

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 18 November 2009

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APPLICATION REF. NO:	09/00706/FUL
STATUTORY DECISION DATE:	8 January 2009
WARD/PARISH:	PARK EAST
LOCATION:	Site Of Former Darlington Football Club, South Terrace, Darlington
DESCRIPTION:	Development of former Feethams Football Ground to provide 146 units of residential accommodation including family housing apartments, retirement flats, open space and associated access road from South Terrace, landscaping and associated works
APPLICANT:	ESH Holdings

APPLICATION AND SITE DESCRIPTION

The application site forms part of a larger area of land owned by the Trustees of the Cricket Field Trust. The eastern part of the site is presently used as the home of the Trustees of Darlington Athletic and Cricket Club, who occupy the site on a leasehold basis. The application site was last used as the football ground for Darlington Football Club and the Quaker Centre leisure facility. The site has been vacant since Darlington Football Club moved to a new stadium in 2003 and the majority of the football ground structures are now removed. The site is currently overgrown and untidy and has been the subject of complaint. It can currently be accessed via South Terrace/Feethams Road South and through the existing cricket ground and from Polam Lane/Quaker Lane to the west.

The application site measures 2.36 hectares. To the east, lies the River Skerne and traditional terraced dwellings on Victoria Embankment. To the south the site is bounded by Polam Lane and the grounds of Polam School and the South Park. To the west, the site adjoins housing on Quaker Lane and Polam Lane and the cricket ground forms the northern boundary. Sainsbury's Supermarket is located to the north west. The application site lies adjacent to two conservation areas. The Victoria Embankment Conservation Area forms the eastern boundary of the site and the Stanhope Road/Grange Road Conservation Area is to the south and west. The iron footbridge, which links the southern end of Polam Lane to Victoria Embankment, is a Grade II listed structure.

The proposal involves the redevelopment of the site for residential purposes, consisting of:

- Fifty six dwellings (a mixture of 2, 3 and 4 bed dwellings)
- Thirty eight apartments (a mixture of 1 and 2 beds)
- Fifty two retirement apartments (1 and 2 beds)

Vehicular access to the site would be from Feethams South and South Terrace along an improved access road, which would follow the boundary of the cricket ground. Pedestrian and cycle access would be from Feethams South and South Terrace and also from Victoria Embankment via the existing pedestrian bridge over the River Skerne.

As part of the redevelopment proposal, the capital receipt for the site would be used by the Cricket Club for the benefit of the club and improvements to its facilities.

The applicant has previously carried out pre application consultation events with local residents, as advised by the Councils document "Statement of Community Involvement". The application has been accompanied by an SCI document, which outlines the extent and nature of responses received and how the scheme has been developed and revised as a result of the consultation exercises.

PLANNING HISTORY

The most relevant entries are:

05/00489/FUL An application of the construction of two blocks of three and four storey apartments (60) with basement car parking and new vehicular bridge over the river was WITHDRAWN in August 2005

09/00433/FUL An application for 146 units of residential accommodation to include family housing, apartments, retirement flats, open space and associated access from South Terrace, landscaping and associated works was WITHDRAWN in September 2009

PLANNING POLICY BACKGROUND

National Planning Policy

PPS 1 Delivering Sustainable Development/Planning and Climate Change
PPS3 Housing and Delivering Affordable Housing
PPS9 Biodiversity and Geological Conservation
PPG13 Transport
PPG15 Planning and the Historic Environment
PPG16 Archaeology and Planning
PPG17 Planning for Open Space, Sport and Recreation
PPS24 Planning and Noise
PPS25 Development and Flood Risk

Regional Spatial Strategy – The North East of England Plan RSS to 2021

Policy 2 Sustainable Development
Policy 3 Climate Change
Policy 4 The Sequential Approach for Development

Policy 5 Phasing and Plan, Monitor and Manage
Policy 6 Location Strategy
Policy 7 Connectivity and Accessibility
Policy 8 Protecting and Enhancing the Environment
Policy 10 Tees Valley City Region
Policy 24 Delivering Sustainable Communities
Policy 28 Housing
Policy 30 Improving Inclusivity and Affordability
Policy 35 Flood Risk
Policy 37 Air Quality
Policy 38 Sustainable Construction

Borough of Darlington Local Plan 1997

E1 Keynote Policy for the Protection of the Environment
E2 Development Limits
E3 Protection of Open Land
E9 Protection of Parklands
E10 Protection of Key Townscape and Landscape Features
E11 Conservation of Trees Woodlands and Hedgerows
E12 Trees and Development
E14 Landscaping of Development
E15 Open Land in New Development
E18 The River Skerne
E20 Site of Nature Conservation Importance
E21 Wildlife Corridors
E23 Nature and Development
E24 Conservation of Land and Other Resources
E25 Energy Conservation
E29 The Setting of New Development
E45 Development and Art
E46 Safety and Security
H1 The Supply of Housing Land
H2 Level of Housing Provision
H3 Locations for New Housing Development
H4 New Housing Developments In and Around The Town Centre and other Centres
H9 Meeting Affordable Housing Needs
H11 Design and Layout of New Housing Development
R1 Designing For All
R2 Access For People with Disabilities
R4 Open Space Provision
R6 Open Space Provision in New Residential Development
R7 The Design of New Open Space Provision
R9 Protection of Playing Fields
T11 Traffic Calming – New Development
T12 New Development – Road Capacity
T13 New Development – Standards
T24 Parking and Servicing for New Development
T31 New Development and Public Transport
T37 Cycle Routes in New Development

T39 Conditions for Pedestrians
T52 Drainage Infrastructure

Planning Documents

Affordable Housing Supplementary Planning Document
Supplementary Planning Document for Commuted Sums from New Housing Developments for the Enhancement of Existing Play Areas
Darlington Open Space Strategy 2007 – 2017
Supplementary Planning Document on Design of New Development

RESULTS OF CONSULTATION AND PUBLICITY

Results of Consultation and Publicity Exercise with Local Residents

One letter of objection has been received raising the following comments

- This will cause severe traffic issues with lorries going in and out of Victoria Road, especially around the rush hours.
- Surely there is other parts of Darlington that could gain by the development of Housing Apartments and Residential Flats

