

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 12 December 2012

Page

APPLICATION REF. NO:	12/00562/FUL
STATUTORY DECISION DATE:	30 October 2012
WARD/PARISH:	NORTHGATE
LOCATION:	Garage Block Adjoining 31 Pendower Street
DESCRIPTION:	Residential development comprising 5 No flats and 1 No studio (revised application) (Additional Plan received 2 October 2012) (Design of the building amended by plans received 24 November 2012)
APPLICANT:	Mr Tim Wilks

APPLICATION AND SITE DESCRIPTION

The application site once accommodated a block of lock up garages, most of which have now been demolished. The site is alongside the Cocker Beck, which runs along the north and east boundaries and the site is also split into two levels, with a 3 metre high retaining wall supporting the highest land level on Pendower Street.

The front gardens of the dwellings on Westbrook are found on the opposite side of the Beck, and there are residential properties immediately to the south and west on Pendower Street which is a cul de sac with a gradual fall in levels from west to east. An apartment development, known as The Deanery lies to the south east of the application at the head of the cul de sac.

The site is within the Northgate Conservation Area. There are some trees within the site which are not covered by a tree preservation order however there are trees on the opposite side of the Beck which are covered by an Order dated 1975.

Planning permission has been previously refused (See Planning History) on this site for residential development. That proposal was for the erection of seven flats and one studio with four off street parking spaces. The building had a very contemporary design and it was three storeys high when viewed from Pendower Street and four storeys when viewed from Westbrook. A planning appeal was lodged against the refusal of planning permission which was dismissed.

This proposal is a revised scheme for a more traditional building consisting of five one bed roomed flats and one studio. The building has been revised so that it is two storeys high on Pendower Street and three storeys when viewed from the Westbrook and the Beck. Four off

street parking spaces, including 1 disabled space would still be provided, along with secure cycle storage for 3 cycles.

.PLANNING HISTORY

10/00015/FUL In May 2010 a planning application for a residential development comprising seven flats and one studio was REFUSED. Members of the Planning Applications Committee refused the application for the following reasons:

- *In the opinion of the Local Planning Authority the proposed development, by virtue of its scale, height and design would amount to over-development of the site and would be out of keeping with the scale, height and design of surrounding buildings and the character of the Northgate Conservation Area contrary to policy H11 of the Borough of Darlington Local Plan 1997 and Planning Policy Statement 5 (Planning for the Historic Environment)*
- *In the opinion of the Local Planning Authority the proposed development would lead to further intensification in the numbers of flats and apartments in the Northgate Ward, part of the Darlington Central sub-area, which are not needed and which would be in conflict with Planning Policy Statement 3 (Housing) and the findings of the Tees Valley Strategic Housing Market Assessment 2009.*
- *In the opinion of the Local Planning Authority the proposed development would lead to an increase in the concentration of on-street car parking on Pendower Street which would make it more difficult for vehicles to manoeuvre to the detriment of highway safety contrary to policy H11 of the Borough of Darlington Local Plan 1997.*

An appeal against the decision was DISMISSED in October 2010

11/00591/FUL In March 2012 an application for a residential development comprising five flats and one studio was WITHDRAWN

PLANNING POLICY BACKGROUND

The following policies are considered to be relevant

National Planning Policy Framework 2012

Borough of Darlington Local Plan 1997

Policy E2 – Development Limits

Policy E3 - Protection of Open Land

Policy E12 – Trees and Development

Policy E14 – Landscaping of Development

Policy H17 (Concentrations of Houses in Multiple Occupation)

Policy H18 (Houses in Multiple Occupation in Other Areas)

Darlington Core Strategy Development Plan Document 2011

CS1 – Darlington’s Sub Regional Role and Locational Strategy

CS2 – Achieving High Quality Sustainable Design

CS11 – Meeting Housing Needs

CS14- Promoting Local Character and Distinctiveness

CS15 – Protecting and Enhancing Biodiversity and Geodiversity
CS16 – Protecting Environmental Resources, Human Health and Safety
CS17 – Delivering a Multifunctional Green Infrastructure Network

Other documents that are relevant are:

Supplementary Planning Document – Design of New Development

RESULTS OF CONSULTATION AND PUBLICITY

Twenty letters of objection have been received and the concerns that have been raised can be summarised as follows:

- *The development is too high and the occupiers will be able to peer from the second floor windows directly into the living rooms and bedrooms of the opposite properties*
- *When the Deanery was built, the nature of the ground required substantial pile driving works and foundation works that resulted in weeks of impact and shaking to surrounding homes which had the effect of opening cracks and there are concerns that this development will require similar site preparation. Parking in the cul de sac is at a premium especially since the construction of The Deanery. Street parking is limited during evening hours and is generally difficult to manoeuvre within the street due to restrictive space. Access to our garage will be further affected by double parking as new residents compete for parking. The potential of six extra cars in an already cramped area would be to the detriment of highway safety especially during winter weather*
- *We object to the removal of the trees and the continuing loss of a haven for wildlife and the loss of flora and fauna*
- *The Northgate region already has a large amount of flats, many of which are unoccupied. There is no need to build more. The corner at the top of the hill is very tight and access whilst anything is getting built will be unbearable for residents. The site is backed by a stream which has finally become a nice area for nature. The building will disrupt wildlife as well as humans*
- *The site will have to be pile driven which causes damage to adjacent properties and as we are in a conservation area, these properties should be protected and not damaged by excessive vibration. Parking is very restrictive and this will only make the situation worse. The recently constructed flats already cause unacceptable noise pollution and an extra six flats will only make it worse*
- *This will cause parking and loss of privacy problems. It is bad enough at the present time with parking for the residents, to get their cars out of the street. It is a lot worse when there is snow on the ground. It would make it virtually impossible for the residents with cars to be able to get out of the street safely*
- *The design and size of the development is too large, overbearing and not in keeping with adjacent properties and nearby dwellings that are family sized houses. Very recently in the press the need for more family houses rather than flats has been highlighted and that there should be fewer flats in the town.*
- *The flats would cause over intensification in an already overcrowded area. It is some time now since the police and the Council reported that too many flats and bedsits in an area were associated with increased crime and anti social behaviour and this is why our area was one of the worst on the town*
- *There is insufficient car parking allocation for the flats*
- *There would be an increase in traffic movements and increased comings and goings.*
- *Flooding is likely to occur in the basements*

- *The trees should not be removed and the development will disturb the balance of wildlife*
- *The size of the development would overshadow local gardens and sitting out areas affecting local residents and causing loss of green space*
- *The development would not preserve or enhance the conservation area*
- *The sewage system in this area is already overloaded. Drainage and surface water would cause problems.*
- *The recent flooding has already caused significant damage to the already unstable retaining walls. The site is clearly unsuitable for this development and certainly no pile driving in the area should ever be allowed*
- *The cul de sac can be gridlocked with difficulty in access and parking. The development will make it worse. The road space would be limited and it would be a challenge to manoeuvre and proceed out of the street*
- *The height and design of the development would be totally out of keeping with the surrounding area. The size of the development would block out light to the front gardens of Westbrook and intrude on their privacy. The numbers of apartments outweigh the number of car parking spaces. There are too many flats in the area. Northgate is already saturated with sub division of large older housing and new flat developments. We need more family housing. The density of the development is too high*
- *There is no living space for six extra households. The look of Westbrook would be altered very much to its detriment in a conservation area. We further feel that with the introduction of wheelie bins to the street next year that there will be too much clutter in the street competing for space along with the perceived vehicle traffic that the occupants will engender if this project goes ahead*
- *As the site is within the conservation area, the development should be of a traditional design and size more in keeping with the architecture of the surrounding area. Although the minimum requirement of 21m distance is accommodated from Westbrook, on Pendower Street this is not the case*
- *Such an infill site is ideal for a family house or two built in the style of the traditional houses opposite*
- *We are proud of our heritage and this unsightly monstrosity would please no one in either Pendower Street or Westbrook*
- *Over the years the major disturbances and problems of this area have all come from non owner occupied properties. New flats are a prime investor target and will surely result in an increase of non owner occupied properties leading to more problems for existing residents.*
- *Modern architecture not conducive with the period properties on the area. Car parking issues will cause danger to children in the area*

Consultee Responses

Northumbrian Water have raised no objections to the scheme

The **Environment Agency** has raised no objections to the scheme

Northern Gas Networks has raised no objections to the scheme

The **Council's Traffic Manager** has raised no objections to the scheme

The **Council's Environmental Health Officer** has raised no objections to the scheme

PLANNING ISSUES

The main issues to be considered here are whether or not the development is considered acceptable in the following terms

Planning Policy

Introduction of flats into the Locality

Impact upon the Visual Appearance and Character of the locality and the Northgate

Conservation Area

Residential Amenity

Highway Safety

Trees

Flooding

Drainage

Wildlife

Contaminated Land

Planning Policy

The application site lies within the development limits for the urban area as defined by the Proposals Map of the Borough of Darlington Local Plan 1997. The proposal would accord with the general principles of Saved policy E2 of the Local Plan and policy CS1 of the Core Strategy.

