

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 29 March 2017

Page

APPLICATION REF. NO:	16/00578/OUT
STATUTORY DECISION DATE:	31 May 2017
WARD/PARISH:	SABERGE AND MIDDLETON ST GEORGE
LOCATION:	Land To The East Of Oak Tree Farm Durham Tees Valley Airport, Yarm Road, Oak Tree, Middleton St George
DESCRIPTION:	Outline application for residential development for up to 350 dwellings and local services centre (Class A1 to A5, D2, D1, C2 and Sui Generis (Vehicle Showroom)), together with associated access, car parking, open space and landscaping with all matters reserved (Amended Noise Assessment and Flood Risk Assessment received 6 September 2016 and 27 September 2016)
APPLICANT:	Durham Tees Valley Airport

APPLICATION AND SITE DESCRIPTION

Durham Tees Valley Airport is situated at Middleton St. George. Along with the main terminal buildings and runway, the wider Airport site comprises the Middleton St George Hospital, the St George Hotel, Sky Hotel and various employment and retail showroom uses.

The application site measures approximately 24.7 hectares and is situated on land immediately to the north of the existing Airport terminal; to the north-east and east of land currently used as playing fields, the Estate Road, and existing employment development.; to the south of existing housing at Oak Tree housing development and to the west of open farmland. The application site includes the Airport's existing car park, the St. George hotel complex, a temporary caravan storage park, and undeveloped agricultural land..

This proposal is an outline planning application to establish the principle of the following forms of development within the application site:

- a) A residential development comprising up to 350 residential dwellings, including affordable units
- b) A 6,600sqm Local Services Centre to be occupied by

- c) Up to 2,025sqm of floor space for retail, financial and professional services; café, restaurant, takeaway, public house(Class A1 to A5)
- d) A gym of up to 400sqm (Class D2) either a part of the St George Hotel or an independent unit
- e) Up to 2,250sqm of vehicle showroom (sui generis) and;
- f) Up to 1,925sqm of other uses to include community facilities such as a health centre, dentist, nursery (Class D1) and an extension to the St George Hotel (Class C2) to provide additional bedroom space for existing and future occupiers of the business park and users of the Airport.
- g) Open space, landscaping and play areas
- h) An acoustic bund
- i) A SuDs scheme

The proposals would not affect the operational infrastructure of the Airport and would retain sufficient passenger and car parking to accommodate the current needs and future growth of the Airport

All other matters including access, layout, scale, appearance and landscape are reserved for subsequent approval. However, an Illustrative Layout shows the site can be developed in the following ways:

Residential Development

The proposal is for a maximum of 350 residential units. These are proposed within four Areas which occupy the western and northern parts of the application site and extend to 15.1 hectares of the overall site. It is envisaged that there would be a mix of type and size of dwellings ranging from two to three storeys 2, 3, 4 and 5 bed properties. The application makes provision for affordable housing to be provided either on site or in the way of a contribution to off site provision in compliance with Council policy within the adopted Supplementary Planning Document – Planning Obligations.

The Local Centre

The Local Centre would supplement the existing services within Middleton St George and it would be located alongside the proposed housing. The local centre will extend to approximately 3.6 hectares of the overall planning application site. The central location of the centre is to ensure it is accessible to both existing airport users, employees of the Airport and adjoining businesses and the occupiers of the new residential development to help to build a sustainable and strong local centre. Parking for the local centre would be available within the Airport car park.

Open Space

The proposed development would include a total of 3.92 hectare of public open space of varying types and locations within the site. The existing playing fields adjacent to the site are owned by DTVA and through a Section 106 Agreement further investment in the playing field will be secured along with a Community Use Agreement. The public open space would be maintained by a private management company.

Access

Vehicular access to the site would be via the existing road (St Georges Way) leading into the Airport via the roundabout of the A67.

The Illustrative Layout Plan for the site is based on the Durham Tees Valley Master Plan, which was the subject of public consultation exercises in 2013 and 2014. The Master Plan was published in 2014 and it gives examples of development proposals to return the Airport to a viable position for the long term and to generate the capital and revenue needed to achieve this aim. This includes a combination of aviation proposals, employment development and housing which can generate the capital and revenue needed to facilitate the necessary investment in the Airport.

Notwithstanding the Master Plan, and following lengthy discussions with the Council prior to the submission of proposal, this planning application has been submitted for consideration against paragraph 14 of the National Planning Policy Framework 2012, the DTVA Masterplan and the relevant local development plan policies.

Section 106 Planning Obligations

The applicant is prepared to enter into an appropriate Section 106 Agreement to secure local sustainable mitigation measures and has also offered to revoke the previous planning permissions (04/01427/FULE, 04/01428/OUTE and 04/01428/RM1) for the application site without compensation

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.

The “Call In” Request

Members are advised that the Secretary of State (the National Planning Casebook Unit) has been requested by a third party to call in the planning application. It is normal practice for the Local Planning Authority to determine the planning application and then if the application has been minded by Members to be approved the Secretary of State will consider the request and then advise the Council as to whether the Secretary of State wishes to call in the planning application

PLANNING HISTORY

The most recent and relevant entries for the planning application site and the wider airport site are:

03/01008/FUL In November 2003 planning permission was GRANTED for a new access road/cycleway and footpath, re-configuration of internal access roads and car park and associated works

03/01135/FUL In January 2004 planning permission was GRANTED for the reconfiguration of car park

04/01427/FULE In December 2007 planning permission was GRANTED for the extension & refurbishment of Terminal Building, Development of Cargo & Maintenance Village (Class B2 and B8). New & Expanded Airside Apron including lighting, extension & reconfiguration of passenger and staff car parks and car hire facilities including lighting, access roads & fencing, construction of aircraft stands, airside hard standing & parallel taxiway including lighting, extension & reconfiguration of airport access road, pick up & set down areas including lighting, new bus stop & taxi stands, construction of new sewage treatment plant & associated pipe work (part outline, part full application) accompanied by Environmental Assessment under the Town & Country Planning (Environmental Impact Assessment) Regulations 1999

04/01428/OUTE In February 2007 outline planning permission was GRANTED for development of site to provide a business park comprising up to 18,600m² (Use Class B1), 4,200m² 100 Bed Hotel (Use Class C1) and 560m² Public House/Restaurant (Use Class A3) associated car parking & structural landscaping (Outline Application accompanied by Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999)

04/01428/RM1 In November 2008 planning permission was GRANTED for the details of access, appearance, landscaping, layout and scale for hotel development pursuant to outline planning permission ref no 04/01428/OUTE

05/00533/FUL In July 2005 planning permission was GRANTED for the reconfiguration of passenger car park and associated landscaping works

08/00733/FUL In November 2008 planning permission was GRANTED to vary condition 13 (Landscaping/Landscaping bund) of outline planning permission 04/01428/OUTE.

13/00138/CU In April 2013 temporary planning permission was GRANTED for the change of use of north western section of the existing long stay car park to caravan, motor home and car storage (Use Class B8)

15/00677/FUL In November 2015 planning permission was GRANTED for the construction of 1.8km link road between Northside and Southside, erection of 2.8m high security fencing, and associated infrastructure; and improvements and alterations to the existing highway

16/00058/CU In March 2016 planning permission was GRANTED for the continued temporary use of north western section of the existing long stay car park to caravan, motor home and car storage (Use Class B8)

PLANNING POLICY BACKGROUND

The relevant national and local development policies are:

National Planning Policy Framework 2012

Borough of Darlington Local Plan 1997

E2 - Development Limits

E12 – Trees and Development

E14 – Landscaping of Development

E21 – Wildlife Corridors

EP9 - Teesside Airport Employment Land - North

H7 - Areas of Housing Development Restraint

T40 - Teesside Airport

Darlington Core Strategy Development Plan Document 2011

CS1 - Sub-Regional Role and Locational Strategy

CS2 - Achieving High Quality Sustainable Design

CS4 - Developer Contributions

CS9 - District and Local Centres and Local Shops and Services

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 Recreation Facilities

CS19 - Improving Transport Infrastructure and Creating a Sustainable Transport Network

Interim Planning Position Statement 2016

Other Documents

Tees Valley Design Guide and Specification: Industrial and Estate Development

Supplementary Planning Document - Design for New Development

Supplementary Planning Document - Planning Obligations

The Durham Tees Valley Airport Master Plan 2014

Aviation Policy Framework 2013

Draft Airports National Policy Statement 2017

RESULTS OF CONSULTATION AND PUBLICITY

The Council has issued 353 consultation letters and erected six Site Notices along with an advertisement in the local press. 402 letters of objection has been received and a large number of the comments have been made from residents outside of the Borough (letters have been received from 69 properties within the Borough of Darlington). The comments can be summarised as follows:

- *The housing development will do nothing to improve the financial position of the airport. It is in my view a blatant attempt by Peel to close it down. Residents spend many hours fighting against runway extensions and other airport developments that would result increased noise and pollution in their neighbourhood. The Civil Aviation Authority has concerns about housing near airports too. So why would anyone in the right mind buy a house in the area of the proposed development? Unless they wanted to use it for Buy to Let purposes or tenants to suffer. Peel is deliberately running down the airport unlike their site at Liverpool which is flourishing, even with the nearby presence of Manchester. Their claims that there isn't demand for holiday flights and that there is a need for housing to invigorate Durham Tees Valley are built on a false premise as can be seen by observing how Liverpool John Lennon airport is expanding under Peel's ownership*
- *We already have numerous applications pending and passed for development in and around the village, the effect of all this new housing will overload the village infrastructure including roads, drains, school, doctors surgery and sports facilities. There are well over 600 houses currently planned which will decimate village life and turn what was once a beautiful village into a suburb of Darlington. Darlington town planners are well aware that there is sufficient brownfield land available within the*

borough to satisfy the government's housing requirements and there is no need to destroy our villages for the sake of a quick profit.

- *My comments are on behalf of Durham Bird Club and Darlington Friends of the Earth. Any proposals for housing / residential and landscaping need to be sympathetic to the existing wildlife and their habitat and promote its longevity. Indeed we are keen to understand how wildlife can be encouraged within any proposed development e.g. bat, owl and swift nest boxes, hedgehog highways, newt ponds, fruit trees in gardens, nectar-rich planting for bees and even wall cavities for bats and starlings.*
- *Strongly object to airport closure*
- *This is a fantastic airport or would be if anyone but Peel managed it. They have been purposefully running it into the ground for years to profit from the land for housing. There is a higher population in the Tees Valley area than the Newcastle Airport area. Pell have really done Teesside over. A new management company is needed who actually want to the airport to succeed.*
- *This will be the beginning of the end of the airport. Peel has run down passenger services for this purpose. Who would want to live so close to a thriving airport? If you want to see an airport on this site in 10 years' time then the only answer is to reject this application*
- *There should be no planning permission for building of houses and the land should be kept with more effort being made to promote and enhance our airport*
- *This airport should have become a major opportunity for our region if it had not been so badly managed. Why deplete more of the countryside for houses when the town needs sorting first*
- *The number of new housing popping up in Teesside is ridiculous. We are making up a deficit for the rest of the country. Visitors to the region have commented that they can't believe the number of new developments and poor road network to support it. This application would not bring more business to the airport. People don't like living next to airports and would only do so as DTVA is so quiet. These new residents would object to more traffic at the airport. We need to be bringing more flights to the area to encourage business and a new housing estate is not going to achieve that*
- *As an area we have an obligation to the public to try and improve air travel both nationally and internationally*
- *As a fairly frequent flyer I am in a quandary as to why such an important link in our transport system in being side-lined, We have a relatively new road to the terminal (which would be very helpful to the new development at no cost to them) and have the rail line very close with a halt that could easily be brought back into use. The option of flying from Newcastle or Leeds Bradford is a pain in terms of travel and parking*
- *Bring back the flights and the passengers will use them*
- *The airport needs to be brought to its full potential and this would greatly impact on local businesses thus being a benefit to the entire region. I believe Airport bureaucracy is placing barriers for the airlines to operate. New housing will result in objections to any increase in airport traffic, be it flights or freight*
- *I understand that considerable public money from the local councils have been given to Peel on various terms none of which include return of the monies with interest or indeed eventual profit sharing. This is a serious error of judgement on behalf of those agreeing the terms of funding*
- *We need the airport more than additional housing*
- *We do not need any more housing in this village. There is insufficient schooling and approvals already for hundreds of extra houses already granted.*
- *This application is nothing to do with getting the airport actually providing more flights and more to do with closing it is an airport and moving into housing and industrial units.*

- *The village is full to capacity for local services and schools have no space which means bussing children to education. There are no plans from Peel to contribute to secondary education. There is no affordable housing and we will lose this valuable transport hub.*
- *Without an airport we lack infrastructure to develop as an area*
- *The housing development will drive another nail in the coffin. Airports and housing do not mix*
- *Peel has assets of over £6.5 billion yet how much of their own money have they put into the airport? None as everything they have ever done has been paid for by other businesses or the taxpayer*
- *Peel are a property developer*
- *Everything Peel has done has reduced passenger numbers. This company is taking the Council for a ride and blackmailing the Council over the airport. Everyone in the region can see this*
- *The development is not in accordance with the adopted development plan or policy MGP7 set out in the Council's development plan document*
- *The development would constitute coalescence of the Middleton St George with the airport which is contrary to the draft Neighbourhood Plan*
- *There is more suitable land elsewhere to build houses in Darlington*
- *The owner's claim this development is necessary for the long term survival of the airport but they are only committing to the next five years. There is no guarantee money raised from the development will be invested back into the airport*
- *Darlington, Stockton and Middlesbrough Councils should not be coerced or intimidated by Peel but instead represent the residents who have elected them and ensure our airport can thrive*
- *Other airports are benefiting from our expenditure instead of keeping investment in this area*
- *Peel will be the death of this airport. How can you have one million passengers in 2006 to just over 140000 in 2015?*
- *Building homes is surely detrimental to people who will be living there due to noise and pollution*
- *Since Pell have owned the airport we have seen operators pull out and purposely being run down.*
- *Remember your responsibility towards those that elected you against those who have a vested interest in the project. It is clear the people in the area want to keep their airport*
- *Peel has lied about the southside of the airport and access as well as their future plans. The current plans do not reflect their long term contingency which they must have in place for the regulation of the airport and to meet vital finance requirements*
- *Stop spending public money on private profits*
- *This development will hinder any plans for expansion*
- *This comes at a time when the chance of a third London runway offering additional hub capacity is crystallising. Access to London again would benefit this excellent little airport*
- *As passenger numbers increase year on year it is only logic that 5 or 20 years from now an airport to aid transportation for this area will be a necessity and any decision made now that could hinder future growth of the airport and area will be considered foolish and short sighted by future generations*
- *It is a vital link*
- *The airport is a vital asset which needs retail support not housing and closing down*
- *If the NPPF presumption in favour of sustainable development is to apply, the housing application should still not be approved. Housing would constrain the future aviation development of the airport both physically and environmentally. The north side is neither*

the right type of land nor in the right place for housing. There is a shortage of both primary and secondary education facilities. No affordable housing. Interest in the site would be from Buy to Let investors. The proposal is unlikely to support a strong and healthy community. Around 600 houses have already been passed or planned in the village making it an unsustainable dormitory town of Darlington. No landscape corridor between the airport and village. Road traffic noise from the south side link road is forecast to be significant in the future along with the residential roads. The natural, built and historic environment will not be protected or enhanced.

