APPLICATION DETAILS

APPLICATION NO: DM/14/00263/OUT

FULL APPLICATION DESCRIPTION: Outline application with all detailed matters reserved except means of access for the erection of a maximum of 230 no. dwellings, formation of access and associated works.

NAME OF APPLICANT: Durham Diocesan Board of Finance

ADDRESS: Land to the south of Eden Drive, Sedgefield, County Durham

ELECTORAL DIVISION: Sedgefield

CASE OFFICER: Henry Jones
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DESCRIPTION OF THE SITE AND PROPOSALS

The Site:

1. The application site comprises of 9.9ha of agricultural land located to the south and east of the built-up area of Sedgefield. The site is bordered to the east by Stockton Road, stables and associated agricultural land and further agricultural land also subject to a current planning application for residential development (reference DM/14/00261/FPA for 85 dwellings). To the south the site borders scrub and wooded land with one watercourse running on the site boundary and a further watercourse just beyond the site farther south. The A689 dual carriageway is located to the south of the application site. The application site borders Thurlow Road, Eden Drive and associated properties to the north whilst the west of the application site borders the rear of properties on The Meadows.

2. The majority of the site comprises of open grass and arable land with trees and hedges in part within the site and particularly to the boundaries. The site is gently undulating with the land generally rising from the south to the north with approximately a 6m change in levels across the site.

3. No statutory or locally designated landscape or ecological sites are located within or immediately adjacent to the application site. Ceddesfeld Hall Gardens, a registered historic park and garden immediately abuts the application site to the north and Sedgefield Conservation Area is located approximately 10m to the north of the
application site. Within the Conservation Area are a number of listed buildings with those of most relevance to the application being Ceddesfield Hall (Grade II listed) and Church of St Edmund (Grade I listed). The site is designated under the Sedgefield Borough Local Plan (SLP) as “Green Wedge” land. Public Right of Way No. 16 (Sedgefield) crosses through the centre of the site on a south-east to north-west axis.

The Proposal:

4. Planning permission is sought in outline for the erection of a maximum of 230 dwellings with associated access and works. All detailed matters are reserved except for access. The originally submitted application proposed 300 dwellings but this was revised during the course of the application. A number of other changes to the application have occurred during the course of the application this includes but is not restricted to; revisions to the indicative layout; revisions to submitted reports including the heritage statement, transport assessment, flood risk assessment and noise assessment.

5. A new junction is proposed with Stockton Road providing the main access and egress for the site to the east. This access would provide a new link road leading from Stockton Road through the centre of the site and through into the adjacent land subject to a separate planning application. This link road would then meet the A689 to the south where a new arm off the existing roundabout would be formed. The proposed link road would provide the main vehicular route to and from Sedgefield via the A689. The existing junction of Stockton Road and the A689 would be partially closed as part of the proposals. A further vehicular access to Eden Drive is proposed in the west of the site.

6. As an outline application the precise details of the layout, appearance, landscaping and scale of the development are unknown. The indicative layout proposes a range of housetypes located off a series of estate roads leading from the main link road through the site. A large area of open space is proposed within the north of the application site where adjacent to Thurlow Road. Smaller areas of open and landscaped space are indicated across the site.

7. The application is accompanied by a phasing plan which also encompasses the neighbouring land upon which 85 dwellings are proposed. A link road is proposed through the two development areas. The 85 dwellings on the neighbouring land and a section of land immediately adjacent within this application site are shown to form the first phases of the development with the second and final third phases being the remaining dwellings within this application site.

8. The submitted flood risk assessment proposes a water attenuation pond/basin in the south of the application site.

9. The application is reported to the County Planning Committee as it constitutes a major residential development proposal over 4 hectares in area.

PLANNING HISTORY

10. Planning permission for a proposed junior school and associated playing fields on the site was granted first in 1973 and then in 1977 with a separate planning permission granted for an access in 1977. These developments were never implemented.
11. On land immediately adjoining the application site to the south a planning application is being considered for a residential development of 85 dwellings and associated access and works (Planning Application No. DM/14/00261/FPA).

12. A planning application for a substantial mixed use development on land to the east of Sedgefield Community College and adjacent to Butterwick Road is currently pending consideration (Planning Application No. DM/14/01586/OUT). This application seeks planning permission in outline including details of access, appearance, layout and scale for the erection of 205 dwellings, 2 extra care facilities (total 105 beds), community youth facility, business enterprise unit and 3,000m$^2$ of B8 (storage and distribution) use with further outline permission sought including only details of access and layout for the erection of 256 dwellings including 13 self-build plots.

**PLANNING POLICY**

**NATIONAL POLICY**

13. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’.

14. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.

15. **NPPF Part 1 – 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 of a low carbon future.

16. **NPPF Part 4 – Promoting Sustainable Transport.** The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It is recognised that different policies and measures will be required in different communities and opportunities to maximize sustainable transport solutions which will vary from urban to rural areas. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

17. **NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.** To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.

18. **NPPF Part 7 – Requiring Good Design.** 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. Planning decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime
of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive.

19. **NPPF Part 8 – Promoting Healthy Communities.** Recognises the part the planning system can play in facilitating social interaction and creating healthy and inclusive communities. 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 and planning policies and decisions should achieve places which promote safe and accessible environments. This includes the development and modernisation of facilities and services.

20. **NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.** Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy.

21. **NPPF Part 11 – Conserving and Enhancing the Natural Environment.** The planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognizing the benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible, preventing new and existing development being put at risk from unacceptable levels of soil, air, water or noise pollution or land instability, and remediating contaminated and unstable land.

22. **NPPF Part 12 – Conserving and Enhancing the Historic Environment.** Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.


23. 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; conserving and enhancing the historic environment; design; flood risk; health and well-being; land stability; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

http://planningguidance.planningportal.gov.uk/

**LOCAL PLAN POLICY:**

The Sedgefield Borough Local Plan (1996)

24. **Policy E1 – Maintenance of Landscape Character.** Sets out that the distinctiveness of landscapes is dependent upon the combination of different elements, including, trees, woodlands, the scale of fields and the nature of these boundaries, style of
buildings and local features. In order to maintain the diversity of the landscape character, decisions on use and management of land should take account of these features.

25. **Policy E4 – Designation and Safeguarding of Green Wedges.** Identifies that proposals for built development will normally be refused where an area has been designated a Green Wedge which provides the settings of towns and villages.

26. **Policy E11 – Safeguarding sites of Nature Conservation Interest.** Sets out that development detrimental to the interest of nature conservation will not be normally permitted, unless there are reasons for the development that would outweigh the need to safeguard the site, there are no alternative suitable sites for the proposed development elsewhere in the county and remedial measures have been taken to minimise any adverse effects.

27. **Policy E15 – Safeguarding of Woodlands, Trees and Hedgerows.** Sets out that the council expect development to retain important groups of trees and hedgerow and replace any trees which are lost.

28. **Policy E18 – Preservation and Enhancement of Conservation Areas.** Requires that development proposals preserve or enhance the character and appearance of Conservation Areas.

29. **Policy H8 – Residential Frameworks for Larger Villages.** Outlines that within the residential framework of larger villages residential development will normally be approved.

30. **Policy H19 – Provision of a Range of House Types and Sizes including Affordable Housing.** Sets out that the Council will encourage developers to provide a variety of house types and sizes including the provision of affordable housing where a need is demonstrated.

31. **Policy T1 – Footways and Cycleways in Towns and Villages.** States that the council will seek to ensure that safe, attractive and convenient footpath and cycleway links and networks are provided.

32. **Policy T2 – Public Transport.** States that the Council will seek to encourage improvements to assist public transport services.

33. **Policy L1 - Provision of Sufficient Open Space to Meet the Needs for Sports Facilities, Outdoor Sports, Play Space and Amenity Space.** Requires a standard of 2.4 ha per 1,000 population of outdoor sports and play space in order to benchmark provision.

34. **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 equating to 60sqm per dwelling.

35. **Policy L9 – Footpaths, Cycleways and Bridleways in the Countryside.** States that the Council will seek to promote the provision of a safe, attractive and convenient network of footpath, cycleway and bridleway routes. This includes the maintenance and protection of existing rights of way.

36. **Policy L10 – Recreational Routes.** This policy seeks to protect and maintain existing major recreation routes.
37. **Policy D1 - General Principles for the Layout and Design of New Developments.** Sets out that all new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.

38. **Policy D2 – Design for People.** Sets out that the requirements of a development should be taken into account in its layout and design, with particular attention given to personal safety and security of people.

39. **Policy D3 - Design for Access.** Requires that developments should make satisfactory and safe provision for pedestrians, cyclists, cars and other vehicles.

40. **Policy D5 – Layout of Housing Development.** Requires that the layout of new housing development should provide a safe and attractive environment, have a clearly defined road hierarchy, make provision for appropriate areas of public open space either within the development site or in its locality, make provision for adequate privacy and amenity and have well designed walls and fences.

41. **Policy D8 – Planning for Community Benefit.** Sets out that developments are required to contribute towards offsetting the costs imposed by them upon the local community in terms of infrastructure and community requirements.

**RELEVANT EMERGING POLICY:**

The County Durham Plan

42. Paragraph 216 of the NPPF says that 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. The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. However, the Inspector’s Interim Report which followed, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. In the light of this, policies that may be relevant to an individual scheme and which are neither the subject of significant objection nor adverse comment in the Interim Report can carry limited weight. Those policies that have been subject to significant objection can carry only very limited weight. Equally, where policy has been amended, as set out in the Interim Report, then such amended policy can carry only very limited weight. Those policies that have been the subject of adverse comment in the interim report can carry no weight. Relevant policies and the weight to be afforded to them are discussed in the main body of the report. Relevant policies are listed below, and the weight to be afforded to them is discussed in the main body of the report.

