

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	7/2012/0005/DM
FULL APPLICATION DESCRIPTION:	Erection of 175 dwellings with associated infrastructure and landscaping works
NAME OF APPLICANT:	Keepmoat Homes
ADDRESS:	Site O, Cobblers Hall, Newton Aycliffe
ELECTORAL DIVISION:	Aycliffe North and Middridge
CASE OFFICER:	Andrew Inch, Principal Planning Officer Andrew.inch@durham.gov.uk , 03000 261155

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site lies on the north west side of Newton Aycliffe. It extends to some 3.81 hectares and is owned by the County Council. The site is bound to the south by the Pioneering Care Centre building and an undeveloped area of land known as site N, to the east by 'The Moor', a designated Local Nature Reserve, to the north by Cobblers Hall Road, with residential development beyond, and to the west by residential properties known as Ash Tree Close. Site O is the larger of two remaining undeveloped sites within the Cobblers Hall area, which was first identified as an area for the expansion of Newton Aycliffe as far back as 1967. The site itself is currently an area of rough grassland with areas of tree and shrub planting.
2. Planning permission is sought for the erection of 175 dwellings with associated infrastructure and landscaping. The scheme has been amended since its submission and includes a reduction in the number of units from 182. The proposal would include a mix of 2, 3 and 4 bedroom dwellings within a range of formats including terraces, semi-detached and detached houses in both two and two-and-a-half storeys. In addition, the scheme would provide for four character areas, involving different treatments to the elevations of a range of standard house types across the site.
3. Two vehicular access points would be provided directly from Cobblers Hall Road, whilst a number of pedestrian access points would be provided from the site to link with an existing public footpath which runs north to south through a green corridor separating the site from Ash Tree Close to the west.
4. The scheme would also benefit from an off-site Sustainable Urban Drainage System (SUDS), whereby surface water from around 150 of the proposed dwellings would be discharged onto The Moor by way of drainage swales and into a pond.

5. The application is referred to Committee as the scheme comprises major development in excess of 10 dwellings.

PLANNING HISTORY

6. In 1989 outline planning permission (7/1989/0287/DM) was granted for residential development with ancillary shops, community facilities and open space, subject to the provision of a Development Brief. In 1992, the former Sedgefield Borough Council approved a Development Brief for the Cobblers Hall area. The brief was updated on a number of occasions, the most recent of these being in September 2000.
7. In September 2006, outline planning permission (7/2006/0429/DM) was granted for residential development on the site with details relating to siting of buildings, design and external appearance. A subsequent reserved matters (7/2007/0433/DM) submission for 165 dwellings was granted in November 2007.

PLANNING POLICY

NATIONAL POLICY

8. The National Planning Policy Framework (NPPF) is based on the policy of sustainable development and establishes a presumption in favour of sustainable development. Three main dimensions to sustainable development are described; economic, social and environmental factors. The presumption is detailed as being a golden thread running through both the plan-making and decision-taking process.
9. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
10. The NPPF outlines in paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system. The economic role is to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.
11. Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. Paragraph 17 contains the 12 core land-use principles that planning should underpin decision-taking. These include:
 - be genuinely plan-led, empowering local people to shape their surroundings;
 - proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs;
 - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
 - encouraging the effective use of land by reusing land that has been previously developed, provided it is not of high environmental value;

- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
 - conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
 - actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and,
12. Paragraphs 15 and 49 re-iterate that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 47 recognises the desire to boost the supply of housing and Paragraph 50 seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. This recognises the need to identify the size, type, tenure and range of housing required in a particular location, reflecting local demand and including provision for affordable housing where required.
13. Paragraphs 69 and 73 recognise that the planning system can play an important role in creating healthy inclusive communities and that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well being of communities.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

LOCAL PLAN POLICY:

14. The following policies of the Sedgefield Borough Local Plan are considered consistent with the NPPF and therefore relevant in the determination of this application:
15. *Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows)* expects development proposals to retain important groups of trees and hedgerows wherever possible and replace any trees which are lost.
16. *Policy L1 (Provision of sufficient open space to meet the needs of for sports facilities, outdoor sports, play space and amenity space)* uses the National Playing Fields Association standard of 2.4 ha per 1,000 population of outdoor sports and play space in order to bench mark provision.
17. *Policy L2 (Open Space in New Housing Development)* sets out minimum standards for informal play space and amenity space within new housing developments of ten or more dwellings.
18. *Policy H2 (Major Housing Sites in Newton Aycliffe, Spennymoor, Ferryhill and Shildon)* allocates a number of sites for residential development.
19. *Policy H19 (Provision of a Range of House Types and Sizes including Affordable Housing)* seeks to ensure that affordable housing is provided within developments of 15 dwellings or more.
20. *Policy D1 (General principles for the layout and design of new developments)* requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.

21. *Policy D3 (Design for access)* seeks to ensure new development makes satisfactory provision for all road users and pedestrians.
22. *Policy D5 (Layout of new housing development)* sets criteria for the layout of new housing developments.
23. *SPG Note 3 (The layout of new housing)* sets amenity/privacy standards for new residential development.

The above represents a summary of those policies considered most relevant. The full text, criteria, and justifications of each may be accessed at <http://www2.sedgefield.gov.uk/planning/SBCindex.htm>

24. The emerging County Durham Plan is nearing the next stage of consultation in October 2013 in Submission Draft form. This will be ahead of the Examination in Public in Spring 2014. In accordance with paragraph 216 of the NPPF, decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. To this end, the following policies set out in the Preferred Options submission are considered relevant to the determination of the application:
25. *Policy 3 (Quantity of New Development)* sets out the levels of development required over the plan period in order to meet the needs and aspirations of present and future residents of County Durham. At least 30,000 new homes of mixed types, size and tenure are required.
26. *Policy 4 (Distribution of Development)* sets out the broad distribution patterns for new development across the County, and in particular sets out a housing allocation for south Durham of 9680, of which 2000 are to be provided in Newton Aycliffe.
27. *Policy 30 (Housing Land Allocations)* sets out a number of housing sites required to meet the housing requirement and distribution set out at Policies 3 and 4 of the plan, and in this case, allocates Site O for residential development, yielding around 165 dwellings.
28. *Policy 31 (Addressing Housing Need)* sets out qualifying thresholds and requirements for affordable housing provision together with the provision of a range of specialist housing.
29. *Policy 35 (Density of Residential Development)* sets out appropriate densities for residential development dependent upon location and proximity to facilities and access to public transport.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

30. *Great Aycliffe Town Council* make several detailed comments including a preference for speed tables over speed humps. They consider that The Moor must be retained and protected from the impact of the development to ensure it provides a habitat for wildlife. Consideration should be given to off-street parking levels and access for bin wagons and emergency vehicles.
31. The *Highway Authority* raises no objection to the proposals, following receipt of amended plans.

32. *Northumbrian Water Limited* have advised that foul sewage disposal by means of public sewer is acceptable and should be conditioned accordingly. They have no objection to surface water from part of the site connecting to the public sewer provided the run-off rate is restricted, and again, this matter should be conditioned.
33. *The Environment Agency* advises that they are wholly supportive of a SUDS approach and one should be conditioned accordingly.
34. *Durham Wildlife Trust* raises concerns about the proximity of housing to the nature reserve, the resultant public pressure and significant disturbance and predation of wildlife by domestic pets. The inclusion of surface water discharge to maintain wetland habitats is welcomed, though it is considered its overall effect will be limited.
35. *Campaign to Protect Rural England* identifies that the provision of the SUDS pond is essential for sustainable drainage and as a potential home for new wildlife.
36. *Durham Bird Club* does not object to the scheme, but highlights the potential benefits of the SUDS pond for new wildlife.