Consultation Responses

Natural England have advised that the proposal is unlikely to have an adverse effect in respect of species especially those protected by law. Natural England have requested the imposition of planning conditions relating to implementing the wildlife mitigation measures stated in the submitted ecology survey; controlling external lighting proposals for the development and implementing appropriate landscaping schemes

Northern Gas Network have no objections to the proposed development

The **Joint Strategy Unit** have yet to submit their response but they will be mentioned verbally at the Planning Committee

The **Environment Agency** have yet to submit their response but they will be mentioned verbally at the Planning Committee

The **Durham County Council Archaeology Section** have yet to submit their response but they will be mentioned verbally at the Planning Committee

The **Durham Constabulary Architectural Liaison Officer** has stated that the site has been subjected to vandalism and anti social behaviour since it has become vacated by the football club, which indicates there may be an element of the local community who will cause problems on the site when its is developed. If the dwellings are to be built to Secured by Design standards, he considers that forced entry burglary is unlikely to be an issue however he does have concerns in relation to vehicle crime.

He states *“There are several parking areas to the east of the site which are adjacent to the footpath which runs alongside the river. I believe vehicles parked in these areas will be*

particularly vulnerable to crime because of their vicinity to the easy escape routes the footpaths provide. They also lack adequate natural surveillance.

The cycle/footpath route to the south east of the site just above the apartment block provides easy access to the rear of the houses and to the parking bays. If this access is to remain the rear of the houses need to be well protected and access to the parking bays restricted through landscaping.

The parking area at the northern point of the site is divorced from the rest of the development and lacks natural surveillance. It needs to be protected with a secure boundary fence of at least two metres and needs to be well lit. The lighting scheme should conform to BS 5489

Polam Lane will provide easy access to the rear of the houses to the west of the site. A criminal will be able to approach unseen and will have easy escape routes over open land. It would be more secure if the houses were more orientated to face Polam Lane providing a more active frontage.”

Sport England have yet to submit their response but they will be mentioned verbally at the Planning Committee

One North East have yet to submit their response but Members will be updated at the Planning Committee

English Heritage have stated that the layout, general height and massing of the proposed development would compliment the adjacent conservation areas, although greater tree coverage along the southern boundary may help filter the new development in long views across South Park and the school grounds. They state that the Council should be satisfied that the detailed design of the development is skilfully delivered.

Northumbrian Water have commented, “*Should planning permission be granted the following conditions should be attached :*

Condition 1

Development shall not commence until a detailed scheme for the diversion of its apparatus or redesign of the proposal to avoid building over by the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

REASON: A 1800mm public sewer crosses the site and is shown built over on the application. Northumbrian Water will not permit a building over or close to its apparatus. Diversion or relocation of the apparatus may be possible at the applicant’s full cost.

Condition 2

Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

REASON: To ensure the discharge of SW from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 "Development and Flood Risk" and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

In discharging the condition the Developer should develop his Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000. Namely:-

- *Soakaway*
- *Watercourse and finally*
- *Sewer.*

If sewer is the only option the developer should contact New Development Team at NWL, Leat House, Pattinson Road, Washington, NE38 8LB to arrange for a Developer Enquiry to ascertain allowable discharge points & rates.

CE Electric UK have raised no objections to the proposed development

Results of Consultations with Council Departments

The **Highways Engineer** has commented, *"A Transport Assessment (TA) and Framework Travel Plan have been submitted with the application. The TA has assessed the impact of the development on adjacent junctions on the local highway network and it is considered that there is sufficient capacity to accommodate the development on all junctions except Grange Road/Victoria Road roundabout. Improvements have been suggested at this junction, however the proposals have been assessed and it is considered that the proposed improvement will not provide the theoretical capacity improvements suggested. The changes suggested would only provide for re-lining, the actual cost would therefore be minimal. There is therefore no intention to proceed with a scheme that would attract only a very small contribution from the developer and, it is considered, would provide no real highway benefit.*

Parking provision within the site has been previously agreed with ourselves.

It is likely that there will be some minor amendments to the layout required, however the development will be the subject of a Sec.38/278 Agreement (Highways Act 1980) and it will be possible to address this as part of this process. However, additional traffic calming will be required on the access road and in order to ensure these works are included a specific condition should be included requiring works to be carried out to enable a 20mph speed limit to be introduced on the site (this condition is over and above the condition for lining, signing, legal costs etc.)

Other off-site improvements/highway conditions have been the subject of discussion with ourselves and conditions will be required to secure these as follows:

- *Junction improvements at the access onto Victoria Road. These improvements will include for provision of a light controlled crossing facility on Victoria Road. Funding of these works will be secured by a Sec.106 Agreement. The works will also be subject to a Sec.278 Agreement (Highways Act 1980)*

- *Introduction of Traffic Regulation Orders at the access onto Victoria Road and on the access road into the site, including all advertising and legal costs. Funding to be secured by Sec.106 Agreement*
- *Inclusion of the site within the South Terrace Residents Parking Scheme, including all advertising and legal costs. Funding to be secured by Sec.106 Agreement.*
- *Introduction of 20mph speed limit in the site, including all signage and lining costs, and legal and advertising costs. Funding for the costs incurred by the Council to be secured by Sec.106 Agreement*
- *All works within the public highway to be subject to a road safety audit at design and completion stages.*

It is indicated within the TA that 38 secure covered cycle parking spaces are to be provided and this should also be made a condition of approval.

Provided all conditions/obligations outlined above are included with an approval I would raise no highway objection to the proposal.”

The **Environmental Health Officer** has recommended the need for planning conditions relating to deal with contaminated land, hours of operation, the submission of a Dust Action Plan, piling details and window details. The Officer has also recommend that a condition is imposed requesting that further noise survey work is undertaken to assess the impact of noise from Sainsbury's on the proposed development.

The **Senior Arboricultural Officer** has commented, “*A high percentage of the Dbh measurements have been estimated as Ivy has prevented exacted measurements.*

Due to the close proximity of trees adjacent to the River Skerne rooting area has been reduced, it would appear that the morphing of the Root Protection Areas (RPAs) have not been increased into the proposed development, the protective fencing should be extended to protect more root tissue.

