlement edge to Templetown. Its inclusion within the scheme can be afforded weight in the planning balance.
210. It has been advised that a private management company would be used to manage and maintain the areas of open space within the development, including the proposed children's play area, funded by future residents paying an annual service charge. Conditions can secure the details of the future management and maintenance arrangements, as well as the proposed non-equipped children's play area, in addition to timescales setting out the delivery of public open space.
211. A contribution of £126,412 would be required for off-site provision in lieu of those typologies not provided for onsite (allotments and youth play space). Having regard to the OSNA, the availability and the proximity of existing facilities to the development this is considered to be acceptable and in accordance with the Council's standard approach.
212. The approach as detail above would satisfy the OSNA requirements, Policy 26 of the CDP and Paragraph 103 of the NPPF with regards to the provision of public open space.

Education

213. Paragraph 98 of the NPPF recognises the need for planning decisions to ensure an integrated approach when considering the location of new housing, economic uses and community facilities and services. Paragraph 100 goes on to advise that it is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities.
214. Based on the methodology set out in the Development Viability, Affordable Housing and Financial Contributions SPD (2024), the proposed development of 170 dwellings is likely to generate an additional 45 primary age school pupils, 22 secondary age school pupils and 1.7 SEND pupils.
215. The Council's Education Provision Lead Officer has advised that the development is located within the Consett local school place planning area. There are five schools - Delves Lane Primary School, Consett Infant and Nursery School, Consett Junior School, The Grove Primary School and Leadgate Primary

School – that could serve the development based on a 2 mile safe walking distance.

216. Based on the projected rolls of the schools, taking into account the likely implementation timeframe of the development, build rates and other committed there would be sufficient space to accommodate the pupils of primary school age generated by the development in existing local primary schools whilst additional primary teaching accommodation.
217. 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 Consett Academy which is located 2.4km away.
218. However, there would not be sufficient space to accommodate pupils of secondary school age generated by the development in local secondary schools whilst maintaining a 5% surplus. In order to mitigate the impact of the development on secondary school provision, a financial contribution of £534,864 (22 x £24,312) would be required to facilitate the provision of additional teaching accommodation.
219. With regard to SEND pupils, there is a shortage of SEND places across the county. In order to mitigate the impact of the development on SEND provision, a contribution of £142,766 (1.7 x £83,980) would be required.
220. With respect to early years and post 16 provision, given the recent adoption of the SPD, the length of time that this application has been pending determination and that the Council's evidence base is still developing in this regard, no contribution has been sought in this instance.

Health Care

221. The closest GP practice to the site is Consett Medical Centre, which is located 1.6km 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 £82,100 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.

Public Rights of Way and Sustrans National Cycle Network

222. Policy 26 of the CDP sets out 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. Paragraph 105 of the NPPF outlines that decisions should protect and enhance public rights of way and access including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.

223. There are no Public Rights of Way (PROW) within or immediately adjacent to the site. Public Footpath no. 43 (Consett) and Byway no. 38 (Consett) lie approximately 300m to the north and 375 to the northeast of the site boundary respectively. Neither are considered to be adversely impacted by the proposals.
224. There also a number of unregistered paths/desire lines which cross the site. The developer has advised that the landowner deposited a declaration under Section 31(6) of the Highways Act in 2019 to declare that “within the site no byways, restricted byways, public bridleways or public footpaths or other ways are dedicated across the land. The declaration was accepted. Additional signs were erected granting permissive rights of access such that no access claims could be claimed. Notwithstanding, routes appear to have been broadly retained within the proposed layout in addition to an extensive network of new paths.
225. Sustrans National Cycle Network Route No. 14 (NCN14), also known as the Lanchester Valley Railway Path, lies in close proximity of the site’s south boundary. As the site proposes to make a direct connection onto this already popular recreation and utilitarian walking, cycling and horse-riding route, it is envisaged it would experience increased usage by future residents of the estate. To mitigate the impacts of this increased footfall, Countryside Services have requested a financial contribution to mitigate impacts arising from increased usage and to support improvements to the route including to surfacing, drainage, re-configuration of the Knitsley Lane crossing, signage and bins. A contribution of £51,000 (£300 per dwelling) has been agreed with the developer.

Community Initiatives

226. A site-specific requirement of Housing Allocation H19 is that the development contributes to Delves Lane Community Centre for the benefit of new and existing residents. It is noted that Miller Homes have recently been granted planning permission for 288 dwellings at land to the north of Delves Lane (DM/21/03839/FPA). Given that both sites fall within the same ward boundary (Delves Lane), the close proximity of that site to the community centre (within 460m at its closest point) and that future residents would place additional pressure on the service, a contribution of £57,600 (£200 per dwelling) was secured by means of a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to mitigate any potential impacts to the community centre and provide enhanced facilities for new and existing residents.
227. Following meetings with two Local Members from the Delves Lane Ward, it was concluded that the community centre has benefitted from significant recent investment (including future funding arising as a result of DM/21/03839/FPA) therefore money could be better spent elsewhere in the community. To comply with the site-specific requirements of the allocation, a contribution of £8,500 (£50 per dwelling) would be secured for the community centre. A further contribution of £34,000 (£200 per dwelling) would be secured towards the provision or maintenance of environmental or community schemes. This would allow a more flexible remit for the funding secured to spent on local schemes and initiatives

thereby helping to mitigate the impacts arising from the development as well as meeting the policy specific criteria.

228. Members also expressed their desire for artwork, interpretation boards and public seating to be included within the overall design. In response, the developer has committed to providing a scheme of interpretation boards on the route leading down to the Lanchester Valley Railway Path which tell the history of the area and therefore better revealing the understanding of the NDHA. This requirement would be secured via condition. In recognition of the sloped nature of the site, 10no. park benches are proposed across the site in key locations, to offer regular resting points and to contribute to the parkland open space typology. These measures would be in accordance with Policies 26 and 44 of the County Durham Plan and Parts 8 and 16 of the National Planning Policy Framework.

