

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 1<sup>st</sup> July 2016**

**Page**

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<b>APPLICATION REF. NO:</b>	15/00450/OUT
<b>STATUTORY DECISION DATE:</b>	31 July 2015
<b>WARD/PARISH:</b>	BRINKBURN AND FAVERDALE
<b>LOCATION:</b>	Site at Mount Pleasant Farm and Stag House Farm Newton Lane, Darlington
<b>DESCRIPTION:</b>	Outline application for residential development comprising approximately 1200 dwellings, residential and link roads, public open space, landscaping and drainage works together with education and playing fields
<b>APPLICANT:</b>	Bussey & Armstrong Projects Limited and Darlington Borough Council

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**APPLICATION AND SITE DESCRIPTION**

This outline planning application relates to two adjoining parcels of land:

- Approximately 22.1 hectares of land in the ownership of Darlington Borough Council at Stag House Farm to the west of Newton Lane; and
- Approximately 56.6 hectares of land in the ownership of, or otherwise under the control of, Bussey & Armstrong Projects Ltd at Mount Pleasant Farm, to the east and north-east of Newton Lane and west of Edward Pease Way.

In addition to the above, the application site includes approximately 0.7 hectares of land comprising a section of public highway along Newton Lane, which is proposed to be the subject of improvement works as part of the overall scheme.

Stag House Farm comprises approximately 22.1 hectares of land currently in agricultural use. This site is broadly triangular in shape, being bounded by Newton Lane to the east and north-east, the Barnard Castle Railway Path to the south, and the A1(M) to the west. The topography of this area is generally level, with some minor gentle undulations. Land uses are exclusively primarily grazing land and the house and buildings of Stag House Farm are located immediately adjacent to the south side of Newton Lane. The land is divided into field parcels by established hedgerows which in places include interspersed mature trees.

Mount Pleasant Farm comprises approximately 56.6 hectares of land currently in agricultural use. This area is irregular in shape, and is bounded by Newton Lane to the south-west, the A1(M)

to the west, the Barnard Castle Railway Path to the south, Edward Pease Way to the east, and field boundaries to the north. The topography of this part of the site is generally level, and land uses are again exclusively agricultural, with areas of both grazing land and arable production. The house and buildings of Mount Pleasant Farm are located in the southern part of the area, with access being achieved via Newton Lane. The land is divided into field parcels by hedgerows, but the field sizes are generally larger in comparison with those at Stag House Farm. In addition, dividing hedgerows are less significant and there are fewer mature trees.

With regard to the land at Stag House Farm, the outline planning application proposes the development of approximately 16.5 hectares of land for residential purposes (approximately 400 new dwellings), including related public open space, landscaping, highways, cycle routes and public footpaths. Approximately 2.0 hectares of land adjacent to the southern boundary will be set aside for the formation of ponds, reed beds and swales, as part of a sustainable drainage system that will serve the proposed development, whilst 3.3 hectares of land running along the western boundary (parallel to the A1 (M) motorway) will form part of an extensive linear park. The remaining 0.3 hectares comprises the buildings of Stag House Farm and their immediate curtilage, which will be retained in residential use.

At Mount Pleasant Farm, it is proposed that approximately 35.2 hectares of land will be developed for residential purposes (approximately 800 new dwellings), again including the provision of public open space, landscaping, highways, cycle routes and public footpaths. In addition, education provision is proposed (subject to future demand) on 5 hectares of land, with playing field provision on 8.2 hectares of land. The linear park will be continued along the western boundary of Mount Pleasant Farm, occupying a further 8.2 hectares of land.

The proposals also include the provision of a new link road running westwards from the roundabout at the southern end of Edward Pease Way. This new road will facilitate access northwards and southwards into Mount Pleasant Farm via a system of residential roads, and westwards into Stag House Farm via a new roundabout on Newton Lane.

The proposal has been the subject of pre-application consultation exercises with local residents in accordance with the Council's guidance contained within Statement of Community Involvement document (2010).

The proposal follows the principles of the Masterplan for the site that was approved by Cabinet in June 2015.

### **Environmental Impact Assessment Requirements**

The Local Planning Authority has considered the proposal against the Town and Country Planning (Environmental Impact Assessment) Regulations 2011(as amended).

It is the opinion of the Local Planning Authority, that the proposal is development for which an Environmental Impact Assessment is not required as the development, subject to mitigation measures, would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

### **PLANNING HISTORY**

There is no planning history relevant to this planning application.

### **PLANNING POLICY BACKGROUND**

The relevant national and local development plan policies are:

**National Planning Policy Framework 2012****Borough of Darlington Local Plan 1997**

- E12 Trees and Development
- E14 Landscaping of Development
- R4 Open Space Provision
- T9 Traffic Management and Road Safety
- T11 Traffic Calming - New Development
- T52 Drainage Infrastructure

**Darlington Core Strategy Development Plan Document 2011**

- CS1 Darlington's Sub-Regional Role and Locational Strategy
- CS2 Achieving High Quality Sustainable Design
- CS3 Promoting Renewable Energy
- CS4 Developer Contributions
- CS10 New Housing Development
- 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
- CS18 Promoting Quality, Accessible Sport and Recreational Facilities
- CS19 Improving Transport Infrastructure and Creating a Sustainable Transport Network

**Interim Planning Policy Statement 2016****Other Documents**

- Design of New Development SPD, July 2011
- Planning Obligations SPD, January 2013

**RESULTS OF CONSULTATION AND PUBLICITY**

The Local Planning Authority issued 972 neighbour consultation letters and 10 Site Notices were erected in the locality. An advert was placed in the Darlington and Stockton Times. Seven letters of objection have been received and they can be summarised as follows:

- *Traffic is already an issue on the A68 and West Auckland Road, with Cockerton a particular bottleneck. An additional 1200 homes will considerably worsen this situation. The roundabout at the end of Edward Pease Way becomes extremely congested at rush hour in the morning and afternoon, and this can only be made much worse by the addition of so many extra homes and potential commercial/business accommodation*
- *How much will the building of the new school cost? Would this money not be better spent on improving existing schools in the town?*
- *Will the new school replace DSMS. If so, will the council benefit financially through any development of the land on which DSMS is currently located?*
- *West Park Academy has already been extended once, despite it being only 10 years old. Will the new school include provision for primary education, or is West Park Academy expected to absorb the huge additional demand that will surely arise from the new estate?*
- *Will the new school be built before the housing development? If not, surely this will result in many extra car journeys. Will the location of the new school on the edge of town*

*not result in many more car journeys, which will increase congestion and pollution?  
How does this fit in with the council's green agenda?*

- *The plan for the new school locates it very close to the A1. Has the effect of air and noise pollution on the school's pupils and teachers been taken into consideration?*
- *Edward Pease Way is a service road and is not wide enough to accommodate additional traffic. It is also the only access road into West Park. What plans are there to expand the capacity of this road to accommodate the development? How will any expansion of this road be done while still providing access to West Park and the hospital, and so as not to be detrimental to existing homes?*
- *The Bellway development in West Park was not built with enough spaces for people to park cars when many families have more than one car. This means people have to park on Edward Pease Way. Therefore, applying parking restrictions on Edward Pease Way (such as double yellow lines) may not be practical.*
- *Allowing this as an alternative route through to Cockerton will mean it will become a rat-run as drivers attempt to avoid congestion on West Auckland Road. This will become the preferred route as commuters will quickly realise they will have the right of way as they approach the roundabout at Cockerton over cars travelling down the A68. Many drivers already vastly exceed the speed limit of 30mph on this road, despite the fact that families live in the houses that are in close proximity to the road. This is potentially highly dangerous and will only be made more so if the new through road to Newton Lane is constructed and does indeed become a rat-run, as is feared*
- *Our understanding was that the only development plan for the proposed area was the aborted creation of a new rugby ground for Mowden Park RFC. Why is the whole of the area adjacent to the A1 now up for development? This was not envisaged by us when we bought our property (no such plans showed up in any of the legal searches and we were not aware until the latest plans emerged that any of the land was owned by Darlington Borough Council) and would certainly have put us off if we had known it was planned, as it will have a negative impact and be detrimental to the value of our home. It will make it a vastly less attractive place to live - both to ourselves and future purchasers.*
- *Numerous and varied types of wildlife are often seen around the current West Park development and the area of the proposed development. This includes frequent sightings of bats. What will be the impact to this wildlife if the fields are built on? At present, it is a joy to be able to watch the wildlife and changing seasons in the fields, which are well farmed. If houses are built on them, this will all be lost. There may be provision for green spaces in the plans, but looking at some of the other green spaces in the existing West Park development, they are poorly kept and maintained and frequently rubbish-strewn. That this will happen to the fields, trees and hedgerows on the farmland included in the plans is very sad.*
- *The current West Park development has been ongoing for more than 10 years and is still far from complete. While we understand that people need places to live, what evidence is there that there is a demand for another 1200 homes in this part of Darlington. If the demand really is there, surely the existing development at West Park would have been completed much sooner, Also, there are so many other houses being built in other parts of the town, surely these developments should be completed and sold before any more green spaces are concreted over forever.*
- *All of the proposed residents need a good quality of life. Where will these people do their shopping, educate their children or go to a doctor?*
- *Where will the links road be linked? The A68 is already over loaded and at peak times is often at a stand still*