The application site is currently vacant and enclosed by security fencing and it consists of an over grown hard standing and one brick built garage .However the site forms part of the Open Land Network as defined by Saved policy E3 of the Local Plan and as such its redevelopment must not generate net harm on the following criteria:

Visual relief provided by the system in the built area

Within the wider area, visual relief is provided by the front gardens of the properties on Westbrook and the Brinkburn Dene and allotments to the north.

Character and appearance of the locality through loss of openness and greenery

The application site does not contribute to the character or appearance of the street scene and it does not provide any significant openness or greenery.

Internal continuity of the system or its linkages with the open countryside

The main linkages to the green infrastructure network are the play areas and open spaces and allotments of the various Denes located to the north of the application site which will continue to support biodiversity movement and recreation in the locality.

Areas recognised for nature conservation or wildlife interest

The trees within the application site are in poor condition and the site does not have any wildlife or protected species designations. The site has little nature conservation value.

Policy CS17 of the Darlington Core Strategy Development Plan Document states that any loss of any part of the green infrastructure network will only be considered where it has been demonstrated that the site no longer has any value to the community in terms of access and usage, is not required to perform an alternative green infrastructure function, is not required to meet a shortfall in the provision of that type of open space and a better area of space in terms of quantity, accessibility, biodiversity, attractiveness and functionality is available. The site has no public access and so has no value to the community and there are other better quality, accessible green spaces in the locality that meet community needs. There are better quality spaces in the locality that deliver a range of green infrastructure functions.

The surrounding area contains a number of properties that have been divided into smaller units of accommodation. Saved policies H17 and H18 of the Local Plan state that the sub division of dwellings into smaller units of accommodation will not be permitted in areas where there is a high concentration of HMOs or elsewhere where they will have an adverse impact upon highway safety or residential amenity. However, this proposal is for the erection of a new build development and therefore the criteria contained within policies H17 and H18 are not relevant and this view was supported by the Planning Inspector in his appeal decision for planning application reference number 10/00015/FUL.

The principle of the site being used for residential purposes is considered acceptable and in accordance with planning policy and the remainder of the Report will consider the general development control matters.

Introduction of Flats into the Locality

One of the reasons for the previous application being refused stated that the development would lead to a further intensification in the numbers of flats and apartments in the Northgate Ward, part of the Darlington Central sub-area, which are not needed. The Planning Inspector, when considering the planning appeal (for ref no 10/00015/FUL), considered this refusal reason and commented that the scheme which was for eight units was a modest scheme especially when taking into account that the concentration of flats identified related to the whole of the “central” area.

The revised scheme has a reduced number of units within it and also in view of the comments made by the Planning Inspector it is considered that the scheme is even more modest than previously submitted. It is therefore considered that the previous refusal reason is not applicable and the planning application should not be refused on this basis.

Impact upon the Visual Appearance and Character of the locality and the Northgate Conservation Area

The previous application was for a building of a very contemporary design constructed from a mix of brick, render and timber cladding. The building was split into three sections and it was finished with a parapet roof. The proposal was considered to be out of keeping with the scale, height and design of surrounding buildings and the character of the Northgate Conservation Area and this was supported by the Planning Inspector.

The proposed building is also divided into three clear sections with the central section, which is the stairwell area, projecting further than the sections on either side. The internal layout of the building has been reconfigured so the front entrance leads directly onto the public highway. The rear elevation of the building is also staggered due to the location of a sewer which runs along the boundary of the application site and Beck.

The front and rear elevations would be constructed from facing bricks with render being used at a high level only on both side elevations. Each section is finished with a tiled ridged roof. Due to the changes in ground level along the site, the roof line is staggered with the highest part of the roof being on the section adjacent to the existing dwellings and the height of the roof line would decrease as it heads towards the beck. The ridge of the roof line, at its highest point, would be approximately 1m higher than the neighbouring dwelling.