Planning Obligations Summary

229. NPPF Paragraph 56 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.

230. Under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the applicant has agreed to the following;

- provision of 10% affordable housing units on site equating to 17 units for affordable home ownership;
- £126,412 towards improving offsite open space and recreational provision within Delves Lane Electoral Division;
- £534,864 towards secondary education provision;
- £142,766 towards SEND education provision;
- £82,110 to increase GP surgery capacity;
- £51,000 towards improvements to the Sustrans National Cycle Network Route No. 14 (NCN14), also known as the Lanchester Valley Railway Path, within the vicinity of the development;
- £8,500 towards improving the facilities and services at Delves Lane Community Centre;
- £34,000 towards the provision or maintenance of environmental or community schemes;

231. Under the provisions of Section 39 of the Wildlife and Countryside Act 1980 (as amended) the applicant has agreed to;

- to secure the long term management and maintenance, including a monitoring strategy of the biodiversity land;

232. Policy 25 of the CDP, Paragraph 58 of the NPPF 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, the above obligations are considered to meet these tests and have been sought from the developer to mitigate the impacts of the development, secure biodiversity net gain and to meet an identified affordable housing need in the County.

Other Matters

Meeting the Needs of Older People and People with Disabilities

233. Policy 15 of the CDP aims to meet the needs of older people and people with disabilities, achieving this in two ways.
234. The first part is that 66% of dwellings should be built to Building Regulations Requirement M4(2) (accessible and adaptable dwellings) standard unless site specific factors indicate otherwise. The developer has indicated 117 units would be constructed to M4(2) thereby meeting and slightly exceeding the policy requirements (68.8%). A condition is proposed to ensure that this is achieved.
235. The second part includes the requirement 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. These properties should also be built to M4(2) standard and would contribute to meeting the 66% requirement set out above. They should be situated in the most appropriate location within the site for older people.
236. In order to meet this requirement, the layout includes 17no. three bedrooled bungalows which would all be built to Building Regulations Requirement M4(2) (accessible and adaptable dwellings) standard.
237. Subject to the above and the imposition of the suggested condition, it is considered that the proposed mix of housing would sufficiently contribute to meeting the needs of older people and people with disabilities in accordance with Policy 15 of the CDP and Paragraph 63 of the NPPF.

Nationally Described Space Standards

238. Policy 29 of the CDP states that all new residential development will be required to comply with the Nationally Described Space Standards (NDSS). Paragraph 135 of the NPPF references the need to secure a high standard of amenity for existing and future users with a footnote referring to the use of NDSS in policies.
239. The Spatial Policy Team raised a concern as to whether all properties would achieve NDSS standards as there are two house types (Deepdale and Marston) that contain a 'study'. The developer confirmed that all house types would be NDSS compliant, and it is Permissions Homes stance that all the plots be marketed as the NDSS compliant number of bedrooms. Accordingly, the Deepdale will be marketed as a 2 bed dwelling and the Marston as a 4 bed

dwelling. Whilst these house types may be advertised for sale elsewhere as 3 and 5 bed homes, this will only be where the planning permission for the scheme did not require NDSS compliance. As such, the scheme meets the requirements of Policy 29 with regards to NDSS.

Housing Mix

240. Policy 19 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.
241. In terms of housing mix, the development would provide a range of 2 (20no.), 3 (103no.), 4 (39no.) and 5 (8no.) bedroomed units including detached, semi-detached houses, terraced and bungalows options therefore in compliance with Policy 19 of the CDP and Part 5 of the NPPF.
242. Overall, the scheme meets the identified housing needs of the County in relation to affordable housing provision, older people and people with disabilities and provides housing of a suitable mix and size in accordance with the requirements of Policy 15 of the CDP and Part 5 of the NPPF.

Measures to Minimise Carbon Emissions

243. Policy 29 (o) of the CDP refers to achieving specific reductions in CO₂ emissions for new buildings based upon Building Regulations in place at the time the CDP was adopted (2020). The policy would not apply in the event that Building Regulations were enhanced. Part L regulations have indeed been enhanced therefore Policy 29 (o) requirements are not applicable to this application.

Broadband Connection

244. 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 has confirmed that the site will be served by fibre broadband and a condition can be imposed to secure this.

Mineral Safeguarding

245. 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 nonmineral development that would lead to the sterilisation of mineral resources within such areas unless specific criteria apply. For criteria a) of the Policy to be met, applicants should demonstrate to the satisfaction of the local planning authority that the mineral in the location concerned is no longer of any current or potential value as it does not represent an economically viable and therefore exploitable resource. The criteria d) exemption relates to there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral.

246. The Council's Spatial Policy team, having reviewed the Minerals Assessment, considers the mineral in the location concerned is no longer of any current or potential value as it does not represent an economically viable and therefore exploitable resource. Furthermore, there does not appear to be any current market interest in doing so and commercial scale extraction is unlikely to be supported due to the proximity of the site to local residents and businesses. In any event, this is an allocated housing site within the CDP and the need to deliver the Council's housing requirements would outweigh the need to safeguard the mineral. On this basis, no objection is raised on the grounds of either Policy 56 of the CDP or Part 17 of the NPPF.

Loss of Agricultural Land

247. An Agricultural Land Classification Statement has been submitted in support of the application. It identifies that the development would result in the loss of approximately 12.57ha of agricultural land. The Agricultural Land Classification of the land is predominantly Grade 4 (poor), with one parcel of Grade 3b (moderate). The development of the site would not result in the loss of best and most versatile land (land in grades 1, 2 and 3a of the Agricultural Land Classification) or conflict with Policy 14 of the CDP and Paragraph 187 of the NPPF.

248. Soil is a fundamental and finite resource that fulfils many important functions and ecosystem services and some of the most fundamental impacts on this resource can occur as a result of construction activity. Where development proposals are permanent it is important that soil resources are used effectively on undeveloped areas of the site for landscape, habitat or garden creation or used appropriately on other suitable sites. 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 can be secured by condition.

Other Issues Raised

249. The proposal has generated a relatively limited amount of public interest, with 11 letters of objection received. The objections, queries and concerns raised have been taken account and addressed within the report, where appropriate. Issues which have not previously been addressed are considered below.