INTERNAL CONSULTEE RESPONSES:

37. *The Ecology Section* consider the site to be low risk in terms of protected species, but recommend that the mitigation and biodiversity enhancement measures set out in the Ecology Report are the subject of an appropriate condition.
38. *The Spatial Policy Section* considers that the scheme represents efficient use of the land and will provide a range of house types which will widen opportunities for home ownership and create sustainable, inclusive and mixed communities. The development accords with the principles of the NPPF.
39. *The Landscape Section* has no objection to the scheme in principle but has made a number of suggestions to improve the quality of the landscaping scheme, which have been reflected in the submission of an amended scheme
40. *The Design and Historic Environment Section* has no objection to the principle of development. However, a number of improvements were sought to the layout, elevational treatment and boundary treatments, a number of which have been addressed through the submission of amended plans.
41. *The Pollution Control Section* has no objection to the proposals but recommend conditions in relation to minimising noise and dust pollution during construction together with a condition to restrict construction hours.

PUBLIC RESPONSES:

42. The application was advertised by way of both press and site notices and individual letters to neighbouring properties. Neighbours were initially notified on 19 January 2012 and in response, eight letters of objection were received, A summary of the responses is provided below:
43. The site is enjoyed not only aesthetically but also for walking and wildlife. The scale of the development is considered unacceptable; resultant congestion is considered dangerous to pedestrians and affects community coherence. Roads will become extremely busy, overcrowded, noisy and dangerous.

44. Concerns over the impact the proposal will have on wildlife currently inhabiting the area, and that this should be taken into account as that area has already been devastated with over-development at the expense of the environment.
45. The site is a designated nature reserved and should be protected from development and left as such. Further development will be unsightly and impact on highways.
46. The site is one of the last remaining green spaces and should not be built upon. The significant numbers of houses proposed will bring many more people to the area and increase pressure on already limited school places in the area and other services.
47. Concerns over the width of the estate roads in relation to their use by emergency vehicles as well as residents and visitors. Concerns in relation to the construction of the site are also raised.
48. The scheme would lead to overcrowding and there are sufficient houses available in the area. There would be further demand for health facilities and schools which are already stretched. As one of few remaining open areas, the site should remain available for recreation.
49. The two access points are insufficient and will increase traffic on Cobblers Hall Road considerably. The density of the housing and extent of garaging is considered excessive.
50. The plans do not incorporate facilities, that the density is high, and that further congestion would be created at the junctions of Cobblers Hall Road/Burn Lane and Alan Gray Way/Burn Lane,
51. Following the submission of amended plans to revise the layout and reduce the numbers of dwellings, neighbours were re-consulted on 9 July 2013. In response, a further objection was received which highlighted problems associated with the construction of the houses, concerns in relation to the width of the access roads and the overall density of the scheme, and that existing problems on the C34 Woodham to Rushyford would be exacerbated by the traffic from 175 dwellings. The lack of any play facilities for the scheme or the remainder of Cobblers Hall is also highlighted.

APPLICANTS STATEMENT:

52. The proposed development follows a previous outline and reserved matters approval on the site. Whilst these permissions are no longer extant, they demonstrate the suitability of the application site for residential development. A Development Brief for Cobblers Hall was also prepared by the former Sedgfield Borough Council and sets the context for development in the area. The residential units on the application site comprise a mixture of 2, 3 and 4 bedroom properties arranged through a mixture of terraced, townhouses, semidetached and detached properties. In this respect the size, type, scale and character of the proposed properties is similar to those in the surrounding area. The proposed development is entirely appropriate to its locality and context and is in complete accordance with all relevant national and local planning policy. In this respect it is demonstrated that the grant of planning permission for the proposed development would be entirely appropriate.

PLANNING CONSIDERATIONS AND ASSESSMENT

53. Having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004 the development plan policies and relevant guidance, and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, the design and layout, highway safety and access, affordable housing provision, open space provision, drainage and ecology.

Principle of development

54. The National Planning Policy Framework (NPPF) sets out the Government's overarching objectives for the planning system, promoting sustainable development as a key objective. It is noted that the NPPF does not change the statutory status of the development plan as the starting point for decision making, constituting guidance for Local Planning Authorities and decision-makers both in drawing up plans and as a material consideration in determining applications. In particular, Paragraph 49 of the NPPF explains how housing applications should be considered in the context of the presumption in favour of sustainable development.