- *The housing is too close to the terminal and will prevent its extension and/or replacement*
- *Plans from the airport (1940 – 1942) show there may be something that could impede development like explosive or poison gas bunkers*
- *If this area loses this facility it downgrades a far bigger area than just Darlington*
- *Peel have systematically reduced the capacity at this airport from record breaking passenger levels to 6 flights a day*
- *There are already enough houses in the village already*
- *This plan would impose immense strain on the GPs, dentists, schools, transport links*
- *The drainage and sewerage systems in the area cannot cope with the proposed volume of the extra housing*
- *The Council has previously deemed this site unacceptable for housing*
- *Other airports are constantly expanding and there is ample evidence that passengers will use DTVA given the opportunity*
- *The airport should be enlarged and given full passenger status not discarded*
- *The application is contrary to the Interim Planning Position Statement as proposals should have access to education facilities that have sufficient capacity or capability for expansion. The school is already being expanded to cope with other developments*
- *The site should have a percentage of affordable housing and this development contains no affordable units when there should be 36.2% of the overall scheme*
- *The application does not accord with the draft Neighbourhood Development Plan which seeks a landscape corridor between the village and the airport*
- *The Council appears to have an adequate 5 year supply of deliverable housing at present*
- *There is no evidence that the Masterplan represents a viable business model as it has been confirmed that there is a lack of definitive market demand for the south side development*
- *There are inaccurate statements in the application such as the applicant stating that the Masterplan proposals were subject of extensive consultation with the local community and received a high degree of support. This is wrong, and engagement with local residents was weak. No attempt was made to assess demand for holiday flights and the Masterplan was proved to be a controversial document*
- *I think the main objective of Peel is purchasing the site for housing. We need holiday flights not housing*
- *We need our local airport as myself and thousands of others do not want to travel to Newcastle or Leeds Bradford when we have a perfectly good airport on our doorstep*
- *It will have a detrimental effect on the airport's ability to survive as a commercial airport which will in turn impact on the economy of the whole Tees Valley Area which needs all the help it can get*
- *The local infrastructure is unsuited to this large scale development and the other large scale housing developments in Middleton St George. The roads are all narrow two way roads and are all extremely busy at morning and afternoon rush hours. To add traffic from 350 properties plus services is quite ridiculous. It would not only clog up the road system completely but also be very hazardous to other road users.*

- *The schools in Middleton St George and Eaglescliffe can barely cope now with the school population and to add children from 350 properties would create the need for a new school building if land and funding can be found*
- *The Doctor's surgeries are already stretched to cope with the present population particularly as residents grow older and need more medical help*
- *Surely the money involved in the development would be better spent on making the airport viable again and to provide flights to other British airports and abroad*
- *Darlington needs a commercial airport. Disgraceful and calculated plan by Peel*
- *DTVA is an important resource that should be developed and not discarded in the sole interest of a private sector entity. The application is clearly in violation of plans and objectives set out by the Council and all of which are available for public review.*
- *This is unacceptable and I lodge my objection along with a request for an independent review of the handling, operation and relevant connections between Peel, the Council and other relevant authorities. Freedom of Information requests has been denied.*
- *There is no space between the airport and the proposed housing*
- *I am learning to fly here and it's a fantastic bit of our aviation heritage. Don't let these houses be built*
- *I think a better solution should be sought other than building residential properties which, in time, will no doubt generate a huge amount of noise abatement complaints from the new residents despite them being aware of the airfield*
- *There are no valid reasons other than making Peel very rich. Other airports are thriving. This is total mismanagement and people making these decisions should be utterly ashamed of themselves*
- *Everyone knows once you build houses on the site that there will be no chance of an airport revival. People living in the houses will not want aeroplanes flying over them. It sounds cut and dried without any thought to the needs of people who live in the area*
- *Infrastructure cannot cope. Insufficient school places. Environmental pollution*
- *If these proposals go ahead passenger numbers will never ever be able to exceed 900,000 per annum. This is an extraordinary constraint to impose when national air travel has recovered to record levels and will only increase in the future and there is extant planning permission for 3 million passengers per annum.*
- *Peel bought the airport as a thriving business with good passenger numbers and plenty of international flights. What happened?*
- *I have objections to the application being decided by Darlington Borough Council when they are not an impartial party (a shareholder). This should be referred to the Secretary of State*
- *Why would Pell increase passenger usage when they have John Lennon and Robin Hood? Imagine if DTVA had the same number of flights and destinations*
- *Better infrastructure is required too to see journey time to the airport dramatically improved*
- *The funding requirement for the airport viability should not be a point of consideration for granting or rejecting this permission. The application must be granted independently under the same criterion of other larger scale developments in the Borough*
- *The scheme does not comply with local or national policies such as the Draft Making and Growing Places document, the draft Neighbourhood Plan, the NPPF, the Core Strategy and the Interim Planning Position Statement*
- *The development will hinder future expansion of the airport and will damage the economic potential of Darlington, the Tees Valley and the surrounding areas*
- *The housing site will not provide any economic benefit to the area therefore not meeting local or national planning policies*

- *The development does not meet any of the key sustainability factors for Darlington Borough Council. There is no appropriate consideration for affordable housing, wildlife, school places, sports facilities archaeological importance*
- *There is no guarantee that funds raised would be reinvested into the airport. It is clear that the objective is to hinder the use and further expansion of the airport*
- *Teesside needs a fully functioning airport more than ever following the Brexit result*
- *If this is approved Peel will start running the airport down even further and ultimately develop the land for more housing*
- *Why should we have to travel 40 and 50 miles for an airport? We have a large catchment of travellers who regularly used it. The right management could make it work*
- *A housing development is not wanted or needed in this location*
- *The airport has the longest runway or at least one of the longest which could have brought a good long haul service to the airport*
- *Passengers do not want to add extra travels onto their journey when there is an airport on the doorstep*
- *This is the thin edge of the wedge for services on the north and would be an open door for Peel Holdings to pull out of their promised commitments and for which they have received a lot of public money*
- *We have enough congestion in the area at the moment with all the houses in Eaglescliffe, Yarm and Northallerton*
- *Lord Heseltine recommends that this airport is vital to the growth of our area and that all Council's should be working together to bring this airport back as an international airport*
- *This is the first step to closing the airport. I use DTVA to fly around Europe on business and it is essential to me and lots of others who use the service*
- *Do not allow anything to be built on this land unless it is to extend the airport and its facilities*
- *How else will international travellers reach Teesside and Durham? The AMS – MME route has full aircraft and the passengers are predominately business travellers*
- *This application seeks a further reduction of existing car parking for housing use*
- *Further major residential development in Middleton St George is environmentally unsustainable compared with other sites within the Borough particularly brownfield sites*
- *There is no evidence that the Masterplan represents a viable business model and it only appears prepared to guarantee to keep the airport open for the next 5 years despite the previous public money that's been granted or requested to keep the airport open*
- *The development is not in keeping with existing residences. The plan is for 20 dwellings, the density of these dwellings is far denser than all the other estates in the area. Four of the dwellings are for two bedroom flats but this area is small and medium family homes.*
- *The road drainage is poor with regular drain flooding from the existing field on the corner of the road into Oak Tree. This will be exacerbated by losing the natural drainage of the existing green field to buildings and roads. The sewage system has had problems in the past*
- *Is the small access to the Oak Tree estate really suitable for another 40 cars?*
- *There is insufficient parking being provided*
- *There is no need for an access path to the south of Oak Tree*
- *The field has hedgerows and trees that have excellent biodiversity of habitats and food sources for wildlife. The field itself is a well established meadow with a wide range of flora*
- *If this approved it should have significant conditions attached to it such as a commitment to retaining the site as a working airport for a minimum period with no second bite of the*

cherry to come back for more housing in the future. Without this, applications for more housing will be submitted

- *A second school site is going to be essential*
- *The statement that the Masterplan got a high degree of support is incorrect.*
- *We residents of Middleton St George consider there is no need for further housing in the area and infrastructure and roads should be developed before any more residences*
- *Noise abatement will become an issue for the residents which will force a reduction in air traffic particularly for larger jets*
- *The combined council initiative, the Northern Powerhouse and Heseltine should all prioritise bring the airport back to life not sound its death knell. Teesside needs high tech business parks more than executive housing*
- *I object to the Council's funding Peel Holdings for road construction, pension support and so on. A wealthy private business should fund itself, not keep getting free of repayment grants for local taxes*
- *The site is in an unsustainable location with an impact in infrastructure, health care, education and wildlife*
- *The proposal is contrary to the National Planning Policy Framework 2012, the Core Strategy and the Interim Planning Position Statement*
- *I am disgusted that a company has been allowed to ruin into the ground such an asset and viable business commodity for out Teesside area, solely to make a quick profit from the land and run*
- *I moved to Darlington because of the transport links. My house price has been stable or increased and I deliberately chose houses close to both the airport and train station and used both as a selling point. Building houses on the land that should be used to make the airport more attractive is counterproductive. Public money is being used to create more housing with zero infrastructure to support it. I would be happy if my money was being invested into the airport as a viable transport hub which would bring business in.*
- *A vital asset to the region will be sacrificed for one company's short term gain*
- *The viability of the airport should not be a point to consider. The application should be appraised on its own merits and any future development of the airport by a future thinking owner would be hindered by a housing development so close*
- *There has been no consideration for wildlife, deer in adjacent woods also bats, foxes, newts which are adjacent to the development area*
- *There is insufficient schooling, doctors, play areas and shops for an already congested and full Middleton St George*
- *The plan is to build on a greenfield site which was traditionally used to grow crops. Its change of use flies in the face of public demands*
- *The land currently acts as a buffer zone between houses and the airport from noxious exhaust fumes and unused gases. The current gap allows the fumes and gases to dissipate so that constant exposure should not have much effect on residents. If the new homes are closer to the fumes and gases there may well be significant health and safety issues*
- *There is no affordable housing in the scheme*
- *I would use this airport fully everyday if it was a fully functional airport with flights on every day but this proposal would affect this ever happening again*
- *Keeping the airport and associated jobs is far more important than housing*
- *We should have no one from the Council making any decision on this application if they have a conflict of interest by sitting on the Board of Peel Holdings Ltd*
- *Peel Holdings claim widespread support for the proposals in the Master plan which is not true. Less than 100 persons were prepared to say they supported the proposals and the Save Teesside Airport facebook page has 5,500 supporters and counting. The*

residents of Middleton St George voted overwhelmingly against more housing in the area especially on airport land

- *There is no provision for schools, doctors, dentists or other amenities*
- *My main concern is about the increase in traffic past my home. As things stand there is a lot of lorry traffic and this mixed with extra traffic will make it more dangerous to pull out of the Virginia Estate*
- *Teesside has many workers that travel the world for work who rely on DTV to travel to Aberdeen and to the major hub of Schiphol. Peel Holdings have invested money in Robin Hood and to the detriment of DTVA and Newcastle Airport continues to expand again to the detriment of DTVA*
- *These proposals should be rejected*
- *Why are Peel allowed to sell airport land for housing? Why it is allowed to sell only part of the airport site for £25 million when it bought the whole thing for only £500,000. What has happened to the £56million investment promised by Peel when it bought the airport? Why is Peel keeping the airport open for only 5 years? Why are the six Councils who own 11% shares in the airport covering a £1.7million shortfall in the pension fund whilst Pell pays nothing?*
- *The extra traffic on Darlington Road will make this road far more dangerous than it already is. There is no street lighting and no 30MPH speed limit. There is only a narrow pavement in parts for pedestrians which are dangerous. Traffic from 350 dwellings will have a major impact on the surface of the road. A section of the road floods during consistent and heavy rain.*
- *The roads to the airport are very narrow and they would all have to be widened. This will create traffic chaos*
- *Peel had planning permission for an airport related business park with the promise of 3000 jobs on the same site as the application site despite opposition from many. No jobs ever came from those plans so how can one believe Peel on this so called master plan which is not favourably received throughout the Tees Valley*
- *I run the football club at the Airport and I worry about the houses being built, especially around the football pitch.*
- *I know of underground tunnels and bunkers that are where the houses are proposed to be built. As the site was an historical military site I would worry about ordinance that may be in the area*
- *What provision has been proposed for the separation between Oak Tree Estate southern border and the new development? Will there be a tract of land providing isolation and security for the existing properties on the Estate as per the Draft Neighbourhood Plan.*
- *If Darlington is to thrive and expand and be economically healthy and viable how will the development of houses on the airport contribute to this.*
- *Noise generated by the airport, especially engine testing is of such volume that conversation is interrupted and TV/radio cannot be heard by residents of the Oak Tree Estate. This occurs early morning and recently for hours in the afternoon. This noise can be intolerable even with a large field separating the airport from the houses. The proposal is to build residential properties on this large field!*
- *The application does not comply with the draft Making and Growing Places or the draft Neighbourhood Plan*
- *School places are not available for all children at present. No secondary school education facilities are available now. Children are already taken by bus into school or taken by parents adding to the congestion in the village and surrounding roads*
- *Why is DBC intent on developing green belt sites*