250. The application was advertised in accordance with statutory requirements giving local residents the opportunity to comment on the scheme.

251. People who do not clean up their dog's waste commit an offence under a Public Space Protection Order. It is a matter that falls outside the planning remit.

252. Loss of a view and property devaluation are not material planning considerations.

Public Sector Equality Duty

253. 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.
254. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

CONCLUSION

255. 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. In light of the recent adoption of the CDP, the Council now has an up to date development plan. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up to date development plan without delay (Paragraph 11 c).
256. The site is an allocated housing site under Policy 4 of the CDP. Planning applications for housing on these allocations, that are in accordance with the site-specific requirements in this policy will be approved if the proposed scheme is in accordance with other relevant policies in the Plan. Through the course of this report, the overall acceptability of the scheme or otherwise has been considered taking account all of the issues and consideration of applicable policies.
257. Notwithstanding that a housing land supply in excess of 5 years can be demonstrated, the CDP does not seek to cap the growth of housing and NPPF Paragraph 61 makes it clear that one of the Government's key objectives is to significantly boost the supply of homes. As such significant weight is attached to the provision of market housing. It is acknowledged that within County Durham there is an acute need for affordable housing. In addition, the development would provide for specialist housing directed towards the elderly and those with mobility issues.
258. The development during construction would provide economic benefit to the local and regional economy. Moreover, spending by new residents would contribute to the viability of local services. The development would provide public open space in excess of that required by the OSNA alongside a suite of environmental benefits.
259. The development would include offsite highway improvements, and provide for financial contributions towards education, primary healthcare, public transport and public footpath improvements. Whilst these features are directly linked to the

development and are required to mitigate the impact of the development, they would provide some benefit to residents.

260. Taking all relevant matters into account, it is considered that the site has access to an array of services and facilities which would help serve the proposed development and that these are within relatively easy reach of the site via walking, cycling and/or public transport. Opportunities to enhance provision and accessibility to sustainable modes of transport have been fully explored and with the exception of the bus subsidy option, which has its own limitations, have or can be realised through the proposed site layout, imposition of conditions and the developer entering into a planning obligation. This provides existing and future residents with realistic alternative options to the private motor car, following the hierarchical order set out in both the CDP and NPPF, to access a wide range of day-to-day services. Taken in the round, the development would promote accessibility by a range of sustainable travel methods in accordance with Policies 21, 26 and 29 of the CDP and Part 9 of the NPPF.
261. The application site is neither locally, nor nationally designated in terms of its landscape quality. Whilst the development would alter the character of the landscape, overall, it is not considered that this would be significantly adverse as the development would be read as an extension to the existing settlement of Consett. The scheme provides an appropriate level of structural landscaping to assimilate the development into its surroundings and provide an attractive new settlement boundary which and the landscaping planting proposed would help to mitigate this impact. The impact of the development will progressively reduce over time as the proposed landscaping establishes. As such the proposals would not conflict with Policies 26, 29, 39 and 40 of the CDP and Parts 12 or 15 of the NPPF.
262. The proposal has generated public interest. The objections and concerns raised have been taken into account and addressed within the report. On balance the concerns raised were not felt to be of sufficient weight to justify refusal of this application in light of the benefits of the scheme and the ability to impose conditions and secure planning obligations under S106 of The Town and Country Planning Act 1990 (as amended) and secure net gains under S39 of the Wildlife and Countryside Act 1981 (as amended).
263. On balance, the proposal would comply with the development plan read as a whole and there are no material considerations which would indicate departure from that. The proposals are considered to be acceptable, and as such the application is recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and under Section 39 of The Wildlife and Countryside Act 1981 to secure the following:

- The requirement to enter into a S.39 Agreement to secure the long term management and maintenance, including a monitoring strategy of the biodiversity land;
- provision of 10% affordable housing units on site equating to 17 units for affordable home ownership;
- £126,412 towards improving offsite open space and recreational provision within Delves Lane Electoral Division;
- £534,864 towards secondary education provision;
- £142,766 towards SEND education provision;
- £82,110 to increase GP surgery capacity;
- £51,000 towards improvements to the Sustrans National Cycle Network Route No. 14 (NCN14), also known as the Lanchester Valley Railway Path, within the vicinity of the development;
- £8,500 towards improving the facilities and services at Delves Lane Community Centre;
- £34,000 towards the provision or maintenance of environmental or community schemes;

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 plans:

Drg. no. CT-LP Location Plan received 19/12/2024

Drg. no. CT-001 Proposed Site Layout R25 received 16/12/2024

Drg. no. CT-101 Topo received 10/08/2021

Drg. no. CT-002 Materials Layout received 16/12/2024

Drg. no. CT-012 Parking Provision Layout received 16/12/2024

Drg. no. 149415/8001Q Landscaping Proposal Plan received 16/12/2024

Drg. no. CT-010 POS/Natural Space Layout received 16/12/2024

Drg. no. c-1792-01A Survey of Existing Trees received 26/06/2024

Drg. no. 149415/8006A Indicative Section Through Existing Retaining Wall and Buffer Planting received 16/10/2024

Drg. no. Landscape Illustrative Cross Sections 149415/8005 received 23/05/2024

Drg. no. Ad_MA_End_R21G – 901 Addlebrough (R21) (Floorplan) received 26/06/2024

Drg. no. Ad_MA_End_R21G – 907 Addlebrough (R21) (Elevation) received 26/06/2024

Drg. no. Dp_CtP_MA_End_R21G – 901 Deepdale (R21) (Floorplan) received 26/06/2024

Drg. no. Dp_CtP_MA_End_R21G – 907 Deepdale (R21) (Elevation) received 26/06/2024

Drg. no. Ga_MA_MA_CtP_Sem_R21G - 901A Galloway (R21) (Floorplan) received 26/06/2024

Drg. no. Ga_MA_MA_CtP_Sem_R21G - 905A Galloway (R21) (Elevation) received 26/06/2024

