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**BLACKWELL GRANGE PLANNING AND DEVELOPMENT BRIEF  
FOR SITES HE1, HE1A, HE2 AND HE3**

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**Responsible Cabinet Member – Councillor Chris McEwan  
Economy and Regeneration Portfolio**

**Responsible Director – Ian Williams, Director of Economic Growth**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To report the outcome of the consultation process for the Blackwell Grange Planning and Development Brief for Sites He1, He1a , He2 and He3.
2. To adopt the Brief as a Supplementary Planning Document, to inform planning decisions for the site, the restoration of the Parkland and disposal of land.
3. To seek approval to submit the planning application for the Parkland Landscape and Restoration Plan.

**Summary**

4. The Planning and Development Brief (the Brief) as shown at **Appendix 1** was prepared in the context of existing Planning policies and followed a four week consultation on the Council's proposals for the restoration of the Parkland and residential development on the Sites. The public consultation period for collecting responses was the 25 June 2017.
5. However, Historic England raised several comments about the Brief and officers wanted to meet with them on site to discuss the proposals. So this is why the planned reporting to Scrutiny in July was delayed in order that officers could meet Historic England and find out what their concerns were and what changes were needed to the Brief. They have welcomed the constructive dialogue with the Council and have recognised how much the new proposals have taken on board their previous comments.
6. A report was presented to Scrutiny Committee on the 12<sup>th</sup> September 2017. It was resolved at the meeting that the Planning and Development Brief be amended as appropriate and includes the comments made and agreed by officers at the meeting. In addition, that the submission of the Brief to Cabinet for approval, be supported.

7. The Brief at **Appendix 1** reflects the changes that have been made following consultations and includes the comments requested by Historic England. In addition, it includes comments raised and agreed at the Scrutiny Committee.
8. Within the Brief is a Landscape and Restoration Plan and this is shown attached at **Appendix 2**. The plan has also been changed to reflect Historic England's comments that are outlined in detail in this report, together with all other responses received.
9. The Brief was written following an evidenced based approach and thorough analysis of the area and in the light of a number of technical reports. The reports were available for the 2015 public consultations and included a topographical survey, drainage philosophy report, tree surveys, environmental searches and highways access points options.
10. The Brief was developed by a multi-disciplinary officer team with involvement from independent consultants, where necessary and feedback from statutory bodies and the Blackwell Residents Forum (BRF).
11. Neighbouring residents were also consulted by the Council in May/June 2017 and the outcome is detailed in the report.
12. Once adopted, as a Supplementary Planning Document, it is intended that the Brief will be a material consideration in making decisions on planning applications and will guide the disposal of Council land.
13. Note that all sites are in the direct ownership of the Council, except site He2. This is currently held under a long lease from the Council by the owners of Blackwell Grange Hotel. There may be an opportunity for the Council to share in the released development value of He2.
14. There are several implementation options available in respect of the Parkland Landscape and Restoration Plan. The works could be phased, i.e. undertaken by either developer of individual plots whether this is through a Section 106 Agreement or through the Contract of Sale and/or some works undertaken by the Council. Alternatively the Council could undertake the entire works to the parkland in the first phase. The total costs have been estimated by consultants at approximately £300k-£400k. There are also works required in the land leased by the Hotel and these negotiations are to be agreed with the Hotel.
15. It is proposed that the future upkeep and maintenance of the Parkland is through a Levy approach, i.e. where occupiers of the developed sites will pay an annual levy as a condition of their house purchase.
16. Note that as part of the survey works undertaken, a Tree Survey was commissioned and it identified approximately 30 trees that needed to be felled because they are in a dangerous state of repair. Communications and a plan showing which trees are being removed will be available shortly. This work is independent to the development proposals and will be shown on a Health and Safety Tree Removal Plan.