A Poplar is located to the north/east of the site, it is outside the curtilage but part of its RPA is within the proposed development, which is proposed to be a parking area, the present surface is hard standing but I believe that root tissue may be within this area.

Trees, which appear to be within the curtilage of 37 to 67 Quaker Lane are protected by Tree Preservation Orders and don't appear to have been assessed, I have concerns that the RPAs may be breached due to the close proximity to the proposed dwellings, there dose not appear to be any protective fencing for these trees.

Due to Polam Lane it is doubtful whether root tissue will have entered the site from the trees within the curtilage of Polam School.

Trees 54 and 56, which are located at the entrance of the Cricket Ground are out side the proposed development, the crowns of these trees may require lifting to allow access for large vehicles, (two mature Sycamore (Acer pseudoplatanus).

I have concerns with regard to the road adjacent to the Cricket field, is the existing road to be relocated towards trees 28 to 53, I met the Arboricultural Consultant on the 7th October 2009 on site, he was of the opinion that little root tissue would be within this area but I would disagree, within the BS5837 it states that the RPA should not be breached, it would appear that a method statement has not been issued as how they are prepared to protect the trees.

I have concerns regarding the proposed cycle way, which is to the south of the site invading the RPAs of the trees adjacent to the River, is this to be a no dig construction, I would require a method statement on how they intend to facilitate this construction.

The landscaping is acceptable but I would require all trees to be containerised and at least 20cm girth is it possible to acquire funding for tree planting within South Park.

If the development is approved, it is of paramount importance that the root area of the trees is completely protected from damage by compaction, severance, or from material spillage. This will only be possible through the installation of protective fencing in accordance with BS5837 2005. It is recommended that this fencing is put into position prior to any further works on the site (demolition or development), and that the extent of this protection is inspected by a Council Officer prior to work commencing. This fencing should be at least 2.3m high and consist of a scaffolding frame, braced to resist impacts, supporting by a weldmesh wired to the uprights and horizontals to dissuade encroachment”

The **Transport Policy Officer** has confirmed that the Residential Travel Plan is acceptable

The **Housing Renewal Officer** has commented, “*The proposed 21 units of affordable housing is slightly lower than the required 15% of affordable housing (21.9 units) as per the Affordable Housing SPD, however, the proposed mix represents a good offer in terms of identified housing need for the locality.*

If apartments are to be provided then they need to be lift accessible above ground level which adds to development costs and incurs an ongoing service charge to incoming tenants which need to be outlined as early as possible to ensure that any rented apartments remain affordable. Equally, with apartments, I would seek reassurance about the responsibility for communal areas both internal and external and again what service charges may be attached to the provision of this service, which could affect affordability.

There will be an expectation that DBC have full 100% nomination rights for any affordable housing units and that these will be marketed through the sub-regional Choice Based Lettings policy.

A degree of pepper potting would be considered more favourably albeit 2-3 family houses in close proximity or recognised blocks of apartments (but usually no more than 10 in a single block, ideally 6-8 in a block) could not necessarily be so easily dispersed but an attempt to do so would be encouraged.

In terms of any accessible affordable units identified for customers with physical disabilities, I would seek early engagement and discussion with the developer to agree the design specification in conjunction with Occupational Health Therapists with identified new tenants in mind. I would also hope that any such units take account of the immediate physical environment and that no

obvious physical barriers are present and, wherever possible a clear route to public transport is available. This is essential.”

PLANNING ISSUES

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

- Planning Policy
- Impact on the Visual Appearance and Character of the Area
- Highway Matters
- Residential Amenity
- Affordable Housing
- Open Space
- Ecology
- Flood Risk
- Trees and Landscaping
- Contaminated Land
- Section 106 Agreement

Planning Policy

The application site lies within the development limits for the urban area as identified by Policies E2 (Development Limits) and H3 (Locations of New Housing Developments) of the Borough of Darlington Local Plan.

The site and the adjacent Cricket ground form part of the Open Land Network within the urban area and Policy E3 (Protection of Open Land) states that in considering proposals to develop land within these areas, the Council will seek to maintain the usefulness and enhance the appearance and nature conservation interest of the Open Land system as a whole. Permission will not be granted for development, which inflicts net material harm on the Network. The site, when occupied by Darlington Football Club, contained stands, floodlighting columns and areas of hard standing and it did not contribute to the openness and greenery of the Open Land Network and since the Club vacated the site, it become unsightly and overgrown and it makes even less of a contribution to the Open Land Network. It is considered that the redevelopment of the site for residential purposes will not have an adverse impact on the Open Land Network as a whole.

The site bounds both the Stanhope Road/Grange Road Conservation Area and the Victoria Embankment Conservation Area and the impact of the development on these Areas will be discussed further in this report.

Developing the site for residential purposes would secure the re-use of previously developed land in a sustainable location, in accordance with national and regional planning policy. The proposal for 146 dwellings would deliver housing at a density of 62 dwellings per hectare which is above the target of 30 dwellings per hectare set out in PPS3 – Housing and the 30 – 50 dwellings per hectare set out in the Regional Spatial Strategy – The North East of England Plan RSS to 2021 and the Supplementary Planning Document on Design of New Development. This indicates that the scheme would make effective use of land in accordance with planning policy

objectives, and accord with policy objectives that seek higher density development in locations that are most accessible to shops and services.

The use of the site for residential purposes is generally accepted in planning policy terms, and the remainder of the report will consider the impact of the development in development control terms.

Impact on the Visual Appearance and Character of the Area

The application site lies adjacent to two conservation areas. The Victoria Embankment Conservation Area forms the eastern boundary of the site and the Stanhope Road/Grange Road Conservation Area is to the south and west. The iron footbridge, which links the southern end of Polam Lane to Victoria Embankment, is a Grade II listed structure. The topography of the site is generally level, falling towards the River Skerne to the south east of the site.

The majority of the buildings on the site have now been removed and the site is becoming overgrown and untidy and it does not contribute to the visual appearance of the locality and the adjacent conservation areas. The main features of the site are the trees, which run alongside the River Skerne.