55. Although the site was not allocated for development in the Sedgefield Borough Local Plan, adopted in 1996, there is a longstanding presumption that it would be utilised for housing as there was for the remainder of the Cobblers Hall area. Site O is within the built up framework of Cobblers Hall, which itself is an area of some 69.38 hectares that was identified for housing development within the Newton Aycliffe New Town Expansion Master Plan in 1967. The principles of the broad land use pattern were established within the Newton Aycliffe Northern Area Study in 1982, and outline planning permission was granted for the broad land use pattern in 1989.

56. As detailed at paragraph 7 above, a subsequent outline application for residential development on the site was granted in 2006, with subsequent reserved matters approval being granted in 2007 for 165 dwellings on the site. It is considered likely that had it not been for the economic crisis which followed soon after that the site would have been developed some time ago. In any event, the principle of residential development on the application site has been well established for over 40 years and given its location, residential development would relate well to surrounding existing residential development in the wider Cobblers Hall area.

57. Whilst the principle of residential development on the site is well-established historically, it is also considered that the current planning context and the presumption in favour of sustainable development set out at paragraph 49 of the NPPF, render the site acceptable for residential development. The site is well served by a range of facilities and services including shops, takeaways, public house/restaurant and medical centre at the nearby Cobblers Hall Village Centre. A further range of facilities are also offered at the Woodham Local Centre. In addition, there are bus stops in close proximity to the site on Cobblers Hall Road and Burnhill Way with appropriate services enabling good access into Newton Aycliffe Town Centre and further afield to access employment opportunities and those services not available more locally. The site is therefore considered to be in a sustainable location which minimises the need for prospective occupiers to rely on private car use. This is consistent with the NPPF's core principle of actively managing patterns of growth to ensure this is the case.

58. Whilst there remain some unresolved issues around the overall level of future housing requirement for the County, and to specific sites, which at this time diminishes the weight that can be apportioned to relevant policies of the emerging

County Durham Plan, Policy 30 nonetheless allocates the site for residential development. The scheme is therefore consistent with the thrust of the emerging plan in this respect and some weight can be given to this in determining the application. Accordingly, it is considered that the use of the site for residential development is well-established and constitutes a wholly sustainable location for residential development, in accordance with the aims of the NPPF, and being consistent with the emerging plan. The principle of the development is therefore acceptable.

Design and Layout

59. Paragraph 56 of the NPPF sets out that the Government attaches great importance to the design of the built environment, that good design is a key aspect of sustainable development and is indivisible from good planning. The proposed scheme provides for 175 dwellings split across four different character areas. Whilst the house types would be the same across the character areas, the way in which the elevations are treated, particularly in terms of the use of a range of materials, would be unique to each character area, and would help to create a sense of place and an attractive place to live for prospective residents. The green corridor along the western side of the site provides breathing space between the proposed dwellings and those in Ash Tree Close to the west, whilst those dwellings on the eastern side of the site will benefit from views of The Moor.
60. In addition, the properties adjacent to Cobblers Hall Road along the northern boundary are outward facing and well set-back from the road itself, thus creating an attractive edge to the development when viewed from outside the site. Feature properties would also be positioned at the access points into the site to provide a focal point.
61. In terms of density, the scheme would provide for around 46 dwellings per hectare (dph). Whilst this level is relatively high, being reflective of the absence of on-site open space provision, Policy 35 of the County Durham Plan sets out that higher densities (30 to 50 dph) will be favourably considered on central site in or near town centres and larger village centres that have good access to public transport and a range of facilities. The application site is considered to be a relatively central site, and in view of the sustainability credentials of the site set out at paragraph 57 above, the density is considered to be appropriate given the proximity of a range of facilities and available public transport links.
62. Although, the density level is at the upper end of the normal range, the scheme provides separation distances between dwellings which meet the standards set out in SPG3 and the requirements of Local Plan Policy D5, such that the amenity of prospective residents would be safeguarded. The layout and relationship of the site to surrounding existing development is such that the amenity of existing residents will not be significantly adversely affected in terms of privacy and amenity.
63. Accordingly, it is considered that the scheme achieves a high overall standard of design and would create an attractive living environment for prospective residents, in compliance with the NPPF and Local Plan Policies D1 and D5.