- *This is the third planning application received by residents of Oak Tree Estate since the beginning of May*
- *Houses near airports would encourage more birds to make homes in close proximity to the airport raising the chances of bird strikes let alone a disaster of a plane crashing causing loss of life*
- *The development is contrary to the NPPF's presumption in favour of sustainable development*
- *The airport has a significant history that should be recognised and protected. Enhanced and not destroyed*
- *The proposal does not comply with the social, environmental and economic threads of the NPPF*
- *The objectively assessed housing need for Darlington was endorsed by Members and included in the Interim Planning Position Statement but no similar action has apparently been taken with respect to the affordable housing component which was objectively assessed at the same time as 36.2% of all new housing*
- *Development for Gladman site has not yet started and therefore the education payment trigger in Section 106 Agreement has not been met. There is no mention in High Stell application to make up the shortfall to expand the school. As there is no sign of funding forthcoming from Section 106 Agreements and the school does not have the capacity for any further expansion the application should be refused. The School is 2 miles walking distance and for this reason it should be refused.*
- *With the existing surgery closing, no guarantee that the recent approval for a doctors surgery will be built and as there is no guarantee this application will include any health provision, this application should be refused*
- *The local centre will only be built in response to a demand and there is no guarantee it will be built resulting in an extra pressure on existing services*
- *There are no fully costed proposals for a Section 106 Agreement. If community facilities were fully costed there would be little left over for investing in the airport*
- *There is no public bus service to the site*
- *Dinsdale railway station is 1.8miles walking from the development*
- *There is no evidence that the proposed development contributes to being part of a wider strategy set out in the Masterplan*
- *A Planning Inspector has recently concluded an appeal that declared a housing development to be in an unsustainable development because of noise disturbance affecting future residents*
- *What a waste of a major employer for our area if this planning application is granted*
- *The development does not appear to be within existing DBC development limit*
- *This planning application, which I would assume is the first of many for housing on the airport site, adds no local amenities or public housing. It introduces no local facilities and the people who might live here simply further stretch the facilities currently available in the village*
- *The application advise that the masterplan has been the subject of extensive local consultation but I do not believe that to be the truth*
- *The local bus service now only runs 6 days a week into Darlington rather than 7 with a twice an hour services in rush hour and 1 per hour for the rest of the day from 7am to 7pm. None of this is conducive to persons leaving their car at home for work or any other journey*
- *Train services from Dinsdale are a more viable possibility but the chances of anyone walking from the airport site to the station are negligible*

- *The tactics of Peel Holdings are very transparent and up to now that is also the case of Darlington Borough Council who have watched the demise of the airport without any action whilst suggesting support for the development of the site*
- *Vast sums of money have been put into this airport by taxpayers and should not be sacrificed for the benefit of profits to Peel by housing developments*
- *Darlington appears to have a five year housing land supply of deliverable housing land without this proposed development and a large number of houses are to be built in Middleton St George*
- *It is incumbent on the Council as local planning authority to ensure that were it minded to approve this application that it should have the expressed support of its shareholders that the future residents of these houses will not have an undeniable case for noise nuisance were passenger numbers to return to those achieved 900K+ or once forecast 3M from the current low level of 140K*
- *The applicant has not submitted a financial viability assessment in accordance with Council policy to demonstrate that the development is unviable with affordable housing;*
- *The application does not comply with DBC's policies with respect to access to education facilities that have sufficient capacity or capability for expansion;*
- *There is no guarantee concurrently with any approval that the capital raised from the housing development will be reinvested in the airport as promised in the Masterplan and the ultimate likely to be available is far from clear*
- *Councils have been very short sighted in relation to this airport. Building more housing will essentially bring more people and business to the area. Surely additional population will require additional transportation options*
- *I use the airport on a fortnightly basis and would be devastated if Peel closed it in the future. I have seen the demise of the airport over the years and spoke to staff who acknowledges Peel's lack of investment. People would use the airport if more flights were available and not overpriced. Why was Thomsons stopped from using the airport, it doesn't make sense other than Peel purposely running the airport into the ground because of high land value*
- *The proposal is contrary to policy E9 of the Borough of Darlington Local Plan 1997*
- *The impact of the fire training operation on the site on the housing development should be taken into consideration*
- *The Northern Powerhouse conference in Leeds highlighted the potential growth in the North from some 850,000 + jobs by 2050. This highlights the strategic importance of all our local airports to facilitate business needs as close as possible to an airport. Teesside would be further disadvantaged*
- *If flights are to grow then surely the priority should be to preserve all available grounds for future expansion, not build on it, whether commercial or residential*
- *How many long term growth plans will Peel produce before we see one to go through to completion?*
- *DBC's SHLAA published in 2014 and 2015 reviewed the north side of the airport and considered it unsuitable for housing*
- *We have the basics for a fine airport. We must improve roads and rail access to it. We should explore a link to Dublin, which along with Amsterdam opens up the whole world to us. Remove the £6 passenger tax. Give free parking for at least three hours and promote a viewing area and cater facilities. People want to come so make it easier for them.*
- *The withdrawal of the Making and Growing Places DPD in April 2016, in particular draft policy MGP7 relating to Durham Tees Valley Airport, - with nothing to replace it - is very odd given that policy MGP7 was developed specifically with the airport's current*

circumstances in mind; it had already been consulted upon and essentially accepted by DTVA, and was more or less complete.

- *The area needs an airport if it is to develop and have a chance at attracting business to the area. The People of Teesside deserve an airport and with an attitude of wanting it to succeed by the people who are now in control they could give them a thriving airport used for business travel and holiday makers*
- *The facility of an airport at Teesside would be a must use and necessary for local people and business if it was again managed properly. The government has a policy of wanting to establish the transport network and this would be one means*
- *Housing is unacceptable and too close to the airport terminal*
- *The situation at D.T.V.A as I understand it, is that Peel don't want an international Airport at this location, it's planned out over the years what we all suspected at the start of the deterioration of the services affecting thousands of would be travellers, also making these people travel miles to other airports in the region to be able to fulfil their travel desires, the airport has a runway capable of handling any modern day airliner*
- *I would love to know just how much money the company is making out of the Cobham Aviation Services, and what is the future for this company at this location, I think it might be one of the main reasons Peel are still interested in the Airport. Building houses has always been on their agenda, they have allowed the airport to degrade to such a low level, that it would take years to get it back to the great days I remember ,I also used to take my grandkids up on the viewing roof, and then shop inside the airport building,*
- *It was once thought that they were considering a cargo centre for commercial goods but obviously this was hot air again*
- *I believe government intervention is required to stop the demise of this airport. There is a clear need for this as part of local infrastructure but the facility is being rundown in attempt to sell for residential land.*
- *Expansion of this airport will benefit local people, reduce traffic congestion, boost the already depressed area and bring jobs and investment to Teesside.*
- *For many years I flew from what was Teesside Airport to various parts of Spain for my holidays, this did a number of times a year, it was like going to town in a taxi! Over time services were withdrawn and I had a choice to make, stop holidaying abroad or fly from further afield, I chose Newcastle and as a non driver had to rely on family to take me to the airport, very few occasions were a happy start or finish to my holidays so I took the difficult decision to stop holidaying abroad.*
- *It makes no sense to me whatsoever to build housing around an airport due mainly to noise, poor road infrastructure also exists in that area. The local councils surrounding the airport are answerable to the residents and therefore should listen to what they want when making important decisions like this, there are plenty of other sites for building houses on and it is noticeable in Middlesbrough, my town a lot of new builds are standing empty unsold!*

A letter has been submitted asking for the following to be considered in the development as they have implications on the Virginia Estate:

- *Possible relocation of lorry park to remove heavy vehicles from Yarm Road towards the main village centre/school/.medical facilities*
- *A reduction in the speed limit to make existing and entering the Virginia Estate safer and for pedestrians on footpaths*
- *Reinstatement of a regular bus service to reduce car dependence and isolation of non-car owning residents*

A letter has been submitted, together with a letter from the Defence Infrastructure Organisation about an application at Manston Airport. The objection letter states that the impacts of other uses within the airport such as the fire training operation should be taken into consideration.

A objection has been submitted which enclosed a copy of an appeal decision (ref no APP/R0660/W/15/3027388) at Harman Technology Site and adjacent land, Ilford Way, Town Lane, Knutsford which the objector considered to be extremely relevant to this proposal to build houses next to the terminal at Durham, Tees Valley Airport.

Detailed objection letters have been submitted which has been considered by Officers. The letters cover a wide variety of issues such as the impartiality of the Council determining the application; the lack of affordable housing, the withdrawal of the Making and Growing Places DPD; that the submission is contrary to various national and local development plan policies and the Planning Policy Position Statement and the Middleton St George draft Neighbourhood Plan; the unsuitability of the land for housing; the lack of any guarantees that the money raised will be spent on the airport, Saved policy EP9 of the Local Plan is still relevant and should be given full weight in the decision making process. The letters provide comments and responses to the information contained within the various supporting documents of the planning application.

The Campaign to Protect Rural England has objected to the application on the following grounds:

- *We are deeply concerned at the addition of yet more housing where there is already a serious lack of facilities and this many additional houses will exacerbate that situation. It is understood there are proposals to extend the school but that it will not be on site and will require road transport by parents*
- *We are concerned that the building of houses is placing residential property next to uses which are not compatible with residential amenity because of issues such as noise and safety*
- *The land at and adjacent to the airport is allocated for specialised airport related uses. The loss of this land to other uses will compromise the future potential of the airport*
- *As there are few local facilities and very restricted public transport the location is unsustainable as residents will have to rely on road transport*
- *CPRE wishes to see a vibrant, profitable, airport and is concerned residential development may restrict future airport operations*

Following the consultation exercise on the initial submissions Middleton St George Parish Council comments as follows:

- *Whilst the residents of the village are naturally vehemently opposed to developments of this size within the parish, as Parish Council we understand the Borough Council's position and that objecting to the application is probably pointless. As we will ultimately responsible for accommodating the increased village population we would like to work with the developer to ensure the impact on the parish and its residents is minimised*

Following the submission of the Noise Assessment and Flood Risk Assessment a further thirty seven letters of objection have been received. Some of the new objections have raised and reaffirmed issues that have previously been mentioned and therefore not repeated in full here.

A number of the objections are standardised comments as set out below:

- *The applicant assesses noise against Planning Policy Guidance 24 - Planning & Noise (PPG24), but that document was withdrawn in March 2012 upon publication of the National Planning Policy Framework (NPPF); therefore, the applicant's reliance on that document and associated conclusions are not valid.*
- *The applicant maintains that PPG24 still applies on the basis that in November 2012 Darlington Borough Council (DBC) subsequently agreed that PPG24 Annexes 3 and 6 would form part of interim planning policy; however, the Interim Planning Policy Statement agreed by DBC on 5 April 2016 does not appear to contain any mention of PPG24 and that is accordingly not the council's current position.*
- *The governing document is therefore the NPPF, which states that planning policies and decisions should aim to "avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development". The term "significant adverse impacts" is not defined numerically either within the NPPF or the Noise Policy Statement for England to which it cross refers.*
- *Even at very low passenger levels (200,000 passengers per annum), and before any sensitivity analysis, the applicant concludes that "the noise from future road traffic on St. George Way and the Estate Road will be significant", meaning that before any mitigation measures the proposed development would not comply with the NPPF. But measures like fencing can only reduce noise so much. As passenger numbers increase and the noise problem becomes considerably worse it appears highly likely – even at relatively low passenger numbers for an airport with DTVA's potential – that occupants of the proposed housing would be exposed to noise levels from traffic on St George Way and Estate Road which would have significant adverse impacts on their health and quality of life, notwithstanding any screening and other measures.*
- *The applicant states that, at DBC's request, a sensitivity test was undertaken based upon 900,000 ppa. However, the applicant only undertook that sensitivity (and an intermediate one based upon 400,000 ppa) on airborne aircraft noise. The applicant did not carry out similar sensitivities on aircraft ground noise, road traffic noise and the other noise sources identified; hence the sensitivity analysis produced is largely meaningless.*
- *The analysis of airborne aircraft noise with 900,000 ppa indicates that the daytime noise level at the closest edge of the proposed residential area in the past was about 56 dB LAeq,16h. The government's Aviation Policy Framework published in March 2013 states that we will continue to treat the 57dB LAeq,16h hour contour as the average level of day time aircraft noise marking the approximate onset of significant community annoyance. This implies that if the proposed housing is built the airport will be forever constrained to around 1m ppa in order to comply with this planning guidance.*
- *The applicant has also still not considered the 3m ppa scenario despite taking specific measures to ensure that its planning permission for that development does not lapse.*
- *The noise study has considered each noise source in isolation and does not make any assessment of the combination of the various air and road noise sources on the proposed development. Of particular concern is the fact that the applicant does not assess the combined impact of the road traffic noise from St George Way and Estate Road on the proposed nearby housing, especially at higher passenger levels.*
- *Notwithstanding the above it is clear that, if there will be significant noise problems from road traffic on St George Way and Estate Road at the 200,000 ppa level, such noise problems will only get considerably worse at the 400,000 and 900,000 ppa levels (and beyond). This implies that if the proposed housing is built the airport will be forever constrained to relatively low passenger numbers by this issue as well.*

- *Since the proposed development (i) does not appear to meet the noise criteria set out in the NPPF and Aviation Policy Framework (when passenger levels which may reasonably be expected in the foreseeable future for DTVA are considered), and (ii) would clearly constrain future aviation development at the airport, they represent further reason for DBC to refuse this planning application.*
- *Finally, the applicant compares DTVA with other airports within the UK to try to justify its proposal to build houses at the airport but there are significant problems with that approach as no two airports are alike. Housing may have been built alongside other airports but the situation at DTVA is rather different in that DTVA only has one entrance into/out of the whole site which has to accommodate all airport traffic and the applicant wants to build houses right next to that. The application of the NPPF instead of PPG24 also means that the evaluation approach has changed.*

Other new objections that have been raised are:

- *Planning Policy Guidance 24 - Planning & Noise (PPG24) was withdrawn in March 2012 therefore, the applicant's reference to it is no longer a valid planning endorsement.*
- *The NPPF states that planning policies and decisions should aim to "avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development". The term "significant adverse impacts" is not defined numerically either within the NPPF or the Noise Policy Statement for England to which it cross refers.*
- *Since only one aircraft can use the runway at a given time, the implied assumption that peak aircraft noise is somehow proportional to the number of passengers using the airport seems absurd. The expected outcome would be that aircraft noise would reach peak volume for longer time periods as passenger numbers increase due to a greater number of take offs and landings. Peak levels would not decrease simply because the number of take offs and landings decrease.*
- *Comparisons of DTVA with other airports by extrapolation of noise levels and other data within the UK to try to justify its proposal to build houses are not valid as the local topography for airports varies widely.*
- *I think the impact on the countryside in that area is going to be phenomenal and destructive and I would like more effort to be made to house those 350 houses within the Darlington boundary. This could be done by renovating empty properties, investing in Red Hall Estate and generally contributing to the economy from which the current owner of the airport has taken public funds*
- *I believe that public money is being spent on the airport. How is this possible when the Council are now keen to approve an expansion of private housing on what is effectively a publicly funded enterprise*
- *Only ten years ago the airport was flourishing and with correct management by accompany that has more than asset stripping profits at heart I am sure it can see growth in the airport just like every other in the UK*
- *Find it ironic Peel list lack of flights as an excuse for noise nuisance*
- *My observation is that that the applicant needs to go further and specify the actual perpendicular distance from the side of the runway to the closest and farthest house and the closest house with unimpeded noise travel. Then the applicant should also address whether the residents will object to regular and persistent noise nuisance at levels just below 57dB coming from landing and taking off and also address the noise nuisance emanating from taxing to and from the runway to and from aircraft parking apron at the terminal building and the distances from the aprons to houses mentioned earlier*

(Lancaster House site). The whole matter of noise nuisances affecting future residents is fundamental in the consideration of this application

- *I have looked at the amended plans and I feel very strongly that these plans should be declined as they do not encourage or help the surrounding airport reopen and attract suitable investors to do this*
- *This represents a wholly disproportionate increase in housing in this settlement. It's being done without any overall plan for services, utilities or schools and without consideration for the effect on village amenity or conservation areas. It is preposterous that the planning department should be using its resources to control house extensions and tree pruning when what is needed is a proper development plan for the whole village. Until there is one, no new housing developments should be permitted. There is a token attempt to add retail outlet capacity but these plans conform to no plan and is clearly uncoordinated and raise more questions than they answer. This is on top of development currently in progress which also conform to no plan and yet make a significant alteration to traffic flows, service provisions and village amenity*
- *This will spell the end of DTVA and any efforts to keep it going and to increase flights and make the airport as viable as Leeds/Bradford and Newcastle airports*
- *I believe that Peel Holdings will look to make a profit from the sale of these properties and then abandon the airport to its fate which will be closure. They are only guaranteeing the airport for five years. If the Council requires more housing there is other land that can be utilised in the borough because Pell Holdings will not build affordable housing as they want to maximise profits and will build executive housing*
- *There is no secondary school so all children will be bussed elsewhere*
- *In addition to the road traffic generated by the use of the airport and housing, there is planning consent for 1.9 million square feet of mixed commercial development on the south side of the airport. Access to this land will be via the north side and around the end of the airport runway for which a £5 million grant application has been made to the Tees Valley Combined Authority. This will greatly increase traffic flow from the only access from the Darlington/Yarm Road.*
- *If permission is granted the Friends of Stockton and Darlington Railway would wish the Council to impose a requirement for the developers to carry out off site works or make a contribution towards the cost of further enhancement works on the line of the historic 1825 S & DR in the Parish. The FSDR are already working with the Council and Storey Homes in connection with the housing development at Sadberge Road and a number of other improvements needed on the line and its surroundings between Fighting Cocks and Goosepool. Residents of new houses in Middleton St George will make use of the nearby trackbed and lineside paths and it is appropriate that developers contribute towards the cost of providing and maintaining these amenities.*

A detailed objection letter raising a number of issues over the Noise Assessment has been received and considered by the Local Planning Authority.

A comment has been received that states the DTVA is a member of the Airport Operators Association who published its latest position paper on aviation policy. It makes six key policy recommendations it would like to see adopted by the Government and Opposition parties in the respective general election manifestos:

1. *Support sectoral growth: promote UK airports' growth, through the Aviation Policy Framework and the Sir Howard Davies Airports Commission*
2. *Review and cut further all levels of Air Passenger Duty*

3. *Incentivise the take up of sustainable aviation fuels, to help enable ever more sustainable aviation*
4. *Improve surface access – rail and road – to airports through a single national transport strategy*
5. *Speed up planning by setting clear land-use policies in noise contours, curtailing the building of housing and other noise sensitive buildings around airports so that fewer people in future live in areas where there is aircraft noise*
6. *Align UK security requirements with the nature of threats*

Following the publication of the comments from the Council's Environmental Health Officer a detailed letter has been received responding to those comments which have been taken into consideration by the local planning authority.

Middleton St George Parish Council has submitted further comments objecting to the planning application. Their objections have been set out under the following headings:

- *Lack of Confidence in an Unworkable Masterplan Future Viability of the Airport*
- *Noise*
- *Flood Risk*
- *Access*
- *Lack of Education Provision*
- *Other Facilities*
- *Traffic and Travel*
- *Lack of Affordable Housing*
- *Environmental Role*
- *Fracturing of the Village*
- *Other Considerations*
- *Cumulative Effect on Village*

Their objection is supported by a separate letter on the cumulative impacts of the developments that are taking place and/or planned for Middleton St George

One letter of support has been received stating:

- *I would like to say I fully support the planned development work at Durham Tees Valley Airport. If the statement by the airport company is honest and true they will use the housing development money to invest into the future of the airport. If the planning doesn't go ahead I could possibly see the airport being abandoned and left as wasteland.*

Consultee Responses

Northumbrian Water has raised no objections to the original proposal subject to the imposition of a planning condition to ensure the development is implemented with the submitted Flood Risk Assessment. Following the submission of a revised Assessment, NWL have do not have any additional comments to make

Durham Constabulary Architectural Liaison Officer has advised that the current crime trends on the neighbouring area are low and there are no issues with the Illustrative Layout from a "Design out Crime" perspective. The ALO has highlighted some general design advice.

Northern Gas Networks has raised no objections to the proposal

The Environment Agency has confirmed that the proposal falls outside of their scope of development and do not wish to comment

The Flood Risk Management Team has raised no objections to the proposal subject to the imposition of planning conditions relating to surface water drainage and management and the development is carried out in accordance with the Flood Risk Assessment

Highways England has submitted a holding objection on the planning application. The holding objection has been submitted to allow for further discussions to take place to assess the proposal and its potential impact on the A66 Trunk Road, especially the Morton Palms and Great Burdon roundabouts and to agree a financial contribution with the DTVA towards highway improvements to mitigate any identified impacts. The holding direction requires that planning permission should not be granted until April 2017 or until sufficient information has been received to enable them to reach an alternative view at which point a further notice would be issued to remove their objection.

Sport England has submitted a holding objection to the proposal. Whilst Sport England acknowledges that the applicant has agreed to the payment of a commuted sum to make improvements to the adjacent playing field and also to enter into a Community Use Agreement to secure the long term future of the playing fields, Sport England wish to uphold their objection until the issue of security is resolved and the measures have been secured as part of a Section 106 Agreement.

The Council's Countryside Access Officer has highlighted that there is a Public Footpath that runs along the western boundary of the site and that the footpath should not be corralled by development and should be extended into the development site. The Officer has also requested a contribution towards upgrading the footpath.

The Council's Contaminated Land Officer has raised no objections subject to the imposition of appropriate planning conditions

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

The Council's Highways Engineer has raised no objections to the planning application subject to the imposition of appropriate planning conditions

PLANNING ISSUES

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

- The Future of the Airport
- National and Local Planning Policy and Whether the Development is Sustainable Development
- Residential Amenity (Noise etc)
- Layout and Impact on the Character and Appearance of the Surrounding Area
- Air Quality

- Highway Safety
- Sustainable Transport
- Public Rights of Way
- Impact on Trees
- Flood Risk and Drainage
- Ecology
- Sports Provision
- Archaeology
- Education
- Contaminated Land
- Impact on Heritage Assets
- Planning Obligations

The Future of the Airport

The Airport has been an important part of the economy and transport network of the Tees Valley for many years. The airfield began its life as Royal Air Force Station Goosepool, and it became RAF Middleton St. George in 1941.

The majority of the existing buildings within the Airport were built to accommodate the original military use of the airfield and the adjacent housing development, known as “Oak Tree” was originally built to house RAF personnel. There are a number of companies which now occupy the former RAF buildings including the International Fire Training School and Middleton St. George Hospital. In 1963 it was decided that RAF Middleton-St-George should close and the local authorities of the day saw the potential of this airfield as a civil airport. The RAF departed from the Airport in 1964.

Teesside International Airport was opened in 1966. In November 1969 the first flight to London Heathrow was operated by British Midland. Over the subsequent years, additional services and routes were developed to satisfy many of the air transport needs of the area, in particular routes to Amsterdam (Schiphol) and Aberdeen, serving the Teesside oil and chemical industry cluster. Passenger numbers reached around 300,000 passengers per annum (ppa) in the late 1970s and stayed at that level into the 1990s.

Following investment in upgrading the Airport facilities passenger and freight traffic numbers grew in the early and mid-2000s with passenger numbers averaging over 700,000 ppa, driven by the growth of the low cost sector. The Airport and the Regional Development Agency invested in a number of projects to enhance its transport role and economic contribution. These projects included construction of a new access road (St George Way), extension and resurfacing of the passenger car parks, refurbishment and recladding of the terminal and investment in the airfield infrastructure.

In 2004, the Airport applied for planning permission (See Planning History) for development to enable the Airport to accommodate 3 million ppa and over 25,000 tonnes of freight per annum; and the development of a business park for aviation related companies (known as the “northside development”). The applications were approved in 2007 and remain extant but they will expire by the end of 2017. The majority of the current application site benefits from planning permission for a business park (office buildings) and additional surface car parking.

Furthermore, permission had also been granted for approximately 176,900 sqm of warehousing and distribution buildings on the south side of the Airport (“Southside” Phase 1) which has been implemented and remains extant. This was subsequently linked to a joint development agreement with a number of regeneration agencies, but following the abolishing of the Regional Development Agency the development did not proceed. The Homes and Communities Agency (HCA) has inherited the land interests of ONE North East in the vicinity of the Airport and the delivery of Southside development will be dependent on joint working between the HCA and the Airport.

In 2015 planning permission was granted for the construction of a new link road between Northside and Southside of the Airport and the construction of a new industrial/warehousing facility. This road would enable the development of Southside to be accessed without the need for a new access to the A67. The project has been awarded funding under the Local Growth Fund and the permission remains extant.

Notwithstanding the above, the recent financial crash and the subsequent prolonged period of economic recession have had a significant and marked impact on demand for air travel and has contributed to significant reductions in passenger numbers and freight throughput at the Airport. This has been compounded by specific challenges facing airports. These include:

- the introduction of Airport Passenger Duty in the late 1990s and the doubling of the rate in 2007;
- the high (and rising) fixed cost base imposed by regulators which limits the options to reduce cost in line with falling income;
- the tendency of airlines under financial pressure to consolidate their operations at larger airports and reduce costs and routes at smaller airports.

Due to declining demand for passenger services from the Airport, and the wider global economic conditions, a number of airlines ceased to operate from the Airport resulting in cuts in flight services and reduced connectivity for the region. This has had a significant impact on the viability of the Airport.

The Airport had to look at a sustainable business model in response to the aforementioned market changes in order to safeguard passenger services, including the international links that are important to the local economy. The Airport undertook detailed assessments to establish the most viable and sustainable model for future growth. These findings showed that the Airport needed to focus on its business sector strengths, in terms of growing passenger traffic, business and general aviation and capturing opportunities in growth markets such as aircraft maintenance and recycling which will require significant investment over the short and medium term. The Airport propose to raise the capital investment needed through the release of land for proposed mixed use development of housing, local retail and community uses, new showrooms and expansion of the St George Hotel. This capital investment in the Airport would help materially to support the ongoing operations of the Airport and its important connections.

The main considerations for the Local Planning Authority are twofold. Would the proposed mixed use development support or hinder the future growth of the airport and secondly, does the proposal accord with the National Planning Policy Framework and the presumption in favour of sustainable development.

The relevant national and local aviation policies are outlined below. It is clear from the policies, plans and statements that the importance of airports to the connectivity and competitiveness of regional economies is widely recognised. Its importance to local clusters of industry is of particular significance. The DTVA Master Plan sets out the background to and the case for mixed-use development at the Airport in support of investment in repositioning the Airport to a sustainable viable business model.

Aviation Policy Framework 2013

The APF sets out the Government's objective of allowing the aviation sector to continue to make a significant contribution to economic growth across the country. The APF is an important material consideration in plan-making and decision-taking:

“In preparing their local plans, local authorities are required to have regard to the policies and advice issued by the Secretary of State. This includes the Aviation Policy Framework, to the extent it is relevant to a particular authority area, along with other relevant planning policy and guidance. The Aviation Policy Framework may also be a material consideration in planning decisions depending on the circumstances of a particular application.

The APF reaffirms the benefits of aviation on the UK economy at both national and regional level. The APF encourages local collaboration with neighbouring authorities for the provision of viable infrastructure necessary to support sustainable development and that it is important for airports to adopt master plans.

Airports Commission

In September 2012 the Government announced that it had asked Sir Howard Davies to chair an independent Airports Commission tasked with identifying and recommending to Government options for maintaining this country's status as an international hub for aviation. The Commission's brief was to:

- examine the scale and timing of any requirement for additional capacity to maintain the UK's position as Europe's most important aviation hub; and
- identify and evaluate how any need for additional capacity should be met in the short, medium and long term.

DTVA made strong representations on the importance of protecting routes that connect London with regional airports as a means of supporting and maximising the potential of regional economies. The Commission published its final report in July 2015 which supported the growth of Heathrow Airport and identified that this would “...support improved regional access to London's international connectivity, and enable the UK aviation system to provide more long-haul connectivity, which will be crucial to the country's prosperity in an increasingly integrated global economy.”

Tees Valley Strategic Economic Plan (2014)

Tees Valley Unlimited has published its Strategic Economic Plan (SEP) for the region until 2025. This aims to bring an extra £1 billion GVA to the economy (10% increase) and create 25,000 new jobs. The SEP acknowledges the importance of good transport connectivity and also makes specific mention of the importance of the Airport to the regional economy. It states:

“Durham Tees Valley Airport has a long term role in contributing to the competitiveness and prosperity of the Tees Valley, particularly through its regular services to the Amsterdam Schiphol hub and to Aberdeen, important routes for Tees Valley businesses, particularly in the oil and gas sectors. The Airport supports 600 direct and indirect jobs and contributes £37m annually in GVA, including an innovative cluster of businesses on site specialising in fire safety training, freight forwarding and aircraft maintenance, overhaul and repair.”