Drg. no. Sh_MA_CtP_Det_R21G – 901 Sherwood (R21) (Floorplan) received 26/06/2024

Drg. no. Sh_MA_CtP_Det_R21G – 907 Sherwood (R21) (Elevation) received 26/06/2024

Drg. no. Ch_MA_CtP_Det_R21G – 901 Charnwood (R21) (Floorplan) received 26/06/2024

Drg. no. Ch_MA_CtP_Det_R21G – 907A Charnwood (R21) (Elevation) received 26/06/2024

Drg. no. Bw_MA_Det_CtP_R21G – 901 Barnwood (R21) (Floorplan) received 26/06/2024

Drg. no. Bw_MA_Det_CtP_R21G – 907 Barnwood (R21) (Elevation) received 26/06/2024

Drg. no. Bw_MA_Det_CtP_R21G – 908 Barnwood Feature Plot (R21) (Elevation) received 26/06/2024

Drg. no. Dw_Det_R25 – 901 Darwin (R21) (Floorplan) received 26/06/2024

Drg. no. Dw_Det_R25 – 905A Darwin (R21) (Elevation) received 26/06/2024

Drg. no. Sa_MA_CtP_Emd_R21G – 901 Saunton (R21) (Floorplan) received 26/06/2024

Drg. no. Sa_MA_CtP_Emd_R21G - 907 21 Saunton (R21) (Elevation) received 26/06/2024

Drg. no. Th_CtP_End_R21G – 901 Thrunton (R21) (Floorplan) received 26/06/2024

Drg. no. Th_CtP_End_R21G – 907 Thrunton (R21) (Elevation) received 26/06/2024

Drg. no. Bu_MA_Det_R21G – 901 Burnham (R21) (Floorplan) received 26/06/2024

Drg. no. Bu_MA_Det_R21G – 907 Burnham (R21) (Elevation) received 26/06/2024

Drg. no. Bt_MA_CtP_Det_R21G – 901 Brampton (R21) (Floorplan) received 26/06/2024

Drg. no. Bt_MA_CtP_Det_R21G – 907 Brampton (R21) (Elevation) received 26/06/2024

Drg. no. Ma_MA_Det_R21G - 901A Marston (R21) (Floorplan) received 26/06/2024

Drg. no. Ma_MA_Det_R21G - 907A Marston (R21) (Elevation) received 26/06/2024

Drg. no. Bs_MA_Det_R21 – 901 Brightstone (R21) (Floorplan) received 26/06/2024

Drg. no. Bs_MA_Det_R21 – 905A Brightstone (R21) (Elevation) received 26/06/2024

Drg. no. Ar_End_R25 – 901 Addlebrough (R25) (Floorplan) received 26/06/2024

Drg. no. Ar_End_R25 – 907 Addlebrough (R25) (Elevation) received 26/06/2024

Drg. no. Ct_End_R25 – 901 Chiltern (R25) (Floorplan) received 26/06/2024

Drg. no. Ct_End_R25 – 907 Chiltern (R25) (Elevation) received 26/06/2024

Drg. no. Sh_Det_R25 – 901 Sherwood (R25) (Floorplan) received 26/06/2024
Drg. no. Sh_Det_R25 – 907 Sherwood (R25) (Elevation) received 26/06/2024
Drg. no. Dw_DET_R25 – 901 Darwin (R25) (Floorplan) received 26/06/2024
Drg. no. Dw_DET_R25 – 905A Darwin (R25) (Elevation) received 26/06/2024
Drg. no. Bw_Det_R25 – 901 Barnwood (R25) (Floorplan) received 26/06/2024
Drg. no. Bw_Det_R25 – 907 Barnwood (R25) (Elevation) received 26/06/2024
Drg. no. BW_DET_R25 – 908 Barnwood Feature Plot (R25) (Elevation) received 26/06/2024
Drg. no. Sa_End_R25 – 901 Saunton (R25) (Floorplan) received 26/06/2024
Drg. no. Sa_End_R25 – 907 21 Saunton (R25) (Elevation) received 26/06/2024
Drg. no. Ke_End_R25 – 901 Kennet (R25) (Floorplan) received 26/06/2024
Drg. no. Ke_End_R25 – 903 Kennet (R25) (Elevation) received 26/06/2024
Drg. no. Bt_Det_R25 – 901 Brampton (R25) (Floorplan) received 26/06/2024
Drg. no. Bt_Det_R25 – 907 Brampton (R25) (Elevation) received 26/06/2024
Drg. no. Ma_Det_R25 – 901 Martson (R25) (Floorplan) received 26/06/2024
Drg. no. Ma_Det_R25 – 907 Marston (R25) (Elevation) received 26/06/2024
Drg. no. Bs_Det_R25 – 901 Brightstone (R25) (Floorplan) received 26/06/2024
Drg. no. Bs_Det_R25 – 905A Brightstone (R25) (Elevation) received 26/06/2024
Drg. no. R20-GD-02 Garage (Single) received 26/06/2024
Drg. no. R20-GD-03 Garage (Double) received 26/06/2024
Drg. no. GTC-E-EA-0003_R1-4 Substation received 30/09/2024
Drg. no. GTC-E-SS-0010_R1-2_1_of_1 Substation received 30/09/2024
Drg. no. 30244/SL/0010 Rev A02 Pumping Station received 30/09/2024

Drg. no. 20-073-002C Active Travel Connections received 20/11/2024
Drg. no. CT-FPPP Footpath Phasing Plan received 20/09/2024
Drg. no. CT-HAP A Highways Adoption Plan received 17/09/2024
Drg. no. JN1490-DWG-0007A Delves Land Roundabout received 17/12/2024
Drg. no. 20-073/004 A692 / Delves Lane Roundabout received 17/12/2024
Drg. no. 20-073/005 A692 / Leadgate Road Roundabout received 17/12/2024
Drg. no. 001P Delves Lane / Gloucester Road Roundabout received 17/12/2024
Drg. no. 20-073/002 A691 / Stockerley Lane T Junction received 17/12/2024