43. **Policy 30 – Housing Land Allocations.** Allocates housing land across the County in order to meet housing requirements and distribution. Development proposals submitted on these housing allocations which are in accordance with the phasing and site specific requirements indicated will be approved provided that they meet other relevant policies within the Plan. An application for an allocation in advance of its phasing will only be approved where; it would not prejudice the delivery of other allocated sites; the site is required to maintain a 5 year supply of deliverable sites; and infrastructure requirements can be satisfactorily addressed.
The Sedgefield Plan

44. The Sedgefield Plan is the emerging Neighbourhood Plan for Sedgefield. The Sedgefield Plan has recently completed the pre-submission consultation stage. Discussion on the weight to be applied to the Sedgefield Plan is made within the planning considerations and assessment section of this report.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at:

http://www.durham.gov.uk/article/3270/Sedgefield-Borough-Local-Plan (Sedgefield Borough Local Plan)
http://durhamcc-consult.limehouse.co.uk/portal/planning/ (County Durham Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

45. Sedgefield Town Council – Object to the application. The application is considered contrary to policies contained within the SLP and the emerging CDP with the proposed housing allocation not being delivered as a single comprehensive scheme. It is considered that the application should not be determined until a clearer view emerges from the CDP Examination in Public. Determination at an earlier stage could be considered premature. Concerns are raised over flood risk, drainage capacity in the area and the adequacy of documents submitted in this regard. Concerns are raised over the highways works associated with the development and resultant impact on safety and adequacy of documents submitted in this regard. Existing school and health provision is already considered to be at capacity. General concerns over the environmental impact of the development are raised. Reference is made to the objections of some consultees on the application. The Sedgefield Neighbourhood Plan must be taken into account in the decision making process.

46. The Highway Authority – Raise no objections to the development. Addendum information was submitted during the course of the application with regards to the transport assessment (TA). The TA and associated addendum are considered acceptable. The proposal to partially close the A689/C38 Stockton Road junction so as to only retain an east bound exit is less desirable than closure in its entirety though can be accepted. The proposed 7.3m wide link road is acceptable. A number of conditions and informatives are considered necessary on any approval relating to; engineering details of the a protected right hand turn lane on Stockton Road; closure of the A689/Stockton Road junction and opening of the link road and associated de-classification and classification; amendment to the existing weight limit on Stockton Road and application of a weight limit on the proposed link road; provision of a bus stop; implementation of a travel plan and full details of a road link to Eden Drive.

47. Highways England – No objections.

48. Natural England – Raise no objections to the impact of the development upon statutorily protected sites. Standing and general good practice advice is provided with regards to protected species and biodiversity and landscape enhancement.

49. Environment Agency – Raise no objections. The development should be implemented in accordance with the mitigation measures detailed within the submitted floor risk assessment. General advice with regards to biodiversity enhancement and disposal of foul waters is provided.
Northumbrian Water – Raise no objection but highlight that Sedgefield sewerage treatment works is nearing capacity with a 300 dwelling headroom remaining. The phasing of development must therefore be coordinated so that the 300 no. dwelling headroom is not exceeded.

**INTERNAL CONSULTEE RESPONSES:**

51. **Spatial Policy** – Raise no objections. The key Sedgefield Local Plan (SLP) Policies which establish the current residential framework to Sedgefield are not fully up to date or NPPF compliant. Limited weight should therefore be afforded to SLP Policies H8 and E4. The development seeks to take into account and cater for heritage assets which could be potentially affected by the development. Specialist advice from Design and Conservation should be sought in this regard. The application site forms part of an emerging County Durham Plan (CDP) allocation under Policy 30, however, following the Inspectors Interim Report post Examination in Public, only very limited weight can be attributed to this housing allocation. The site is nevertheless considered a sustainable location for housing in principle. The issue of prematurity must be considered having regards to the emerging CDP and the emerging Sedgefield Neighbourhood Plan. Only limited weight can be attributed to the Neighbourhood Plan at this stage, and the development is considered to not be so substantial that to grant planning permission would undermine the emerging CDP process and there are uncertainties associated with the timescales of the emerging CDP. As a result it’s considered unlikely that a prematurity argument is appropriate in this instance.

52. **Design and Conservation** – No objections are raised to the impact of the development upon heritage assets, however, a concern is raised with the separation of the site into two applications and that development of this site and the adjacent site must occur in tandem so as to avoid any isolated development which may appear incongruous within the setting of heritage assets. The indicative layout is considered to have significantly improved during the course of the application and in principle is welcomed. Some adjustments and alterations are recommended, however.

53. **Ecology** – Raise no objections. The need to retain mature landscaping features and provide open space within the development is emphasized, however, so as to maintain flight lines for bats.

54. **Landscape** – Raise no objections to the development. Revisions during the course of the application have addressed previous concerns regarding key matters such as the setting of Ceddesfeld Hall Gardens, approach to open space provision and incorporation of views through to Church of St Edmund.

55. **Environment, Health and Consumer Protection (Air Quality)** – Raise no objections. A condition should be applied to any planning permission requiring the implementation of a dust action plan to manage dust arising from the construction process. An assessment of the emissions from the operational phase of the development has been undertaken and demonstrates that there will not be any adverse impact on local air quality.

57. **Environment, Health and Consumer Protection (Noise, Dust, Light, Smoke and Odour)** – Raise no objections. The methodology and conclusions of the noise assessment report and accompanying addendums are agreed with. There is a requirement for some proposed properties to receive acoustic glazing, mechanical ventilation or acoustic barriers. An acoustic barrier is also required adjacent to the existing properties at nos. 1-23 (odd numbers only) Thurlow Road to reduce noise from the proposed link road. These measures should be ensured via condition. Conditions are also recommended with regards to external lighting, noise, dust and smoke suppression and working hours. No concerns are expressed with regards to the impact of adjacent stables upon the development.

58. **Archaeology** – Raise no objections. A condition would be necessary on any approval to ensure the implementation of an archaeologica working and recording strategy.

59. **Access and Public Rights of Way** – No objections are raised. The proposed diversion of the public right of way is acceptable in principle.

60. **Drainage and Coastal Protection** – Raise no objections to the development. The submitted flood risk assessment is considered acceptable in principle. Full and final drainage proposals will require agreement.

61. **Housing Delivery** – State that 10% of housing should be affordable with a tenure split of 75% affordable rent and 25% affordable home ownership. A mix of 2 & 3 bedroom units including older persons provision is recommended.

62. **School Organisation Manager** – State that there are currently 50 available school spaces for primary and 35 spaces for secondary schools in Sedgefield. The approximate pupil yields from the development would be in excess of this and therefore a financial contribution towards school expansion would be necessary.

63. **Employability Team** – State that the proposed development is an opportunity to pursue targeted employment opportunities via a planning obligation.

64. **Sustainability** – Consider the development in terms of economic, social and environmental sustainability principles. The development is considered to perform poorly in regards to economic determinants and averagely against social and environmental determinants. Further information in regards to the embedded sustainability of the development to reduce energy consumption is requested.

**Public Responses:**

65. The application was advertised within the press, on site and letters were sent to neighbouring properties. A total of 62 letters of objection to the development have been received. This total relates to objections received to both the initially submitted proposal for 300 dwellings and to the revised scheme for 230 dwellings. The matters raised are summarised below.

*Principle of the Development*

- The loss of greenfield land and development on Green Wedge land.
- Impact upon local services and facilities such as schools and medical practices and Sedgefield does not have the existing services and employment opportunities suitable for such a scale of development. A specific query is raised as to at what point a manned fire station would be required in the settlement.
- The Neighbourhood Plan must be taken into account in decision making.
- This application must be considered in conjunction with the adjacent site subject to a separate application and not in isolation which may also prevent a comprehensive implementation of the development if approval is granted.
- The cumulative impacts of other sites within Sedgefield must be taken into account.
- The site is used and enjoyed by the community as a recreational area and contains views of the listed church in the centre of the village which would be lost/obscured.
- Reference is made to the Inspectors Interim Report on the CDP and that a housing requirement of the CDP is too high including in Sedgefield.
- Sedgefield is being chosen for development due to the potential financial returns when other settlements would benefit more from development.
- Alternative sites are detailed as being more suitable for development and this includes a reference made to the application for a mixed use development currently under consideration under application DM/14/01586/OUT.

**Highways Issues**

- Highway safety and parking congestion.
- Poor pedestrian/cycle access including to the village centre.
- Public Rights of Way are not taken into account.
- Queries on whether the development would be served by public transport.

**Residential Amenity**

- Concerns expressed over pedestrian footfall from the development/movement from the development.
- Pollution from the development.
- Disruption and nuisance from the lengthy construction process.
- Reference is made to the concerns expressed by Durham Constabulary and potential impact of the development upon community cohesion.
- Increase in noise for residents from vehicular movements.
- Loss of privacy.
- Light pollution and impact upon star gazing.
- Objections on the grounds of health from a resident suffering from asbestosis and emphysema which would be detrimentally affected by the construction activities.
- Concerns regarding anti-social behaviour.

**Other Issues**

- Sewerage capacity.
- The development will increase the potential for flooding and the impact on the water table is queried.
- Queries on whether existing boundary fences will be maintained.
- Queries regarding where open space and play facilities are to be provided.
- Query on whether existing residents will be compensated for the development.
- The housing proposed is not of the type required more affordable housing and housing for the elderly is required.
- The development will be attractive to commuters travelling significant distances harming the environment.
- Impact upon ecology.
- Gas pressure in the village is already considered to be low.
- The land is owned by the church and should be used for community uses not profit.
- Loss of view.
- Depreciation of house values.
- Objections to the Council’s consultation process and difficulty in residents being able to view information and submit concerns.
- Harmful cumulative impacts with other development in nearby settlements.
- Detrimental impact upon TV and mobile receptions and internet connection.