- *We have strong concerns that such a development will devalue our property therefore making it more difficult to sell any time on the future. The additional through traffic to Newton Lane will result in added danger to the children on our estate. We are very concerned that it will become a rat run. The traffic on the A68 is already very congested on a morning and evening when travelling to and from work and the school run. Where will all of these new residents go to a GP surgery? The nearest one is in Cockerton and the local surgeries are already at capacity. It is clear there will be no farmland left if the development were to go ahead. The best thing about our home at this time is the beautiful views of farm land and we will be extremely sorry to lose those. Directly opposite our home there is a nature area where migratory birds come and go. This Christmas we had great pleasure in watching a heron take up home. Where will these animals go if we continue to build on every piece of green land left in the town? The disruption to our daily lives as a result of the construction work with regards to noise, traffic and mess on the roads for several years will be unbearable. Finally, the new homes will be very close to the motorway and once the new A1 Leeming to Barton upgrade is open this is likely to become the new "pinch point" on the A1 making heavy traffic a nuisance for these homes*
- *1200 dwellings on this site will put severe strain on the local infrastructure in this part of Darlington. It will be necessary to provide or expand local educational and recreational facilities, medical facilities (GP/clinic), and retail outlets including a pharmacy and post office/post boxes. The increased traffic from private cars and delivery vehicles will place severe strain on routes into and out of the centre of Darlington which at peak hours are already severely overloaded. Admittedly, access to the A1 is easy although it may need to be upgraded. The proposed number of dwellings should be reduced by a third, and the design features (diverse housing styles, mixed dwelling sizes) of the existing West Park estate should be incorporated to avoid the impression of overcrowding; it will be important to provide adequate parking and garaging for private vehicles*
- *The proposed new housing will be a nightmare to the residents nearby. The number of homes will be a severe burden on traffic from there to Cockerton, via Newton Lane which is already congested at peak periods and evenings. This traffic will have to pass an Old Persons Homes and a school and a Sure Start Nursery. All this new traffic will all meet at Cockerton roundabouts adding to a worsening situation there also. The proposed siting of the new homes will also blight an otherwise charming view of farm fields and a quiet country lane to stroll upon. If they have to have all this new housing built next to our lovely area, please move it all away from the present borders they've set up. It should be further away from the old railway track that at the moment is a nice rural walk and pleasant wildlife refuge at times. If they moved it all west of Stag Hose at least we residents would have a bit of breathing space still, notwithstanding the new traffic. All they propose at the moment is about 50 yards of "gap" separating the rear of Jedburgh Drive with a sort of water feature in between which they have to have as it floods regularly*
- *There is already a significant traffic issue in the area. There needs to be additional access to the A1. A new full junction to the A1 between Jun 57 and 58 is required and should be part of this application. We do not need another supermarket as part of this planning application. Super markets can go on a brown field site close by. We need more schools!*
- *I live in a house on Holderness Drive immediately opposite the proposed development. When we purchased the property 10 years ago we were informed that the area in front of us was designated as green belt. It is a beautiful area and we enjoy picturesque views from all our windows out to the distant hills. Our view will be ruined by the proposed development both during its construction phase and once completed. We will also be*

*subject to considerable noise during the construction phase. We are fortunate at the moment to live in an area that is a haven for wildlife and have nesting housemartins in several places around the property. I fear that the current wildlife will be displaced during the development.*

- My most serious concern is the additional traffic and resultant air pollution that will be caused as a result of additional building in the area. The traffic already builds up along West Auckland Road to the AIM every morning and evening in the Cockerton village. This road is single carriageway and not suitable for the existing level of traffic, let alone the volume that will be generated by the new development. I have not seen any consideration in the planning information about how this additional traffic and the considerable increase in pollution from the near stationary traffic will be remedied.*

## **Consultee Responses**

**Archdeacon Parish Council** has recommended that the planning application be approved subject to conditions relating to a reconsideration of roundabout on Walworth Road and realignment of access to/from Walworth Road and Newton Lane. Also reassessment of traffic flow along Newton Lane and some land to be allocated to be used as allotments

**Northumbrian Water** has raised no objections to the proposed development subject to a planning condition requesting the submission of a detailed scheme for the disposal of foul and surface water.

**Northern Gas Networks** has raised no objections to the proposal

**Northern Powergrid** has raised no objection to the proposal

**Environment Agency** has no objections to the proposal subject to the imposition of a planning condition relating to foul drainage

The **Durham County Council Archaeology Team** has raised no objections subject to condition relating to a programme of archaeological work and any findings being deposited at the County Durham Historic Environment Record

**Highways England** has raised no objections to the planning application subject to the imposition of a planning condition that seeks to ensure no more the 600 dwellings are occupied prior to highway improvement works being implemented on the A68

**Sport England** has raised no objections to the proposal.

The **Council's Sustainable Transport Officer** has raised no objections to the scheme

The **Flood Risk Management Officer** has raised no objections to the scheme subject to a conditions being imposed relating to surface water discharge and a surface water construction management plan

The **Council's Highway Engineer** has raised no objections to the proposal subject to appropriate highway related conditions being imposed

The **Council's Environmental Health Officer** has raised no objections subject to the imposition of appropriate planning conditions

The **Council's Contaminated Land Officer** has raised no objection subject to the imposition of a contaminated land condition

## **PLANNING ISSUES**

The main issues to be considered are whether the proposal is acceptable in the following terms:

### **Planning Policy**

The land is shown within the Proposals Map of the Borough of Darlington Local Plan 1997 as being undesignated and not subject to any landscape, conservation or other protective policies. In

this regard and for the reasons set out below, it is necessary to consider the planning application against the more recent relevant Core Strategy policies and the National Planning Policy Framework 2012 (NPPF) and the Interim Planning Policy Position Statement (2016).

This site forms a major part of the 'North West Urban Fringe' which is identified in the Darlington Core Strategy Development Plan Document 2011 as being one of the key priority areas for new housing and employment creation. Core Strategy Policy CS1 sets out the locational strategy for the borough and includes the North West Urban Fringes as a key strategic location and that new housing will be in accordance with the priorities and phasing identified within policy CS10.

Policy CS10 of the Core Strategy deals with the delivery of new housing development and identifies the North West Fringe to deliver some 150 new dwellings between 2016 and 2021 with a further 550 dwellings between 2021 and 2026 and although more units are now likely to be delivered sooner than anticipated the timescales of likely implementation of this proposal are in line with this policy.

The Council is preparing a new Local Plan but presently cannot demonstrate a five year supply of suitable, available and deliverable housing land.

The Council has issued an Interim Planning Position Statement (April 2016) which interprets the NPPF's presumption in favour of sustainable development at the local level for the whole of the Borough. It takes account of up to date local evidence and makes use of much of the work done while the Making and Growing Places DPD such as reflecting the latest changes to national planning policy and considering consultation responses and the findings of sustainability appraisal. The Statement can be given *some weight* in determining planning applications.