Tees Valley Growth Deal

In July 2014 the Government announced the Tees Valley Growth Deal which will boost the economic growth in key transport, skills, innovation and business support projects that will support the further success of priority sectors; advanced manufacturing, low carbon, oil and gas, digital and logistics.

The Tees Valley LEP has secured £90.3m from the Government’s Local Growth Fund to support economic growth in the area. Members will recall that £5m of this fund has been allocated to the Airport to create a new access road linking Northside with Southside that will open the Southside site for employment development, but the fund does not provide any funding towards underpinning the viability of the Airport itself.

The Durham Tees Valley Master Plan 2014

The Master Plan was undertaken in response to the economic conditions facing the Airport and it was published in 2014. The DTVA Master Plan has been prepared in accordance with the provisions and guidance set out in the APF and the Department for Transport’s Guidance on the Preparation for Airport Master Plans. The Master Plan sets out the framework to deliver the vision of the airport and includes to:

- Reposition the Airport to establish a viable airport business model and investment strategy for the long term;
- Create a vibrant mixed use Airport neighbourhood facilitating investment by others in a range of aviation related businesses and, where necessary “enabling” investment in other uses; and
- Create a robust spatial framework and business case for the investment in the developments necessary to achieve this vision

The Master Plan gives examples of development proposals that could form part of a number of measures to return the airport to a viable position for the long term and generate the capital and revenue needed to achieve this objective. The proposals include a combination of aviation proposals, employment development along with this proposed mixed use development.

The Master Plan states that: *“DTVA and partners continue to seek sources of public sector grant and / or affordable loans. While the potential for these will continue to be actively pursued, this alone is not likely to deliver the funds needed to secure the transition to a viable airport. As such consideration has been given to enabling development of the land holdings of the Airport which would generate the quantum of capital required over the timescales needed to deliver the Master Plan for the Airport.”*

The Master Plan continues *“In considering options, regard has been had to the original rationale for the development and growth of RAF Middleton St George as a community; its evolution as a mixed-use location which today includes aviation, commercial, residential, leisure and community uses; and its relationship with adjacent land uses. Bearing this in mind the*

importance of achieving a viable airport as quickly as possible, consideration has also been given to development proposals which can generate income in the current and foreseeable market. In the current economic circumstances applying in the Tees Valley, housing is the only land use which is likely to generate the necessary funds in the required timescale”

The Master Plan sets out an Indicative Framework Plan for the Airport which explains that housing can be delivered on the site to meet local needs. It goes on to explain that the proposed housing would relate well to the existing and proposed land uses around the Airport, including the existing housing on the Oak Tree and Washington Avenue developments and it also identifies the opportunity to provide additional local services within walking distance of the new housing.

Draft Airports National Planning Statement 2017

The draft NPS focuses primarily on increasing aviation capacity in the south east of England and explains the reasons why an additional runway at Heathrow has been identified as the Government’s preferred approach. In doing so it addresses connectivity of the rest of the UK with Heathrow.

“The Government expects to see expansion at Heathrow Airport driving an increase in the number of UK airports with connections specifically into the airport”

The draft NPS notes that Heathrow's proposals include the additional connections to the UK airports by 2030 including reinstatement of a connection to DTVA.

Such a route would be of significant benefit to the Tees Valley and the wider North East. It is important that DTVA is able to remain viable until such a route can be secured.

The National Planning Policy Framework 2012

At the heart of the NPPF there is a presumption in favour of sustainable development. The NPPF supports planning being plan led, with plans providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. However, where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless the adverse impact of doing so would significantly outweigh the benefits when assessed against the Framework as a whole, or in specific circumstances where development should be restricted (paragraph 14).

The NPPF highlights that the planning system and local planning authorities should positively promote and embrace well-conceived sustainable development to deliver the economic growth and housing required to fully meet identified needs. The NPPF states:

"Planning should: proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth."

One of the core land-use planning principles of the NPPF, is to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. The Government’s commitment to encourage jobs and prosperity, via the planning system, is also reflected in NPPF as planning

should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Local planning authorities should therefore approach decision-taking in a positive way to foster the delivery of sustainable development, and should look for solutions rather than problems to secure development that improves economic, social and environmental conditions

With regard to airport growth the NPPF states that local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development or transport investment necessary to support strategies for the growth of airports in their areas. At present there is not a National Policy Statement (NPS) in relation to airport development; the NPPF therefore states:

“When planning for... airports...plans should take account of their growth and role in serving business, leisure, training and emergency service needs. Plans should take account of this Framework as well as the principles set out in the relevant national policy frameworks and the Government Framework for UK Aviation”

National and Local Planning Policy & Whether the Development is Sustainable Development

In considering the extensive policy context, there is nothing to suggest that the proposed development would have an adverse or prejudicial impact on the future viability of the airport. This is subject to the detailed consideration of environmental affects as discussed in the remainder of the report. Members will note from that element of the report the Officers conclude that the presence of housing, as shown in the application, will not prejudice the long term ambition of the airport to increase passenger numbers and hence flights by reason of noise or air pollution.

The NPPF sets out that planning policy should avoid the long term protection of sites allocated for employment uses where there is no reasonable prospect of a site being used for that purpose. Applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities.

The NPPF encourages mixed use development for large scale development in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities. Where practical, particularly in large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.

The NPPF also promotes places which provide opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity.

In relation to housing, the NPPF requires local authorities to plan positively for housing development to meet the needs of their area. It advises (paragraph 49) that policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites. If there is no five year housing land

supply, the relevant local housing development plan policies are considered out of date and therefore planning applications would be subject to paragraph 14 of the NPPF.

At present, Darlington cannot demonstrate a five year supply of deliverable housing sites against an objective assessment of housing need and therefore the Development Limits identified on the Local Plan Proposals Map and the locational strategy of the Core Strategy 2011 are considered out of date and in the context of the NPPF carry little weight when assessing new housing proposals.

In order to continue to plan positively for housing development to meet the needs of our population, applications for planning permission for residential development in all areas of the Borough should be considered with regard to the presumption in favour of sustainable development set out in the National Planning Policy Framework. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

An economic role – The proposed development has been highlighted as one of the vital components of the DTVA Master plan that is required to sustain the growth of the Airport, which is acknowledged as being important to the economy of the local area, the Tees Valley and also the North East. Whilst the release of the land for housing will provide a financial injection into the Airport it is not the major consideration in this case. More relevant is whether the development is acceptable in its own terms against the national and local policy.

Furthermore, the provision of housing itself is acknowledged as an economic driver of the economy and is inextricably linked to delivering the 25,000 net job increases across the Tees Valley as set out in the Tees Valley Combined Authority (TVCA). The proposal therefore contributes to the current undersupply of new housing in the Borough and compliments the wider economic objectives of the TVCA.

The construction phase of the development will bring economic benefits to the construction industry and once the commercial development has been completed it will support existing local services and growth of the local area and the Airport. The impact that the proposed housing may have on the continued growth of the Airport has been considered by the local planning authority and whilst this report will continue to look at the issue in more detail, it is considered that redeveloping the site for housing will not prevent the overall objectives of DTVA in sustaining the Airport or its future growth.

A social role – The development will result in and support a strong, vibrant and healthy community, by providing the supply of housing required to meet the needs of present and future generations including the provision of affordable housing. The proposed local centre which comprises of a number of mixed retail, employment and social uses would cater for the needs of the housing development and the existing dwellings further afield. The existing playing fields adjacent to the site would be maintained and improved and the footpath and cycle links would be improved to provide better linkages between the site and the local centre of Middleton St George and the School. The development would also make a financial contribution towards extending the existing School in the village.

An environmental role - It is not envisaged that the redevelopment of the site would result in the loss of significant trees or hedges and wooded areas in and around the site would be considered as important landscape features to be retained. There would be opportunities to enhance the

ecological value of the site. The final layout of the proposal will be designed to minimise waste, pollution and flood risk. The impact that the proposed development would have upon the amenities of the existing dwellings and also the impacts that the existing Airport will have on the occupiers of the new housing will be considered in more detail within the report but it is considered that the relationships between these various uses are acceptable.

Local Development Plan

The local development plan comprises saved policies within the Borough of Darlington Local Plan 1997 and the Darlington Core Strategy Development Plan Document 2011.

The site lies outside of the development limits identified by the Local Plan but as previously stated, the relevant local development plan policies that relate to housing (parts of Core Strategy policies CS1 CS10, and Local Plan policies E2 and H7) are considered out of date and the principle of the proposed development must be assessed against the principles of Paragraph 14 of the NPPF.

The Council recognised the potential for this situation in Core Strategy Policy CS10, supporting windfall housing development in appropriate locations at the Urban Fringe and within or adjacent to larger villages if housing delivery fell below projected rates provided that the early delivery of such developments is secured by planning conditions. This part of Policy CS10 continues to be relevant to determining applications and remains a valid approach.

The above is reaffirmed in the Council's Interim Planning Position Statement 2016, which is not an adopted policy document but it outlines the Council's interpretation of the NPPF on a number of matters, including housing and the need to assess proposals against the NPPF. The document highlights key sustainable development considerations in Darlington as ensuring proposals:

- Do not unacceptably impact strategic infrastructure without sufficient mitigation;
- Have access to education facilities that have sufficient capacity or capability for expansion (typically 1km to a Primary School with appropriate safe route);
- Have access to goods and services (including shops, post office, etc.);
- Accessibility to public transport and connectivity with existing settlements (such as footpath and cycleway links);
- Good design that respects the character of the area;
- Does not prejudice the good planning and future delivery of the strategic vision for the borough.
- Compliance with restrictive policies identified in the NPPF

The proposed development would not prejudice the strategic importance and future delivery of a viable airport subject to the imposition of appropriate planning conditions and mitigation measures being incorporated into the final design and layout of the development. The development would make a contribution towards the expansion of the local school and accessibility to the school and local centre would be improved by a programme of works. The proposed local centre would provide access to goods and services to the occupiers of the proposed development, existing dwellings and also the patrons and employees of the Airport and other local businesses. Accessibility to public transport and cycle way links would be improved and whilst the proposal has been submitted in outline, the Illustrative Layout that supports the application is considered to be acceptable. The proposal would not conflict with any restrictive policies identified in the NPPF.

The western section of the planning application site which primarily consists of the agricultural land has no planning policy designations other than being within the open countryside (although there are extant planning permissions on site for commercial developments). The section of the site that is currently occupied by the Hotel and the airport terminal car park is identified in the Proposals Map of the Local Plan as being Teesside Airport Employment Land (saved Policy EP9 of the Local Plan).

Policy EP9 states that any development requiring a location at or adjacent to an airport will be permitted to the north of the main runway in the vicinity of the airport terminal. The commercial elements of the proposal would be located on the land covered by this saved policy with limited housing. The local centre would benefit the viability of the Airport and expand upon the existing commercial offer at the site. It would be available for usage by the patrons and employees of the Airport and the other businesses in the locality as well as the occupants of the existing and proposed housing developments. The proposal would help to create a vibrant local centre which would boost the overall sustainable development elements of the proposal and contribute towards the viable longevity of the Airport which is the underlying theme of this policy.

Saved Policy T49 of the Local Plan states that permission will be granted for improvements to access to, and passenger and freight traffic facilities at Teesside Airport.

Policy CS1 of the Core Strategy recognises the role of the airport as an economic driver to attract investment and economic activity.

Policy CS5 of the Core Strategy states that Durham Tees Valley Airport is a second priority location for employment (20 ha airport related and 5ha for general employment). The policy permits exceptions to the safeguarding of land for employment purposes where it can demonstrate that:

- Continued use of the site for employment uses is no longer viable for appropriate employment uses, taking into account the site's characteristics and existing/potential market demand; or
- Continued use of the site for B1, B2 or B8 purposes gives rise to unacceptable environmental or accessibility problems; or
- An alternative mix of uses offers greater potential benefits to the community in meeting local needs for business and employment, or has other regeneration benefits; and
- The site is no longer required for the purposes of providing a balanced portfolio of land for employment purposes

It is considered that the proposal would not prevent the continued use and growth of the land at the airport for employment uses and that the proposal would enhance the area for such purposes due to the improved commercial facilities and access. The proposal will provide a mix of uses that will benefit the existing and proposed communities, with benefit local businesses including the Airport and will provide employment both in the short and long term.

The local services centre totals 6,600sqm comprising a mix of Class A1 to A5, D2, D1, C2 and Sui Generis uses. It is envisaged that the centre will include a mix of shops, financial and professional services, restaurants and cafes, public houses, takeaways, health centre, dentist, nursery, gym and a vehicle display and sales showroom.

As this is a longer-term outline planning application, the applicant wishes to take advantage of the flexible rights provided by the Town and Country Planning (General Permitted Development) (England) Order 2015 and the benefit this provides to marketing the commercial and community elements of the scheme to attract prospective developers. The rights would allow uses within individual units to change within the specified parameters for a period of 10 years without the need for express planning permission.

However to ensure that the Local Services Centre meets the needs of the proposed residential development and to protect existing retail uses, it is proposed that a suitably worded planning condition is attached to the planning permission to ensure that the floor space of individual retail units does not exceed 500sqm. This will ensure a mix of different retail and community uses which will serve the needs of the proposed development and immediately adjacent community and avoid competing with other established centres.

Summary

It is clear that both national and local development plan policy recognise the importance of airports to the local economy and that opportunity for growth and development should be supported. The DTVA Master Plan seeks to secure the viability of the airport in accordance with national planning guidance and the proposed mixed use development is identified in the Plan as being an important component of achieving this aim.

The NPPF places a presumption in favour of sustainable development and when a local authority cannot demonstrate a five year supply of deliverable housing sites, any proposals must be assessed against the NPPF. Following detailed discussions between Officers and the DTVA, the proposal will incorporate improvements to the connectivity between the site and the local centre and school in Middleton St George; improvements to adjacent playing fields; the provision of affordable housing; expansion of the local school, improvements to the strategic highway network and the proposal has been assessed the scheme against the key national and local sustainability factors. It is considered that the principle of the proposal would accord with the requirements of the NPPF and the local appropriate policies of the local development plan.