66. In addition a petition objecting to the application whilst the Neighbourhood Plan is emerging has been submitted by the Sedgefield Village Residents Forum with 1,406 signatures. The petition explains that the development proposal would severely damage the rural character of Sedgefield and compromises the open aspect views of the Church of St Edmund. A severe impact on village infrastructure and services would occur.

67. *The Durham Constabulary Architectural Liaison Officer* – State that the crime risk assessment for the development and site is moderate. The A689 would provide easy access and escape route for travelling criminals. No issues are raised within the indicative layout. Some concerns are raised with the scale of the development and potential impacts on traffic and parking in the village. Public objections to the development are acknowledged and consideration should be given to the concerns of residents.

68. *Hartlepool Borough Council* – No objections are raised. Durham County Council is advised to consult with Stockton Borough Council and the Tees Valley Local Economic Partnership with regards to major development at Wynyard.

69. *Campaign to Protect Rural England* – Object to the application. In general terms it is considered that there is not the requirement for the number of houses proposed within the emerging County Durham Plan. Concerns are raised with the cumulative impact of this development and development proposals at Wynyard are unsustainable. The land is allocated under the SLP as Green Wedge land and is a relevant saved policy consideration. Reference is made to the comments of Stockton Council on the CDP allocation at Sedgefield and concerns over impacts of the development on the highway network having regard to planned development at Wynyard. It is further considered that the development is premature and concerns are raised over flood risk and drainage. The public right of way which crosses the site must be catered for.

**Applicants Statement:**

70. This statement has been jointly prepared by the Durham Diocesan Board of Finance (represented by Savills Incorporating Smiths Gore) and Story Homes (represented by Nathaniel Lichfield & Partners) in respect of the current planning applications on land to the south of Eden Drive, Sedgefield. The development is situated in a sustainable location and will effectively ‘round off’ the settlement with the A689 to the south providing a defensible boundary to the site.

71. Both sites form part of the wider draft allocation (Site H/57) that is proposed to form part of the County Durham Plan, as such, is an appropriate site for housing development. This draft allocation is deemed as being suitable for up to 450 dwellings. However, following the publication in February 2015 of the Inspector’s Interim Report into the Stage 1 (Strategy) hearing sessions in respect of the Plan, the decision was jointly taken to reduce the scale of the development proposed across both sites in order to reflect the comments of the Inspector. The Inspector stated that reductions to the proposed allocation in Sedgefield would be appropriate in order to safeguard the character of the area. As such, the level of development across both sites has been reduced from 413 to 315 units, a reduction of some 24%.
Both applications have been subject to detailed discussions with Council Officers since their submission last February 2014. These discussions have sought to ensure that the key benefits attached to the draft allocation will be realised through the comprehensive masterplanning of both sites. The overall scheme will provide a link road through both sites that will act as a new gateway entrance into Sedgefield from the south. In addition to this, both layouts have been designed so as to ensure that key views through to the Church of St Edmund are retained. Both sites will create a complementary network of open spaces, with particular focus on the village green at the centre of the Story Homes site and a significant area of open space at the northern end of the Diocese site that has been created in order to protect the setting of Ceddesfeld Hall Gardens and the walk between these gardens and Hodgemore Hill. The existing right of way that crosses both sites is also to be rerouted in line with the new layout.

As well as providing a high quality residential development, both schemes will provide 10% affordable housing, along with financial contributions via a Section 106 Agreement towards schools provision as well as a programme of targeted recruitment and training. The development itself will facilitate further economic benefits, with the predicted creation of circa 68 construction jobs per annum over the life time of the build, 19 new local jobs, approximately £3m in New Homes Bonus payments and over £580,000 annually in Council Tax payments.

It is therefore our strong view that planning permission should be granted for these applications in order that the County Council can start to deliver its preferred development sites to support the wider regeneration of the County.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at: http://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application

PLANNING CONSIDERATIONS AND ASSESSMENT

Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of the development, landscape and visual impact, layout and design, impacts upon heritage assets, residential amenity, highway issues, ecology, matters of flood risk and drainage.

Principle of Development

At the heart of the NPPF is a presumption in favour of sustainable development. For decision taking, unless material planning considerations indicate otherwise, this means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out-of-date permission should be granted unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole; or specific policies in this Framework indicate development should be restricted.

Paragraph 47 of the NPPF requires Local Planning Authorities (LPAs) to identify and update annually, a supply of specific deliverable housing sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Where there
has been a persistent under delivery of housing this buffer should be increased to 20%.

78. Paragraph 49 of the NPPF states that development plan policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

79. Following the first stage of the Examination in Public (EiP) into the County Durham Plan (CDP) the Inspector concluded that an appropriate Objectively Assessed Need (OAN) figure for County Durham would be 1,435 dwelling per annum (dpa).

80. Taking this approach to the OAN, over the next 5 year period the housing requirement would be 7,175 units. As County Durham has not reached its housing target in any of the last four years it is considered that the 20% buffer should apply. This results in a 9,912 dwelling requirement over next 5 year period.

81. A Judicial Review challenge has been mounted by the Council to the Inspector’s interim report into the CDP but until the outcome of that challenge is known, it is considered that it has no material impact on these issues.

82. On the basis of the above housing requirement the Council has produced a statement to establish that there is sufficient land supply for the five year period from 1 April 2015 to 31 March 2020 across County Durham. This document updates the five-year supply information which was submitted to the EiP of the CDP in recognition that the housing completions data for 2014/15 are now known, and the supply position is constantly evolving in terms of new schemes receiving permission, and other permissions lapsing during the last financial year.

83. This statement, which has been updated in May 2015 demonstrates that the LPA has 5.60 years supply of deliverable sites as required by the NPPF, and confirms that there is sufficient potential capacity within the County to maintain a 5-year supply of deliverable sites. Therefore, having regards to paragraph 49 of the NPPF relevant policies for the supply of housing can be considered up to date. An assessment of the consistency of those relevant policies with the content of the NPPF must still be made in assessing the weight to be attributed to Local Plan Policies.

84. The application site is located outside of the residential framework of Sedgefield, where SLP Policy H8 seeks to direct new housing. Sites located outside of residential frameworks are considered against countryside policies and objectives, to which there is a presumption against development for housing other than in exceptional circumstances. The site is also designated as a ‘Green Wedge’ where SLP Policy E4 seeks to prevent built development, again unless in exceptional circumstances, such as for agriculture or essential sport and recreation facilities. The development of this site for housing would therefore conflict with these saved policies of the SLP.

85. The general approach of SLP Policies E1 and H8 in seeking to direct development to settlements best able to support it and in seeking to protect the open countryside and valued landscapes is consistent with the provisions of the NPPF. In particular the NPPF seeks to; focus significant development in locations which are or can be made sustainable (Paragragh17); recognise the intrinsic character and beauty of the countryside and need to encourage the re-use of previously developed land (Paragraph 111); protect and enhance valued landscapes (Paragraph 109) and; advises on the need to plan positively for green infrastructure (Paragraph 114)
86. SLP Policy E4 states that designated Green Wedges comprise of the open areas around towns and villages and between parts of settlements which maintain the distinction between the countryside and built up areas, prevent the coalescence of adjacent places and provide a rural setting to development. The value of Green Wedges having regards to their recreational and wildlife resource is also referenced.

87. The NPPF promotes a more flexible approach to settlement growth and development. The NPPF does not specifically recognise settlement boundaries and there is no preclusion of the development of edge of settlement greenfield sites where it is considered appropriate. Green Wedges are not specifically recognised within the NPPF as a method to safeguard land from development. SLP Policies must also be considered in the broader sense, alongside the most up-to-date evidence in the Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessment (SHLAA); the most up-to-date evidence base on infrastructure and viability; relevant policies in the emerging Development Plan for County Durham; evidence on the five year land supply; and the most up-to-date settlement study. In summary, the saved residential framework with the SLP from 1996 does not reflect the situation and requirements of today. As a result SLP Policies E4 and H8 are considered partially, not fully NPPF compliant.

88. The landscape and visual impact of the development is considered in more detail elsewhere in this report. With regards to the objective of the prevention of coalescence under the Green Wedge Policy E4 no such harmful impact would occur through built development on the Sedgefield Green Wedge. Though some built development is concentrated around the roundabout on the A689 to the south of the site there is no settlement located adjacent or close to the application site for a coalescent impact to occur. The application site would be well contained by the A689 to the south and Stockton Road to the east. Sections of Sedgefield to the immediate west of the application site already extend to meet the A689. As a result whilst acknowledging the conflict with SLP Policy E4 it is considered that development would be well related to the existing built up area of Sedgefield and would result in a logical extension to the settlement.

89. The County Durham Plan (CDP) provides a definition of “the built up area” and explains that land on the edge of a settlement can be considered to be part of the built up area where it is physically very well contained by existing built development and its development would not result in coalescence with neighbouring settlements. Whilst only limited weight can be applied to the content of the CDP, no such harmful impact is considered to result from this development. This CDP definition also requires that the development must not encroach into the countryside such that it would cause significant adverse landscape or townscape impact. Landscape and visual impacts of the development are considered in more detail elsewhere in this report.

90. The application site forms part of a housing allocation under CDP Policy 30, and which indicates a yield of 450 dwellings across the application site, the adjoining land being considered under application 14/00261/FPA, and a parcel of land to the immediate east of these sites for which no planning application has been received.