Highway Safety and Access

64. The application site would be accessed through the creation of two new accesses from Cobblers Hall Road. Whilst Cobblers Hall Road is curved at the position of the two accesses, good visibility would be afforded in either direction and at both access

points for drivers exiting the site, and these would be sufficiently staggered in relation to existing access points on the northern side of Cobblers Hall Road. In terms of the impact of traffic on the local road network, and, notwithstanding the comments of objectors about congestion in the area, it is considered that the levels of vehicular movements associated directly with the site can safely be accommodated. In addition and in order to encourage sustainable means of travel by prospective residents, a travel plan will be required, and an appropriate condition would be imposed. Accordingly, the Highway Authority has no objection in these respects.

65. In terms of the layout and the provision of car parking, the Highway Authority sought a number of amendments to the scheme in order to ensure that the site was laid out in such a way that it would be capable of being adopted upon completion. In terms of car parking, scheme proposes a total of 334 parking spaces, through a mix of garaging, dedicated parking and visitor parking bays, which equates to 172% provision.
66. The Highway Authority is satisfied that the internal road layout is both safe and capable of adoption, and that the level of car parking proposed is sufficient to cater for the number of units proposed. Accordingly, the proposals are considered acceptable in terms of highway safety and access and therefore in accordance with Policy T1 of the Local Plan.

Affordable Housing

67. The NPPF seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, and a key part of this, is the delivery of affordable housing, where a need is identified. The identified need for affordable housing is set out in the Strategic Housing Market Assessment (SHMA), which has in turn formed the evidence base for Policy 31 of the County Durham Plan. This requires 15% affordable housing provision on schemes of 15 or dwellings. Saved Policy H19 of the Local Plan also seeks the provision of affordable housing at the same development size threshold.
68. As part of the release of sites for housing at Cobblers Hall, and in recognition of the need identified at that time, it was envisaged that affordable housing would, be provided at a site at Hawkshead Place. The site at Hawkshead Place provided 86 dwellings, of which 67 have been provided as affordable housing (29 for sale and 38 rented). The Hawkshead Place scheme was required, in 2006, to provide 30% affordable housing or 26 dwellings, whilst also providing the future affordable housing requirement for undeveloped site O and site N.
69. At this time and based on identified housing needs there is a policy requirement for 15% affordable housing in this area. As such, site O would be required to provide 27 affordable dwellings, whilst site N, which hasn't yet come forward for development, would provide in the region of 53 dwellings which accordingly would necessitate 8 affordable dwellings. The combined affordable housing requirement number therefore for Hawkshead Place and sites O and N is therefore 61 dwellings. Hawkshead Place, having already provided some 67 affordable dwellings, has therefore met and exceeded the affordable housing requirement for the application site as well as the other remaining undeveloped site.
70. In addition, the Council in its capacity as landowner has agreed, in disposing of the site, to ring fence £500,000 from the sale of the land towards the provision of further off-site affordable housing in the local area to meet the continued identified need for affordable housing. In view of the provision already provided by the Council off-site,

it is considered that affordable housing need not be provided on the application site, and accordingly, the requirements of the NPPF, Local Plan Policy H19, and Policy 31 of the emerging County Durham Plan are considered satisfied in this respect.