In the Statement the Urban North West Fringe is still identified as a strategic location for new housing and employment development. The North West Urban Fringe is one of the Identified Sustainable Housing Sites capable of accommodating a sustainable housing development, subject to the submission of an acceptable scheme in relation to other material considerations.

The site is considered to be a sustainable development as defined by the NPPF and the Interim Planning Position Statement, which are material planning considerations. The NPPF and the Interim Planning Position Statement discusses three key dimensions of the planning system in determining the sustainability of a proposal, an environmental role, a social role and an economic role. So it is acknowledged that the sustainability of a proposal should not solely be determined by its location. The proposal must therefore be assessed against the three key sustainability factors, along with other material planning considerations to see whether this would justify a departure from adopted policy in accordance with the NPPF and the Town and Country Planning Compulsory Purchase Act 2004

#### *Environmental Role*

A proposal needs to demonstrate that it contributes to the protecting the natural, built and historic environment and, as part of this helps to improve biodiversity, uses natural resources, minimises waste and pollution and adapts to climate change. The layout of the development would include approximately 23.3 hectares of open space, including a linear park on the boundary with the A1 (M) together with approximately 8.2 hectares of playing fields which will bring environmental benefits to the site and the surrounding area, along with the surface water drainage solutions on the south boundary which will provide focal features within the landscape and the service corridors which provide vistas and green links across the site. The site would

have links with existing pedestrian, cycle and public transport and the new homes would be built in line with the current code for sustainable homes standards.

### *Social Role*

A development needs to contribute to a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations and be creating a high quality built environment with accessible local services and that support the community's health, social and cultural wellbeing. The proposed housing development would add to the existing and future housing offer and choice in this part of the Borough and the existing facilities at the West Park Local Centre will benefit from the future occupiers of the development utilising these local facilities on a day to day basis. The areas of open space and playing fields and the potential for an educational facility will have significant social benefits for both existing and proposed residents.

### *Economic Role*

Economic growth contributes to the building of a strong and competitive economy, which leads to prosperity. Development can create jobs both in the construction industry and in the building supply industry. These support sustainable economic development to deliver the homes that can be needed, which is important in times of economic austerity. The application site is available for redevelopment and at the present time there appears a shortage of housing construction in the Borough and in such circumstances the availability of any site that could contribute to house building and economic development, in the short term, should attract some weight. There can be benefits to the local economy through increased expenditure in the form of wages and material purchases during the construction period. A number of jobs can be created for the duration of the development although it is acknowledged that not all of these would be based or recruited locally. Nevertheless, these economic benefits of the development can weigh in favour of the proposal in the sustainable balance and can contribute positively to the economic dimension of sustainability.

### *Locational Matters*

The site is on the edge of the limits of development for the urban area. The site is in an excellent position to integrate into Darlington's cycle network and is around 3 miles from the Town Centre using the cycle network. The site also has good public transport links and good pedestrian links can be provided and integrated into the layout. Edward Pease Way which lies to the east of the application site is a 7.3m carriageway and was sized to take account of future development. The future residents would be able to take full advantage of the facilities at the West Park Local Centre, which is fully accessible by various means of transport and on foot.

The proposal has been assessed in accordance with the NPPF in terms of how much weight should be given to other material planning considerations. On balance the aforementioned factors together with the visual and spatial relationship of the development with the existing built up area are considered to provide sufficient justification to recommend approval for this proposal in planning policy terms.

### **Design and Layout**

The Design and Layout of the development will be the subject to future Reserved Matters applications but it is anticipated that the residential areas are intended to be a mix of densities comprising 2, 3 and 4 bedroom terraced, semi-detached and detached dwellings. The expected overall number of dwellings is 1200 units. New housing at the Stag House Farm site would be set well back from the west boundary with the A1 (M) in order to ensure the future residents enjoy satisfactory levels of amenity. An area within the Mount Pleasant site has been identified for



future education facilities, yet to be determined. Recreational playing fields are also located within the Mount Pleasant site alongside the proposed linear park that would run along the west boundary with the A1 (M). The design and layout has been arrived at having considered many aspects such as the environmental and ecological impact any development may have on the area, the nearby A1 (M), air quality and noise impact issues, landscape character and archaeological past.

It is anticipated that the residential development would be phased starting with the area adjacent to the southern end of Edward Pease Way and progressing from there both westwards onto Stag House Farm and northwards in order to ensure that the development can be integrated with existing and proposed community facilities and to ensure that the key infrastructure ( a new link road running westwards from the roundabout at the southern end of Edward Pease Way) is provided at the outset.

It is considered that the proposed layout, land uses and levels and methods of connectivity with the surrounding area as shown on the indicative layouts and the Masterplan are acceptable and would accord with the relevant national and local development plan policies.

### **Highway and Sustainable Transport Matters**

It is proposed to take access to the application site from two locations, namely a new link road to Newton Lane off a roundabout at the southern end of Edward Pease Way and a link off Edward Pease Way which has been shown to cater for the potential development traffic from the new dwellings.

#### *Impact upon the Local Highway Network*

A Transport Assessment (TA) has been provided as part of the submission that shows that the development would create additional congestion on the local highway network without the benefit of off site mitigation being provided. A further assessment was commissioned to develop a wider Aimsun model for the North West quadrant to model Local Plan and longer term development impact as well as short, medium and long term highway mitigation schemes in this area. The model covers the whole of the A68 from the Town Centre to the A1(M) junction and shows that the residential development of 1200 dwellings will not have a significant detrimental effect on the strategic or local highway network subject to the following improvements:-

- Woodland Road/Staindrop Road roundabout improvement – increase in central island and adjustment to kerblines to improve driver discipline entering the roundabout (gap acceptance).
- Cockerton roundabout improvement - increase in central island and widening of the roundabout to improve driver discipline entering the roundabout (gap acceptance).
- Strategic 7.3m wide link road from Edward Pease Way to Newton Lane and roundabout
- Improvements to Newton Lane to provide a suitable width running carriageway and new footway links to adoptable standard.

Highways England (HE) raised concerns regarding vehicles queuing back from Rotary Way Roundabout to the A1M junction as a result of generated traffic from this application and other proposed developments in the area. The distance from the stop line on Rotary Way R/A to the A1M junction exit is around 700m. Based on the AINSUN model the AM peak queue length analysis clearly shows that the maximum average queue per lane extends back to the previous junction without the new link road to Newton Lane being in place (approx. 750-800m),

potentially having an impact on circulatory traffic on the A1M junction and worse still maybe causing blocking back onto the S/B exit slip road of the A1. The construction of the 7.3m link road from Edward Pease Way to Newton Lane reduces the maximum average queue length by around 170-200m giving factor of safety. Better still, according to the results is adding the left turn lane to Rotary Way roundabout which significantly reduces vehicle queues to around 60-100m total

The link road from Edward Pease Way to Newton Lane forms part of the proposed development and would be constructed at the developer's expense. The link road would be expected to be constructed at the early stages of the development being built out but it is appropriate to impose a planning condition that states that the link road must be implemented prior to the occupation of the 150<sup>th</sup> dwelling.

A contribution has already been provided by the developer to fund junction improvement works to signalise Prior Street/West Auckland Road/Brinkburn Road junction. The aforementioned roundabout improvements are planned to be in place by 2019 as a short term solution to congestion on the A68.

The internal access roads would be built to adoptable standards with running carriageway widths suitable for the number of proposed dwellings leading from them and suitable pedestrian and cyclist links to the surrounding infrastructure.

A Swept path analysis should be carried out to demonstrate the internal network will operate satisfactorily for the expected vehicles entering the housing estate including emergency services and new refuse vehicles which are now 11m long and for all vehicles on the new strategic links including buses and large goods vehicles. A planning condition can be imposed to ensure that an analysis is completed for each phase of development

Specific details of the internal layout have not been provided as this is an outline application however in curtilage parking numbers across the site should accord with the latest Tees Valley Design Guidance and in order for garages to count as a parking space they must be a minimum of 3m x 6m internal dimension. A planning condition can be imposed to ensure that such details are submitted for each phase of the development.

It would be likely that the development would be subject to a 20mph-30mph limit in order to provide a safe environment for all road users and discussion can take place when any future Reserved Matters applications are submitted.