91. The Planning Inspector’s interim report following the Examination did not comment on the suitability of the application site for development, however, the Inspector did consider that an allocation of 450 houses for Sedgefield was too high. As a result it is considered that only very limited weight can be attributed to the proposed housing
allocation for Sedgefield under CDP Policy 30. As the Council considered these sites to be appropriate for allocation it follows that the Council considers them to be sustainable and suitable for development if they can overcome specific infrastructure requirements and detailed development management issues.

92. The County Durham Settlement Study is an evidence based document in support of the CDP which assessed the services, facilities and transport modes of settlements so as to inform the formation of a settlement hierarchy to establish where new development such as housing, employment and community facilities should be located. This Settlement Study identifies Sedgefield as a “smaller town/larger village” and as a result within the second tier of settlements behind main towns such as Durham, Consett and Bishop Auckland.

93. Sedgefield itself has a range of services and facilities within it and it is considered that the development of up to 315 dwellings (as proposed in the two current applications) would not be out of scale with the services of the settlement.

94. CDP Policy 30 states that the proposed allocation of 450 dwellings should be delivered as single comprehensive development and this is highlighted in public and Town Council objection to the application. This application for up to 230 dwellings and the application for 85 dwellings on the adjacent land are two distinct planning applications. The applications were submitted at the same time and the applicants have worked collaboratively on elements of the two developments. Provided that site specific planning and infrastructure requirements can be adequately addressed officers raise no objections to the principle of the overall site coming forward in two separate planning applications. More discussion on the separation of the land into two applications and acceptability of it is made in specific sections of this report.

95. The School Organisation Manager has identified that schools would not have capacity to cater for the development without the provision of additional accommodation. However, the applicant has confirmed that a financial contribution to enable the development of accommodation can be provided and this can be ensured under a S106 legal agreement. This would offset the impacts of the development upon the settlement having regards to SLP Policy D8.

96. With regard to health services, from discussions with the NHS during the site allocation process under the CDP the population growth resulting from the development is understood to create a requirement for additional consulting space. As this and the adjoining development now propose a total of 315 dwellings rather than the 450 dwellings proposed under the CDP allocation, the impact of the development upon health services has lessened. NHS property services are aware of the potential growth at Sedgefield and are understood to be considering the matter within its primary care strategy.

97. A specific public query regarding at what point Sedgefield would require a manned fire station is raised. Sedgefield currently has a fire station at Ropers Garth though it is understood that officers are not permanently stationed there but rather utilise a retained duty system where officers would attend the station on an “on-call” basis. It is understood that it is not the case that the operation of a fire station relates simply to population but a wider review of assets and having regards to the fire services incident response standards.

98. As the site relates to an emerging CDP allocation and a Neighbourhood Plan for Sedgefield is being developed consideration must be had to the issue of prematurity and the Planning Practice Guidance (PPG) provides advice in regards to this matter. The PPG advises that justifying refusal on the grounds of prematurity is unlikely to be
appropriate unless, firstly, the adverse impacts of the development would outweigh the benefits. Secondly, it is likely that a prematurity argument would only be appropriate where; the effect of granting planning permission would be so significant that it would undermine the plan-making process by predetermining decisions about new development that are central to an emerging Local or Neighbourhood Plan and; the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

99. The PPG further advises that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before it has reached the submission stage. The CDP having been examined at Stage 1 of the EiP is considered to be at an advanced stage.

100. It is considered that the Neighbourhood Plan is not at such an advanced stage with it having only recently completed the Pre-Submission consultation stage. Whilst this is the final stage before Submission the Council has significant concerns regarding the soundness and deliverability of the strategy set down in the Neighbourhood Plan.

101. The decision on whether the adverse impacts of the development outweigh the benefits is only fully informed by a consideration of all the key material planning considerations and not just a consideration of the principle of the development.

102. Approval now would establish a significant planning permission in Sedgefield taking into account the nature and scale of the settlement. However, it is considered that the development would not be so substantial or its effect so significant that granting planning permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to the CDP, particularly, since the CDP proposed that the site be allocated for residential use.

103. NPPF paragraph 112 states that LPAs should take into account the benefits of the best and most versatile agricultural land and where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Natural England classification maps for the North-East region show the entirety of the application site to be Grade 3 agricultural land. Grade 3a agricultural land is defined within the NPPF as best and most versatile agricultural land, Grade 3b land is not. Survey data is not available nor been undertaken to distinguish whether the land is best and most versatile land. However, even in a circumstance that the land is best and most versatile land this does not preclude the land from development but is a factor which must be considered in the overall planning balance.

104. Public objection is raised to the absence of an appropriate mix of housing including affordable housing and housing for the elderly. The application proposes 10% affordable housing provision (which would be ensured via a S106 legal agreement) which accords with the requirements of the Strategic Housing Market Assessment (SHMA) for the housing delivery area. The final design and scale of the dwellings would be resolved at the reserved matters stage. Officers raise no objections to the type and mix of housing proposed with the application considered compliant with SLP Policy H19 and Part 6 of the NPPF in this regard.
105. Public objection includes the comments that Sedgefield is being chosen for development due to the potential financial returns and that other settlements would benefit more from the development. An important aspect of development is deliverability and as a result a factor in development delivery is market attractiveness. A concentration of proposals emerging and being planned for within the emerging CDP in locations which are attractive to the market will occur. Through the emerging CDP, however, this will be balanced with the need to not exclude other areas which will be allowed to meet local needs and continue to regenerate.

106. Public objection to the application also states that there are alternative sites more suitable for development. This includes a submission from the applicant of a competing site in Sedgefield which is described in more detail within the planning history section to this report. Firstly, any application submitted must be considered on its own merits and an application should not be refused or not determined simply on the basis of the potential for another site to be proposed by another applicant. With regards to the application which is currently pending consideration, the acceptability of this development will be considered in due course and presented at planning committee. It is not considered necessary to withhold the determination of this planning application which was submitted at an earlier stage.

107. Despite the conflict with SLP Policies E4 and H8 the development is considered NPPF compliant and officers raise no objection to the principle of the development. The acceptability of the application is considered to rest with the detailed material planning considerations applicable to the development and site and whether there are any adverse impacts that would outweigh the benefits of the development.

Landscape and Visual Impact

108. SLP Policy E1 seeks to maintain landscape character and Policy E4 in part aims to maintain the distinction between built up areas and the countryside and provide a rural setting to the settlement. Detailed NPPF commentary only relates to designated landscapes such as National Parks and Areas of Outstanding Natural Beauty. However, the NPPF at core planning principle 5 recognises the intrinsic character and beauty of the countryside and at Part 11 paragraph 109 aims to protect and enhance valued landscapes.

109. The application is accompanied by an outline landscape character and visual impact amenity appraisal (LVIA). This document includes an assessment of the landscape character of the site which falls within the Tees Lowlands County Character Area. The LVIA considers that the site itself is not of any major landscape value due to its modest landscape elements with the intersecting field and boundary hedgerows considered to be the most significant landscape features on site. The SLP allocation as a Green Wedge is acknowledged and the site is of local landscape value as a result.

110. The LVIA considers significant visual impact of the development would be restricted largely to a localised margin in close proximity to the site and overall the visual impact of the development is considered to be slight adverse. This is due to the potential to retain landscaped boundaries within the site and supplement this with some further mitigating planting. The LVIA establishes some key landscape strategy principles including retaining, and enhancing where possible existing hedgerows and trees within the site; retaining access to public rights of way; conserving and enhancing vistas particularly of the Church of St Edmund and; conserving the landscape and cultural significance of Ceddesfeld Hall and Gardens including the grouping of trees on Hodgemore Hill.
111. Landscape Officers essentially agree with the conclusions of the submitted LVIA. Both the visual effects of the development and effects on landscape character would be localised and the development would not result in the creation of an unacceptable visual environment. Landscape Officers consider that the site could be developed for housing without having significant effects on the landscape.

112. Further detailed consideration of the impacts of the layout and design of the development and impacts upon heritage assets are discussed separately in further detail within this report. However, in general the landscape and visual impacts of the development are considered to be acceptable. The landscape character of the southern and eastern lowland that provides the setting for Sedgefield would be maintained as required by SLP Policy E1.

113. Under SLP Green Wedge Policy E4 the land is designated for the contribution it makes to providing a rural setting to Sedgefield and to maintaining a distinction between the countryside and the built-up area rather than its landscape being of particular quality or value.

114. The development is considered compliant with SLP Policy E1 and largely compliant with advice contained within Part 11 of the NPPF.

Layout and Design and Impact upon Heritage Assets

115. The application is in outline with all matters reserved except for access. As a result the precise layout, appearance, landscaping and scale of the development are unknown. The application is accompanied by indicative and masterplan layout drawings, supporting Design Code and necessary Design and Access Statement and Heritage Statement; all being of particular relevance to the layout and design of the development and impact upon heritage assets.

116. Design and Conservation Officers raised objections to the application in its originally submitted form. The originally submitted Heritage Statement (HS) was considered deficient including in regards to its assessment of the setting of the Sedgefield Conservation Area, Ceddesfeld Hall Gardens (Grade II listed registered Park and Garden of Special Interest), listed buildings in the vicinity of the site and non-designated heritage assets. Design and Conservation Officers raised concerns over a potential significant adverse impact on the setting of the Sedgefield Conservation Area and Ceddesfeld Hall Gardens as a result.

117. Design and Conservation Officers also expressed concerns with the originally submitted draft layout. It was considered that there was a need to positively link the development with Sedgefield, develop an open space strategy, retain the public right of way and find a means of delivering a comprehensive and cohesive scheme with the adjacent application site.