Open Space, Drainage and Ecology

71. Whilst amenity open space is ordinarily an essential part of large new housing sites, in this case, and as part of the overall Cobblers Hall development, substantial provision of open space has already been made in the form of the green wedges that incorporate amenity open space around the development areas, as well as substantial open space at site F, to the south of Burn Lane. Concerns have been expressed by a number of residents in relation to the lack of play facilities. Play facilities have previously been provided elsewhere (sites A, B and E) in the Cobblers Hall area. However, at the request of adjacent residents, such facilities have been removed. In view of this it is not considered appropriate to provide further play facilities.
72. In addition to the aforementioned areas of open space, to the east of the site lies The Moor. This is a designated Local Nature Reserve, which provides additional amenity space, both as a setting to the development and offering some public access. The Moor is to be the subject of significant improvement works at a cost of £375,000, in relation to the provision of a SUDS to accommodate surface water from around 150 of the proposed dwellings as well as a scheme to enhance access to The Moor, including the provision of a perimeter footpath, boardwalks and picnic tables. The works are to be undertaken in early 2014, and the Council has agreed the funding of these works through its capital programme. The provision of such infrastructure in advance of development taking place is not uncommon, and particularly in the Cobblers Hall area, where, for instance, Cobblers Hall Road was provided well in advance of residential development served off it taking place. In view of the availability of these areas of open space and enhancement works, the requirement for an area of open space to be specifically provided within the application site is not considered to be essential in this case.
73. Turning to drainage and flood risk, the site is not within a flood zone and the main issue is the minimisation of flood risk elsewhere in accordance with Paragraph 103 of the NPPF. To this end, the risk of flooding elsewhere would be minimised through the off-site SUDS scheme, which would involve the provision of two swales. One of these would take surface water from the northern end of the application site, and the other from the central part of the site. The two swales would subsequently feed into a large pond, excavated from the existing pond. Whilst these works are off-site, they are on Council-owned land, as is the application site. It is therefore considered that a Grampian style planning condition could be imposed which sought to ensure that no dwellings were occupied until such time as an acceptable surface water drainage scheme was provided and available to accept surface water from the development. The Environment Agency has no objection to the scheme subject to the imposition of an appropriate condition. In these circumstances, the wider open spaces already provided, the enhancement to The Moor, incorporating the provision of a SUDS scheme, is such that the proposals are considered to comply with the overall aims of Policies L1 and L2 of the Local Plan in respect of open space, and Paragraph 103 of the NPPF in respect of the minimisation of flood risk elsewhere.
74. Although most of the surface water would be discharged into the SUDS pond, a small section of the site at its southern end, lies on lower ground than the remainder of the site and The Moor. This would be connected to the main public sewer to receive surface water. Northumbrian Water Limited has no objection to this, subject to the flow rate being restricted. This can be controlled by way of a planning

condition, and as such, the proposals are considered acceptable in this respect and would not increase the risk of flooding elsewhere in accordance with Paragraph 103 of the NPPF. In addition to a small element of the surface water being discharged into the public sewer, foul sewage would similarly be discharged into the combined public sewer. Northumbrian Water Limited has confirmed that sufficient capacity exists in the sewage network to accept the anticipated flows.

75. The submitted Ecology Report highlights that the development of sites next to wetter areas can lead to them drying out, which in this case would reduce the potential of The Moor as a habitat for a range of species. However, the discharge of surface water onto The Moor as set out above would ensure that such impacts do not occur, particularly as the pond would be wet all year-round, and would therefore be of significant benefit to The Moor and assist in the continued provision of habitat for amphibian populations and bird species. Such benefits are recognised by Durham Wildlife Trust, Durham Bird Club and CPRE.
76. In addition to the SUDS pond and associated works, there would also be the provision of a perimeter footpath around the site with a series of short boardwalks extending into the nature reserve. The submitted Ecology Report highlights that the increased use of the site by prospective residents walking on it would potentially cause harm to the range of species presently supported and its ability to attract further species. However, the boardwalks would ensure that people would, in the main, be confined to walking on the boardwalks as opposed to on the ground, thereby minimising the extent to which the site as a habitat would be disturbed. It is clearly recognised that the addition of a residential development adjacent The Moor would undoubtedly increase activity on the site, the provision of dedicated paths around the site would minimise these affects and would address impacts currently experienced through people walking across the site. A condition would, like the SUDS scheme, be appropriate in terms of requiring that a scheme to provide the boardwalks and related works was implemented in advance of the first occupation of the application site.
77. The Ecology Section considers that no protected species would be affected by the proposed development, and have been responsible for jointly developing the scheme to enhance The Moor. Accordingly, the potential for adverse affects on biodiversity and wildlife would be addressed through the SUDS scheme and improvements to The Moor, and accordingly, the scheme is considered acceptable and in compliance with the aims of paragraph 109 of the NPPF.