The proposed development consists of a mix of residential units of townhouses, detached villas and apartments for both families and retired persons. The most prominent of the proposed townhouses are those, which run alongside the River Skerne, facing Victoria Embankment. These are a mixture of two and half and three storey houses.

There are 11 detached villas with garages in the western section of the development overlooking Polam Lane and 6 one bedroomed and 32 two bedroom apartments. They are predominately three storey buildings rising to a fourth storey partially within the roof at key corner locations across the site.

The final house type within the development is a four-storey building consisting of 52 apartments for retired persons. This building is located centrally within the development overlooking the existing cricket pitch to the north.

Following discussions between officers and the applicant, the following revisions have been made to the layout of the development and design of the dwellings;

- The entrance gates on South Terrace would be retained in a slightly modified form. A Structural Survey must be carried out to ascertain the stability of the entrance features and to assess the practicalities of retaining them. If the existing gates cannot be retained, the applicant has agreed to demolish them and rebuild them possibly incorporating elements of architectural salvage. A suitability worded condition can be attached to any grant of planning permission to secure this agreement
- A cycleway and footway has been introduced which runs from Feethams South/South Terrace along the eastern boundary of the site to Polam Lane and the Polam Lane bridge.
- The elevation treatment of the townhouses facing Victoria Embankment has been revised to incorporate features which are common in the locality
- The choice of materials on a number of the house types has been revised.

- The boundary treatment along Polam Lane has been redesigned to a mixture of brickwork and railings

English Heritage considers that the development, in terms of layout, general height and massing would complement the two conservation areas, which bound the application site.

The Council's Urban Design Officer and Conservation Officer have welcomed the revisions to the scheme but they have raised some areas of concern. The main issue relates to the detached villas on the western boundary of the application site, along Polam Lane.

The development offers a range of house types, including eleven detached villas. These are three storey dwellings with first floor balcony areas to the rear overlooking Polam Lane and beyond. It is recognised that detached dwellings may not be characteristic of the immediate locality, but they form a very small part of the overall development and they add to the variety of house types on offer. It is considered that the eleven villas, within a development of 146 dwellings, would not have a detrimental impact upon the visual appearance and character of the development, the immediate locality and the conservation areas.

The applicant discussed the proposal with the Architectural Liaison Officer (ALO) prior to submitting the application. However, he has raised matters of concern.

Firstly, there are concerns over security issues along Polam Lane and how the villas relate to the Lane. Polam Lane is a back lane currently enclosed by a variety of walls, railings and fencing. The section alongside the application site is open and could attract anti social behaviour. There are no existing properties fronting onto Polam Lane.

As mentioned, the three storey detached villas overlook Polam Lane and the rear elevations of each dwelling have a first floor level balcony leading from a lounge area and bedroom windows at second floor level. The boundary treatment along the Lane has been changed to a 1.8m high means of enclosure consisting of railings on a brick wall. The Council plan to incorporate a cycle lane with associated external lighting for Polam Lane and Officers consider that all of these features would give the Lane natural surveillance.

Secondly, the security of the car parking areas has been highlighted. The applicant has confirmed that the parking areas will be well lit and designed with secure access arrangement, landscaping areas and high level boundary walls to ensure that they are secure for the occupiers and visitors of the development.

Thirdly, the permeability of the development has been mentioned. In general PPS 3 - Housing and Delivering Affordable Housing, promotes pedestrian permeability and this can result in conflicts with comments from the ALO. The applicant has confirmed that the footways, roads and the cycleway would be lit, which would increase surveillance and security.

Whilst the comments from the ALO have been acknowledged, the layout of the development has been designed to meet a variety of different planning requirements but security is also an issue that has been taken into account and officers consider the development will prove a safe and secure environment.

Appropriate planning conditions relating to materials and the appearance of boundary treatments around the cricket pitch can be attached to a grant of permission to ensure a satisfactory form of development.

The existing site does not contribute to the visual appearance of the area and the ALO has confirmed that it attracts anti social behaviour. The revisions, which have been agreed between officers and the applicant, have improved the visual appearance and layout of the development and it is considered that, on balance, it is a satisfactory form of development, which will contribute to the area and will not have a detrimental impact on the conservation areas.

Highway Matters

The proposed development would utilise the existing access off Feethams South/South Terrace and the access road would follow the boundary of the existing cricket ground leading to the north east corner of the site and its own internal road network. The development would also provide a shared pedestrian and cycle link between Feethams South/South Terrace and Polam Lane. A total of 161 parking spaces would be provided within the application site, of which eight spaces would serve disabled motorists. There would be a total of 38 secured cycle parking spaces for the residential apartments and the retirement apartments. As stated the junction at the entrance to the site has been revised to allow for the complete or part retention of the existing entrance gates. The junction has been modified which gives priority vehicle movements to residents of South Terrace and the requirement for a raised table traffic-calming feature has been removed. A very small section of the existing cricket pitch would have to be taken in order to facilitate the improved access road.

A Transport Assessment (TA) has been carried out to appraise the traffic impacts and assess traffic transportation issues to the proposed development. The TA concludes that the site is accessible by various modes of transport and it accords with the objectives set out in both PPG13 Transport and the Council's Second Local Transport Plan 2006 –2011, regarding sustainability and accessibility.

As apart of the TA, the operational performances of three nearby junctions have been assessed. These were:

- A167/Feethams South
- Victoria Road/Grange Road/Coniscliffe Road/West Street roundabout
- Victoria Road/St Cuthberts Way/Beaumont Street roundabout

The TA recommends that the Victoria Road/Grange Road/Coniscliffe Road/West Street roundabout will require some further improvement works such as the creation of a dedicated left turn lane from West Street to Victoria Road and the other two junctions would be able to accommodate the proposed development. However, the Council's Highways Engineer considers that the suggested works to the roundabout will not provide the theoretical capacity improvements suggested. The changes suggested would only provide for re-lining, the actual cost would therefore be minimal. There is therefore no intention to proceed with a scheme that would attract only a very small contribution from the developer and, it is considered, would provide no real highway benefit.

There is a sufficient number of car parking spaces provided within the application site and following discussions with the Council's Highways Engineer, the applicant has agreed to provide a commuted sum in respect of a light controlled crossing between Feethams South and Grange

Road and the town centre; traffic calming measures within the site and the introduction of a 20mph speed restriction in the site. These highway improvement works can be secured by the Section 106 Agreement.