118. Landscape Officers have also provided comments on the indicative layout submitted within the application and some comments are made on very similar lines to those of Design and Conservation Officers. Landscape Officers consider that key requirements of any successful development and layout would include the maintenance of the integrity of Hodgemore Hill and walkways from it as part of preserving the setting of Ceddesfeld Hall Gardens; developing legible green routes linking the site to Sedgefield; maintenance of the view of the Church of St Edmund and integration of the development with the adjacent site.
119. During the course of the application, documentation in support of the application has been amended. These submissions have been made to further inform on the impact, layout and design of the development and in seeking to overcome areas of concern within officer and consultee responses.

120. The revised HS identifies a number of heritage assets located within the 1km of the application site. These heritage assets comprise of a number of listed buildings, Sedgefield Conservation Area and two registered historic parks and gardens (Ceddesfeld Hall Gardens (Grade II) and Hardwick Park (Grade II*)).

121. The revised HS considers that the heritage assets that require detailed consideration are restricted to Ceddesfield Hall (Grade II listed), Church of St Edmund (Grade I listed), Ceddesfeld Hall Gardens and Sedgefield Conservation Area.

122. The Local Planning Authority has a statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard attention to the desirability of preserving a listed building and its setting or any features of special architectural or historic interest which it possesses and a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

123. The HS considers that existing landscape features and built development restrict views of the site from Ceddesfield Hall and the proposed development would have no effect on the special character, appearance or setting of the hall. The HS considers that the application site forms part of the wider setting of the Church of St Edmund. The top of the tower of the church can be seen above trees within the fields of the application site. The indicative layout has been developed so as to retain views towards the church within the development. Modelling of the retained views is provided within the separate Design Code document. The HS concludes that whilst the setting of the church tower would change the nature of that change is compatible with the character of existing views where the views towards the church tower are seen over housing and through trees. The HS considers that the special character, appearance and setting of the Church of St Edmund would be preserved.

124. Ceddesfeld Hall Gardens immediately abuts the application site to the north. The section of Ceddesfeld Hall Gardens immediately adjacent to the application site includes what was understood to be a tree lined walk connecting the wooded hillside “Hodgemore Hill” with the rest of the gardens. The HS states that the development of the site would lead to the urbanisation of the existing agricultural land to the south of the registered garden. However, built development adjacent to the registered garden has been reduced with a large area of open space now proposed in the northern section of the site. The HS considers that impacts of the development upon Ceddesfeld Hall Gardens and their setting would be minimal.

125. The Sedgefield Conservation Area comes to within approximately 10m of the application site with the boundary of the Conservation Area lying adjacent to where Wykes Close meets Thurlow Road. This boundary corresponds to the location of ponds within Ceddesfeld Hall Gardens.

126. The HS considers that the development would largely be screened from the Conservation Area by the intervening built development and topography. The HS states that the application site forms part of the wider landscape that provides a setting to the Sedgefield Conservation Area. Reference is made to the development retaining views of St Edmunds Church which is a key feature within the significance of the Conservation Area. The HS concludes that the development would have a neutral impact on the setting of the Conservation Area.
Design and Conservation and Landscape Officers have in response to the amendments of the application provided revised comments. Officers consider that the heritage impacts of the proposal upon the key designated heritage assets are limited. Mitigation measures have been incorporated into the indicative layout to reduce impacts upon the setting of the heritage assets.

Design and Conservation and Landscape Officers state that consideration should be given to reduce the area of development in the north of the application site closest to Ceddesfeld Hall Gardens. Such a matter can be considered in more detail at the reserved matters stage. Design and Conservation Officers generally welcome the revisions made to the indicative layout, although a number of detailed points of revision are recommended though it is considered that none of these are fundamental at this outline stage and the detail of the layout can be resolved at the reserved matters stage.

Landscape Officers state that consideration should be given to providing a path around the edge of Hodgemore Hill to reinstate the relic tree lined walk. This is a matter that can be considered at the reserved matters stage. Open space provision and connectivity are improved within the revised layout and the maintenance of views through to Church of St Edmund is welcomed.

With regards to the public and Design and Conservation Officers concerns regarding ensuring a comprehensive delivery of the site, the amendments received during the course of the application have sought to further ensure linkages between the layout of this development with the neighbouring proposal for 85 dwellings. Key design principles have been devised on the two sites. Whilst there is some potential for one development to come forward and not the other there is always the potential for development in a single application to stall. Should the instance of this application coming forward in isolation occur no harmful impact upon the visual amenity of the area or heritage assets would occur.

The application was originally accompanied by an archaeological desk-based assessment and a geophysical survey. The submitted geophysical survey identified a large enclosure with possible multi-phases of occupation recorded within the northern part of the site. As a result the results of a trial trench evaluation were required and the applicant arranged for these to be undertaken. The evaluation trenches confirmed a multi-phased enclosure settlement of probable Roman date located within the northern section of the site. A programme of archaeological excavation is therefore recommended. Archaeology Officers have recommended that conditions are attached to any approval to ensure that a programme of archaeological works to ensure the preservation of the archaeological features is undertaken.

The final appearance, landscaping, layout and scale of the development are reserved matters the detail of which would be subject to a further application. However, the indicative layout establishes some principles which can be incorporated into the detailed design. Retention of the majority of mature landscape features is identified, including, a species rich hedgerow which meets the definition of an “important hedgerow” under the Hedgerow Regulations which is located on the eastern boundary of the site. Landscaped boundaries to The Meadows, southern boundary and a significant hedge which runs on a north-south axis in the western half of the site are all indicated for retention. There is the potential for this retained landscaping to be enhanced further through a detailed landscaping strategy of the site.
133. SLP Policies L1 and L2 both seek to ensure that adequate open space provision is made to cater for new housing development. SLP Policy L2 seeks to ensure that open space the equivalent of 60m$^2$ per dwelling is provided. Whilst the application is in outline at this stage the indicative layout does show areas of open space that would exceed the space requirements of SLP Policy L2.

134. The Open Space Needs Assessment (OSNA) shows that Sedgefield does include some open space deficiencies namely playspace, outdoor sports space and allotments. It may not be possible or suitable for these forms of open space to be provided on site and as a result it would be appropriate for a financial contribution to be made towards such provision to be ensured by a S106 legal agreement.

135. Officers raise no objections to other elements of the indicative layout. Consideration of the implications of the layout and residential amenity is undertaken elsewhere in this report.

136. As a result officers raise no objections to the development on the grounds of impacts upon heritage assets with the special character, appearance and setting of Sedgefield Conservation Area, Ceddesfield Hall, Church of St Edmund and Ceddesfeld Hall Gardens preserved. The indicative layout is considered to be acceptable in design and landscape terms with adequate on site open space achievable. The development is considered compliant with SLP Policies E15, E18, L1, L2, D1, D2, D5 and D8 and Parts 7, 8, 11 and 12 of the NPPF.

Residential Amenity

137. SLP Policies D1, D2 and D5 all seek to ensure that adequate privacy and amenity is provided through new development and personal safety and security is ensured. These policies are considered NPPF compliant. The core planning principle at paragraph 17 of the NPPF states that planning should always seek to secure a good standard of amenity for existing and future occupants of land and buildings. Part 8 of the NPPF, amongst other guidance, advises on the need to create safe and accessible environments where crime and disorder and the fear of such are considered. Part 11 of the NPPF seeks to prevent both new and existing development from contributing to or being put at unacceptable risk from unacceptable levels of pollution.

138. At this outline stage the precise layout of the development and scale of the dwellings is unknown. Land adjacent to the site in the east and south is predominantly open and agricultural land with no residential properties in the immediate vicinity with the property Leafield, approximately 350m from the site boundary, being the closest. However, a large proportion of this neighbouring land is also proposed for residential development. At the reserved matters stage the proposed layout and scale of dwellings can be designed to complement any housing development on the adjacent land and ensure adequate privacy and outlook for all future occupiers.

139. Many existing properties on Eden Drive and Thurlow Road are separated from the application site by a carriageway and landscape features and adequate separation between existing and proposed properties could comfortably be provided for at the reserved matters stage. A closer and more intimate relationship could occur where properties at The Meadows flank the site to the west and where terraced properties numbered 1-23 (odd numbers only) Thurlow Road flank the northern boundary of the site close to the junction with Stockton Road. However, at the reserved matters stage it is considered that the layout can be arranged so as to ensure that adequate privacy and outlook for existing and future occupiers can be provided.
140. Similarly within the application site at the reserved matters stage a final layout can be devised which provides adequate privacy and outlook for the future occupiers of the development.

141. Some public objection to the application relates to the impacts of an increase in pedestrian footfall and cycle movements in the local area. A development of the scale proposed would increase such movements within the local area and new pedestrian routes would be formed onto Stockton Road, Thurlow Road and Eden Drive. However it is considered that there would be no harmful impacts.

142. Public concerns with the application include concerns with a range of potential sources of pollution including noise arising from the construction and operational phases of the development, light pollution and impact upon star gazing and objection to the impacts of construction works on the grounds of health from a resident suffering from asbestosis and emphysema.

143. The application is accompanied by a noise assessment and addendums to this report have been received during the course of the application. A key consideration is the potential for noise emanating from the traffic utilising the proposed link road. The proposed link road which would form a junction with Stockton Road is sited within close proximity to the terraces 1-23 (odd numbers only) Thurlow Road coming to within approximately 8m at the nearest point. An addendum to the submitted noise report has been received and this considers that an acoustic fence would be required between the terraced properties and the link road so as to reduce the levels of noise that those properties would receive to an acceptable level. A condition can resolve the final mitigation requirements in this regard.