A suitable street lighting design will be required to be submitted for approval and agreement should be sought from the relevant contact as highlighted in the list of Informatives set out below.

#### *Impact on the Strategic Network*

Highways England has reviewed the various highway assessments in order to reach a mutually agreed position in respect of the necessary measures to mitigate the impact of the development on the strategic road network. The following measures have also been identified as necessary at the roundabout junction of A68 West Auckland Road, Rotary Way and Edward Pease Way:

- Widening West Auckland Road southbound (towards Darlington) from Holly House Farm to provide space for three lanes of traffic on the approach to the roundabout;
- New road markings on the roundabout and all four of its approaches

It is considered appropriate that the aforementioned works are carried out prior to the occupation of the 600th dwelling and this would be secured by a planning condition. The Council has submitted a funding bid to obtain monies for other highway infrastructure improvements including works to the roundabout junction on the A68. If the bid is unsuccessful, the works still have to be carried out in accordance with the planning condition but funding would need to come from other sources which may have an impact on the planning obligation requirements for the development (*See Planning Obligations*).

#### *Sustainable Transport*

The proposed site is in an excellent position to integrate into Darlington's cycle network towards the South of the site and is around 3 miles from Darlington town centre using the cycle network. As a result, the Council would look to ensure any Reserved Matters applications include shared use pedestrian/cycle routes linking the proposed site with the easterly pedestrian/cycle routes to Edward Pease Way, linking to the hospital and West Park. Links through to Barnard Castle track bed to the South of the site should also need to be made.

The proposed site has good public transport links close by. Accessibility is based on 80% or more of the site being within 400m walking distance of a bus stop and the Council would seek to ensure that the Reserved Matters met these criteria. Services 16a, 19 run along Edward Pease Way, Services 1/1B/X1 are available to the north of the site along West Auckland Road and the creation of a walking route linking to Newton Lane does give residents the opportunity to walk to Branksome (Wimborne Close) to catch service 2. These services range in frequency from every 10 minutes to every hour, with Service 2 running on evenings including Sunday. As the bus is unlikely to serve the Stag House Farm area there needs to be safe, direct walking routes to bus stops on Newton Lane and Jedburgh Drive.

#### *A Travel Plan*

A Travel Plan should be developed for each phase of the development to ensure good travel patterns are established upon occupation and to set in place long term strategies for encouraging sustainable modes of travel. The Council's Sustainable Transport Officer agrees that such a Plan is required for a proposal of this size and type and the Plan can be secured by the imposition of a planning condition.

#### **Ecology and Protected Species**

The application site contains several habitats of ecological value. Those most likely to be directly impacted upon include the species rich hedgerows, semi improved grassland and mature trees. In light of these ecological features further detailed surveys were deemed necessary to accurately describe and detail the potential effects of the proposed development.

Initial bat surveys for Stag House and Mount Pleasant Farms concluded that there were no evidence to show that bats are present but it is highly probable that the buildings are used by bats as a roosting nest. The surveys considered that the buildings are "High Risk" for a bat presence and further bat emergence surveys would need to be conducted to ascertain if bats do use the buildings as bat roosts.

The further survey on Stag House Farm revealed that no bats were observed entering or exiting the buildings on the site but there is presence of bats in the surrounding area. A license would not be required from Natural England prior to carrying out any work to this farm but the Masterplan does indicate that Stag House Farm would be retained as part of the redevelopment of the wider site. The survey states that in light of the surrounding landscape being used as a

foraging site, Habitat Bat Roost boxes should be included within any development proposals to ensure that the conservation status of the bat species in the local area are not harmed.

The further survey on Mount Pleasant Farm recorded one bat within the farmhouse and therefore it is considered to be a bat roost with the associated legal protection. A license from Natural England would be required prior to the demolition of the buildings. The survey again recommends that the use of Habitat Bat Roost boxes within any new development proposals.

A small number of trees would need to be removed to facilitate the development and these works would only be undertaken following the necessary bat surveys as recommended by the submitted Tree Surveys for each site and this would be secured by appropriate planning conditions.

A survey for bird species concludes that the northern section of the site, particularly to the ancient hedgerows and the water course to the North West have the highest utilisation by birds. The survey recommends that these areas should be such that the hedges in these areas are retained and enhanced. The Landscape Masterplan, whilst Illustrative, shows that the majority of the existing hedges would be retained and augmented with planting except for some minor removal for access roads

The hedgerows within the Stag House Farm site are species poor with the dominant species being Hawthorn and Blackthorn. The hedgerows appear to be predominantly unmanaged and they delineate the former field boundaries. The species rich hedgerows have been assessed as being of intrinsic biodiversity value at a local scale.

The hedgerows within the Mount Pleasant site are a mix of species poor specimens (Blackthorn and Hawthorn) and a single rich species hedgerow which is on a north south orientation and consists of Oak, Ash, Hawthorn, Blackthorn, Scots pine, Holly and Dog Rose which is shown as being retained within the Landscape Masterplan for the development.

The Environment Agency has recommended that a planning condition is imposed requiring a 5m wide buffer zone around any watercourses, ponds and wetland areas. The zone should be free from built development such as lighting, domestic gardens. The EA have recommended that condition as development that encroaches a watercourse, pond or wetland can potentially impact on their ecological value. This can be included within a condition requesting the landscape details for the watercourses, ponds and wetlands and the extent of any buffer zones would be considered as part of such submissions.

### **Noise**

A Noise Impact Assessment has been submitted to address the noise impacts from the A1 (M), the existing local road network; the suitability of the areas allocated on the Masterplan for housing, educational and recreational use and the noise impacts from operations at West Park Hospital such as the heating flues, air conditioning units and the associated car parks.

#### *West Park Hospital*

With regard to the potential forms of mitigation that could be used to reduce impact on the future occupiers of the dwellings, the use of an acoustic barrier such as a fence on the boundary would address the air conditioning units which are situated at or near to ground level. The positioning and orientation of any dwellings would need careful consideration when looking to reduce the impact of existing ventilation flues which cannot be mitigated by any acoustic fencing due to their high level positioning on the hospital building. The details of the acoustic barrier and the

need to undertake a further assessment relating to the housing in this locale can be secured by planning conditions.

#### *West Auckland Road (A68).*

Due to the proximity with the road, consideration will need to be given to the orientation of the proposed dwellings, for example having “active frontages” on the road side or alternatively acoustic fencing or solid brick walls.

#### *A1 (M)*

The A1 (M) is the dominant road traffic source upon the Mount Pleasant site and the use of an acoustic earth bund in close proximity to the carriageway edge should protect the external residential areas but also provide attenuation for the landscaped amenity areas.

To reduce the noise climate for the Stag House Farm site, the construction of acoustic bunds of a height of 4m adjacent to the A1 (M) would need to be required and if dwellings are to be orientated to face the A1 (M) they would need to be positioned 50m from the motorway. In certain areas of the site, there are restrictions on the construction of earth mounds due to overhead lines, water pipes and other utilities and service channels would be to be bridged to provide a continuous barrier. Furthermore acoustic fencing can be used to provide alternative screening either on top of bunds or to extend and overlap the screening provided by the bunds. The use of such fencing on top of the earth bund would allow the height of the bund to vary whilst maintaining the acoustic attenuation required to achieve external guidance criteria for external areas for dwellings. The orientation, style and layout of the dwellings on this site also has to be considered in order to aid further screening of external garden areas to the rear.

#### *External School areas and Playing fields*

The land allocated for a school and playing field are located alongside the A1 (M). The acoustic barrier at the boundary in the northern most extent of the playing fields and directly opposite Newton Lane will assist in the reduction of the future noise climate for the school. An acoustic earth bund, approximately 4m in height, in close proximity to the A1 (M) will provide attenuation for the school and its external areas. Planning conditions would need to be imposed to secure that a further noise assessment is carried out when designing the school and its play areas. Further conditions would need to be imposed to secure a noise impact assessment for any external plant, machinery and classrooms.

#### *Dwelling design features*

The dwellings can be designed to incorporate features such as appropriate glazing, cavity insulation to achieve appropriate sound levels for the future occupants.