In general design terms it is considered that the proposed development will not have an adverse impact upon the street scene. The front elevation has been amended to incorporate an entrance

directly off the public highway and the materials are appropriate for this locality. The development has been designed to take advantage of the topography and the ultimate height and the scale of the development facing the street is considered acceptable. The proposal would generally accord with the Council's adopted Supplementary Planning Document – Design of New Development

The revised design of the building is more traditional in appearance which is more in keeping with the palette of materials found elsewhere within the Northgate Conservation Area. The new proposal has been designed to minimise its impact on the character and appearance of the Conservation Area. Its scale and impact when viewed from the banks of the Beck has been minimised and its design relates well to the dwellings on Westbrook, no longer dominating their unique character. The proposal has been sensitively designed for its location, particularly in terms of scale, massing and materials. The proposal will preserve the secluded landscape and not dominate the dwellings on Westbrook, both of which make a positive contribution to Northgate Conservation Area. The proposal is in accordance with the National Planning Policy Framework 2012.

Residential Amenity

The front elevation of the development would be two storeys high when viewed from Pendower Street. The Council's Supplementary Planning Document – Design for New Development includes the proximity distances that a new development is required to meet between existing and proposed dwellings. The building does not fully comply with the guidelines but it is important to assess the spatial relationship within the context of the street scene and the proposed proximity distance would generally match the existing relationship between the neighbouring dwellings within the street.

Also, the central section of the building which projects closer to the dwellings on the opposite side of the road contains the main entrance into the building along with two bathroom windows (fitted with obscure glazing) and two windows for the stairwell, which are not principal openings.

The sections of the building that project beyond the rear elevation of the adjacent dwelling (No 31 Pendower Street) would comply with the Council's adopted 45o code and it would not adversely affect this property in terms of outlook and loss of daylight. The window openings on the side elevation of No 31 Pendower Street, overlooking the site, are not principal openings.

The dwellings on Westbrook to the north are approximately 45metres away but their gardens are located to the front on the opposite side of the Beck. The rear elevation of the building contains principal window openings but it is considered that the overlooking into the gardens, which are heavily landscaped by trees, does not raise significant loss of privacy issues.

Whilst the proposal will introduce a two storey building into the street, it is considered that the new building would not be an overbearing and dominant structure when viewed from the neighbouring dwellings.

Some of the objector's are concerned over the potential impacts that may occur during the construction period. One of the main concerns relates to the use of piling as the dwellings in the area have been structurally affected when The Deanary building was constructed. The Local Planning Authority would not generally control the construction period of a development by the imposition of planning conditions however, in this instance, it would be appropriate to impose a planning condition to secure the submission of a Construction Management Plan and the

Council's Environmental Health Officer has recommended the imposition of a planning condition to request the submission of a piling risk assessment.

Highway Safety

There would be four parking spaces, including one disabled space provided within the site next to the apartment building. A secure cycle store containing three heavy duty stands would also be provided. There would be provision for two spaces on the street. The apartments are one bedroomed and the site is close to High Northgate, with its good public transport links and it is also within walking distance of the town centre.

The previous reason for refusal on highway grounds was upheld by the Planning Inspector however the number of apartments has subsequently been reduced by two and the Council's Traffic Manager, having considered the findings of the appeal decision, has raised no objections to the proposal subject to the imposition of a planning condition to secure improvements to the footway along the frontage.

Trees

None of the trees within the application site are covered by a tree preservation order and they would be removed in order to facilitate the development. The trees are not worthy of an Order and there would be no objections to their removal.

There are trees on the opposite side of the Beck and due to the position of the watercourse which separates these trees from the application site there will be minimal root tissue in the application site. A Tree Survey indicates that the building would lie outside of the root protection areas of these trees. The Survey also indicates the type and location of the proposed tree protection measures which accord the BS 5837:2005 but it is considered appropriate to secure these measures by a planning condition

The Tree Survey also assesses the influence of tree shading caused by the tree canopies upon the development. The Survey considers that the effects of tree shade on the proposed development would be considered negligible. The primary trees are located to the north on the opposite side of the Beck therefore all the resulting shade from these trees will be cast northwest to east of their trunks and will be outside the site. There are three particular trees, which will cast a limited amount of shade during the summer months (when in leaf) over part of parking bay number 4 and a section of the external amenity area for a short period early in the morning when the sun first rises. By late morning the shade cast by these trees will be outside the site and will not affect the enjoyment of the site by the residents.