144. All other existing residential properties on Thurlow Road, Eden Drive and The Meadows would be located at greater distances from this link road and no concerns are raised over noise from the operational phase of the development in this regard.

145. Due to the proximity of proposed dwellings within the application site to the link road there would be a requirement for mitigation measures to be undertaken so as to ensure that noise levels for future occupiers would be at an acceptable level. A noise assessment addendum recommends that at the affected properties garden areas should be located on the screened side of properties or closed boarded garden fences/walls should be utilised and acoustic ventilation would also be required. Environment, Health and Consumer Protection Officers recommend that a condition would be required on any approval to agree the final mitigation measures when the precise layout is known.

146. Regarding the construction phase of the development Environment, Health and Consumer Protection Officers advise that the development has the potential to generate noise, dust, smoke and light spillage.

147. In the event of an approval conditions to agree best methods of dust and smoke suppression can be attached and a condition regarding working hours. A condition regarding lighting is considered unnecessary as standard street lighting to adoptable standard is considered to be acceptable for such a residential estate. The public concern regarding star gazing/astrology is noted, however, officers consider that impacts would not be significantly harmful and warrant officer objection.

148. Advice from Environment, Health and Consumer Protection Officers is provided with regards to the potential for a statutory nuisance to result as defined by the Environmental Protection Act 1990. Officers agree with the views of Environment,
Health and Consumer Protection Officers and consider that the views apply to the assessment of residential amenity.

149. Regarding the specific concerns raised by a resident at Thurlow Road on implications of the development upon their health, the Planning Practice Guidance (PPG) advises on health and well-being and this identifies that potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are matters which can require consideration in new development proposals.

150. With regards to matters of air quality Environment, Health and Consumer Protection Officers have stated that an assessment of the impact of dust emissions to arise from this phase of the development has been undertaken in accordance with the IAQM Guidance on the Assessment of Impacts from the Construction Phase. The risk of impacts of dust on sensitive receptors has been classified from low to high taking into consideration the distance between the location of the receptor and the site.

151. Environment, Health and Consumer Protection Officers state that the impacts arising from the construction activities may be reduced to a minimum by the implementation of a Dust Action Plan comprising of appropriate mitigation measures. A condition can be applied to any approval so as to ensure that such a dust action plan is implemented. The background levels of particulate for this location have been determined from DEFRA produced maps. These are well below the annual mean National Air Quality Objective for this pollutant (40 μg/m3) and it is therefore considered highly unlikely that this will be exceeded.

152. During the course of the application additional information has been received in regards to likely HGV movements during the construction phase. Environment, Health and Consumer Protection Officers consider that impacts of the movements would not be significant and would have no adverse impact on emissions of air quality pollutants at existing receptors.

153. With regard to the operational phase the assessment of the development on emissions of local air quality pollutants focuses on the increase in traffic flow. The predicted levels of nitrogen dioxide and particulates generated by the proposed development both by itself and in combination with other committed developments in the locality are well below the National Air Quality Objective and as a result no objections from Environment, Health and Consumer Protection Officers are raised. As a result it is considered that the impacts of the development upon air quality would be acceptable and mitigation measures to be ensured by condition on any approval can be used to reduce impacts.

154. A small but commercial stabling site is located to the east and south of the application site. Environment, Health and Consumer Protection Officers raise no concerns regarding the potential for the stables to generate odour or noise that would lead to any adverse impacts on the occupiers of the proposed development.

155. Other matters of concern raised by members of the public relate to potential increases anti-social behaviour. The Durham Constabulary Architectural Liaison Officer makes reference to the degree of public opposition and raise specific concerns over parking and traffic implications (which can lead to confrontation). Whilst matters of crime, anti-social behaviour and indeed fear of this occurring can be considered material planning considerations it is considered that there is no evidence that impacts of the development in this regard would be demonstrably harmful and therefore only limited weight to these concerns are given and no specific objection raised by officers.
156. Public objections reference a loss of a view due to the development. However, weight should not be attached to the impact of the loss of a private view.

157. Public objection query on whether existing residents will be compensated for the development, the potential for compensation is not a consideration for the planning application.

158. Officers raise no objections to the development on the grounds of any adverse impact upon the amenity of neighbouring occupiers or land users. The development is considered to result in no unacceptable pollution. The prospective occupiers of the site would be provided with adequate amenity and privacy. The development is considered compliant with SLP Policies D1, D2 and D5 and Parts 8 and 11 of the NPPF.

Highway Issues

159. Concerns over highway safety, parking provision and the traffic implications of the development are amongst the most significant concerns of the public and Town Council.

160. The application is accompanied by a transport assessment (TA) which seeks to inform on and assess the key highways related implications of the development. This includes highways matters such as the accessibility of the development; trip generation and traffic assignment; future year flows; operational assessment of junctions; highway safety; and present highways works necessary to facilitate the development.

161. The Highway Authority consider the content of the TA to be acceptable with the modelling of junctions and impact of predicated trips emerging from the development upon the highway network to be acceptable. An addendum to the TA was submitted specifically considering cumulative impacts with committed developments at Wynyard. The Highway Authority have considered the addendum and the modelling therein shows that the A689 east leg of the A689/A177 would experience some level of instability, however, queuing would not be severe and as a result the Highway Authority raise no objections to the potential for cumulative impacts with committed developments in the area.

162. Public responses to the application make reference to the comments of Stockton Council on the CDP allocation at Sedgefield and concerns over impacts of the development on the highway network having regard to planned development at Wynyard. However, the Highway Authority and Highways England have raised no objections on the grounds of cumulative impact. Furthermore Stockton Borough Council has been consulted on the application and no representations have been received.

163. With regard to matters of accessibility, distances to local services and amenities are considered to be acceptable. However, walking distances to bus stops from the site are considered excessive. As the development would involve a new link road diversion of bus routes to utilise the link road is feasible and as a result the provision of a bus stop can be provided within the development itself. This can be ensured by a condition on any approval.
Public opposition to the development includes comment that the development will be attractive to commuters travelling significant distances and that this would be unsustainable and harm the environment. Sedgefield is well connected to the road network with access to the A1(M) and A19 relatively easy. Undoubtedly, some future occupiers may commute to work, for instance to, Tyne and Wear or Teesside. Other occupiers may well work more locally either in Sedgefield or nearby towns. Sedgefield is considered a sustainable location for housing and whilst accepting some travel distances by occupiers of the development could be lengthy, officers consider that this would not be so demonstrable or harmful as to warrant objection to the development.

The layout has been amended during the course of the application and includes a 7.3m wide link road as required by the Highway Authority. The junction with Stockton Road has likewise been amended during the course of the application and is considered acceptable. Offsite highways works are necessary on Stockton Road to facilitate this junction with a protected right hand turn, provision of keep left bollard and road lining and signage works.

The Highway Authority had originally requested that the existing Stockton Road/A689 junction be closed in its entirety. All traffic would utilise the new link road between A689 roundabout and the new junction of the link road and Stockton Road.

The applicant has requested that the existing Stockton Road/A689 junction is only partially closed. An exit eastbound from Stockton Road onto the A689 would be retained though no other access/egress movements could occur. The Highway Authority can accept this compromise and this partially closed junction can safely operate with the proposed link road connection.

The Highway Authority requires the partial closure of the existing Stockton Road/A689 junction and implementation of the link road to be established at a certain stage in the development as it would be unacceptable in highways terms for the existing road infrastructure to cater for the whole development (and the separate development being considered under Planning Application No. DM/14/00261/FPA). The application is accompanied by a phasing plan and the Highway Authority stated that the partial closure of the existing Stockton Road junction and provision of the proposed link road must occur prior to the development of phases 2 and 3. On the basis of the submitted layout this would permit for approximately a third of the development site (and all of the adjacent development under Planning Application No. DM/14/00261/FPA) to be developed before the applicable partial junction closure and link road provision.

Public concerns have been raised regarding the potential for the development to occur in isolation. Should this instance occur it is considered the development could potentially be acceptably served via an access onto Stockton Road though this would require amendment to any approval of this application.

So as to increase the permeability of the site and to offer alternative routes in and out of the development the Highway Authority originally requested that road link to Thurlow Road in the north of the application site be provided. This would have resulted in complications for the layout and how it would impact upon the heritage assets of Ceddesfeld Hall Gardens and Sedgefield Conservation Area. As a result the layout does not include a road link to Thurlow Road, however, a link to Eden Drive is proposed and this would also create an alternative emergency vehicle access which is desirable.
171. Public Right of Way No. 16 (Sedgefield) crosses through the centre of the site. The application is accompanied by a plan showing a diverted route for this public footpath. Access and Public Rights of Way Officers have no objections to the principle of the diverted route. Separately a diversion under Section 257 of the Town and Country Planning Act 1990 would be required.

172. In conclusion, despite the significant concern that has emerged out of the consultation process regarding matters of highway safety, sustainable transport and the adequacy of documentation in support of the application relating to highways issues. The development is considered to be acceptable from a highway safety and sustainable transport perspective and no objections are raised by Highways England and the Highways Authority subject to conditions where appropriate. The development is considered to comply with SLP Policies L9, T1, T2, D1, D3 and D5 and Part 4 of the NPPF.

Ecology

173. The application is accompanied by an Extended Phase 1 Habitat Survey. This report states that the likelihood of the site to support Great Crested Newts, reptiles, otters and water voles is low. It is possible that ground nesting birds would utilise the site though not likely in large numbers. Breeding birds are likely to use hedgerows and arable margins within the site. The occasional foraging of badgers on the site may occur though no evidence of permanent presence was found. Brown hare are unlikely present on the site in significant numbers. No invasive plant species were recorded during the survey.