Drg. no. 20070-01-P5 Engineering Layout Sheet 1 received 16/12/2024
Drg. no. 20070-02-P5 Engineering Layout Sheet 2 received 16/12/2024
Drg. no. 20070-03-P5 Engineering Layout Sheet 3 received 16/12/2024
Drg. no. 20070-04-P5 Engineering Layout Sheet 4 received 16/12/2024
Drg. no. 20070-05-P5 Engineering Layout Sheet 5 received 16/12/2024
Drg. no. 20070-06-P6 Engineering Layout Sheet 6 received 16/12/2024
Drg. no. 20070-07-P2 Engineering Layout Sheet 7 received 16/12/2024

Drg. no. 20070-31-P6 External Works Sheet 1 received 16/12/2024
Drg. no. 20070-32-P6 External Works Sheet 2 received 16/12/2024
Drg. no. 20070-33-P7 External Works Sheet 3 received 16/12/2024
Drg. no. 20070-34-P6 External Works Sheet 4 received 16/12/2024
Drg. no. 20070-35-P7 External Works Sheet 5 received 16/12/2024

Drg. no. 20070-11-P1 Road & Sewers Longitudinal Sections Sheet 1 received 01/08/2004

Drg. no. 20070-12-P1 Road & Sewers Longitudinal Sections Sheet 2 received 01/08/2004

Drg. no. 20070-13-P1 Road & Sewers Longitudinal Sections Sheet 3 received 01/08/2004

Drg. no. 20070-14-P1 Road & Sewers Longitudinal Sections Sheet 4 received 01/08/2004

Drg. no. 20070-15-P1 Road & Sewers Longitudinal Sections Sheet 5 received 01/08/2004

Drg. no. 20070-91 P1 Drainage Construction Details Sheet 1 received 01/08/2024

Drg. no. 20070-92 P1 Drainage Construction Details Sheet 2 received 01/08/2024

Drg. no. 20070-81 P1 Highway Construction Details received 01/08/2024

Drg. no. 20070-51-P2 Surfaces Finishes and Kerb Layout received 16/12/2024

SuDs Maintenance Plan 20070-SuDS-01 Rev 1 received 06/09/2024

Drg. no. SSQ14674 Rev 2 Streetscape Play Area received 21/11/2024

Templetown Statutory Metric Calculation Tool 2024 6210 V02 received 17/12/2024

Drg. no. 149415/8001P Offsite Creation Plan received 18/11/2024

Air Quality Assessment 9305.1 Rev C by Apex Acoustics received 11/11/2024

Agricultural Land Classification received 11/10/2021

Affordable Housing Statement received 16/12/2024

Archaeological Evaluation 5774 by Archaeological Services Durham University received 07/06/2022

Bat Survey R01 by E3 Ecology received 10/08/2021

Breeding Bird Survey R02 by 3 Ecology received 10/08/2021

BNG Assessment 6210 R02 received 17/12/2024

Construction Management Plan Rev C (dated December 2024) received 16/12/2024

Cumulative Impact Assessment by Milestone received 11/07/2024

Ecological Appraisal (Land at Bridgehill) received 10/08/2021

Ecological Assessment R02 by E3 Ecology received 10/08/2021

Geophysical Survey 5430 by Archaeological Services Durham University received 10/08/2021

Hazard Ground Gas Assessment Letter by Coast Consulting Engineers received 10/06/2024

Health Impact Assessment received 19/08/2021

Meeting Housing Needs Assessment received 16/12/2024

Mineral Safeguarding Assessment received 10/06/2024

Noise Assessment LAE1306 by LA Environmental Consultants received 16/10/2024

Open Space Needs Assessment received 16/12/2024

Phase 1 Geoenvironmental Desk Study and Coal mining Risk Assessment by Patrick Parsons received 10/08/2021

Phase 2 Geoenvironmental Appraisal 21093-02 B by Coast Consulting Engineers received 10/06/2024

Landscape Delivery Phasing Plan CT-LEDPP received 04/12/2024

Remediation Strategy Report 21092-03 by Coast Consulting Engineers received 17/09/2024

Surface Water Construction Management Plan 20070-CSWMP-01 received 06/09/2024

Technical Note – February 2022 by Milestone received 16/08/2024

Transport Assessment by Milestone received 10/08/2021

Travel Plan Rev. B by Milestone received 09/10/2024

Tree Report Survey received 10/08/2021

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 4, 15, 19, 21, 29, 31, 35, 36, 39, 40, 41 and 44 of the County Durham Plan and Parts 1, 2, 4, 5, 6, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. No site clearance, preparatory work, or development shall commence, nor any site cabins, materials or machinery brought on site until details of the ecological mitigation identified in the approved documents 'Ecological Assessment' and 'Breeding Bird Survey' have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation measures will be implemented, maintained, and retained in perpetuity.

Reason: In the interests of protected species and to comply with the objectives of Part 15 of the National Planning Policy Framework. Required pre-commencement to ensure that biodiversity interests are protected from the outset of development.

4. No site clearance, preparatory work, or development shall commence, nor any site cabins, materials or machinery brought on site, until a scheme for the protection of the trees and hedges to be retained on site, to include details of fencing and any other measures, including special construction techniques where appropriate, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with British Standard BS 5837 2012 Trees in Relation to Design, Demolition and Construction - Recommendations (or in an equivalent British Standard if replaced).

The scheme for the protection of the retained trees shall be carried out as approved. The fencing shall be installed prior to any site clearance, preparatory work, or development taking place and any site cabins, materials or machinery being brought on site, and shall be retained for the duration of construction works.

If any access is required into the root protection area of any tree or hedge, this shall only take place in accordance with a method statement provided as part of the approved details. Otherwise, there shall be no access, storage, parking, excavation of trenches, or alteration of ground levels within the root protection area of any tree to be retained.

No removal of limbs of trees or other work shall be carried out to any tree or hedge to be retained on site during the construction phase of the development unless in accordance with a method statement provided as part of the approved details.