#### *Summary*

Mitigation in the form of acoustic earth bounds, willow fencing and other barrier can effectively reduce the noise level to within guidance values for external areas of dwellings screened from the road network. Acceptable internal noise levels can be achieved in all worst case locations with appropriate double glazing units and ventilation. These measures can be secured by appropriately worded planning conditions.

### **Trees and Landscaping**

#### *Stag House Farm*

There are 46 trees including 1 Group within this part of the application site. The trees are not covered by any tree preservation orders and are located in field or former field boundaries. The trees are considered to be mature to over mature and a Survey reveals that 18 of the trees are of

low quality or in such a condition that they cannot realistically be retained as living trees for any longer than 10 years. The Survey concludes that approximately 5 trees would need to be felled with the remainder of the trees being retained where possible and augmented by a landscaping scheme. Any tree felling programme should include surveys for bats prior to felling and any works should be undertaken under the supervision of a licensed bat worker.

#### *Mount Pleasant Farm*

There are 90 trees including 3 groups within the application site. The trees are not covered by any tree preservation orders and are located in field or former field boundaries. The trees are considered to be mature to over mature. A Survey reveals that 39 of the trees are of low quality or in such a condition that they cannot realistically be retained as living trees for any longer than 10 years. The Survey concludes that approximately 5 trees would need to be felled with the remainder of the trees being retained where possible augmented and by a landscaping scheme. Any tree felling programme should include surveys for bats prior to felling and any works should be undertaken under the supervision of a licensed bat worker.

#### *Landscaping*

The landscaping for both sites would form part of future Reserved Matters applications but this outline application has been supported by a Landscape Masterplan. A key design principle for the development will be to retain hedges and associated ditches where possible in order to keep an element of the farmland character and to maintain these valuable assets as wildlife routes, navigation lines for bats, and landscape character. Some removals will be required where roads and routes need to cross the hedgelines but this has been minimised and, where possible, these crossing points have been identified through weaker hedgerows or where there are gaps. As mentioned above, the vast majority of existing trees on site would be retained with only a few trees being removed due to the development, otherwise the trees will remain creating open spaces around them, particularly the group of mature oaks which form the focal point for the green corridor/ village green to the west of the Mount Pleasant development site.

The western boundary with the A1(M) is an opportunity for a creative design response and there would be sufficient space along this boundary for measures such as bunding, fencing, planting etc to be incorporated within a functional linear park/ activity corridor with new linked multi-use routes, accessible via proposed green links throughout the site. To achieve this, indicative designs for the bunds adopt natural/ organic forms, rather than engineered ones, with varied heights. Terraces and earth features are proposed, particularly on the eastern side of the park to provide seating for spectating, provide a choice of path routes at different heights and allow for the introduction of sculptural elements.

The ponds and swales that would form the drainage attenuation features for the site would also be augmented by landscaped areas and features.

#### **Heritage Assessment**

The Scheduled Ancient Monument and listed building at Archdeacon Newton are situated some 300m to the west of the A1 (M) which forms the western boundary of the application site. Whilst the proposed development will not have a direct impact on these historic assets, there is a line of sight between Archdeacon Newton and the site, and the impact on the setting of the designated assets at Archdeacon Newton are therefore a consideration. However the landscape between Archdeacon Newton and the site is broken by hedgerows and tree cover which will serve to partially obscure the proposed development and the A1(M) presents a physical boundary and, whilst any development west of that road would constitute a significant impact on the rural setting of Archdeacon Newton, keeping proposed development to the east of the A1

reduces the impact on the rural setting of the designated sites at Archdeacon Newton to less than substantial.

Several other designated sites were identified beyond the boundary of the application site but it is considered that the proposed development will not have a direct impact on these sites or their setting.

### **Drainage and Flood Risk**

The site is located within a Flood Zone 1 and the proposed development type is suitable within this flood zone classification. There is some surface water flooding which currently occurs to the low lying area during periods of heavy rain.

Flood risk to adjacent sites will not be increased as the proposed drainage scheme will incorporate attenuation systems and limit the surface water discharge rate to an agreed and acceptable rate.

Surface water would be utilised to utilise attenuation ponds and tanks in order to reduce the proposed runoff rates to that of the existing greenfield runoff rate. The northern part of the site will utilise the formal defined ditch to discharge to the existing water course to the north west boundary. The ditches will be increased to provide attenuation and supplemented with a below ground attenuation tank. Water from this tank will be pumped to the drainage ditches under a controlled flow via an adopted pumping station. The southern part of the development will be attenuated at the lower points on site via swales and ponds which will form an architectural feature alongside the former Barnard Castle rail track bed which is now redundant. The main access roads are to drain direct to the existing ditches and watercourses to allow them to be installed prior to the attenuation ponds.

The findings of a Flood Risk Assessment concludes that the risk to the proposed development is generally low from all forms of flooding as categorised by the NPPF and the Technical Guidance and the confirmation of the flood risk zone designation for the site.

The Flood Risk Management Team for Stockton Borough Council provides certain flood risk advice to Officers. They have raised no objections to the proposed drainage scheme but they have requested the imposition of appropriate planning conditions.

Northumbrian Water assesses the impact that the development may have on their assets and they assess the capacity within the Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. Northumbrian Water has not objected to the application but has requested the imposition of a planning condition that requests a scheme for the disposal of foul and surface water.

The Environment Agency has no objections to the proposal and considers the development to be acceptable but repeated the need for a planning condition being imposed that requests the submission of a scheme for the disposal of foul drainage.

### **Education Buildings**

Five hectares of land has been allocated and reserved for a school with playing and sports facilities as the two local schools that would serve this development are close to capacity and would not be easily extended to cater for new pupils. A decision has yet to be confirmed of a School is necessary but the land would be allocated for such purposes for a time period of ten years.

### **Archaeology**

An assessment report concludes that given the level of background archaeological activity, primarily of prehistoric/Romano British date within the immediate and wider area that there was a high potential for significant archaeological assets to be found within the site boundaries. As a consequence, a geophysical survey was undertaken over 44.4ha in order to ascertain the potential for buried remains to be located within the site. The assessment also identified both Stag House and Mount Pleasant farms as being of interest as non-designated heritage assets. Both are shown on the 1st edition OS maps.

Ploughed out ridge and furrow agricultural remains were noted in many fields, with upstanding earthwork remains of ridge and furrow recorded in the fields to the north and south of Mount Pleasant farm. If Stag House and Mount Pleasant are not to be retained as part of the development, then as non-designated heritage assets, they should be subject to a level 24 building and photographic survey as per the Historic England guidance. This will ensure that a record will exist of these vernacular farm buildings for the public benefit.

Potential non-designated archaeological features were noted in numerous areas across the proposed development area which suggests that they may be of interest. The features do not appear to indicate that they are of such significance which would impede the principle of development in this area; however, given the archaeological activity known at Faverdale and at West Park Hospital namely Iron Age / Romano British settlement activity it is recommended that the results of the geophysical survey are tested by trial trenching to further understand their significance, inform potential risk, and inform any proposed mitigation strategy which may be needed.

The NPPF (para 128) advises that local authorities should, where a site may contain features of archaeological interest, require developers to submit a field evaluation. As large scale development is proposed on the site, this will have a negative effect on any buried assets of which little is currently known about their significance or form.

It is recommended that suitably worded conditions are placed on the development to ensure that the site is evaluated by trial trenching to inform the Reserved Matters applications, then a suitable mitigation strategy is produced for each phase of development covering below ground archaeological assets and building recording of the farm buildings should they be demolished.

### **Contaminated Land**

A Phase 1 Desk Study reports relating to Stag House Farm and Mount Pleasant Farm has been submitted and they indicate that Phase 2 site investigations are required which can be secured by the appropriate planning condition.

### **Air Quality**

The Air Quality Assessment findings do not highlight any significant air quality issues associated with the development. The report states that the assessment of operational effects at receptors proposed as part of the development indicated that the design of the linear park succeeds in creating sufficient distance between residential development and the motorway so that air quality objectives are met. It is stated that as predicted concentrations are well below the objectives it is likely that residential units could be constructed within 50m of the motorway however no assessment has been undertaken to determine at what distance this would result in a risk of exceedance of the relevant air quality objectives. As a result, a planning condition would need to be imposed that requests the submission of a further Assessment if dwellings are to be constructed within 50m of the A1 (M).