The remainder of this report details the officer's assessment of key material planning considerations.

Residential Amenity (Noise etc)

This section of the Report considers whether the proposed development would have any significant impacts the amenities of the existing locality and also whether the existing and projected future operations of the Airport would impact upon the amenities of the proposed housing development that would prevent the airport from expanding and growing in the future.

Noise

Following consultation with Environmental Health the original noise assessment has been amended to include further details of how airport activity levels above those currently forecast for 2020 could impact on the proposed housing. This additional information has been referred to as a 'sensitivity analysis' in the amended assessment.

There are considerable uncertainties in predicting future noise levels at the proposed dwellings because of the doubts about future airport activity levels. The report has demonstrated that based on predicted 2020 activity levels at the airport future residents in the proposed homes will not be

adversely impacted by noise from the airport. This includes noise from aircraft on the ground, noise from increased road traffic and noise from aircraft in the air.

However, 2020 is in the near future and consideration needs to be given to noise impacts from the airport over the lifecycle of the proposed homes. The sensitivity analysis within the report has demonstrated that with the airport operating at historically high levels of activity, like that which occurred around 2005, the proposed new homes could still provide a suitable acoustic environment with the addition of suitable conditions attached to any planning approval.

At airport activity levels above those which have historically occurred the applicant has not provided information to demonstrate what impact this may have on the proposed housing. In justification for this they have stated that it is unlikely airport activity levels would ever reach such levels and that newer, quieter, aircraft being brought into service in the future mean that airborne aircraft noise levels will decrease for a given level of airport activity. At present the airport still has extant planning permission for changes to the terminal which would allow it to accommodate up to three million passengers/year but it has been indicated that this is unlikely to be implemented and could be revoked. Nevertheless, the permissions will expire in December 2017. The airport operators have indicated that they see the future of DTVA operating at activity levels as outlined in the latest Masterplan for the airport and the Department of Transport forecasts.

As the current application is in outline the house types and final site layout are yet to be confirmed. The noise assessment submitted with this planning application has shown that when future residents on parts of the site have their windows open internal noise levels in their homes are likely to exceed recommended levels. Homes on at least part of the site will need to be provided with an alternative means of ventilation to enable future occupiers to ventilate their homes while keeping their windows closed to mitigate external noise from airborne aircraft.

Without a final site layout it is impossible to say which houses would require such a system to be installed. Depending on where they are located on site some future homes may require the installation of forced mechanical ventilation or acoustic trickle vents may be required to be installed within the window frames. It is recommended that in order to safeguard a suitable acoustic environment for future residents appropriate planning conditions should be attached.

There have been a number of objections to the current proposals from members of the public who are concerned that granting permission for houses at the airport will curtail any future expansion at DTVA. The noise assessment has demonstrated that with the imposition of suitable planning conditions an appropriate level of amenity can still be provided for future residents in the proposed homes with DTVA operating at a level of activity which is as busy as it ever has been. At airport activity above this, adverse noise impacts will begin to become more pronounced, particularly with regard to future residents having access to a quiet outdoor amenity space.

Some of the specific points raised in the letters of objections are considered below:

Issues have been raised with the (BA) noise assessment making reference to the noise levels quoted in the now withdrawn planning guidance PPG24. When PPG24 was withdrawn and replaced with the Planning Practice Guidance by Central Government no further guidance was given on air traffic decibel levels which are likely to result in unacceptable levels of amenity for planning purposes.

The Aviation Policy Framework was published by Central Government in March 2013, after the withdrawal of PPG24. The Aviation Policy Framework reiterated the Government's guidance that they will continue to treat the 57dB LAeq 16 hour contour as marking the onset of significant community annoyance. Prior to the noise assessment for DTVA being conducted it was agreed between Environmental Health and the noise consultants that 57dB LAeq 16 hour was an appropriate contour to assess the impact of airborne noise against.

Some of the objections have expressed concern about the adverse impact of traffic noise on the proposed houses. In comparison to noise from airborne aircraft, road traffic noise from vehicles is relatively simple to mitigate against. Appropriately designed and sited acoustic fencing combined with sensitive acoustic design in the layout of the properties should be sufficient to ensure most properties comply with the guidance values for outdoor amenity spaces.

Some objections have raised the issue of the seven proposed hangers to the west of the Terminal building and the potential impacts of noise from these buildings on the future residents. Hangers below a certain size are permitted development in terms of planning at an operational airport and the location of these proposed hangers is actually outside the red line boundary of the current application. It is difficult to predict what impact these hangers could have on noise levels at the proposed houses. An ideal but not unrealistic scenario would be that the hangers are mainly used for a quieter activity like aircraft storage and the hangers' building structure provides additional screening between the homes and aircraft ground noise. It is expected that the acoustic bund to be created directly behind the hangers will protect the homes from the worst of any noise from the hangers. A planning condition to ensure the installation of the bund and for appropriate mitigation measures within the design of the dwellings has been recommended.

Furthermore, the applicant has agreed to submit a procedural plan for engine testing within the wider airport site and this can be secured as part of a Section 106 Agreement as the applicant is the landowner for the airport site. This plan will outline the location and procedures for engine testing and would allow for mitigation if such works operated from the hangers to the west of the terminal building.

Another common theme in the objections to the proposed housing is that permitting the development will constrain future activity at DTVA to around the 1m ppa mark. Permitting the current development does not necessarily preclude passenger growth above this number and BA Partners have submitted evidence from other large regional airports which shows the distance from the 57dB LAeq 16 hour contour to the nearest residential houses is often less than 550m. It is correct that it is difficult to make direct comparisons between different airport sites, and this data has been caveated by BA themselves, but it does show that large regional airports are able to continue to operate successfully with housing close by. For example, at John Lennon Airport in Liverpool, the runway is within 250m of the nearest housing development in Speke.

Many of the objections have expressed concern that the cumulative impact of noise from the airport activities has not been considered as part of the proposals. It is unrealistic to produce a model which simultaneously takes account of the airborne and ground borne aircraft noise as well as any increased road traffic noise. The assumptions involved in producing such a model would make any outcome so unreliable as to be of little use for planning purposes. Given the relatively large scale of the site it has been assumed that the dominant noise source in any particular location will be the noise source closest to that receptor. So, for those housing plots at the north of the site closest to the Estate Road and St. George's Way, road traffic noise has been viewed as being the dominant noise source, while to the south of the site closer to the runway

aircraft noise has been assessed as being the dominant noise source. These assumptions allow reasonable predictions of noise at the site to be made at those locations which are most impacted.

Following the publication of the initial comments from the Environmental Health Officer, a response on those comments has been submitted and considered by the Environmental Health Officer.

The objection states that future occupants of the southernmost proposed housing (that closest to the aprons) and the proposed housing along St George Way would both suffer adverse effects on health and quality of life in external areas used for amenity space (for airborne aircraft noise and road traffic noise respectively) around as little as 400,000 ppa – even when mitigation measures are adopted.

The objector's conclusion that future residents will suffer adverse effects on health and quality of life in external areas used for amenity space has very little evidence to support it. It is presumed that this conclusion has been reached on the basis that the desirable design criteria for outdoor amenity areas of 50dB L Aeq,T, set out in BS8233:2014 will be exceeded in this scenario. BS8233 states that for patios and garden areas it is desirable that external noise levels do not exceed 50 dB L Aeq,T, with an upper guideline value of 55 L Aeq,T which would be acceptable in noisier environments. BS8233 does not equate these noise levels with adverse effects on health, and the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) both deliberately do not specify decibel levels at which noise levels will impact on health.

BS8233:2014 goes on to state that, *“it is recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.”*

Weighing these considerations carefully, it is concluded that the proposed homes would have an adequate level of amenity and bearing in mind that future residents of the homes would be aware of the proximity of the Airport, the likely external noise environment is not considered to be a reason to recommend refusal for the planning application.

The submitted report has demonstrated that with the airport operating at historically high levels of activity, like the levels which occurred around 2005, the proposed new homes could still provide a suitable acoustic environment with the addition of conditions attached to any planning approval and this is still valid. At airport activity levels above these levels then clearly any adverse impacts on future residents would cumulatively become more apparent.

The objection makes a number of comments about the use of PPG 24 in the submitted noise report and implies that there has been a failure in the report to follow relevant policies and guidance. Having considered this matter the Environmental Health Officer concludes that the report has taken account of the National Planning Policy Framework and associated Planning Practice Guidance, relevant policies and guidance has been followed.

The objections appear to be centred on a concern that permitting the current application will curtail further aviation activity at the airport. It is considered that the findings of the Noise Report, combined with the imposition of the appropriate planning conditions, demonstrates that the airport could operate up to the historically high levels of activity levels in 2005 while creating minimal adverse impact on the proposed new properties. This would be at a level equivalent to the noise being noticeable and intrusive in the Planning Practice Guidance. Noise at this level requires mitigation measures to be incorporated into the development to alleviate noise but it does not preclude the development.

Environmental Health has considered recent appeal decision (Knutsford) that some of the objections refer to. A decision relates to a proposal around Manchester Airport, by some measures the 3rd biggest UK airport. It had 23 million passengers in 2015 compared to DTVA's 140,000. The level of activity at Manchester and consequent noise levels are massive compared to DTVA. Manchester has the capacity to handle up to 55 million passengers/year so noise levels in the surrounding area have the potential to become a lot worse over the lifetime of any houses proposed in the surrounding area. The Manchester decision on the planning appeal refers to the noise contour of 57dB making the onset of significant community annoyance. The houses which were proposed in their application fell within the 60 or 63 dB contours, with virtually all of their housing within the 60dB contour. In the report the planning inspector then refutes some of the mitigation measures which were proposed by the developers like building structures in the proposed garden areas to mitigate against aircraft noise. Environmental Health consider that although the decision refers to a case where housing was refused in the vicinity of an airport, it actually lends support to the arguments which the applicant is putting forward for housing at DTVA. It shows evidence that the 57dB contour is still being used to assess the onset of community annoyance and is a valid consideration in the planning process. The predicted levels at DTVA are well below what is happening at Manchester.

With regard to the objection making the comparison between the fire training practices at DTVA and Manston Airport these issues were considered by Environmental Health at a very early stage in the consultation.

Environmental Health considered that the smoke and noise from the any occasional fires at DTVA would not materially impact on any future residents in dwellings built as part of this application. The fire training centre at DTVA is in two parts. The fire training office is located close to the Terminal building within the Darlington Borough Council boundary, the actual part where the firefighters train and light fires is on the opposite side of the runway and is approximately over 1.5Km from the proposed housing. According to Environmental Health's records there have been no complaints from any of the existing businesses (like the hotel) around the airport terminal about smoke or noise from the fire training business. Obviously the current DTVA application has been based around the assumption that the runway will remain in use as a viable airport in accordance with the Masterplan. To a certain extent the frequency of the training fires at DTVA has always been limited by the training facility being located next to a viable runway. The fire training school and air traffic control at DTVA presumably need to liaise about when and how frequently fires can occur. This contrasts with the situation at Manston Airport where their runway appears to be closed and their application has no plans to reopen it.

Serco who are operator of the fire training centre at DTVA has not objected to the proposed development and the distance between the fire training site on the Southside of the airport and the nearest of the proposed houses, together with the likelihood that the prevailing winds carries

smoke in the opposite direction to Middleton St George and the development site reassures Officers that this matter will not raise any adverse amenity issues.

Environmental Health has also suggested further planning conditions to ensure no adverse impacts relating to the commercial elements of the proposal and the construction phase of the development.

Proximity Distances

The layout of the proposed development would need to comply with the guidance on the proximity distances between new and any existing dwellings set out in Supplementary Planning Document - Design for New Development. This would be considered in more detail at Reserved Matters stage.

Layout and Impact on the Character and Appearance of the Surrounding Area

The layout, landscaping and design of the proposed development will be the subject of future consideration and Reserved Matters submissions but the Illustrative Layout Plan and the Design and Access Statement shows how the site can be potentially developed namely:

Suburban Parkland

This section forms the western edge of the site. It lies adjacent to the existing housing development and open countryside. Development would be low density with 3, 4 and 5 bed detached homes set within green space.

Eastern Green

This section forms the eastern edge of the site. Its form is shaped by the existing playing fields. The homes in this area could be arranged to benefit from views of the playing fields, and the street layout is more formal in response to the existing offices to the east and the proposed local centre to the south. The dwellings are at a higher density than the Suburban Parkland. The existing playing fields will remain, be improved and will be made available for public use.

Local Services Centre

The centre lies at the southern edge of the site forming a buffer between the residential development to the north and the Airport to the south. It comprises the St George Hotel and the proposed retail showroom and community uses. The building footprint here is larger reflecting its context. The units are arranged in formal tree lined streets around the existing car park. This area is accessible and permeable with numerous footpath and vehicular connections for movement through the development.

Overall, the proposed dwellings would be generally two/ three storey with the occasional floors in the roof space. The local services and nursery buildings will generally be single storey, responding to the scale of the new housing and the low level airport buildings. The Hotel extension will be expected to be two storeys to match with the existing hotel. The show rooms would reflect the massing of the Airport terminal buildings and the larger hangar buildings.

The landscaping and open space for the site would be a mix of formal and recreational green spaces supplemented by footways, play areas, cycle paths etc.

Summary

Based upon the Illustrative Layout Plan, it is considered that the application site can be developed in a way that would ensure the proposal does not cause harm to the character and appearance of the surrounding area.

The Architectural Liaison Officer has advised that from a “Design out Crime” perspective, the application site could be developed in accordance with best practice such as carefully designed footpaths; acceptable car parking provision; boundary treatments; natural surveillance of open spaces; appropriate street lighting.

Air Quality

The application has been submitted together with an Air Quality Assessment which has assessed air quality impacts at existing residential receptors and at new residential receptors as a result of the development. The report has also assessed changes in air quality as a result of the proposed Southside development and as a result of increases in airport activity. The assessment has considered road traffic, aircraft movements and industrial sources in the model.

The results of the models show that air quality is only likely to be marginally affected by the development and that the resultant pollutant levels will still be significantly below EU levels set to safeguard health. These conclusions are in line with DEFRA guidance which suggests that air quality issues at airports are only likely to arise because of aircraft activity where passengers throughout is equivalent to 10mppa.

If planning permission is granted for the proposal there would not be any requirement to impose any air quality related conditions.