## Recommendations

17. It is recommended that:

- (a) Members note the outcome of the public consultations and amendments made to the Planning and Development Brief.
- (b) Cabinet adopt the Planning and Development Brief to inform planning decisions for the site and disposal of Council land.
- (c) A planning application for the Landscape and Restoration Plan is submitted and following the granting of planning permission, the marketing of sites to commence.
- (d) That Cabinet delegate authority to the Director of Neighbourhood Services, Resources, Director of Economic Growth and the respective portfolio holder, to progress and finalise works to the Parkland, to release funding for the Council to undertake the works if required and to progress and finalise all works or agreements relating to the disposal of the sites and future maintenance and management of the Parkland.

## Reasons

18. The recommendations are supported by the following reasons:

- (a) The Planning and Development Brief is in line with the adopted Core Strategy and the adopted Design of New Development Supplementary Planning Document.
- (b) The Brief has been prepared in conjunction with the Blackwell Residents Forum and modified to take their comments into account where practicable.
- (c) The outcome of the consultation is detailed in **Appendix 4** of the report.
- (d) The delegated authority negates the need for a further report to Cabinet.

**Ian Williams, Director of Economic Growth**

## Background Papers

No background papers were used in the preparation of this report.

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S17 Crime and Disorder	Throughout the Brief reference is made to designing out crime, and natural surveillance of the public realm. The overriding ethos is to create a safe, accessible, mixed-use area with activity throughout the day and evening.
Health and Well Being	Improved public access to the site as well as the improvement of public green space all contribute to health and wellbeing.
Sustainability	The Brief stipulates high standards of environmental performance for development in the area.
Diversity	Not applicable
Wards Affected	Park West
Groups Affected	None
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	No
Urgent Decision	No
One Darlington: Perfectly Placed	<p>The Planning and Development Brief addresses a number of priorities within this strategy:</p> <ul style="list-style-type: none"> <li>(a) Delivery of outstanding design quality which will create a highly desirable place to live.</li> <li>(b) Delivery of development which reflects the Local Wildlife Site designation and improves the habitat for the great crested newts</li> <li>(c) Delivery of development which increases public access from what it was when the golf course was operational.</li> <li>(d) Delivery of development which will pay for improvements and enhancements to the public open space and provide financial sustainability to maintain it in perpetuity.</li> <li>(e) Delivery of development, which creates good pedestrian links to the Town Centre.</li> </ul> <p>Darlington has a number of economic aspirations set out in Prosperous Darlington such as attracting high quality well paid jobs, the building of a stronger economy and capitalising on Darlington's distinctive character. The Planning and Development Brief seeks to provide top-end executive housing in a high quality environment.</p>
Efficiency	There is a resource within Estates to undertake the future disposals of the sites.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

## MAIN REPORT

### Introduction

19. The Brief relates to the area of the former Blackwell Grange Golf Course known as Sites He1, He1a, He2 and He3, as shown coloured grey on the attached plan at **Appendix 2**. It has been prepared to ensure that the development of the area is of the highest quality and respects the existing landscape and wildlife habitats and the historic assets.
20. The Brief identifies opportunities and constraints and provides clear guidance for developers in terms of planning and design. It sets out the planning obligations required to make the development of this site acceptable. The Brief will provide certainty to developers that proposals, in accordance with the parameters set out, will be welcomed and encouraged. It will form the basis of discussions and dialogue between the Council and prospective developers regarding the sale of the land for residential development.
21. This Brief has been prepared with feedback from the Blackwell Grange Residents Forum following consultation, in May/June 2017, with statutory consultees and Blackwell residents on the Council's proposal to allocate land on the former golf course for high quality housing, including top-end executive housing.
22. Once adopted, as a Supplementary Planning Document to the current Development Plan, it will be a material consideration in making decisions on planning applications on the site. The relevant Development Plan Policies are CS2, CS11, CS14, CS15, CS15, CS17 and CS19.
23. Officers will prepare an Implementation Plan for the Parkland Restoration Works. The majority of the works could be undertaken by the respective developers with the Council undertaking removal of the trees for example. Part of the plan involves land in the Hotel ownership and the works are to be agreed. It is proposed that the future maintenance of the Parkland is funded from a Levy collected from the owner occupiers.

