

**CABINET**  
**16 JULY 2024**

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**LAND AT FAVERDALE / BURTREE GARDEN VILLAGE**  
**'CELL CH' FEASIBILITY WORK**

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**Responsible Cabinet Members –**  
**Councillor Chris McEwan, Economy Portfolio**  
**Councillor Mandy Porter, Resources Portfolio**

**Responsible Director –**  
**Ian Williams, Chief Executive**

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**SUMMARY REPORT**

**Purpose of the Report**

1. The purpose of this report is to seek approval for feasibility funding to engage the services of Esh Homes Limited to help facilitate an early planning application for the Council owned land, site Cell CH shown on the attached plan at **Appendix 1** and to incur the associated costs.

**Summary**

2. At the meeting of Cabinet on 11 July 2017, the Council's land site Cell CH, circa 14.16 Ha (35 acres) as shown in Appendix 1, was declared surplus to requirements.
3. Planning permission for Phase 1 of the Burtree Garden Village development has now been granted and includes the strategic infrastructure and spine road which will provide the necessary access to open up site Cell CH. The Council land forms part of the Burtree Garden Village but sits outside of Phase 1, see **Appendix 2**
4. The intention is for this site to be brought forward as another potential Joint Venture development and further proposals about this will be brought to Cabinet in due course. To facilitate this development several surveys and pieces of feasibility work will be required to support a detailed residential planning application.
5. The feasibility works will be procured by Esh Homes Limited and the Council in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.
6. The anticipated costs of the proposed feasibility works are set out in **Appendix 3** to be considered in **Part III** of the report.

## Recommendations

7. It is recommended that:
- (a) Cabinet approves the costs identified in Appendix 3 of the report and authorise the release of the funding necessary to enable Esh Homes Ltd and the Council to undertake the feasibility work required to submit a planning application.
  - (b) The Assistant Director for Law and Governance be authorised to execute the necessary documents.

## Reasons

8. The recommendations are supported by the following reasons: -
- (a) To provide a site capable of contributing to the delivery of new Housing and other affordable/social homes to satisfy the Borough's housing need.
  - (b) To achieve a capital receipt for the Council and increased Council Tax receipts from new homes.

**Ian Williams**  
**Chief Executive**

## Background Papers

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

Jane Sutcliffe-Jones: Extension 5746

S17 Crime and Disorder	The report has no implications for crime and disorder
Health and Wellbeing	The report has no implications for health and well being
Carbon Impact and Climate Change	There is potential for any new Building to be easily accessible by sustainable transport modes which will help ensure the carbon footprint of the development is acceptable.
Diversity	No implications
Wards Affected	Brinkburn & Faverdale
Groups Affected	All
Budget and Policy Framework	The resolutions in this report will not make changes to the Budget and Policy framework.
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Council Plan	This will help support facilitating development and economic growth for Darlington
Efficiency	The workload resulting from the recommendations in this report assumes resources at existing levels.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## **MAIN REPORT**

### **Information and Analysis**

9. Planning permission for Phase 1 of the Burtree Garden Village, comprising detail for the Spine Road and outline for the residential cells has recently been granted subject to a Section 106 agreement. As shown at Appendix 2, Cell CH sits outside the Phase 1 boundary however the proposed spine road to be constructed under the approved planning permission will provide the necessary means of access to enable the development of Cell CH.
10. The intention is for this site to be brought forward as another potential Joint Venture development and further proposals about this will be brought to Cabinet in due course.
11. To determine the feasibility of the site for residential development it is now proposed that the Council and Esh Homes Ltd undertake or commission the necessary surveys and investigative works to produce a site layout plan and submit a detailed planning application for circa 220 new homes. The development would be policy compliant, therefore 20% of the build out would be affordable homes. This could be an option for Council Homes.
12. Subject to a positive outcome on feasibility and planning, proposed sale terms of site Cell CH will be brought back to Cabinet for consideration.

### **Financial Implications**

13. It is proposed that the feasibility works to be undertaken by Esh Homes Ltd and the Council as set out in the Part III report are to be funded from the Council's Investment Fund and repaid from future capital receipts as the site is developed.

### **Procurement Implications**

14. All procurement activity will be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

### **Legal Implications**

15. The process must follow the Council's Contract Procedure Rules and comply with all relevant legislation.

### **Carbon Impact and Climate Change**

16. The approval of feasibility fees will enable a planning application to be submitted which would align with latest planning and building regulations in respect of carbon impact and climate change.