CONCLUSION

78. The application site has long been established for residential development, along with the remainder of the largely built-out Cobblers Hall area. The site itself is considered to be a suitable and sustainable location for housing having regard to the close proximity of a range of facilities and services and access to public transport. The principle of residential development is therefore in compliance with the NPPFs presumption in favour of sustainable development and the core principle of managing patterns of growth, and is consistent with Policies 3, 4 and 30 of the emerging County Durham Plan which allocates the site for residential development.
79. An appropriate level of affordable housing has already been provided to cater for the identified needs of the area at a site elsewhere in Newton Aycliffe. In addition, a significant financial contribution through the sale of the land would be utilised for the provision of further affordable housing elsewhere.

80. Proposed works to be undertaken in early 2014 to the adjacent nature reserve will ensure that surface water from the development will not increase flood risk elsewhere and similarly, the impacts of the development on biodiversity will be safeguarded and enhanced through the provision of the SUDS pond together with perimeter footpaths and boardwalks to restrict overall access to the nature reserve to protect it as a habitat, whilst providing an attractive amenity area for prospective and existing residents.
81. The scheme would be served by two new accesses, which are considered safe and satisfactory with appropriate visibility, whilst the local road network has long been considered able to support the wider development of the Cobblers Hall area, and sufficient parking would be provided within the site for prospective residents and visitors.

RECOMMENDATION

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

1. The development shall not be begun later than the expiration of three years from the date of this permission.

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

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

RES/239 – L/01 Rev 12, RES/239 – L/02 Rev 4, RES/239 – L/03 Rev 2, RES/239 – L/04 Rev 2, RES/239 – L/06 Rev 3, HT 665 Ground Floor P/01, HT 665 First Floor P/02, HT 763 Ground floor P/03, HT 763 First Floor P/04, HT 828 Ground Floor P/05, HT 828 First Floor P/06, HT 836 Ground Floor P/07, HT 836 First Floor P/08 Rev 1, HT 858 Ground Floor P/09, HT 858 First Floor P/10, HT 1011 Ground Floor P/13, HT 1011 First Floor P/14, HT 1011 Second Floor P/15, HT 1176 Ground Floor P/16, HT 1176 First Floor P/17, HT 665 (type 1) E/01, HT 665 (type 2) E/02, HT 665 (type 3) E/03, HT 763 (type 1) E/04, HT 763 (type 2) E/05, HT 763 (type 3) E/06, HT 828 (type 1) E/07, HT 828 (type 2) E/08, HT 828 (type 3) E/09, HT 836 (type 1) E/10, HT 836 (type 2) E/11, HT 836 (type 3) E/12, HT 858 (type 1) E/13, HT 858 (type 2) E/14, HT 858 (type 3) E/15, HT 1011 (type 1) E/19, HT 1011 (type 2) E/20, HT 1011 (type 3) E/21, HT 1176 (type 1) E/22, HT 1176 (type 2) E/23, HT 1176 (type 2) E/24, HT999 (Type 1) E/25, and, HT999 (Type 2) E/26.

Reason: To define the consent and ensure that a satisfactory form of development is obtained.

3. No development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with approved details.

Reason: In the interests of the appearance of the area and to comply with Policies D1 and D5 of the Sedgfield Borough Local Plan.

4. No development shall commence until a scheme for the disposal of surface water from the development has been submitted to and agreed in writing by the Local

Planning Authority. No dwelling hereby approved shall be occupied until the agreed surface water scheme has been implemented.

Reason: In the interests of ensuring that the development does not lead to an increase in flood risk elsewhere in accordance with paragraph 103 of the NPPF.

5. Any surface water from the site not discharged by way of a Sustainable Urban Drainage System shall not be discharged from the site at a rate in excess of 5l/s.

Reason: In the interests of ensuring that the development does not lead to an increase in flood risk elsewhere in accordance with Paragraph 103 of the NPPF.

6. No dwelling hereby approved shall be occupied until foul drainage arrangements have been provided in accordance with the details set out in the Flood Risk Assessment by Queensberry Design Ltd (updated May 2013).

Reason: In the interests of ensuring that the development does not lead to an increase in flood risk elsewhere in accordance with Paragraph 103 of the NPPF.