### **Planning Obligations**

Under the provisions of the Council's Supplementary Planning Document on Planning Obligations, a development of this nature would trigger planning obligations for contributions towards:

- Education;
- Sustainable transport;
- Public transport;
- Children's play equipment and maintenance;
- Sports provision;
- Open space provision and maintenance.

With regard to affordable housing, the Interim Planning Policy Position 2016 reaffirms the Core Strategy (policy CS11) that on strategic sites, such as this, up to 30% of the housing development should be affordable housing provided on site or an equivalent value of offsite provision is secured unless a viability assessment demonstrates that the site is not viable at such levels.

The applicants have stated that the development would become unviable with if the development is to contribute to all of these planning obligations and therefore the application has been the subject of a viability assessment which was independently considered by the District Valuer. The District Valuer has advised the local planning authority that the assumptions that have been made on the viability of the development are correct.

The assessment confirms that approximately £5.4 million would be available from this development for planning obligations but this means that not all of the obligations that should be met under the SPD will be achievable at this stage and Members are being asked to permit Officers to continue discussions with the applicants to prioritise the planning obligations that can be achieved and the appropriate triggers for payment.

The assessment also confirmed that the site would not be viable with affordable housing on site and that there is insufficient funds to make an off site contribution to the equivalent value. As a result, Members are advised that the development would not include any affordable housing units onsite nor a contribution towards off site affordable housing.

It is important to state that along with the planning obligations that will be prioritised and secured the proposal includes land that has been set aside and allocated by the applicant for a school, sport pitches and open space and the developer will be funding the link road between Newton Lane and Edward Pease Way which all have an impact on the viability of the overall land values of the scheme and the amount of monies available from planning obligations.

However, it has been agreed with the applicants that a review mechanism will be inserted into the Section 106 Agreement to enable the Council to reassess the value of the scheme after the construction of a number of dwellings (yet to be agreed) to see if additional funding becomes available in the future to achieve any planning obligations that were not possible to secure at this stage.

### **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 site is identified in the Darlington Core Strategy Development Plan Document 2011 and the Interim Planning Position Statement 2016 as a strategic housing site in a sustainable location which accords with the requirements of the National Planning Policy Framework 2012. The proposal includes highway improvements within and outside the site to mitigate for the impact of the development on the local highway network and the strategic road network. The redevelopment of the site is considered acceptable in general planning terms but the design, layout, scale, appearance and landscaping of the development will be considered by future Reserved Matter planning applications.

The planning application has been the subject of a viability assessment and whilst monies will be available to secure some planning obligations, not all of the obligations that would be triggered by the Council's Supplementary Planning Document can be achieved at this stage. Discussions are to continue between the applicants and the Council to prioritise the planning obligations to be secured by a Section 106 Agreement along with a mechanism to allow for a review and a reassessment of the viability of the scheme.

## **RECOMMENDATION**

THE DIRECTOR OF ECONOMIC GROWTH BE AUTHORISED TO NEGOTIATE AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO SECURE PLANNING OBLIGATIONS THAT ARE APPROPRIATE FOR THE DEVELOPMENT.

THAT UPON SATISFACTORY COMPLETION AND SIGNING OF THAT AGREEMENT, PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS AND REASONS:

### **General**

1. Approval of the following details ("the reserved matters") in respect of each building/s or phase of the development shall be obtained from the local planning authority in writing before development of the building/s or phase of the development is commenced:
  - a) access
  - b) layout
  - c) scale
  - d) appearance
  - e) landscaping

The development shall not be carried other than in accordance with the approved plans. Application(s) for the reserved matters for any building/s or phase of development shall be made to the local planning authority before the expiration of thirteen years from the date of this permission.

REASON – To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990

2. The development of any building/s and phase of development hereby permitted must be commenced before the expiry of fifteen years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.

REASON- To comply with Section 92 of the Town and Country Planning Act 1990.

### **Masterplan**

3. Excluding the detailed matters to be covered in the Reserved Matters, the proposed development shall be carried out in accordance with the Indicative Development Masterplan contained in the application and the plans submitted therewith and approved by the Local Planning Authority or as shall have been otherwise agreed in writing by the Local Planning Authority

REASON: In order to achieve a satisfactory form of development

### **Design and Access Statement**

4. Excluding the detailed matters to be covered in the Reserved Matters, the proposed development shall be carried out in accordance with the broad principles outlined in the Design and Access Statement Design Code entitled "West Park Garden Village" produced by Niven Architects contained in the application or shall have otherwise been agreed in writing by the Local Planning Authority.

REASON: In order to achieve a satisfactory form of development

### **Highways**

5. Prior to the commencement of any phase of the development precise details of the internal highways layout and site access junction for that phase shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of highway safety
6. Prior to the commencement of the link road from Edward Pease Way to Newton Lane, precise details of the road shall be submitted to and agreed with the Local Planning Authority. No more than 150 dwellings constructed under this permission until the link road has constructed and brought into use.  
REASON: In the interests of highway safety
7. Prior to the commencement of each phase of the development, a vehicle swept path analysis has been undertaken to support the movement framework for emergency vehicles, refuse vehicles, buses and service vehicles for the internal network and, where appropriate, in respect of the off-site highway proposals, details of which shall be submitted to and approved by the Local Planning Authority.  
REASON: In the interests of highway safety
8. Prior to the commencement of any phase of the development, precise details of car parking and secure cycle parking and storage details for that phase shall be submitted and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.

REASON: To ensure the car parking and secure cycle parking provision accords with the Tees Valley Design Guide and Specification – Residential and Industrial Estates Development.

9. Precise details of the highway works required to access the site shall be submitted and approved by the Local Planning Authority prior to the commencement of the development. The submitted details shall include the provision of a new roundabout on Newton Lane with improvements to Newton Lane from the new access junction southwards to the junction of Jedburgh Drive including localised widening of the running carriageway and new footway/cycle links as required to connect into the surrounding infrastructure. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON: In the interests of highway safety

10. A Road Safety Audit for each phase of the development shall be carried out for all of the works within the public highways and the scope of the Audit shall be agreed in writing with the Local Planning Authority. The development shall not be carried out unless in complete accordance with the approved Audit.

REASON: In the interests of highway safety

11. Prior to the commencement of each phase of the development, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall be monitored and updated in accordance with recommendations to be agreed with the Local Planning Authority

REASON: In order to encourage sustainable modes of travel.

### **Highways England**

12. Not more than 600 dwellings constructed under this permission shall be occupied until works to improve the junction of the A68 West Auckland Road and Edward Pease Way (as shown indicatively on Darlington Borough Council Drawing No 2015\_001\_CD01 entitled “A68 Rotary Way Roundabout, General Improvement”) have been constructed and brought into use.

REASON: To ensure the continued safe and effective operation of the local and strategic road networks

### **Construction Management Plan**

13. Prior to the commencement of each phase the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the methods for controlling dust and vibration during the demolition and construction phases, for wheel washing, the proposed hours of deliveries and construction, construction vehicle routes, road maintenance, and signage. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON: In the interests of highway safety and residential amenity

### **Flood Risk**

14. The development hereby approved shall not be commenced on site, until a scheme of 'Surface Water Drainage and Management' for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, The scheme shall include but not be restricted to providing the following details;
- a) Detailed design of the surface water management system
  - b) A build programme and timetable for the provision of the critical surface water drainage infrastructure
  - c) A management plan detailing how surface water runoff from the site will be managed during construction Phase
  - d) Details of adoption responsibilities;
  - e) Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement;

The development hereby approved shall not be brought into use until the approved 'Surface Water Drainage' scheme has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

REASON: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

15. Prior to the commencement of the development a landscaping scheme for the SuDs shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a 5m wide buffer zone around any watercourses, ponds, and wetland areas unless otherwise agreed by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority
- REASON: In the interests of the visual appearance of the development and in the interest of the ecological value of the site.

16. Prior to the commencement of each phase of the development, precise details of a scheme for the disposal of foul and surface water 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 prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2012.