It is accepted that the development should not create a reduced level of daylight to the rear elevation of the new building and there would not be a need for any of the trees to be pruned.

Flooding

Some of the objectors have submitted photographs to the Local Planning Authority of the locality being affected by the recent high levels of rainfall.

The lower level of the building adjacent to the Beck is with Flood Zone 2. The Environment Agency has confirmed that the development will only be acceptable if the finished floor levels for the lower ground floor are set no lower than 41.62m AOD (Above Ordnance Datum). The submitted plans indicate that the development will be constructed in accordance with this requirement but the Environment Agency has requested that this is secured by the imposition of a planning condition.

The 1% chance per annum flood level information provided by the Environment Agency and used by the applicant to support the application is derived from a hydraulic model node point slightly downstream of the proposed development and therefore this may slightly underestimate flood levels at the site. However, the Environment Agency are satisfied that in 1% chance per annum flood conditions, the freeboard included in finished floor levels should keep occupants safe.

An informative has been attached to make the applicant aware that the lower ground floors and gardens are within flood zone 2 and that the future owners and occupiers are made aware and accept the residual flood risk

Drainage

A sewer runs through the site from east to west and the proposal includes a 3m wide protection zone, which is not encroached upon by the proposed building.

Northumbrian Water assesses the impact of the proposed development on their assets and assesses the capacity within their network to accommodate and treat the anticipated flows arising from the development. Having assessed the proposed development against this context, Northumbrian Water have not objected to the application

Wildlife

The application site is not within a designated wildlife zone or Great Crested Newt Protection Area. The Tree Survey highlights that the trees within or near to the site have either none or moderate potential for bat roosts and it confirms that when carrying out tree works it is essential that the contractor carries out a bat assessment prior to any works and that where possible tree works should be carried out in the period from August to the end of February in order to avoid the bird nesting season.

Furthermore, the Environment Agency has requested that a two metre wide wildlife buffer zone, measured from the bank top for the whole extent of the site is provided. This zone should be without structures, hardstanding, footpaths, fences or overhanging development such as balconies and should not include gardens or formal landscaping. The buffer zone would need to be designed and managed to develop this natural character and left as a natural area for wildlife. An appropriate planning condition would be imposed to secure these works.

Contaminated Land

A Phase 1 Desk Top Study has been submitted which identifies the possibility of a substantial amount of made ground within the site and it makes recommendations on how this would be addressed. It is appropriate to impose a planning condition relating to the need for further investigations

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The application site lies within the development limits identified within the development plan. The design and layout of the development is acceptable and would not have an adverse impact

upon the character and appearance of the street scene or the Northgate Conservation Area. The proposal has no significant impact in terms of loss of daylight or sunlight to neighbouring dwellings and maintains adequate levels of privacy. The application does not raise any issues in respect of highway safety or crime prevention and complies with the relevant policies in the development plan set out below:

National Planning Policy Framework 2012

Borough of Darlington Local Plan 1997

Policy E2 – Development Limits
Policy E3 - Protection of Open Land
Policy E12 – Trees and Development
Policy E14 – Landscaping of Development
Policy H17 (Concentrations of Houses in Multiple Occupation)
Policy H18 (Houses in Multiple Occupation in Other Areas)

Darlington Core Strategy Development Plan Document 2011

CS1 – Darlington’s Sub Regional Role and Locational Strategy
CS2 – Achieving High Quality Sustainable Design
CS11 – Meeting Housing Needs
CS14- Promoting Local Character and Distinctiveness
CS15 – Protecting and Enhancing Biodiversity and Geodiversity
CS16 – Protecting Environmental Resources, Human Health and Safety
CS17 – Delivering a Multifunctional Green Infrastructure Network

Other documents:

Supplementary Planning Document – Design of New Development

RECOMMENDATION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. A3 – Implementation Limit (Three Years)
2. B4 – Details of Materials (Samples)
3. Notwithstanding the details shown on the approved plans, precise details of the windows shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: In the interests of the visual appearance of the development and the appearance and character of the Northgate Conservation Area