A Residential Travel Plan aims to encourage and promote the use of alternative modes of transport to the private car. At present the site is within walking distance of the town centre, bus stops and the rail station and the proposed development seeks to improve those links. The pedestrian and cycle networks within the development and their links to the existing off site networks have been improved and initiatives such as employing a Travel Plan Coordinator to advertise other modes of transport to the future occupants of the development would be implemented.

The Council's Transport Policy Section consider that the contents of the Travel Plan are acceptable and a planning condition can be attached to ensure that the development is carried out in accordance with the Plan.

Residential Amenity

The spatial relationships between the proposed development and the existing dwellings that bound the site and between the dwellings within the development itself generally accord with the Council's guidelines and the proposal would not result in any overlooking or loss of privacy issues. The buildings would not be seen as overbearing structures when viewed from the existing dwellings in the locality.

The relationship between the residents of the proposed development and the adjoining cricket ground has also been considered. One of the main issues is the impact of flying cricket balls, when the north end of the cricket pitch is in use, on the retirement apartments and on the access road. The scheme could incorporate suitable boundary treatments such as netting which can be drawn in and out for games. It is considered appropriate to impose a planning condition to secure a suitable solution.

The Council's Environmental Health Officer has requested the imposition of a number of planning conditions, which have been agreed with the applicant. However, the applicant has asked officers to reconsider the need for a condition requesting additional noise survey work to assess the impact of Sainsbury's on the proposed development. The Council's Environmental Health Officer has given an explanation as to why it is appropriate to impose such a condition and officers consider that the request is justified and it is reasonable to impose such a condition.

Affordable Housing

Policy H9 (Meeting Affordable Housing Needs) of the Borough of Darlington Local Plan 1997 seeks to secure an element of affordable housing on new housing sites. To support Policy H9, the Council have adopted the Supplementary Planning Document on Affordable Housing. The application site is located in the Park East Ward and within the South East Sub Area, as defined by the SPD. The South East Sub Area is identified as having a moderate need with a target of 15% of affordable housing being provided within a development consisting of more than 15 dwellings.

In this instance, the 15% target equates to 21.9 units. The development would consist of 21 units and would include:

- 9 two bed apartments

- 2 two bed bungalow apartments
- 1 three bed bungalow apartments
- 9 three bed dwellings

The applicant is not in a position to identify a Registered Social Landlord (RSL) but they have long-standing relationships with RSLs and are eligible to access Homes and Communities Association grants

In the majority of cases, affordable housing provision is secured as part of a Section 106 Agreement. In their “Affordable Housing Statement”, the applicant states that the main issue surrounding affordable housing in the present market is delivery and the use of a planning condition (rather than a Section 106 Agreement) gives them a greater degree of certainty on delivery based on the current grant application system managed by the Homes and Communities Association (HCA). They state that Section 106 agreements can restrict the success of a HCA grant funding application.

The Council’s Housing Renewal Officer has agreed to the provision of 21 affordable units. With regard to how the affordable housing is secured, he has commented, *I can understand why the delivery mechanism is being challenged re; planning agreement or condition. This is largely because if the affordable housing is to be delivered via grant assistance via the Homes and Communities Agency (HCA) through an approved private developer or Registered Social Landlord then they seek in all but the odd instance that affordable housing on s106 sites is wholly delivered through the planning gain process without the need for additional HCA public subsidy. The only exception to this is when clear "value added" benefits can be delivered through the award of public subsidy e.g. increasing the quality standard for Code for Sustainable Homes (CSH) level upwards or increasing the number of affordable units delivered etc. My view would be that we can achieve both without a s106 agreement provided that we are aware of who the private developer / RSL partner is from the outset and have the confidence that they will deliver exactly what we require, and, are fully "signed up" to this”*

In this instance, the applicant does not have an RSL partner and officers consider that there is a high level of uncertainty over who will eventually develop the site. In view of this uncertainty, officers would recommend that the affordable housing provision is secured as part of the Section 106 Agreement and the other issues raised by the Housing Renewal Manager would be negotiated as part of the Agreement

Open Space

The Darlington Open Space Strategy 2007 – 2017 was adopted by the Council in April 2007. The Council report states that the 'land use policies that appear in the finalised version of the Open Space Strategy (OSS) will be used for development control purposes' to reflect an up to date assessment of quantity, quality and type of open space in the Borough. Therefore the policies and standards quoted in policy R4, R6 and R7 of the Borough of Darlington Local Plan have been superseded by those set out in the OSS.

OSS Policy 20 states that the quantity and type of open space provision will be determined on a site by site basis so there is no requirement to provide for a particular type of open space. Policy 20 ideally requires open space provision on site but recognises that where this would be unsuitable a capital sum will be sought equivalent to the cost of providing open space to meet the needs of future residents. This will be used to improve the quality of existing open space in the

area that the occupants of the development can reasonably be expected to use. Reflecting the level of open space provided on site, the capital sum would be reduced accordingly.

The approach adopted, consistent with PPG17 - Planning for Open Space, Sport and Recreation, reflects the amount of open space a person would be expected to use (reflecting the standards in OSS Policy 6) and the expected occupancy of the development (the number of different types of dwellings in the development)

One of the main and attractive features of the development is its location and relationship to the River Skerne. The eastern boundary of the site is formed by the riverbank and as this section is of visual and biodiversity interest it can become both an informal open space and an area for biodiversity. Officers had concerns over functionality of this area and discussions have taken place with the applicant to address this concern. The public would have access to and through this area of land via a pedestrian and cycle access link from Feethams South/South Terrace to the Polam Lane Bridge and the South Park. This area of open space has been considered in accordance with the Supplementary Planning Document on Design of New Development, as it would now perform two functions of providing open space and enhancing biodiversity.

Whilst the area on the eastern boundary can be considered as a multifunctional area of open space, the overall amount of open space within the development is 1.65ha below the required level for a development of this size and therefore the Council would secure the equivalent capital sum via the Section 106 Agreement.