### **Archaeology**

17. No development shall take place in each phase until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The Scheme shall provide:

- a) the proper identification and evaluation of the extent, character and significance of archaeological remains within each phase by targeted trial trenching; the report to be submitted to inform Reserved Matters;
- b) an assessment of the impact of the proposed development on any archaeological remains identified in each evaluation phase;
- c) proposals for a level 2 - 4 building and photographic survey of Stag House and Mount Pleasant Farms;
- d) proposals for a mitigation strategy for the investigation, recording and recovery of archaeological remains and the publishing of the findings for each phase, it being understood that there shall be a presumption in favour of their preservation in situ wherever feasible;
- e) sufficient notification and allowance of time to archaeological contractors nominated by the developer to ensure that archaeological fieldwork as proposed in pursuance of (i), (iii) and (iv) above is completed prior to the commencement of permitted development in the area of archaeological interest; and
- f) notification in writing to the County Durham and Darlington County Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.

The developments shall then be carried out in full accordance with the approved details.

REASON: To comply with Policy CS14 (E) (12) of Borough of Darlington Core Strategy Document (2011) as the site may potentially contain features of local archaeological importance and para. 135 and 141 of the National Planning Policy Framework 2012.

18. Prior to each phase of the development being beneficially occupied, a copy of the final report on any analysis, and/or publication shall be deposited at the County Durham Historic Environment Record, and archiving required as part of the mitigation strategy shall be deposited at an agreed repository. This may include full analysis and final publication.

REASON: To comply with para. 141 of National Planning Policy Framework 2012 to ensure that the developer records and advances understanding of the significance of the heritage asset to be lost (wholly or in part) in a manner proportionate to its importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

### **Tree Works**

19. Any tree works shall not be carried out otherwise than in complete accordance with the conclusions contained within the approved documents entitled "Arboricultural Survey Report. Stag House Farm, Darlington" produced by Ecosurv Limited dated March 2014 and "Arboricultural Survey Report. West Park Garden Village, Darlington" produced by Ecosurv Limited dated March 2014 unless otherwise agreed in writing by the Local Planning Authority and any such requests would need to be supported by updated Survey Reports

REASON: In the interests of the visual appearance of the site

### **Traffic Noise**

20. Prior to the commencement of each phase of the development, a noise impact assessment and detailed scheme of noise mitigation for the protection of proposed residential

properties from road traffic noise from the A1(M), Newton Lane and the A68, compiled by a suitably qualified and experienced acoustic consultant, shall be submitted to, and approved by, the Local Planning Authority. The noise impact assessment shall consider the proposed layout, orientation and design of the dwellings and the scope of the assessment shall be agreed in writing with the Local Planning Authority prior to the submission of the assessment. The noise impact assessment shall demonstrate via calculations that the following internal and external noise levels in respect of residential properties are not exceeded:

- a) Internal noise levels for bedrooms (with windows closed) shall not exceed 30dB  $L_{Aeq(8 \text{ hour})}^*$  and 45dB  $L_{AFmax}$
- b) Internal noise levels for living rooms (with windows closed) shall not exceed 35dB  $L_{Aeq(16 \text{ hour})}^*$
- c) External noise levels within garden areas shall not exceed 55 dB  $L_{Aeq(16 \text{ hour})}^*$  unless otherwise agreed in writing with the Local Planning Authority.
- d)  $L_{Aeq(8 \text{ hour})}$  night-time 8 hours between 23:00 and 07:00 and  $L_{Aeq(16 \text{ hour})}$  day-time 16 hours between 07:00 and 23:00.

The detailed scheme of noise mitigation shall include the following:

- a) Details of the sound insulation, alternative forms of ventilation and any other works to be provided to the proposed residential properties to achieve the internal and external noise levels as specified above.
- b) The details, design and location of any acoustic barrier to be installed to achieve the internal and external noise levels at the proposed residential properties as specified above.
- c) A plan identifying the proposed residential properties which require noise mitigation and the noise mitigation measures to be installed.

The development of the phase(s) to which the noise impact assessment and scheme of noise mitigation relates shall not be carried out other than in complete accordance with the details so approved and thereafter retained and maintained for the duration of the development. All works required by the scheme to achieve the internal and external noise levels at a residential property shall be completed prior to the occupation of that particular property.

REASON: In the interests of the amenity of the development and surrounding area

### **Noise from School development**

21. Prior to the commencement of the school development, a detailed noise impact assessment and scheme of noise mitigation measures compiled by a suitably qualified and experienced acoustic consultant, shall be submitted to, and approved by, the Local Planning Authority. The noise impact assessment shall consider the layout, orientation and design of the school development and the scope of the assessment shall be agreed in writing with the Local Planning Authority prior to the submission of the assessment. The

noise impact assessment and scheme of noise mitigation measures shall include details of noise levels, calculations and proposed sound insulation and mitigation in respect of:

- a. Protecting external areas of the school from excessive road traffic noise (having regard to Section 2.2 of Building Bulletin 93 (2003))
- b. The impact of noise on the proposed residential development from external plant, machinery and equipment associated with the school development. The rating level of noise emitted from external plant, machinery or equipment whether operating individually or when all plant is operating simultaneously, shall not exceed the daytime and night time background noise level at any residential property when measured and assessed in accordance with BS4142:2014 unless otherwise agreed in writing by the Local Planning Authority . The background noise level to be used in the BS4142 Assessment shall be agreed in writing with the Local Planning Authority.
- c. Minimising the impact of noise on the proposed residential development from the use of music rooms, halls or equivalent noise- generating facilities associated with the school development.
- d. Minimising the impact of noise from playgrounds, playing fields and/or sport pitches (having regard to intended frequency and pattern of usage).

The approved details, findings and noise mitigation measures shall be implemented prior to occupation of the school development and thereafter retained and maintained for the duration of the development.

REASON: In the interests of the amenity of the development and surrounding area

### **Noise from West Park Hospital**

22. Prior to the commencement of the development of residential properties adjacent to West Park Hospital a detailed noise impact assessment and scheme of noise mitigation measures compiled by a suitably qualified and experienced acoustic consultant, shall be submitted to, and approved by, the Local Planning Authority. The scope of the assessment shall be agreed in writing with the Local Planning Authority prior to the submission of the assessment. The noise impact assessment shall assess the following:
  - a) The impact of noise on the proposed residential development from external plant, machinery and equipment associated with West Park Hospital.
  - b) The impact of noise on the proposed residential development from vehicular noise associated with the use of West Park Hospital car park.
  - c) The detailed scheme of noise mitigation measures shall include the following:
  - d) Details of the design, height and location of the acoustic barrier to be erected to protect residential properties from vehicular noise associated with the car park.



- e) Details of any sound insulation, alternative forms of ventilation and any other works to be provided to the proposed residential properties to protect against noise from West Park Hospital.
- f) A plan identifying any proposed residential properties which require noise mitigation and the noise mitigation measures to be installed.

The scheme of noise mitigation measures shall be carried out in complete accordance with the details so approved prior to occupation of the particular residential properties and thereafter retained and maintained for the duration of the development.

REASON: In the interests of the amenity of the development and the surrounding area

### **Noise from Construction**

23. If piled foundations are proposed, 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 not be carried out otherwise than in accordance with the approved details.

REASON: In the interests of the amenity of the development and the surrounding area

### **Waste**

24. The final design of the school premises shall include details of the arrangements for waste storage.

REASON: In the interests of the amenity of the development and the surrounding area

### **Lighting**

25. A full lighting impact assessment relating to any proposed external lighting relating to the sports pitches and the school development, undertaken by an independent qualified assessor, shall take place and be agreed in writing with the Local Planning Authority prior to installation. This should include:

- a) A description of the proposed lighting units including height, type, angling and power output for all lighting.
- b) Drawing(s)/contour plans showing the luminance levels both horizontal and vertical of the lighting scheme to demonstrate that no excess light falls into the curtilage of sensitive neighbouring properties.
- c) The Environmental Zone which the site falls within, in accordance with the Institution of Lighting Professionals Guidance on the Reduction of Obtrusive Light, to be agreed with the LPA. The relevant light sensitive receptors to be used in the assessment to be agreed with the LPA in advance of the assessment.
- d) Details of the Sky Glow Upward Light Ratio, Light Intrusion (into windows of relevant properties) and Luminaire Intensity.
- e) The limits for the relevant Environmental Zone relating to Sky Glow Upward Light Ratio, Light Trespass (into windows) and Luminaire Intensity, contained in

Table 2 (Obtrusive Light Limitations for Exterior Lighting Installations) of the Institute of Lighting Professionals Guidance on the Reduction of Obtrusive Light shall not be exceeded.