4. J2 – Contamination
5. Notwithstanding the details shown on the approved plans, finished floor levels for the lower ground level shall be set no lower than 41.62m AOD as shown on Drawing No 11 31 01 Rev D
REASON: To reduce the impact of flooding on the proposed development and future occupants

6. Prior to the commencement of the development a scheme for the provision and management of a two metre wide buffer zone alongside the watercourse shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include
 - a) Plans showing the extent and layout of the buffer zone
 - b) Details of a planting scheme
 - c) Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
 - d) Details of any footpaths, fencing and lighting
7. The development shall not be carried out otherwise than in complete accordance with the approved scheme.
REASON: In the interests of the ecological value of the application site and the locality
8. Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details on the hours of construction, a Dust Action Plan, designating and signing for construction vehicle and plant routes, methods for keeping public roads clear of debris. The development shall not be carried out otherwise than in complete accordance with the proposed Plan
REASON: In the interests of the residential amenity and highway safety
9. Should piling be required a piling risk assessment, which includes details of the piling method to be employed, including justification for its choice, means of monitoring vibration and groundwater risk assessment if necessary in accordance with recognised guidance shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with the approved details.
REASON: To safeguard the amenities of the area.
10. Notwithstanding the details shown on the approved plans no doors or gates shall open outwards over the public highway
REASON: In the interests of pedestrian and highway safety
11. Notwithstanding the details shown on the approved drawings, precise details of improvements to the highway, including the reinstatement of redundant vehicle crossings to footways and the provision of dropped crossings/tactile paving shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details
REASON: In the interests of pedestrian safety
12. Notwithstanding the details shown on the approved drawings a scheme to protect the existing trees shall be put in place prior to the commencement of the development. The measures shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m high, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of any work to allow an inspection of

the measurements to ensure compliance with the approved scheme of protection. Notwithstanding the above approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees:

- a) The raising or lowering of levels in relation to the existing ground levels;
- b) Cutting of roots, digging of trenches or removal of soil;
- c) Erection of temporary buildings, roads or carrying out of any engineering operations;
- d) Lighting of fires;
- e) Driving of vehicles or storage of materials and equipment.

REASON - To ensure that a maximum level of protection in order to safeguard the well being of the trees on the site and in the interests of the visual amenities of the area.

13. B5 – Detailed Drawings (Accordance with Plan)

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application site lies within the development limits identified within the development plan. The design and layout of the development is acceptable and would not have an adverse impact upon the character and appearance of the street scene or the Northgate Conservation Area. The proposal has no significant impact in terms of loss of daylight or sunlight to neighbouring dwellings and maintains adequate levels of privacy. The application does not raise any issues in respect of highway safety or crime prevention and complies with the relevant policies in the development plan set out below:

National Planning Policy Framework 2012

Borough of Darlington Local Plan 1997

Policy E2 – Development Limits
Policy E3 - Protection of Open Land
Policy E12 – Trees and Development
Policy E14 – Landscaping of Development
Policy H17 (Concentrations of Houses in Multiple Occupation)
Policy H18 (Houses in Multiple Occupation in Other Areas)

Darlington Core Strategy Development Plan Document 2011

CS1 – Darlington’s Sub Regional Role and Locational Strategy
CS2 – Achieving High Quality Sustainable Design
CS11 – Meeting Housing Needs
CS14- Promoting Local Character and Distinctiveness
CS15 – Protecting and Enhancing Biodiversity and Geodiversity
CS16 – Protecting Environmental Resources, Human Health and Safety
CS17 – Delivering a Multifunctional Green Infrastructure Network

Other documents:

Supplementary Planning Document – Design of New Development

INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

Highways

The applicant is advised that works are required within the public highway, to improve the footway, and contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr S. Pryke 01325 388743) to arrange for the works to be carried out or to obtain authority under Sec. 184 of the Highways Act 1980 to execute the works.

The applicant is advised that contact must be made with the Assistant Director : Highways, Design and Projects (contact Ms.P.Goodwill 01325 388760) to discuss naming and numbering of the development.

Environment Agency

Under the terms of the Water Resources Act 1991 and the land drainage byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 5m of the top of the bank of the Cocker Beck, designated a "main river"

The applicant has been made aware that the land to the rear of the properties, potentially to be used as gardens is within the 100 year flood outline and that both the gardens and lower ground floors remain flood zone 2. The applicant must ensure that all future owners and occupiers of the properties are made aware and must accept the residual flood risk