Reason: To ensure the development is carried out in accordance with the appropriate best practice guidance to enable the long term retention of trees on site, in the interests of protecting the character and appearance of the area and to comply with Policies 29 and 40 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework. The details are required to be submitted and approved in advance of works commencing on site to ensure the trees and hedges on the site are protected against damage throughout the construction phase of the development.

5. No site clearance, preparatory work, or development shall commence, nor any site cabins, materials or machinery brought on site, until a scheme for the protection of the blue lined biodiversity land (as identified on drg. no. CT-001 Proposed Site Layout R25 dated 12/12/2024) has been submitted to and approved in writing by the Local Planning Authority.

The scheme of protection shall be carried out as approved. The fencing shall be installed prior to any site clearance, preparatory work, or development taking place and any site cabins, materials or machinery being brought on site, and shall be retained for the duration of construction works.

Reason: In order to ensure untouched habitat is protected from development and to help deliver Biodiversity Net Gain in accordance with Policy 41 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

6. No development including ground clearance or remediation works shall commence until a build programme and timetable for the construction of the critical surface water infrastructure has been submitted to and approved in writing by the Local Planning Authority. The programme must include, amongst other matters, details of the outfall structure, control devices, attenuation/storage, temporary control measures during the construction phase and measures to control silt levels entering the watercourse. The order of works to be undertaken must be identified and timescale for delivery. The development thereafter shall be completed in accordance with the details and timetable agreed.

Reason: To ensure that critical surface water infrastructure is in place to adequately deal with and dispose of surface water prior to the construction of the development, in accordance with Policy 35 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework. Required to be a pre-commencement condition to ensure that water infrastructure is in place at an early stage of the development to adequately manage surface water.

7. No development shall commence until a scheme of further intrusive site investigations have been undertaken to establish the risks posed to the development by a recorded mine entry (adit). A report shall thereafter be submitted to and agreed in writing by the Local Planning Authority setting out the findings of the intrusive site investigations including a scheme of remedial work and its timetable for implementation where required. Thereafter the development shall take place in accordance with the agreed details. The intrusive site

investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

8. No development shall commence until a soil resource management strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall clearly describe the proposed use of all soils on site and demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice. The strategy should detail soil handling, storage and replacement methods to be used appropriate to the grade of soil and intended afteruse. The strategy shall also include details of the proposed soil depths upon replacement and plant and machinery to be used as well as, where appropriate, steps to prevent the spread of any soil-borne plant or animal diseases. If soils are to be removed from site, then details of quantities and a programme for removal shall be submitted. Thereafter, development shall take place in accordance with the approved details.

Reason: In the interests of the protection of soil resources and to comply with Policy 14.

9. Prior to the construction of the first dwelling, details of refuse storage facilities and refuse storage plan shall be submitted to and approved in writing by the Local Planning Authority. The details should be in accordance with the approved 'Design and Access Statement incorporating Design Code (July 2023)' and are to include the location and design of the facilities and arrangement for the provision of the bins. The approved refuse storage facilities shall be implemented before the first occupation of any dwelling. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

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

10. Prior to the construction of any hard surface or building above damp-proof course, full details of the proposed site levels, finished floor levels and all means of enclosure to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details must include details of any retaining walls/structures required including their interaction with other means of enclosure such as garden fences within the site

along with the materials proposed to be used. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the surrounding areas and neighbouring properties, in accordance with Policy 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

11. Prior to the construction of any hard surface or building above damp proof course, details of the make, colour and texture of all walling and roofing materials of each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

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

12. Prior to the construction above damp-proof course of any of the dwellings hereby approved, details of the location of integrated bat and swift, starling and house sparrow bird boxes, along with details of the type of box, shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall be integrated into the external walls of at least 25% of the proposed dwellings, in accordance with the mitigation measures recommended in the hereby approved Breeding Bird Survey by E3 Ecology Ltd.

Reason: In the interest of conserving protected species, in accordance with Policies 41 and 43 of the County Durham Plan, and with Part 15 of the National Planning Policy Framework.

13. Prior to the construction of any hard surface or building above damp-proof course, full details of the surface treatment and construction of all hard-surfaced areas shall be submitted to and approved in writing the Local Planning Authority. The development shall be constructed in accordance with the approved details.

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

14. Prior to the construction above damp-proof course of any of the dwellings hereby approved, a report setting out how at least 66% of the total number of units approved of the development will conform to Buildings Regulations M4(2) standard shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter in accordance with the approved details.

Reason: In order to address housing need requirements in accordance with Policy 15 of the County Durham Plan.

15. Prior to the construction above damp-proof course of any of the dwellings hereby

approved, a scheme detailing the means of broadband connection to the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of ducting and cabling to be installed, and the entry point of such ducting and cabling into the site. Thereafter, the means of broadband connection to the site shall be carried out in accordance with the approved details prior to the occupation of the part of the development to which the connection relates.

Reason: To ensure the development is served by an appropriate broadband connection, and to ensure its installation takes place at a suitable time within the construction phase, and to comply with the requirements of Policy 27 of the County Durham Plan.

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

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

17. Prior to the construction of the pumping station and compound hereby approved, full details of its design, appearance and scale shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, the pumping station and compound shall be constructed in accordance with the details approved.

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

18. No dwelling shall be occupied until a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development has been submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation 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.

19. No dwelling shall be occupied until full engineering details of the estate roads and external footpath connections have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

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

20. No dwelling shall be occupied unless and until the new estate roads serving the dwelling have been constructed to at least base course level that shall include temporary ramps and surfacing to allow movement by those with impaired mobility.

Reason: To protect residential amenity and to address the needs of existing and future residents with mobility issues or disabilities in accordance with Policies 21 and 31 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

21. No dwelling shall be occupied until a scheme detailing the exact means of connection from the scheme onto the Lanchester Valley Railway has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

Reason: To encourage sustainable transport modes of travel having regard to Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

22. No dwelling shall be occupied until the off-site active connections as detailed on drg. no. 20/073/002 C have been fully completed and available for use.

Reason: To reduce reliance on the private motor car and to promote sustainable transport methods in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

23. No dwelling shall be occupied until a scheme for the ongoing maintenance of the areas of public open space 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 in perpetuity.