Highway Safety

Impact on the Local Highway Network

The Illustrative Layout Plan that shows four access points off St Georges Way in the form of a T junction and a further leg off the existing roundabout to serve the residential element of the proposal. The proposed access junctions would need to be in accordance with Tees Valley Design Guidance for junction spacing and visibility for type of roads being proposed.

St Georges Way be would designed like a residential street with a 20-30mph speed limit imposed, but without the detailed plans showing active frontage of the residential areas and traffic calming the ultimate speed limit is yet to be determined and agreed.

The internal housing estate access roads would need to be subject to a 20mph speed limit with suitable traffic calming features employed to reduce vehicle speeds where applicable.

The access road and internal highways would need to be designed to adoptable standard and of suitable magnitude to facilitate access to the development. Due to the size of the development it is recommended that the minimum proposed highway cross section be a running carriageway width of 6.7m for the major routes and 5.5m for the other links and include footways on both sides at a minimum of 2.0m wide measured between restraints. Cycle facilities will also be required to link into the surrounding infrastructure.

Any turning facilities at the end of the internal highways should be of sufficient size to accommodate refuse and servicing vehicles.

A Vehicle Swept Path Analysis should be undertaken as part of any Reserved Matters application to support the movement framework for emergency vehicles, buses, refuse vehicles and service vehicles for the internal network and, where appropriate, in respect of the off-site highway proposals.

Vehicle and cycle parking provision across the site would need to accord with current guidance contained within the Tees Valley Residential Design Guide and Specification for the provision of parking required for the development size proposed.

It is considered that the proposed development will not have an adverse impact on the local highway network.

Impact on Strategic Highway Network

Whilst Highways England has submitted a holding objection to the proposal, discussions are ongoing between HE, the Council and the applicant's consultants to understand and agree the impacts that the proposal may have on the A66 Trunk Road, especially on the Morton Palms roundabout. It is envisaged that an agreement will be reached and a financial contribution will be agreed and secured by the Section 106 Agreement to contribute towards any identified improvements to the highway network.

Members will be updated on this matter at the Planning Applications Committee but the recommendation reflects the latest position.

Sustainable Transport

The application site is approximately 8km from Darlington and approximately 2km from the Dinsdale railway station and the services within the main village. The north side of the Airport is in close proximity to the Teesside Airport rail platform but it currently has no usable service. There is an existing bus service but its frequency has recently been reduced.

St Georges Way provides an off carriageway cycle route along its entire length linking the airport terminal with the Yarm Road roundabout. A crossing facility at the roundabout then provides a continuous link the nearby local and national cycle routes.

It is acknowledged that the links between the application site and the surrounding area would need to be improved in order to reduce the dependence on motor vehicles and the Council have been in negotiations with the applicant to secure the following improvements which would need to be secured by a Section 106 Agreement:

- Improvements to existing bus stops and erection of new bus stops in close proximity of the application site;
- A "Safe Route to School" by improving footpaths on Yarm Road including widening works and surface improvements;
- Improving and extending cycle routes;
- Street lighting improvements on Yarm Road, including columns, cables, ducts etc.

A Travel Plan would also be required to support any future Reserved Matters applications and this would be secured by an appropriate planning condition.

Public Rights of Way

Middleton St George Public Footpath No 8 runs along the western boundary of the application site. It is important that the footpath is integrated into the layout of the housing development with appropriate linkages and that the footpath is not corralled by fencing creating a narrow corridor unattractive for users and giving an opportunity for antisocial behaviour. These matters would need to be considered at Reserved Matters stage.

The applicant has agreed to make a financial contribution to improve the surface of the Public Footpath and this would be secured by the Section 106 Agreement.

Impact on Trees and Landscaping

There are no trees within the site that are covered by a tree preservation order and the site is not located within a conservation area. There are some trees in close proximity to the site which are part of Orders dated 1985 and 1996 but they would be unaffected by the development.

A survey of the trees and hedgerows has been carried out. There is a wide range of trees on site in fair to good condition which in the main do not require any further work. There are a few dead or dying trees which have been recommended for removal.

The wooded area beside the playing fields and the established hedgerows along the boundaries to the fields and dwellings to the west are considered to be important landscape features to be retained.

The Indicative Layout Plan shows how the site could be landscaped and how existing trees and hedgerows can be incorporated into any proposed layout which would be considered in detail at Reserved Matters stage.

Flood Risk and Drainage

The development site is within Flood Zone 1 but the Environment Agency's surface water flood maps show high risk of surface water flooding across areas of the site. The Flood Risk Team is not aware of any previous flooding of the site but this does not mean the site has never been subject to previous flooding. Indeed, the submitted FRA does highlight that the site has historically experienced surface water flooding.

The proposed development must not increase the risk of surface water runoff from the site or cause any increased flood risk to neighbouring sites. Any increase in surface water generated by the proposed development or existing surface water/ground water issues on the site must be alleviated by the installation of sustainable drainage systems within the site.

Surface water discharges from this site shall be flow regulated to ensure that flooding problems elsewhere in the catchment are not exacerbated. The discharge rates from the site will be restricted to the existing greenfield runoff rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm. The design shall also ensure that stormwater resulting from a 1 in 100 year event plus climate change surcharging the drainage system can be stored on site without risk to people or property and without overflowing into drains or watercourse. Full Micro Drainage design files (mdx files) including the catchment plan and 3D topographical survey would need to be submitted for final approval. The flow path of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event plus climate change also need to be provided.

The final layout of any proposed development and sustainable drainage system should be designed to mimic natural drainage flow paths, utilising existing natural low-lying areas and conveyance paths where appropriate. This means considering the existing blue / green corridors across the proposed site and utilizing the natural low-lying areas for the surface water management system for the development. To mimic natural catchment process as closely as possible, a “management train” is required, it is fundamental to designing a successful SuDS system, it uses techniques in series to reduce pollution, flow rates and volumes. The detailed design must show flow routes, SuDS component section, sub-catchments, discharge and flow control locations, storage features and how SuDS integrate into the landscape.

The developer will need to provide an existing overland flow path drawing highlighting the natural blue green corridors of the site, to demonstrate that these natural flows have been taken into consideration before agreeing site layout.

The FRA makes no reference to “Urban Creep”, an allowance of 10% should be included within the detailed surface water drainage design

The developer will need to provide a detailed program including time table for the construction of the main surface water drainage infrastructure.

At this stage, whilst there are no objections to the principle of the FRA, insufficient detail regarding the management of surface water runoff has submitted but such matters can be secured by appropriate planning conditions.

The Parish Council raised questions over whether the use of SUDS would be sufficient and that Goosepool Beck will still overflow; will the existing sewers flood; that the mitigation measures will not work and who would maintain the SUDs.

In response to flood risk comments made by the Parish Council, the Flood Risk Management Team has commented as follows;

“It can be confirmed that flows from the proposed development will be restricted to existing greenfield rates and storage will be provided to ensure all surface water flows up to and including the 1 in 100+ climate change will be contained on site, this will ensure existing flooding will be better managed.

All surface water flows generated from the new development will discharge to a private drain that outfalls to an un-named watercourse, that flows into the River Tees, there will be no increase of surface water flows into Goosepool Beck.

The proposed development diverts some of the existing surface water flows towards the new suds pond, this will result in a reduction of existing surface water flows into Goosepool Beck.

Any water course has the potential to flood especially during extreme rainfall events, the developer must demonstrate that they have a surface water management plan in place that ensures existing flood risk is not increased, new developments must provide sufficient storage to contain surface water runoff on site for storms up to and including the 1 in 100+ climate change, this should result in a reduction to the flood risk to the existing watercourse.

Detail design (of the mitigation measures) will confirm that the required storage volume of the SuDS pond has been provided

Details of the long term maintenance must be provided and approved by the Local Planning Authority”

Northumbrian Water assesses the impact of the proposed development on their assets and assesses the capacity within their network to accommodate and treat the anticipated flows arising from the development. Northumbrian Water raises no issues with the planning application provided the development is carried out in complete accordance with the submitted Flood Risk Assessment.

The proposal falls outside of the scope of matters considered by the Environment Agency and therefore they have not provided any comments on the development.

Ecology

Arable farmland is the dominant habitat type in the western sector of the site. To the south of Oaktree Farm and in the centre of the site to the east of St George’s Way the habitat comprises of several paddocks of grazed improved pasture and unmanaged grass. Amenity grassland surrounds the St George Hotel and unmanaged neutral grassland can be found in the southern and eastern sectors of the site. As previously mentioned there are scattered trees, a woodland area, scattered shrubs and also hedgerows.

An Ecology Survey recommends that the higher ecological value habitats such as hedgerows, mature trees and woodland should be retained where possible and new enhancement opportunities should be developed in any detailed scheme such as the planting of new soft landscaping, creation of ponds and wildflower meadows, bat boxes etc.

Mitigation and enhancement concerning bats will be considered in detail at the Reserved Matters stage and should include consideration of any loss of linear features on site (particularly the south-west hedge) and the impact of lighting on foraging bats, where such impacts are identified.

Risks associated with the potential presence of nesting birds are limited given the expected retention of the boundary hedgerows that are of highest potential value for birds. Nevertheless, the potential presence of nesting birds will still need to be considered during all necessary site clearance and ground preparation works (including the arable farmland in the south-west of the site). Where practicable, clearance/preparation of arable farmland, rough grassland and woody vegetation should be undertaken outside of the typical nesting season of April to the end of August.

Where clearance works cannot be reasonably timed to avoid the bird nesting season then clearance works should only proceed under the supervision and advice of an ecologist. If any active bird nests are found then the ecologist will advise on a legally appropriate course of action and this may prevent works on all parts of the site within 10 m of an active nest.

Arisings from winter vegetation clearance works should be removed from site before the nesting season to ensure that they are not adopted as nest sites.

A 10 year management plan for the agreed landscaping and ecological enhancements would need to be secured by a planning condition.

Sports Provision

The future occupiers of the proposed housing development will generate a demand for sporting provision and Sport England considers that new developments should contribute towards meeting any demand that would be generated through the provision of onsite facilities and/or providing additional capacity off site.

The proposal does not include any land for onsite sport provision within the application site but it is adjacent to existing playing fields that are also within the ownership of the applicant. The playing pitch is rated as poor in the Council's Playing Pitch Strategy Needs Assessment as it has no changing accommodation and limited pitch markings. The pitch is used primarily for training and is heavily used for summer and pre-season training for Middleton Rangers. Sport England understands that currently the local teams that use the playing field do not enjoy any security of access to the site.

The planning application acknowledges the presence of the pitches and the need to invest but the submission did not confirm the scale and nature of the investment and its likely scope.. As a result, Sport England submitted a holding objection to the application until further information is supplied to show how any financial contribution secured by a Section 106 Agreement would be invested and how the playing fields would be secured for public use in the long term.

Middleton Rangers have advised that they would wish to retain the pitch as part of their overall club development and that the playing fields could be improved as a result of receiving a commuted sum. Following discussions with the Rangers, monies secured by a Section 106 Agreement would contribute towards storage facilities, improved perimeter fencing and on improving the condition of the pitches.

The applicant has agreed to a planning obligation to improve sports provision and to the principle of entering into a Community Use Agreement which would give the users of the playing field more long term security.

Officers have advised Sport England of this commitment by the applicant and Sport England supports and welcomes this confirmation. Sport England has advised that the long term future of the pitches can be secured by a Community Use Agreement but the final terms of the Agreement still need to be finalised. In such circumstances, Sport England consider it appropriate to maintain their holding objection but they have confirmed that it would be withdrawn once the issues of security of use is resolved and the planning obligations mentioned above are set out in a Section 106 Agreement.

The recommendation reflects this current position.

Archaeology

An archaeological assessment for the application site and further afield has not identified any archaeological sites or significant archaeological remains that would be impacted upon by the development. The Historic Environment Record Officer from Durham County Council has agreed with the applicant's archaeology consultant that a trial trenching evaluation needs to be carried out and that these works need to be secured by a planning condition so that the findings

and results of the exercise can be taken into consideration when for future Reserved Matter application.

Education

Planning permission (reference number 16/00653/DC) has been granted to extend the St Georges Church Primary School. The approval consists of three new classrooms; breakout space, meeting room, staff room extensions and kitchen.

The projected pupil demand that would arise from this development would be mitigated by the proposed expansion of the Primary School and therefore the developer would make a financial contribution towards to the approved development which would be secured by a Section 106 Agreement.

Contaminated Land

Based on the information provided the Environmental Health Team recommend that the planning application be approved subject to standard contamination conditions relating to a Sampling and Analysis Plan, Site Investigations, Remediation and Validation Strategy, Contingency, and Verification and Completion reports, as necessary.

The current submission satisfies the requirement for a Phase 1 Desktop Study and standard contamination condition relating to such matters is deemed to have been cleared.

The proposed development includes the demolition of buildings and structures about the site. Prior to the commencement of demolition works all buildings and structures should be subject to a hazardous materials (including asbestos) survey and all hazardous materials removed by a suitably competent and experienced hazardous materials specialist. Records of these works should be submitted as part of the Verification and Completion report.

The Environmental Health Team are aware that former military installations are associated with a range of specific contaminants of concern, including munitions, biological reagents/vaccines, decontamination and fire-fighting chemicals (e.g. PFOA/PFOS) and radium impacted wastes.

In the event that such materials are suspected or identified at any time when carrying out the proposed development, it must be reported to the Council's Contaminated Land Officer immediately, and to the Local Planning Authority. An investigation and risk assessment must be undertaken, in accordance with best practice guidance, the details of which are to be agreed in writing with the Local Planning Authority in advance. Where remediation is shown to be necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing in advance.

Impact on Heritage Assets

There are no designated assets within the development area. West Hartburn deserted medieval village is 580m to the northwest; Middleton Hall (Grade II listed building) is 325m to the west and Oak Tree Farmhouse (Grade II listed building) is positioned 185m to the west. The proposed development would not harm the setting of these heritage assets that lies outside of the development site and therefore the proposal would accord with the requirements of the National Planning Policy Framework 2012.

Planning Obligations

The planning application has been the subject of a comprehensive viability assessment which has been independently considered by the District Value Services on behalf of the local planning authority. The outcome from this exercise is that the proposal will be a viable development with the following planning obligations:

Affordable Housing

10% of the overall 350 dwellings would be built on site would be affordable units as per condition 14). However, in the event of affordable housing being provided offsite, a financial contribution would be paid to the local planning authority by virtue of the Section 106 Agreement. This would be in accordance with the Council's adopted Planning Guidance Note on Planning Obligations.