### Objectives

24. A number of strategic objectives have been identified:-
  - (a) Attainment of outstanding design quality which will create a highly desirable place to live.( CS2 and CS17 )Also meeting housing needs demands for executive higher end market housing (CS 11)
  - (b) Balancing the long term protection and enhancement of the historic assets.(CS14 and CS 17)
  - (c) Delivery of development which reflects the Local Wildlife Site designation and improves the habitat for the great crested newts.(CS15 and CS 17)

- (d) Delivery of development which increases public access and appreciation of the historic assets. (CS 19 and CS 17)
- (e) Delivery of development which will deliver improvements and enhancements to the historic assets and provide financial sustainability to maintain it in perpetuity.(CS14 )
- (f) Delivery of development which creates good pedestrian and cycle links to the Town Centre.(CS19)

### **The Scope and Content of the Planning and Development Brief**

- 25. Brief is in five parts; site description, analysis, policy background, design guidance for development and planning obligations.
- 26. In planning policy terms, the key consideration for any future development is the compliance with the Brief and in particular consideration of the following:-
  - (a) The Development Plan and statutory duty to protect and enhance historic assets;
  - (b) Protected Trees;
  - (c) Protected wildlife and the Local Wildlife Site;
  - (d) Green Wedge and open space.
- 27. The design guidance for developers covers topics such as layout, scale and massing, materials, landscaping and access. Throughout the guidance, reference is made to creating a high quality development incorporating substantial open space, designing out crime and creating a safe and accessible environment. It should be stressed that the brief only provides a framework for consideration within which proposals for development might achieve a planning permission. Any proposals submitted for planning permission would need to demonstrate that the harm caused by development within the historic parkland is outweighed by the public benefits. Whilst the brief is clear about the benefits of the restoration of the parkland and access to it no assessment of this balance can be carried out without the understanding of a full design submission.

### **Methodology**

- 28. A thorough analysis of the site was undertaken both in terms of physical characteristics and connectivity with the rest of the Town and the regional context. This information was used to inform the development of the brief.
- 29. A series of technical reports were commissioned to support the development of the Brief to ensure a high degree of certainty for potential developers and to inform the ideas and options in the Brief. These included; a topographical survey, a tree survey, a drainage study, vehicular access study and environmental searches. These studies were published as part of the public consultation exercise in July/August 2015.

30. An inter-disciplinary working group was set up to prepare a draft Brief and meetings held with the Blackwell Residents Forum. The Forum's main concerns raised at a meeting are detailed in the table below.
31. A meeting took place with the Blackwell Residents Forum and letters were sent out to 380 neighbouring residents and statutory consultees. The information was also available on the planning web site and copies in local libraries and the customer contact centre. To assist Cabinet, attached is a plan at **Appendix 3** showing the residents that were consulted by letter, adjoining properties and house numbers so you can see the residents' comments in relation to their home address.
32. Results from the Council's consultations with residents in May / June 2017 and statutory consultees are detailed in **Appendix 4** together with the Council's response and the changes that have been made to the Brief.
33. To assist with queries, Frequently Asked Questions were compiled and these are shown at **Appendix 5**.
34. The Brief was written following an evidenced based approach and thorough analysis of the area and in the light of a number of technical reports. The reports were available for the 2015 public consultations and included a topographical survey, drainage philosophy report, tree surveys, environmental searches and highways access points options. As requested by Members of the public, the proposed Highways Access Points are shown at **Appendices 6, 7 and 8** and will be incorporated into the Brief.

## **Conclusion**

35. Following local residents' comments for the Council's proposals for high quality residential development on the sites, a Brief has been prepared to offer guidance to prospective purchasers of the site and to influence decisions on any future planning applications. It is compliant with National and Local Planning Policy.
36. Members are asked to approve the Planning and Development Brief and disposal of the Council owned land.