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.

24. No dwelling shall be occupied until a scheme for the on-site children's play area as indicated on drg. CT-001 (Proposed Site Layout R25 dated 12/12/2024) has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall detail the appearance and layout of the play area alongside a maintenance schedule. The scheme shall be completed in accordance with the approved details thereafter and shall be made available for use prior to the occupation of the 60th dwelling.

Reason: In the interests of providing adequate play facilities for prospective residents of a major housing scheme in accordance with Policy 26 of the County Durham Plan.

25. No dwelling shall be occupied until detailed landscaping scheme, based on the principles shown on drg. nos. 149415/8001 Q (Landscape Proposals Plan), 149415/8005 A (Landscape Illustrative Cross Sections) and 149415/8006 A (Indicative Section Through Existing Retaining Wall and Buffer Planting) have been submitted to and approved in writing by the Local Planning Authority.

No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above. Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats.

The landscape scheme shall include accurate plan based details of the following: Trees, hedges and shrubs scheduled for retention. Details of hard and soft landscaping including planting species, sizes, layout, densities, numbers. Details of planting procedures or specification. Finished topsoil levels and depths. Details of temporary topsoil and subsoil storage provision. Seeded or turf areas, habitat creation areas and details etc. Details of land and surface drainage. The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc. Tree pit details. Bin collection point details.

The Local Planning Authority shall be notified in advance of the start on site date and the completion date of all external works.

Trees, hedges and shrubs shall not be removed without agreement within five years.

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

26. No dwelling shall be occupied until a scheme for the provision of interpretation boards on the site has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall detail the appearance of the interpretation boards, a maintenance schedule and a timetable for their implementation. The scheme shall be completed in accordance with the approved details and timings thereafter.

Reason: In the interests of the amenity of the surrounding area and to better reveal the significance of the Lancaster Valley Railway Path in accordance with Policies 26 and 44 of the County Durham Plan and Parts 8 and 16 of the National Planning Policy Framework.

27. No dwelling shall be occupied until the off-site highway works at the junction of A692 / Delves Lane Roundabout as shown indicatively on plan: JN1490-DWG-0007 A by Milestone Transport Planning have been constructed and are operational.

Reason: To ensure that impacts from the development upon highway safety are mitigated in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

28. Throughout the completion phases of the development all documents submitted relating to Phase 4 as detailed below shall be carried out by competent person(s) and shall be submitted to and agreed in writing with the Local Planning Authority.

Completion

(a) During the implementation of the remedial works as detailed in Coast Remediation Strategy Report 21092-03 dated 16/09/2024 if any contamination is identified that has not been identified pre-commencement, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be carried out in accordance with part b of the condition and where necessary a revised Phase 3 Remediation Strategy shall be prepared. The development shall be completed in accordance with any amended specification of works.

(b) Upon completion of the remedial works, a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development. If integrity testing of the membrane(s) was required a verification pro forma should be included.

Reason: The site may be contaminated as a result of past or current uses and/or is within 250m of a site which has been landfilled and the Local Planning Authority wishes to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

29. All footpaths internal to the development hereby approved shall be delivered in accordance with the timings outlined on drg. no. CT-FPPP Footpath Phasing Plan.

Reason: To encourage sustainable transport modes of travel having regard to Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

30. Garage(s), hardstanding(s)/drive(s) to any dwelling hereby approved, shall be constructed and made available for use before the first occupation of that dwelling. Thereafter they shall be used and maintained in such a manner as to always ensure their availability at all times for the parking of private motor vehicles.

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

31. Prior to the occupation of the 10th dwelling, off-site highway works at the junction of A692 / Delves Lane Roundabout as shown indicatively on plan: 20-073/004 by Milestone Transport Planning shall be constructed and operational.

Reason: To ensure that impacts from the development upon highway safety are mitigated in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

32. Prior to the occupation of the 10th dwelling, off-site highway works at the junction of A692 / Leadgate Road Roundabout as shown indicatively on plan: 20-073/005 by Milestone Transport Planning shall be constructed and operational.

Reason: To ensure that impacts from the development upon highway safety are mitigated in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

33. Prior to the occupation of the 67th dwelling, off-site highway works at the A691 / Stockerley Lane T-Junction as shown indicatively on plan: 20-073/002 by Milestone Transport Planning shall be constructed and operational.

Reason: To ensure that impacts from the development upon highway safety are mitigated in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

34. Prior to the occupation of the 141st dwelling, off-site highway works at the junction of Delves Lane / Gloucester Road Roundabout as shown indicatively on plan: 001P by iPRT shall be constructed and operational.

Reason: To ensure that impacts from the development upon highway safety are mitigated in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

35. No external lighting shall be erected/installed until a detailed lighting strategy for the development hereby approved has been submitted to and approved in writing. All external lighting shall thereafter be completed in accordance with the approved details.

Reason: To ensure retained habitat is protected and to conserve protected species in accordance with Policies 41 and 44 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

36. All dwellings hereby approved shall be provided with private cycle storage in accordance with the details submitted within the Council's Parking and Accessibility Supplementary Planning Document (2023) (or such replacement document) and said storage must be installed and available for use before occupation of each dwelling.

Reason: To encourage sustainable transport modes of travel having regard to CDP Policy 21 and Part 9 of the National Planning Policy Framework.

37. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in accordance with the timings outlined within the Landscape/Ecology Delivery Phasing Plan ref. CT-LEDPP December 2024.

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

Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.

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

Replacements will be subject to the same conditions.

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

38. All dwellings hereby approved shall be provided with electric vehicle charging points and said charging points must be installed and available for use before occupation of each dwelling.

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.

39. The Construction Management Plan Rev C received 16/12/2024 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 to comply with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

40. Sound attenuation measures shall be undertaken in accordance with the mitigation detailed within the Noise Assessment received 16/10/2024. Such attenuation measures shall be completed in full accordance with approved details prior to first occupation of the dwelling to which they relate and be permanently retained thereafter.