7. No development shall commence until a detailed landscaping scheme has 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; and, the establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.

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 Policies D1 and D5 of the Sedgefield Borough Local Plan.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenity of the area and to comply with Policies D1 and D5 of the Sedgefield Borough Local Plan.

9. No development hereby approved shall take place unless in accordance with the mitigation and enhancement detailed at section 5 of the Ecology Report for land at Cobblers Hall Road, Newton Aycliffe by Dendra Consulting dated December 2011

including, but not restricted to: sensitive timing of vegetation clearance to avoid impacts to breeding birds; gapping up/enhancement of existing hedgerows; utilising native trees in landscaping in site; and, provision of bat boxes (minimum of 6) within the site.

Reason: In the interests of the protection and enhancement of biodiversity in accordance with Paragraph 109 of the NPPF.

10. Prior to the commencement of the development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local planning authority. The scheme shall consist of energy from renewable or low carbon sources provided on-site, to a minimum level of at least 10% of the total energy demand from the development, or an equivalent scheme that minimises carbon emissions to an equal level through energy efficiency measures. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to first occupation and retained so in perpetuity.

Reason: In order to minimise energy consumption and to comply with Paragraphs 95 and 97 of the NPPF.

11. No construction work shall be undertaken before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays, not at any time on Sundays, Bank Holidays and Public Holidays.

Reason: In order to prevent an unacceptable risk of noise pollution for existing residents and to comply with Paragraphs 109 and 120 of the NPPF.

12. Prior to the occupation of the first dwelling a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This should also contain details of the Travel Plan Coordinator. The development shall thereafter be implemented in accordance with the approved Residential Travel Plan details.

Reason: In order to encourage sustainable modes of transport and to comply with Paragraphs 35 and 36 of the NPPF.

REASONS FOR THE RECOMMENDATION

1. The proposed development would be on a site long-established as a residential development site, whilst being in a suitable and sustainable location for new housing in accordance with the NPPFs presumption in favour of sustainable development, and consistent with the direction of emerging policies in the County Durham Plan. Adequate provision for affordable housing has been made off-site previously, and impending improvements to the adjacent Local Nature Reserve would cater for the surface water from the development and provide an amenity for prospective and existing residents, whilst safeguarding and enhancing biodiversity interests. The amount, layout, scale and appearance of the development is considered to be acceptable in terms of its impact on the character of the area and in terms of ensuring adequate amenity and privacy for prospective occupiers. In addition, there would be no detriment to highway safety.
2. As such, the scheme accords with the NPPF and Policies H19, D1, D3 and D5 of the Sedgfield Bough Local Plan, and would be consistent with Policies 3, 4, 30, 31 and 35 of the emerging County Durham Plan, albeit that such policies are considered to carry limited weight at this time.

3. In arriving at this recommendation, the public consultation responses received have been considered, however, on balance, the issues raised are not considered sufficient to warrant refusal, with a number of matters controlled through the imposition of planning conditions.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority has determined the application in a timely manner and has had dialogue with the applicant throughout the determination to address issues in relation to the layout, design and landscaping.

BACKGROUND PAPERS

Submitted Application Forms, Plans & Amended Plans
Planning Statement
Design and Access Statement
Ecology Report
Flood Risk Assessment & Drainage Strategy
Travel Plan
Arboricultural Implications Assessment
National Planning Policy Framework
Sedgefield Borough Local Plan
County Durham Plan, Preferred Options, September 2012
Development Brief, Cobblers Hall, Newton Aycliffe, September 2000
Responses from Highway Authority, Environment Agency, Northumbrian Water Limited, CPRE, Durham Bird Club and Durham Wildlife Trust
Internal responses from Design and Historic Environment Section, Landscape Section, Spatial Policy Section, Ecology Section and Pollution Control Section
Public Consultation Responses



Planning Services

Erection of 175 dwellings with associated infrastructure and landscaping works at Site O, Cobblers Hall, Newton Aycliffe (7/2012/0005/DM)

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005

Comments

Date 19 September 2013

Scale 1:2500