174. Several mature trees on the site boundaries were assessed as having some potential to support bats and emergence surveys were therefore undertaken. A separate bat survey report therefore accompanies the application.

175. This report concludes that bats are using mature trees, hedgerows and wet ditches within the site for foraging and commuting, however, there were no roosts identified within the site. A roost supporting 6 common pipistrelles was identified in a house to the north of the site beyond the application site boundary. Due to the use of the site by bats for foraging and commuting the submitted bat report recommends mitigation with mature trees and hedgerows to be retained where possible, a bat sensitive lighting scheme to be incorporated, provision of bat boxes/tubes and inclusion of habitat enhancement within landscape proposals.

176. The submitted Extended Phase 1 Habitat Survey and bat report identifies no statutory designated sites within 2km of the application site and as a result considers impact upon these sites in no detail. The Hardwick Hall local wildlife site is located approximately 1.2km to the west of the site.

177. Ecology Officers raise no objections to the submitted ecological reports or the development proposals provided that the overall design provides adequate greenspace and existing hedgerows and mature trees are retained, particularly the northern and western site boundaries.

178. The indicative layout submitted also shows retention of significant areas of boundary trees and hedgerows could be retained. The submitted arboricultural report proposes limited works to trees and hedgerows on the application site, however, it should be noted that this report does not take into account a particular layout proposal. There would be a need at the reserved matters stage for a precise understanding of tree and hedgerow works, fully informed by a detailed layout. The
indicative information demonstrates that significant tree and hedgerow retention can occur.

179. Natural England raise no objections to the development, considering it unlikely that the development would affect any statutorily protected sites. Standing and general good practice advice is provided with regards to protected species and biodiversity and landscape enhancement.

180. The application is accompanied by a hedgerow survey and this identifies one species rich hedgerow on the eastern boundary of the site to be classified as “important” under the Hedgerow Regulations 1997. The indicative site layout proposes the retention of this hedge with the spine road serving the site to be located adjacent to where this hedge terminates.

181. No objections to the development on the grounds of impacts upon ecological assets are raised by Ecology officers and Natural England. It is considered that the development is considered compliant with SLP Policy E11 and Part 11 of the NPPF.

Flood Risk and Drainage

182. The application site is located within flood zone 1 and is therefore located on land least likely to suffer from tidal or fluvial flooding. The application is accompanied by a flood risk assessment (FRA) which has been amended during the course of the application. With regards to sewer flooding the FRA acknowledges that records of flooding have occurred on two occasions to the north of the site and it is recommended that overland flow paths and the need to design drainage systems to convey 30-year storms events are incorporated into the final drainage design. In relation to surface water flooding the FRA states that there are no reported problems at the site though the Environment Agency surface water flood maps do identify sections of the site as potential risk. No reported issues with groundwater flooding are identified. The FRA notes that there is a risk of flooding from the blockage of the culvert to the south of the site.

183. Durham County Council is the Lead Local Flood Authority and the SUDS Approval Body (SAB). Drainage and Coastal Protection Officers raise no objections to the development in principle. The use of SUDS is welcomed but full details on the design, construction and maintenance regime for such a system would be required through condition.

184. Developments should follow an established hierarchy of preference regarding surface water disposal and this requires that surface water is disposed of in the following order of preference; i) via infiltration or a soak away system ii) to a watercourse iii) to the sewer. The FRA proposes to restrict surface water run-off to the greenfield run-off rate and attenuate this in a combination of storage pipes and detention basin or pond located in the south of the application site. It is then proposed to discharge the surface water into the watercourse on the southern boundary of the site.

185. The submitted FRA considers that disposal via infiltration would unlikely be appropriate on the site due to the nature of the soils. The FRA therefore proposes disposal via the watercourse. However, in the absence of permeability tests to demonstrate the unsuitability of the sequentially preferable use of infiltration or soak away techniques, officers cannot at this stage fully accept the preferred preliminary surface water disposal proposals. Despite this officers consider that a final solution to surface water disposal could be agreed under a condition.
186. The submitted FRA recommends that to mitigate against the potential for flooding from culvert blockage/failure that all threshold levels are at least 300mm above the lowest road level of the adjacent A689 and a minimum finished floor level of 93.0m AOD is recommended. This floor level should be reviewed at the detailed design stage, however. A condition on any planning permission can resolve final floor levels. The Environment Agency has raised no objections to the development provided that the mitigation measures contained within the submitted FRA are implemented.

187. Regarding foul water sewerage the FRA states that discharge to the mains combined sewer is proposed. Northumbrian Water (NWL) has stated that Sedgefield sewerage treatment works is nearing capacity with a 300 dwelling headroom remaining. At this stage NWL cannot provide confirmation as to when a sewerage upgrade to the Sedgefield treatment works would be undertaken. In total approximately 315 dwellings are proposed on this application site and the adjacent site being considered under application DM/14/00261/FPA. Taking into account the likely build out rates there is the potential that a sewerage upgrade would have been undertaken at the stage in which the 300 dwelling mark is being reached. However, assurances cannot be given in this regard.

188. A condition on any approval can be used so as to ensure that no more than 300 dwellings can be occupied across the two sites until it has been demonstrated that the sewerage capacity has been expanded to cater for the remaining development. As such a condition would in part relate to land and development outwith of the applicants control such a condition would have to be negatively worded to prohibit development beyond the 300 dwelling mark (a Grampian condition). Such conditions should not be used where there is no prospect of the required action being performed. In this instance it is considered that it is likely that sewerage capacity increases can occur within build-out process and therefore officers consider that such a condition can be utilised.

189. The application is considered complaint with Part 10 of the NPPF and no objections are raised.

Other Issues

190. The application site includes a designated recreational route identified under SLP Policy L10. This is a circular walk from the centre of Sedgefield out into the countryside to the south. The section of the route within the application site is also designated as a public right of way (public footpath No. 16 Sedgefield).

191. Whilst under this application the undeveloped nature of the site would be lost the public right of way is proposed to be retained and diverted. The justification to Policy L10 makes reference to the value of the route in providing accessible access to the countryside and their contribution to wildlife. Ecology is considered in more detail separately within this report. The loss of an area of undeveloped, greenfield land brings the development into some conflict with SLP Policy L10 However, the recreational route itself would remain available and access could still be gained to the countryside beyond the A689.

192. The application is accompanied by a preliminary investigation report the scope of which is to evaluate ground conditions and any significant geo-environmental issues at the site. Environment, Health and Consumer Protection Officers have considered the submitted report and confirm that a further Phase 2 investigative report would be required and, where necessary, remediation proposals.
193. The Employability Team have stated that the proposed development is an opportunity to pursue targeted employment opportunities and clauses to this end can be incorporated into the S106 legal agreement.

194. Public concerns are raised over the potential devaluing of property and harmful impact upon the ability of residents to sell their homes as a result of the development. However, such matters are not material planning considerations to be attributed weight.

195. Objections to the Council’s consultation process and difficulty in residents being able to view information and submit concerns. Statutory consultation processes have been adhered to on the application. Documents are available online or in the office and comments can be submitted online, via email or through the post. The consultation exercise is considered acceptable.

196. Public responses raise a concern that gas pressure is considered to be low with further concerns raised regarding TV and mobile receptions and internet connections. The Northern Gas Network and phone and internet providers are not statutory consultees on a planning application. It is considered that limited weight can be attributed to the current service provision in this regard. Regarding telecommunications reception, concerns over the impacts of new development upon electromagnetic transmissions are generally restricted to wind turbine developments where the height and movement of the structures is more likely to have potential impact. Officers consider that the potential for a residential development to have detrimental impacts in this regard is far less likely and officers raise no objections as a result.

197. Public objection includes concerns regarding cumulative impacts of the development with committed and planned developments in neighbouring authorities Wynyard. The key cumulative impact consideration is considered to relate to impacts upon the highway network and this is considered in detail within the highways section to this report. Other cumulative impacts such as environmental impacts upon the landscape, ecological assets or amenity related impacts are all considered of lesser significance and no harmful cumulative impacts are considered likely to occur.

**CONCLUSION**

198. The proposal would result in residential development outwith of the of the settlement boundary of Sedgefield and on land designated as Green Wedge land in conflict with the SLP.

199. Sedgefield is a sustainable location and it is considered that the development would not be out of scale with the function and services of the settlement. The development would represent a logical extension to the settlement on a site physically very well contained by existing built development. No harmful coalescent impact would occur with neighbouring settlements as a result of the development and the proposal could be developed without significant effects on the landscape and ensure that heritage assets are unharmed.

200. With an emerging CDP and Neighbourhood Plan for Sedgefield consideration has been given to the issue of prematurity. However, it is considered that the effect of granting planning permission now would not be so significant that it would undermine these ongoing plan-making processes. No adverse impacts are considered to result from the development that would outweigh the benefit of granting planning
permission which could contribute to the need to significantly boost the supply and choice of housing.

201. Officers raise no objections with regards to other key material planning considerations including residential amenity, design and layout, highways issues, ecology and flood risk. The proposed development is considered NPPF compliant.

202. The proposal has generated public interest with representations reflecting the issues and concerns of local residents affected by the proposed development. Whilst mindful of the nature and weight of public concerns it is not considered that these are sufficient to outweigh the planning judgement in favour of the proposed scheme.

RECOMMENDATION

That the application be APPROVED subject to the completion of a legal agreement pursuant to Section 106 of the Town and County Planning Act 1990 to secure the following:

i) The provision of 10% affordable housing
ii) A financial contribution towards the provision of education accommodation of up to £388,415 based upon a total of 230 dwellings
iii) A financial contribution towards public open space/recreational space provision of £1,000 per dwelling (final figure to be finalised once final number of dwellings known at reserved matters stage)
iv) The inclusion of targeted recruitment and training clauses

And subject to the following conditions:

1. No development shall take place until approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority. Application for approval of reserved matters shall be made to the Local planning authority before the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last of the reserved matters to be approved.