Reason: In the interest of the amenity of future occupants in accordance with Policies 29 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

41. The Residential Travel Plan ref. 20-073- N Rev. B by Milestone Transport Planning dated 30/09/2024 shall be implemented, monitored and reviewed in accordance with the approved details.

Reason: To reduce reliance on the private motor car and to promote sustainable transport methods in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

42. The approved flood risk and foul drainage strategy shall be implemented in accordance with the approved document 'Flood Risk Assessment and Drainage Strategy - 4th September 2024 - Report No. 20070-FRA 01 Rev 4' prior to the first occupation of the development.

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.

43. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 6101, as indicated within approved document 'Flood Risk Assessment and Drainage Strategy - 4th September 2024 - Report No. 20070-FRA 01 Rev 4' and ensure that surface water discharges to the existing Sustainable Drainage System Pond.

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

44. In undertaking the development hereby approved no deliveries shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0900 to 1300 on Saturday. No deliveries shall take place on Sundays, Public or Bank Holidays.

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.

45. In undertaking the development hereby approved, no external construction works, works of demolition, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1300 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 external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

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

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

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents

National Planning Policy Framework

National Planning Practice Guidance Notes

County Durham Plan (2020)

- o Trees, Woodlands and Hedges SPD (2024)

- o Development Viability, Affordable Housing and Financial Contributions SPD (2024)

- o Residential Amenity Standards SPD (2023)

- o Parking and Accessibility SPD (2023)

- o County Durham Plan Strategic Housing Land Availability Assessment (2019)

- o County Durham Building for Life SPD (2019)

- o Durham County Council Employment Land Review Update Final Report (2018)

- o County Durham Settlement Study (2018)

- o Durham County Council Open Space Needs Assessment (2018)

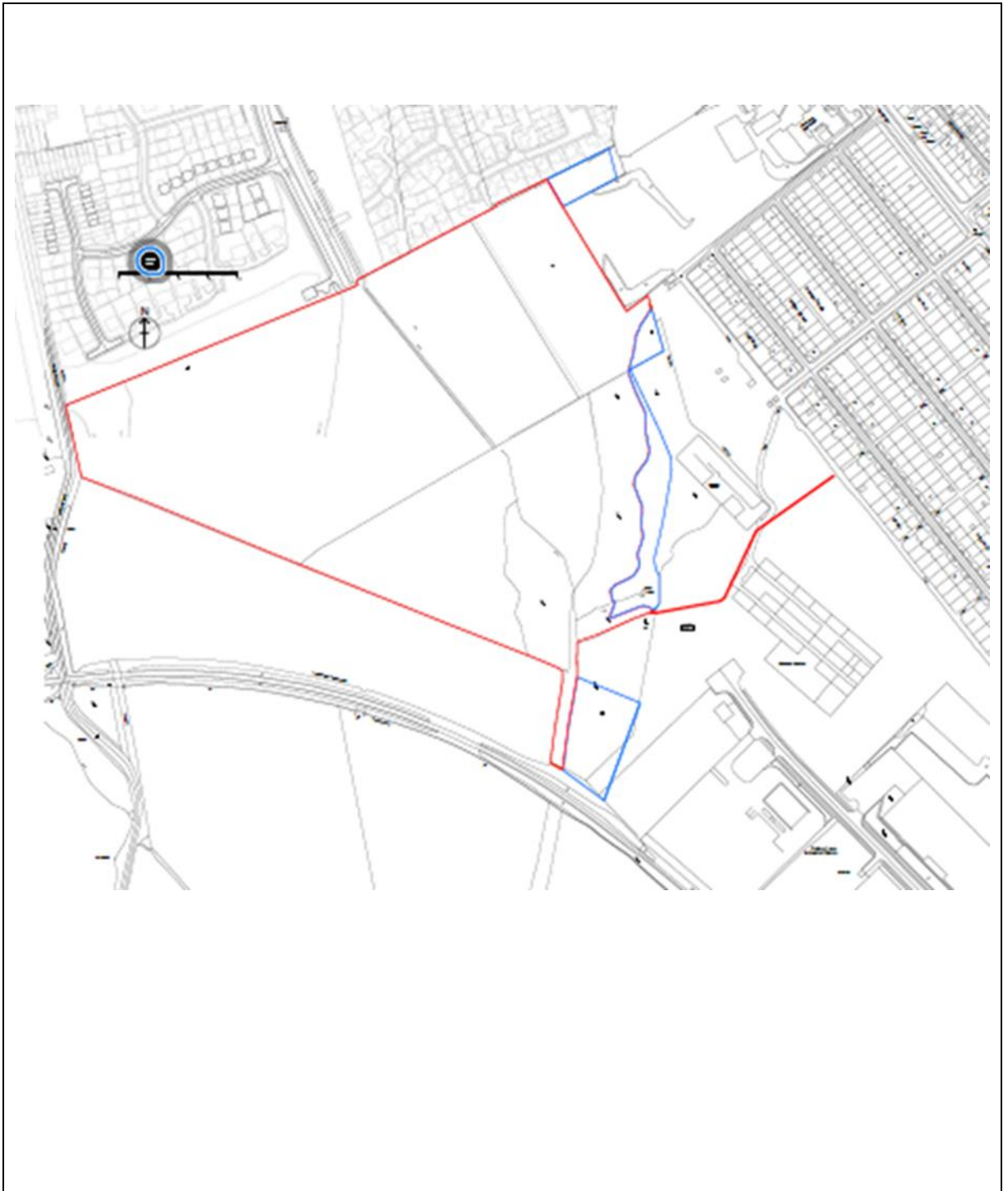
CIHT Better Planning, Better Transport, Better Places (2019)

CIRIA The SuDS Manual (2015)

Statutory consultation responses

Internal consultation responses

External consultation responses



<p>Planning Services</p>	<p>Proposed development of 170 residential dwellings with associated infrastructure and open space (revised description 16/12/2024)</p> <p>Land To The East Of Fern Dene, Knitsley Lane, Templetown</p>	
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	<p>Date: January 2025</p>	