The applicant does not consider it appropriate to provide any on site equipped play areas, given the size of the site, its density and close relationship with the South Park. In such circumstances, the applicant has agreed to pay a commuted sum for enhancing off site play equipment in accordance with Supplementary Planning Document for Commuted Sums from New Housing Developments for the Enhancement of Existing Play Areas. This would be secured by the Section 106 Agreement.

Ecology

An ecological survey has been carried out, which concludes that the habitats present within the application site are considered to be those typical of a suburban landscape and of largely low ecological value. However, the existing vegetation cover of shrubs and trees along the eastern boundary along the River Skerne, provide potential wildlife refuges, food sources and movement corridors and a link for wildlife to the surrounding network of habitats and out into the countryside.

There are opportunities to mitigate or compensate for any impact upon biodiversity losses to enhance the nature conservation value of the site through roost creation within the new build and retention of existing trees, shrub and hedgerows on the river edge complemented by habitat creation, new planting of trees, hedgerows, shrubs and grasslands. This can be secured by requesting the submission of a landscaping plan and a Management Plan by a planning condition.

Natural England have advised that the proposal is unlikely to have an adverse effect in respect of species especially those protected by law. They have requested the imposition of planning conditions relating to implementing the wildlife mitigation measures stated in the submitted ecology survey; controlling external lighting proposals for the development and implementing appropriate landscaping schemes, especially on the eastern boundary.

The RSS and the SPD on Design for New Development set out the sustainable building standards, which must be adhered to. The development should be designed to achieve Code for Sustainable Homes Level 3. In addition the development (being over 10 dwellings) should secure at least 10% of its energy supply from decentralised, renewable or low carbon sources.

The applicant has confirmed that the development would be built in compliance with the Code for Sustainable Homes and the Building Regulations prevalent at the time of the implementation of the scheme. In addition, any partnering RSL would be obliged to build to a specific level of the Code, which is currently Level 3 and rising to Level 4 in 2011. The applicant has also agreed to the imposition of a planning condition to ensure that at least 10% of its energy supply is secured from decentralised and renewable sources.

Flood Risk

The Flood Risk Assessment shows that the application site falls within Flood Zone 2 but the site is not affected by flooding provided the existing river embankments are maintained. The development would also have a floor level appropriate to the requirements of the 1 in 100 modelled level resulting in a level of 37.250. The FRA states there are reasonable design steps that can be adopted into the scheme to ensure that the building should remain free from current flooding areas as identified on the Environment Agency Flooding Maps.

PPS25 – Development and Flood Risk requires that Local Planning Authorities should adopt a sequential approach to the allocation of development sites and the determination of applications for development in Flood Zones 2 and 3. This approach ensures that land uses are compatible with levels of flood risk at each potential development site. The test should demonstrate that the developer has considered a range of sites in conjunction with flood zone information and applied the sequential test. PPS25 states that the test is required in order to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed.

The applicant has carried out a Sequential Test Report, which considered the sites currently included within the Councils Strategic Housing Land Availability Assessment. The Report concludes that the green field sites on the edge of the built up area are not reasonably available for development, there are no sequentially preferable sites available at this time in the urban zone and other sites which do lie in sequentially preferable locations and which benefit from planning permission are of limited capacity. Officers accept the findings of this report and consider that the applicant has complied with the Sequential Test approach.

The Environment Agency has yet to submit their comments on the FRA or the Sequential Test but they will be mentioned verbally at the Planning Committee

Trees and Landscaping

The mature trees on the eastern boundary of the site and along the river corridor are not covered by a tree preservation order but they are located within the Victoria Embankment Conservation Area. The trees provide a feature within the street scene and contribute towards the visual amenity of the site and the conservation area. A tree survey has been carried out and it concludes that no trees need to be removed due to unsoundness, disease, and public safety or to accommodate the development. Indeed, the existing trees would be supplemented by further planting to enhance the visual appearance of the eastern boundary and the biodiversity of this part of the site.

The Council's Senior Arboricultural Officer has had pre application discussions with the applicant's Arboricultural Consultant and also considered the contents of the planning application. He has raised some concern over how certain trees within and on the edge of the application site will be protected and how particular elements of the development (car parking areas, access road and cycleway/footway) are to be constructed. These issues can be given further consideration by the imposition of appropriate planning conditions.

Whilst a landscaping scheme has been submitted with the application it is considered appropriate to attach a planning condition to allow Officers to finalise the proposals.

Contaminated Land

The Environmental Health Officer has requested the imposition of a planning condition requesting the submission of a Desk Top Study relating to contaminated land

Section 106 Agreements

Officers consider that a Section 106 Agreement is required to secure the following:

- To provide 21 units of affordable housing on site in accordance with the requirements of Policy H9 (Meeting Affordable Housing Needs) of the Borough of Darlington Local Plan and Supplementary Planning Document on Affordable Housing
- A commuted sum in respect of provision and maintenance of equipped play space in accordance with Supplementary Planning Document for Commuted Sums from New Housing Developments for the Enhancement of Existing Play Areas
- A commuted sum in respect of the provision for off site open space in accordance with the Darlington Open Space Strategy 2007 – 2017
- Funding for a Light Controlled Crossing
- Funding for Traffic Regulation Orders, a Residents Parking Scheme and for a 20mph speed limit

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The comments made by the Architectural Liaison Officer have been considered and forwarded to the applicant. On balance, the layout and design of the development is considered to be acceptable in terms of crime prevention. 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 for the urban area as identified by Policies E2 (Development Limits) and H3 (Locations of New Housing Developments) of the Borough of Darlington Local Plan. The site was last used as the home for Darlington Football Club and it has become overgrown and untidy since the Club vacated to a new football ground in 2003. The proposal involves redeveloping the site for residential purposes consisting of 146 dwelling units. Developing the site for such purposes would secure the re-use of previously developed land in a sustainable location. The design and layout of the development has been revised following discussions between officers and the applicant and it is considered that the development respects the amenity and general character of the area and the two neighbouring conservation areas. The application is not considered to raise any issues in relation to car parking provision or highway

safety. The layout and design of the development is considered acceptable in terms of crime prevention. The following national, regional and local planning policies have been taken into account:

National Planning Policy

PPS 1 Delivering Sustainable Development/Planning and Climate Change
PPS3 Housing and Delivering Affordable Housing
PPS9 Biodiversity and Geological Conservation
PPG13 Transport
PPG15 Planning and the Historic Environment
PPG16 Archaeology and Planning
PPG17 Planning for Open Space, Sport and Recreation
PPS24 Planning and Noise
PPS25 Development and Flood Risk

Regional Spatial Strategy – The North East of England Plan RSS to 2021

Policy 2 Sustainable Development
Policy 3 Climate Change
Policy 4 The Sequential Approach for Development
Policy 5 Phasing and Plan, Monitor and Manage
Policy 6 Location Strategy
Policy 7 Connectivity and Accessibility
Policy 8 Protecting and Enhancing the Environment
Policy 10 Tees Valley City Region
Policy 24 Delivering Sustainable Communities
Policy 28 Housing
Policy 30 Improving Inclusivity and Affordability
Policy 35 Flood Risk
Policy 37 Air Quality
Policy 38 Sustainable Construction

Borough of Darlington Local Plan 1997

E1 Keynote Policy for the Protection of the Environment
E2 Development Limits
E3 Protection of Open Land
E9 Protection of Parklands
E10 Protection of Key Townscape and Landscape Features
E11 Conservation of Trees Woodlands and Hedgerows
E12 Trees and Development
E14 Landscaping of Development
E15 Open Land in New Development
E18 The River Skerne
E20 Site of Nature Conservation Importance
E21 Wildlife Corridors
E23 Nature and Development
E24 Conservation of Land and Other Resources
E25 Energy Conservation

E29 The Setting of New Development
E45 Development and Art
E46 Safety and Security
H1 The Supply of Housing Land
H2 Level of Housing Provision
H3 Locations for New Housing Development
H4 New Housing Developments In and Around The Town Centre and other Centres
H9 Meeting Affordable Housing Needs
H11 Design and Layout of New Housing Development
R1 Designing For All
R2 Access For People with Disabilities
R4 Open Space Provision
R6 Open Space Provision in New Residential Development
R7 The Design of New Open Space Provision
R9 Protection of Playing Fields
T11 Traffic Calming – New Development
T12 New Development – Road Capacity
T13 New Development – Standards
T24 Parking and Servicing for New Development
T31 New Development and Public Transport
T37 Cycle Routes in New Development
T39 Conditions for Pedestrians
T52 Drainage Infrastructure

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Supplementary Planning Document on Design of New Development

RECOMMENDATION

THE ASSISTANT CHIEF EXECUTIVE (REGENERATION) BE AUTHORISED TO NEGOTIATE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT TO SECURE THE FOLLOWING:

1. To provide 21 units of affordable housing on site in accordance with the requirements of Policy H9 (Meeting Affordable Housing Needs) of the Borough of Darlington Local Plan and Supplementary Planning Document on Affordable Housing
2. A commuted sum in respect of provision and maintenance of equipped play space in accordance with Supplementary Planning Document for Commuted Sums from New Housing Developments for the Enhancement of Existing Play Areas
3. A commuted sum in respect of the provision for off site open space in accordance with the Darlington Open Space Strategy 2007 – 2017
4. Funding for a Light Controlled Crossing
5. Funding for Traffic Regulation Orders, a Residents Parking Scheme and for a 20mph speed limit

AND THAT PLANNING PERMISSION THEN BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 – Implementation Limit (Three Years)
2. B4 – Details of Materials (Samples)
3. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change, December 2007). Details and a timetable of how this can be achieved, including details of physical works on site, shall be submitted to and approved by the local planning authority prior to the commencement of the development. The development shall not be carried out otherwise than in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
REASON: To promote a sustainable development in accordance with planning policy.
4. The development shall be carried out in complete accordance with the mitigation measures detailed within the protected species report entitled “Feethams. Former Football Ground Ecological Assessment” by AJT Environmental Consultants Ref No: RO2 June 2009, including but not restricted to adherence to timing and spatial restrictions, provision of mitigation in advance, undertaking confirming surveys as stated and adherence to precautionary working methods.
REASON: In order to safeguard and enhance the wildlife and ecology of the site
5. Prior to the commencement of the site, details of a 10 metre buffer zone for otters, sited on the east boundary of the site shall be submitted to and approved to the local planning authority and the development shall be carried out in complete accordance with the approved
REASON: In the interests of protecting the wildlife on the site
6. Prior to the commencement of the development, a detailed scheme for any external lighting, including LUX contours, along the eastern boundary of the site shall be submitted to and approved by the local planning authority. The development shall not be carried out otherwise than in complete accordance with the approved details
REASON: To ensure and protect the functionality of the wildlife corridor along the River Skerne
7. Details of landscaping for the approved development shall be submitted to and approved by the local planning authority prior to the commencement of the development. The scheme shall include details of new habitat creations, tree planting, shrubs, grasslands and a Management Plan for the wildlife area on the east boundary of the site. The scheme shall be provided either within the first planting season after the completion of the development or any individual phase thereof or prior to the buildings being occupied and thereafter permanently maintained. Any trees or other landscaping features removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced.
REASON: To ensure a satisfactory appearance of the site and in the interests of biodiversity.

8. Prior to the commencement of the development hereby approved, an Arboricultural Implications Assessment and an Arboricultural Method Statement shall be submitted to and approved by the local planning authority. The details shall include the construction methods for the cycleway/footway on the eastern boundary, the access road around the cricket pitch and car parking areas. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON: To ensure that the works do not have an adverse impact upon the tree coverage on the eastern boundary in the interests of the visual amenity of the area.

9. Prior to the commencement of the development hereby approved a Tree Protection Plan shall be submitted to and approved by the local planning authority. Details shall be submitted of a scheme to protect any existing trees, and the trees to be protected shall be agreed with the local planning authority. The submitted details 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 weld mesh wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place before the commencement of any work, including demolition operations. 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 and extent of the measures 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.