   Reason: Required to be imposed pursuant to Section 92 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:

   Plans:
   Site Location Plan SE.SL01 Revision O
   Phasing Plan SD-50.01
   Proposed Site Access Junction C001 Revision C

   Documents:
   Application Form received 22nd February 2014
   Strategic Design Code May 2015 prepared by +Plus Urban Design Ltd, SmithsGore and NLP
   Archaeological Evaluation Report 3622 dated December 2014
Reason: To define the consent and ensure that a satisfactory form of development is obtained having regard to Policies E1, E2, E4, E11, E15, E18, H8, H19, T1, T2, L1, L2, L9, L10, D1, D2, D3, D5 and D8 of the Sedgefield Borough Local Plan and having regards to Parts 1, 4, 6, 7, 8, 10, 11 and 12 of the NPPF.

3. No development shall take place until full engineering details of the protected right turn lane on the C38 Stockton Road have been submitted to and approved in writing by the Local Planning Authority. The approved protected right turn lane must be completed prior to any other development works commencing.

Reason: In the interests of highway safety having regards to Policy D3 of the Sedgefield Local Plan and Part 4 of the NPPF. Required to be pre-commencement as devising safe access is required prior to the undertaking of other development works.

4. No development shall take place until a final noise mitigation strategy based upon the principles contained within the “Noise Assessment Report Number 001” by Wardell Armstrong and subsequent addendums dated 14th July 2014 and 24th June 2015 has been submitted to and approved in writing by the Local Planning Authority. The noise mitigation strategy may include specific mitigation measures including but not necessarily restricted to acoustic glazing, mechanical ventilation or acoustic barriers. The development shall be implemented in accordance with the approved mitigation strategy and the mitigation measures retained in perpetuity.

Reason: In the interests of residential amenity having regards to Policies D1 and D5 of the Sedgefield Borough Local Plan and Part 11 of the NPPF. Required to be pre-commencement as mitigation measures must be factored into the construction of the development.

5. No development shall take place until a scheme for the management and disposal of surface water from the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

The agreed scheme should be based upon the “Surface Water Principles” contained within the County Durham Surface Water Management Plan and must adhere to the hierarchy of preference for surface water disposal. This hierarchy requires surface water to be disposed of in the following order of preference i) via infiltration or a soak away system ii) to a watercourse iii) to the sewer.

The agreed scheme should include but not necessarily be restricted to the following;

i) Detailed designs of any sustainable urban drainage system infrastructure including any associated works and landscaping

ii) A management and maintenance document detailing how the sustainable urban drainage infrastructure shall be managed and maintained.

The development shall be implemented in accordance with the agreed scheme.

Reason: In the interests of managing surface water disposal and reducing flood risk having regards to Part 10 of the NPPF. Required to be pre-commencement as designing and potentially implementation of final surface water disposal for the site should be undertaken at an early stage.
6. No development shall take place until details of the finished floor levels of all dwellings have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development must be implemented in accordance with the agreed details.

*Reason: In the interests of reducing flood risk from culvert failure or blockage having regards to the content of the submitted Flood Risk and Drainage Assessment dated June 2015 by JBA Consulting and having regards to Part 10 of the NPPF. Required to be pre-commencement as the finished floor levels must be agreed prior to the forming of the land levels and construction of the dwellings.*

7. No development shall take place until a scheme to minimise energy consumption has been submitted and approved in writing by the Local Planning Authority. The scheme shall consist of energy from renewable or low carbon sources provided on-site or an equivalent scheme that minimises carbon emissions to an equal level through energy efficient measures. Thereafter the development shall be carried out in accordance with the approved scheme and retained so in perpetuity.

*Reason: In the interests of sustainable construction and energy generation in accordance having regard to Part 10 of the NPPF. Required to be pre-commencement as the energy reduction scheme should seek to involve a fabric first approach designed and potentially implemented at an early stage.*

8. No development shall take place until;

(i) A Phase 2 Site Investigation and Risk Assessment to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications has been submitted to and approved in writing by the Local Planning Authority.

If the Phase 2 report identifies any unacceptable risks remediation is required and no development shall take place until;

(ii) A Phase 3 Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority detailing the proposed remediation measures to be undertaken. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of the remediation measures.

Upon completion of the remedial works (if required) then;

(iii) 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.

*Reason: 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, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors and having regards to Part 11 of the NPPF. Required to be pre-commencement so that the potential for contamination can be understood before disturbance.*
9. No development shall take place until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority. Said management strategy shall include but not necessarily be restricted to the following:

i) A Dust Action Plan containing; the methods of suppressing dust; the methods to record wind direction and speed and the meteorological conditions at the site; methods of monitoring dust emanating at and blowing from the site.

ii) Details of methods and means of noise reduction

iii) Confirmation that the burning of combustible material on site shall be prohibited unless it has been first demonstrated that the material cannot be disposed of in any other suitable manner.

iv) Details of wheel washing facilities and means of reducing the potential for mud on the roads in the vicinity of the site.

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

The development shall be undertaken in accordance with the agreed management strategy.

Reason: In the interests of residential amenity having regards to Policy D5 of the Sedgefield Local Plan and having regards to Part 11 of the NPPF. Required to be pre-commencement as construction activity mitigation must be agreed before works commence.

10. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a mitigation strategy document that has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

i) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.

ii) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.

iii) Post-fieldwork methodologies for assessment and analyses.

iv) Report content and arrangements for dissemination, and publication proposals.

v) Archive preparation and deposition with recognised repositories.

vi) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.

vii) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.

viii) A list of all staff involved in the implementation of the strategy, including subcontractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.
Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record or the receiving archive (Bowes Museum).

Reason: The site contains features of archaeological interest and mitigation measures are necessary having regards to Part 12 of the NPPF. Required to be pre-commencement so that the proposals to record archaeological assets are devised before construction works are undertaken.

11. No development shall take place until a detailed programme of ecological mitigation works based upon the recommendations detailed in section 5 of the submitted “Bat Survey Report dated 21st October 2013” and section 6 of the submitted “Extended Phase 1 Habitat Survey dated September 2013” have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of preserving protected species and their habitats having regards to Part 11 of the NPPF. Required to be pre-commencement so that the proposals for ecological mitigation are devised before construction works are undertaken to prevent harm to potentially affected species.

12. No development on Phases 2 or 3 of the development (as shown on Phasing Plan SD-50.01) shall take place until;

Firstly (i) Completion of the 7.3 metre wide road link between the C38 Stockton road and the A177/A689 roundabout in accordance with details which must submitted to and then agreed in writing by the Local Planning Authority. These details must include the running course, associated footways and public transport infrastructure work;

Secondly (ii) The partial closure of the A689 dual carriageway / C38 Stockton Road junction has been undertaken in accordance with details which must first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and sustainable transport having regards to Policy D3 of the Sedgefield Borough Local Plan and Part 4 of the NPPF.

13. Prior to the partial closure of the A689 dual carriageway / C38 Stockton Road junction details of bus stop to serve southbound bus services on the proposed 7.3 metres wide link road must be submitted to and approved in writing by the Local Planning Authority. The approved bus stop infrastructure must be constructed prior to the agreed partial closure A689 dual carriageway / C38 Stockton Road junction.

Reason: In the interest of sustainable transport service having regards to Policy T2 of the Sedgefield Borough Local Plan and Part 4 of the NPPF.

14. Prior to the occupation of any dwelling a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved Residential Travel Plan.

Reason: In the interest of sustainable transport having regards to Part 4 of the NPPF.

15. No development shall take place on Phases 2 or 3 of the development (as shown on Phasing Plan SD-50.01) until the proposed 6.1 metre wide road junction onto Eden
Drive (as shown on Masterplan as Proposed Colour Layout SD-10.02) has been completed in accordance with full engineering details that have first been submitted to and then approved in writing by the Local Planning Authority.

*Reason: In the interests of ensuring an appropriate road hierarchy and permeability to neighbouring areas having regards to Policy D5 of the Sedgefield Borough Local Plan and Part 7 of the NPPF.*

16. No more than 300 dwellings across all phases as detailed on Phasing Plan SD-50.01 (phases 1a, 1b, 2 and 3) shall be occupied until the Local Planning Authority has confirmed in writing that an expansion to foul water drainage capacity has been completed and is available for use for the remaining dwellings hereby permitted.

*Reason: So as to ensure that foul water drainage can be adequately catered for having regards to Part 10 of the NPPF.*

17. No construction works shall take place outside the hours of 8am and 6pm Monday to Friday and 8am to 1pm on a Saturday. No works shall occur on any Sunday or Bank Holiday.

*Reason: In the interests of residential amenity having regards to Policy D5 of the Sedgefield Local Plan and having regards to Part 11 of the NPPF.*

**STATEMENT OF PROACTIVE ENGAGEMENT**

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

**BACKGROUND PAPERS**

- Submitted application forms, plans supporting documents and subsequent information provided by the applicant
- National Planning Practice Guidance
- Sedgefield Borough Local Plan
- The County Durham Plan (Submission Draft)
- Statutory, internal and public consultation responses
DM/14/00263/OUT

Outline application with all detailed matters reserved except means of access for the erection of a maximum of 230 no. dwellings, formation of access and associated works, land to the south of Eden Drive, Sedgefield, County Durham

Durham Diocesan Board of Finance

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Comments

Date
21st July 2015

Scale
Not to scale