REASON: In the interests of the amenity of the surrounding area

### **Air Quality**

26. The development shall not be carried out otherwise than in complete accordance with the dust mitigation measures contained in section 9 of the report entitled “West Park Garden Village, Air Quality Assessment” produced by ARUP dated 24 September 2014 unless other agreed in writing by the Local Planning Authority

REASON: In the interests of the amenity of the development

27. In the event that it is proposed to locate any residential units within 50m of the edge of the A1 (M), an air quality assessment, carried out by a suitably qualified and experienced consultant, shall be undertaken and submitted to the Local Planning Authority. Prior to undertaking the assessment, the scope of the assessment shall be agreed in writing with the Local Planning Authority. Dwellings, including garden areas shall only be located in areas where it has been shown in the air quality assessment that there is no risk of an exceedance of any of the relevant air quality objectives/standards which have been agreed as part of the scope of the assessment.

REASON: : In the interests of the amenity of the development

### **Contaminated Land**

28. Prior to the commencement of each phase of the development and any site investigative works a Phase 1 Preliminary Risk Assessment shall be prepared by a “suitably competent person(s)” and submitted to and agreed in writing with the Local Planning Authority. The Phase 1 Preliminary Risk Assessment shall include a Site Inspection and a Conceptual Site Model (CSM) to identify and illustrate all potential contamination sources, pathways and receptors associated with the site and the surrounding environment.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

29. Prior to the commencement of each phase of the development and any site investigative works a Phase 2 Site Investigation Strategy (Sampling and Analysis Plan) shall be designed and documented by a “suitably competent person(s)” in accordance with published technical guidance (e.g. BS10175 and CLR11) and submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing. The Phase 2 Site Investigation Strategy (Sampling and Analysis Plan) shall be sufficient to fully and effectively characterise and evaluate the nature and extent of any potential contamination sources, hazards and impacts. No alterations to the agreed Phase 2 Site Investigation Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

- ~~30.~~ Prior to the commencement of each phase of the development and any remediation works the Phase 2 Site Investigation works shall be conducted, supervised and documented by a “suitably competent person(s)” and carried out in accordance with the approved Phase 2 Site Investigation Strategy (Sampling and Analysis Plan). A Phase 2 Site Investigation and Risk Assessment Report prepared by a “suitably competent person(s)”, in accordance with published technical guidance (e.g. BS10175 and CLR11) and shall be submitted to and agreed in writing with the Local Planning Authority unless the Local Planning Authority dispenses with the requirement specifically and in writing.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

- ~~31.~~ Prior to the commencement of each phase of the development a Phase 3 Remediation and Verification Strategy shall be prepared by a “suitably competent person(s)” to address all human health and environmental risks associated with contamination identified in the Phase 2 Site Investigation and Risk Assessment. The Remediation and Verification Strategy which shall include an options appraisal and ensure that the site is suitable for its new use, and shall be submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing. No alterations to the Remediation and Verification Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority.-The Phase 3 Remediation and Verification works shall be conducted, supervised and documented by a “suitably competent person(s)” and in accordance with the approved Phase 3 Remediation and Verification Strategy.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

32. Any contamination not considered in the Phase 3 Remediation and Verification Strategy, but identified during subsequent the construction/remediation works shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

33. A Phase 4 Verification and Completion Report shall be compiled and reported by a “suitably competent person(s)”, documenting the purpose, objectives, investigation and risk assessment findings, remediation methodologies and validation results obtained to demonstrate the completeness and effectiveness of all approved remediation works conducted. The Phase 4 Verification and Completion Report and shall be submitted and

agreed in writing with the Local Planning Authority within 2-months of completion of the development unless the Local Planning Authority dispenses with the requirement specifically and in writing. The development site or agreed phase of development site, shall NOT be occupied until all of the approved investigation, risk assessment, remediation and verification requirements relevant to the site (or part thereof) have been completed, reported and approved in writing by the Local Planning Authority.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

### **Ecology**

34. Prior to the commencement of each phase of the development the protection and enhancement measures for the medium and high risk hot spot areas and quality areas for enhanced bird and bat presence highlighted in the approved Ecological Appraisal Report for West Garden Park Village. Ecological Baseline Report” dated July 2014 and produced by Ecosurv Ecological Consultants shall be submitted to and approved in writing by the Local Planning Authority and each phase shall be carried out in complete accordance with the approved schemes.

REASON: In the interests of the ecological interest of the site

### **Landscaping**

35. Excluding the detailed matters to be covered in the Reserved Matters for the landscaping of each phase, the landscaping schemes to be submitted and approved by the Local Planning Authority shall include a 10 year maintenance and management plan of the landscaped areas which will cover the development time and 10 years after the final phase of development.

REASON: In the interests of the visual appearance of the site

### **Education**

36. The land allocated for education purposes (5 hectares) and the associated playing fields (8.2 hectares) as shown on the Indicative Development Masterplan shall be retained for such purposes for a time period of ten years from the date of this planning permission unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that land is allocated for such purposes in the event of a school with associated playing fields being required.

### **Sport England**

37. Prior to the commencement of the playing fields, precise construction details of the playing fields, including drainage and changing facilities shall be submitted to and agreed in writing with 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 ensure that the playing fields are constructed to an acceptable standard with appropriate facilities

**THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT WHEN ARRIVING AT THIS DECISION:**

**National Planning Policy Framework 2012**

**Borough of Darlington Local Plan 1997**

- E2 Development Limits
- E12 Trees and Development
- E14 Landscaping of Development
- H7 Areas of Housing Development Restraint
- R4 Open Space Provision
- T9 Traffic Management and Road Safety
- T11 Traffic Calming - New Development
- T52 Drainage Infrastructure

**Darlington Core Strategy Development Plan Document 2011**

- CS1 Darlington's Sub-Regional Role and Locational Strategy
- CS2 Achieving High Quality Sustainable Design
- CS3 Promoting Renewable Energy
- CS4 Developer Contributions
- CS10 New Housing Development
- 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
- CS18 Promoting Quality, Accessible Sport and Recreational Facilities
- CS19 Improving Transport Infrastructure and Creating a Sustainable Transport Network

**Interim Planning Policy Statement 2016**

**Other Documents**

- Design of New Development SPD, July 2011
- Planning Obligations SPD, January 2013

**INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED**

**Highways**

The Developer is required to submit detailed drawings of the proposed internal highway and off site highway works to be approved in writing by the Local Planning Authority and enter into a Section 278/38 agreement before commencement of the works on site. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr S. Brannan 01325 406663) to discuss this matter.

The applicant is advised that contact be made with the Assistant Director: Highways, Design and Projects (contact Ms. P. Goodwill 01325 406651) to discuss naming and numbering of the development.

An appropriate street lighting scheme and design to cover the proposed amendments should be submitted and approved in writing by the Local Planning Authority. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr M. Clarkson 01325 406652) to discuss this matter.

The applicant is advised that contact be made with the Assistant Director: Highways, Design and Engineering (contact Mrs. B. Bowles 01325 406708) to discuss the amended 30mph limit and introduction of Traffic regulation Orders in connection to a 20mph zone.

### **Environmental Health**

The Local Planning Authority provides further advice and information to assist in complying with the requirements of the land contamination planning condition(s) in Technical Guidance for Developers, Landowners and Consultants,

- YAHPAC "Development of Land Affected by Contamination
- YAHPAC "Verification Requirements for Cover Systems"
- YAHPAC "Verification Requirements for Gas Protection Systems"

The latest editions of each guidance note can be found on the Council's website at the following link:

<http://www.darlington.gov.uk/contlandplanningguidance>