10. Notwithstanding the details shown on the approved drawings, details of the secure cycle parking areas shall be submitted to and approved by the local planning authority and the development shall not be carried out otherwise than in complete accordance with the approved details

REASON: In order to encourage the use of other modes of transport in the interests of sustainable development

11. Construction and demolition activities shall be restricted to between 08:00 to 18:00 hours Monday to Friday, 08:00 to 14:00 hours Saturday and no working on Sundays and Bank Holidays.

REASON: In the interests of residential amenity

12. Before the commencement of any works on site a scheme for controlling dust emissions shall be submitted and agreed in writing with the local planning authority. The scheme shall include information on measures to be taken to prevent and minimise dust

emissions, monitoring procedures and procedures for dealing with complaints. The scheme shall be implemented and reviewed at the request of the Local Planning Authority

REASON: In the interests of residential amenity

13. If piling is to take place on site, details of the piling method including justification for its choice, means of monitoring vibration and groundwater risk assessment if necessary in accordance with recognised guidance shall be submitted and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed piling method

REASON: In the interests of residential amenity

14. In line with the recommendations in "Report Number 0002, May 2009 - Noise Assessment", trickle vents should be fitted to bedroom windows of approved dwellings prior to the dwellings being occupied

REASON: In the interests of the residential amenities of the future occupiers of the development

15. Prior to the commencement of the housing development hereby approved by this planning permission a scheme for the protection of the proposed residential accommodation from commercial noise from nearby premises shall be submitted to and approved by the local planning authority. The scheme shall include predicted noise levels at residential properties, a BS4142 assessment and include details of any sound attenuation methods to be used. The scheme shall achieve internal noise levels of less than 35 dB(A) Laeq in living rooms, less than 30 dB(A) Laeq in bedrooms, less than 55dB(A) Laeq in gardens and individual noise events not to exceed 45dB LAFmax in bedrooms. Any works, which form part of the scheme, shall be completed in accordance with the approved scheme and prior to any part of the housing development being first occupied or used.

REASON: In order to protect the future occupiers of the development from any commercial noise from nearby premises.

16. J2 – Contamination

17. Prior to the commencement of the development a detailed scheme for the diversion of Northumbrian Water apparatus or a redesign of the proposal to avoid building over Northumbrian Water apparatus shall be submitted to and approved in writing by the local planning authority in consultation with Northumbrian Water. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: A 1800mm public sewer crosses the site and is shown built over on the application. Northumbrian Water will not permit a building over or close to its apparatus. Diversion or relocation of the apparatus may be possible at the applicant's full cost.

18. Prior to the commencement of the development a detailed scheme for the disposal of surface water from the development hereby approved shall be submitted to and approved in writing by the local planning authority in consultation with Northumbrian Water. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON: To ensure the discharge of surface water from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25

“Development and Flood Risk” and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

19. Notwithstanding the details shown on the approved plans, no demolition of the entrance gates to the Cricket Ground shall take place until details of a scheme have been submitted to and approved by the local planning authority to preserve and incorporate the gate feature. The details shall include a survey of the gates which confirms those parts of the structure to be retained (in whole or part) and those parts that will need to be removed along with details of how the gates will be incorporated into the development and the development shall be carried out in accordance with the approved details. If the survey shows that it is not practical, safe or cost effective to retain the gates, details of a scheme for a replacement feature, incorporating where possible elements of architectural salvage from the existing gates, shall be submitted to and approved by the local planning authority and the development shall be carried out in accordance with the approved details and carried out within a timescale to be agreed with the local planning authority
REASON: The entrance gates are considered to be of local heritage value and the local planning authority considers it appropriate to examine the potential of incorporating the existing gates into the development before otherwise agreeing to their demolition and rebuilding
20. Notwithstanding the details shown on the approved plans, precise details of the methods and means of enclosure to be used to prevent cricket balls from the adjacent Cricket Pitch entering the application site shall be submitted to and approved by the local planning authority. The development shall not be carried out otherwise than in complete accordance with the approved details and within a timescale to be agreed with the local planning authority
REASON: In the interests of highway safety and residential amenity
21. The development shall be carried out in accordance with “Residential Travel Plan Framework – Residential Development at Former Feethams Football Ground” by SAJ Transport Consultants Limited updated October 2009.
REASON: In order to achieve a sustainable form of development
22. B5 – Detailed Drawings (Accordance with Plan)

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application site lies within the development limits for the urban area as identified by Policies E2 (Development Limits) and H3 (Locations of New Housing Developments) of the Borough of Darlington Local Plan. The site was last used as the home for Darlington Football Club and it has become overgrown and untidy since the Club vacated to a new football ground in 2003. The proposal involves redeveloping the site for residential purposes consisting of 146 dwelling units. Developing the site for such purposes would secure the re-use of previously developed land in a sustainable location. The design and layout of the development has been revised following discussions between officers and the applicant and it is considered that the development respects the amenity and general character of the area and the two neighbouring conservation areas. The application is not considered to raise any issues in relation to car parking provision or highway safety. The layout and design of the development is considered acceptable in terms of crime prevention. The following national, regional and local planning policies have been taken into account:

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PPG16 Archaeology and Planning
PPG17 Planning for Open Space, Sport and Recreation
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PPS25 Development and Flood Risk

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E23 Nature and Development
E24 Conservation of Land and Other Resources
E25 Energy Conservation
E29 The Setting of New Development
E45 Development and Art
E46 Safety and Security

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H2 Level of Housing Provision
H3 Locations for New Housing Development
H4 New Housing Developments In and Around The Town Centre and other Centres
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H11 Design and Layout of New Housing Development
R1 Designing For All
R2 Access For People with Disabilities
R4 Open Space Provision
R6 Open Space Provision in New Residential Development
R7 The Design of New Open Space Provision
R9 Protection of Playing Fields
T11 Traffic Calming – New Development
T12 New Development – Road Capacity
T13 New Development – Standards
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INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

The applicant is advised that highway works will be required to be the subject of a Sec.38/278 Agreement and contact must be made with the Assistant Director: Highways and Engineering (contact Mr.S.Brannan 01325 388755) to discuss this matter.

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

The applicant is advised that contact must be made with the Assistant Director : Highways and Engineering (contact Mrs.B.Bowles 388774) to discuss introduction of 20mph zones, Residents Parking Scheme and introduction of Traffic Regulation Orders.