Sports Provision

A financial contribution towards improving the adjacent playing fields and the entering into of a Community Use Agreement to secure the long term future of the fields for public use

Improvements to the Strategic Highway Network

A financial contribution towards highway improvements works on the A66 (T).

Education Provision

A financial contribution towards the expansion of St George's Church Primary School.

Sustainable Transport Improvements

Improvements to existing bus stops and the erection of new bus stops in close proximity to the application site; creating a "Safe Route to Schools" by improving and widening footpaths of Yarm Road; improving and extending cycle routes and street lighting improvements on Yarm Road.

Public Footpath Improvements

Upgrading of the surface of Middleton St George Public Footpath (No 8)

Officers consider that these planning obligations are fundamental towards creating a sustainable development and would ensure compliance with the NPPF. The following items would also be included within the Agreement:

Revocation of Extant Planning Permissions

The DTVA have offered to revoke the extant planning permissions relating to the application site in order to clarify and confirm the developments that would be implemented therein.

Open Space and Play Area Maintenance

The DTVA has confirmed that the maintenance of the open space, playing fields and children's play areas would be carried out by a private management company and as a result there is no requirement to request any planning obligations of such matters. However, details of the management regime would form part of the Section 106 Agreement.

Engine Testing Management Plan

In order to safeguard the amenities of the future occupiers from potential noise, such as engine testing, emanating from hangers that could be constructed to the south of the housing site, the

applicant has agreed to submit a procedural plan for where engine testing would occur within the wider operational airport site and how it would be managed.

Impartially of the Decision Maker

A number of the comments from the objectors question the impartiality of the Council to determine the planning application.

The Council has a stake in the airport. This situation is not uncommon for Council's and it is normal territory when it is considering planning applications for the development of its own land for housing or commercial uses. However, the Council's financial interests are not a material planning consideration and are not normally matters for the Planning Applications Committee.

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 overarching theme of national planning policy and the local development plan in Darlington is to secure economic growth and regeneration. It is recognised that the Airport makes a significant contribution to the Tees Valley economy and it offers connectivity to international markets. These benefits are recognised in development plan policy and regional economic strategies.

The Airport remains a significant employer and continues to provide connectivity and services which are of value to local business and support the competitiveness of the Tees Valley. However, the economic decline has had significant impact on the commercial performance of the Airport, which is at present significantly loss-making. Without taking any actions to place the Airport on a more secure footing and to secure investment in appropriate facilities, the future of the Airport is shown to be uncertain.

Policy CS1 of the Core Strategy highlights a commitment to work with the Airport to promote more services including the reinstatement of links to London. The Core Strategy recognises the importance of the Airport as a general and aviation-related employment location and provides for further employment development there. Whilst policies are in place to safeguard employment land for such purposes, there are circumstances when such land can be used for other purposes. Nevertheless, this mixed use development forms part of a wider Masterplan for the Airport in order to secure its viability and future growth and the missed uses will create a vibrant and sustainable development.

The Council's development plan policies relating to housing cannot be considered up to date and the proposal has been assessed against the relevant policies contained within the National Planning Policy Framework 2012 and the Council's Interim Planning Position Statement, although this is not an adopted policy document. It is considered that, subject to the planning obligations secured by the Section 106 Agreement, the proposal is a sustainable development which would generate significant benefits including helping to address the housing needs of Darlington, creating employment, having environmental and economic and social benefits.

With appropriate mitigation measure sin place, the existing airport would not have an adverse impact upon the amenities of the future occupiers of the housing development and the location of the housing development would not prevent the future expansion and growth of the Airport.

It is concluded that the proposal would accord with the requirements of the NPPF and the local development plan.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO:

1. THE COMPLETION OF THE REFERRAL PROCEDURES TO THE SECRETARY OF STATE;
2. THE COMPLETION OF A SECTION 106 AGREEMENT TO SECURE THE FOLLOWING:
 - a) In the event of affordable housing provision being provided off site, an offsite contribution to be paid in accordance with the Council's adopted Planning Guidance Note on Planning Obligations.
 - b) A financial contribution towards improving the adjacent playing fields and entering into of a Community Use Agreement to secure the long term future of the fields for public use in order to remove the holding objection from Sport England
 - c) A financial contribution towards highway improvements works on the A66 (T) in order to remove the holding objections from Highways England
 - d) A financial contribution towards the expansion of St George's Church Primary School.
 - e) Improvements to existing bus stops and the erection of new bus stops in close proximity to the application site; creating a "Safe Route to Schools" by improving and widening footpaths of Yarm Road; improving and extending cycle routes and street lighting improvements on Yarm Road.
 - f) Upgrading of the surface of Middleton St George Public Footpath (No 8)
 - g) To revoke the extant planning permissions relating to the application site.
 - h) To secure details of a plan for the management of engine testing within the operational airport site
3. AND THE FOLLOWING PLANNING CONDITIONS SUBJECT TO ANY MINOR CHANGES OF WORDING THE DIRECTOR OF ECONOMIC GROWTH AGREES:

Time Limits

1. Details of the appearance, landscaping, layout, and scale of any development within each phase of the development hereby permitted (hereinafter called "the reserved matters") for either the whole development, phase or sub phase shall be obtained from the Local Planning Authority in writing before any development within that part of the site is commenced. The development shall be carried out as approved.
REASON: To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990
2. Applications for approval of the reserved matters for all phases or sub phases shall be made to the local planning authority not later than 18 months from the date of this permission or the conclusion of any Judicial Review process.
REASON: To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990

3. The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

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

Plans

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - a) Northside Parameters Plan (Drawing Number DTVA-N-101) dated 23 June 2014 and produced by FDG Fairhursts
 - b) Proposed Illustrative Site Masterplan - Areas 1 – 10 (DTVA-N-102) dated 23 May 2016 and produced by FDG Fairhursts

REASON: For the avoidance of doubt

The Approved Development

5. The application(s) made pursuant to condition 1 shall not propose more than:
 - a) 350 dwellings;
 - b) 6,600sqm gross floorspace in the Local Services Centre consisting of:
 1. Up to 2,025sqm of floorspace for retail, financial and professional services; café, restaurant, takeaway, public house (Classes A1 to A5)
 2. A gym of up to 400sqm (Class D2) either a part of the St George Hotel or an independent unit
 3. Up to 2,250sqm of vehicle showroom (sui generis) and
 4. Up to 1,925sqm of other uses to include both community facilities such as a health centre, dentist, nursery (Class D1) and an extension to the St George Hotel (Class C2) to provide additional bedroom space
 - c) The floor area of any individual retail units shall not exceed 500sqm.

REASON: For the avoidance of doubt

Matters Details to be Submitted with Reserved Matters

6. The details to be submitted in pursuance of Condition 1 for any phase or sub phase of the development shall include details on the precise number, design and location of children's play areas within the application site and details of the play equipment that would be provided within the areas

REASON: In the interests of the character and appearance of the proposed development

7. The details to be submitted in pursuance of Condition 1 for any phase or sub-phase of the development shall include a detailed landscape masterplan and an implementation and management plan demonstrating that the landscape proposals have taken account of and been informed by the existing landscape characteristics of the site and by the loss of existing vegetation on the site.

REASON: In the interests of the character and appearance of the proposed development

8. The details to be submitted in pursuance of Condition 1 for any phase or sub-phase of the housing development shall include an Acoustic Design Scheme to be agreed in writing by

the Local Planning Authority. This agreed Scheme shall include the noise levels to be achieved within habitable rooms and external amenity areas in the housing development. The scheme must be compiled by a suitably experienced and qualified noise consultant and must include the following:

- a) In the event that air traffic movements have increased, and / or are predicted to increase, above those levels considered within Table 5 of Northside Mixed Use – Noise Report (prepared Bickerdike Allen Partners, September 2016), the Local Planning Authority may request a revised noise impact assessment to be submitted and agreed in writing with the Local Planning Authority prior to any reserved matter application for housing layout being approved.
- b) Justification for how the site layout has been designed to minimise noise intrusion into dwellings from environmental sources.
- c) Justification for how the provision of external amenity areas has been designed to provide a suitable acoustic environment for future residents.
- d) Details of sound insulation, alternative means of ventilation and any other noise mitigation measures deemed necessary to achieve the internal and external noise levels as agreed in writing with the Local Planning Authority. This shall include an assessment of the effectiveness of acoustic fencing installed alongside St. George's Way and the Estate Road, where it is deemed necessary to protect against intrusive road traffic noise.
- e) A plan identifying the proposed residential properties which require noise mitigation and the noise mitigation measures to be installed.
- f) An assessment of how noise impacts from any planning permissions granted in the area and/or use of hangers constructed on the western apron since the approval of this outline application would impact on environmental noise levels at the site, including the need for any further mitigation measures.

The housing development to which the Acoustic Design Scheme 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 order to achieve a satisfactory form of development and to protect the amenities of the future occupants of the development

9. Notwithstanding the details shown on the Proposed Illustrative Site Masterplan - Areas 1 – 10 (DTVA-N-102) dated 23 May 2016 and produced by FDG Fairhursts, any Reserved Matters submission that includes dwellings and gardens areas that are located within 550m of the main runway shall be the subject to a new Noise Assessment to demonstrate the suitability of the proposals to airport activity. The proposal should also include an Acoustic Design Scheme to mitigate any environmental impacts and the development shall not be carried out otherwise than in complete accordance with the approved noise assessment and Acoustic Design Scheme

REASON: To protect the amenities of the future occupants of the development

10. The details to be submitted in pursuance of Condition 1 for any housing development shall include the full details and specification of the acoustic mound and fencing (shown on the drawings no DTVA-N-201/ and 203 prepared by FDG Fairhursts). The acoustic

mound and fencing shall be completed in accordance with the approved details prior to first occupation of the first dwelling

REASON: In order to achieve a satisfactory form of development and to protect the amenities of the future occupants of the development

11. The details to be submitted in pursuance of Condition 1 for any phase or sub-phase including a commercial unit shall confirm the details of the refuse storage facilities and their location.

REASON: In order to achieve a satisfactory form of development and to protect the amenities of the future occupants of the development

12. The details to be submitted in pursuance of Condition 1 for any phase or sub-phase shall include a Road Safety Audit for that phase or sub-phase.

REASON: In the interests of highway safety

13. The details to be submitted in pursuance of Condition 1 relating to the Local Services Centre shall include operational hours for deliveries to and the removal of waste from the commercial units. The hours shall submitted to and agreed by the Local Planning Authority and the development shall full comply with the approved hours thereafter

REASON: In the interests of amenity

Affordable Housing

14. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approve in writing by the local planning authority. The provision will take the form of either:

- a. An on-site provision in accordance with a scheme to be submitted and agreed in writing by the local planning authority. The scheme shall include:
 1. The numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 10% of the housing units;
 2. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 3. The arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing) (if no RSL is involved);
 4. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing;
 5. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced;
 6. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it.

Or

- b. An offsite contribution to be paid to the local planning authority by virtue of a Section 106 Agreement

REASON: To comply with local development plan policy

15. Construction

No development shall take place within a phase or sub-phase of the development hereby permitted until a Demolition and / or Construction Environmental Management Plan has been submitted and approved in writing by the Local Planning Authority. These plans shall include:

- a. Dust Assessment Report which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the demolition and construction phases of the development. The Dust Assessment Report shall take account of the guidance contained within the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014.
- b. The hours of construction and deliveries for the whole development, phase or sub phase
- c. Methods for controlling noise and vibration during the demolition and construction phase and shall take account of the guidance contained within BS5228 "Code of Practice for noise and vibration control on construction and open sites" 2009.
- d. Construction Traffic Routes, including parking areas for staff and visitors.
- e. Details of wheel washing.
- f. Road Maintenance.
- g. Warning signage.

The development shall be carried in accordance with the approved Plan(s).

REASON: In the interests of amenity and highway safety

16. If piled foundations are proposed in any phase or sub-phase of the development hereby permitted, details of the piling method including justification for its choice, means of monitoring vibration and groundwater risk assessment if necessary in accordance with recognised guidance shall be submitted and agreed in writing by the Local Planning Authority. The development shall be carried in accordance with the approved details

REASON: In the interests of amenity

Environment

Archaeology

17. No development shall take place within the application area until the applicant has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation which has been approved in writing by the Local Planning Authority. The Scheme shall provide for:

- a) The proper identification and evaluation of the extent, character and significance of archaeological remains within the application area by means of trial trench evaluation to inform the reserved matters;
- b) An assessment of the impact of the proposed development on any archaeological remains identified in the evaluation phase;
- c) Proposals for a mitigation strategy for the investigation, recording and recovery of archaeological remains, it being understood that there shall be a presumption in

favour of their preservation in situ wherever feasible, should features be identified in the trenching phase;

- d) Sufficient notification and allowance of time to archaeological contractors nominated by the developer to ensure that archaeological fieldwork as proposed in pursuance of a) and c) above is completed prior to the commencement of permitted development in the area of archaeological interest; and
- e) 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 development shall then be carried out in full accordance with the approved details.

REASON: To comply with para 135 & 141 of the NPPF because the site is of archaeological interest.

18. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record.

REASON: To comply with para. 141 of the NPPF which ensures information gathered becomes publicly accessible.

Contamination

19. No development shall take place within a phase or sub-phase of the development hereby permitted until a Phase 2 Site Investigation Strategy (Sampling and Analysis Plan) has been designed and documented by a "suitably competent person(s)" in accordance with published technical guidance (e.g. BS10175 and CLR11) and 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. 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

20. No development shall take place within a phase or sub-phase of the development hereby permitted until any necessary Phase 2 Site Investigation works have been 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

21. No development shall take place within a phase or sub-phase of the development hereby permitted until any necessary Phase 3 Remediation and Verification Strategy has been 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

22. Any contamination not considered in the Phase 3 Remediation and Verification Strategy, but identified during subsequent construction/remediation works for each approved development 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

23. A Phase 4 Verification and Completion Report for each approved development 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 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, and remediation 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

Drainage

24. The development hereby approved shall not be commenced on site until a Surface Water Drainage and Management Strategy for the whole development site has been submitted to and approved by the Local Planning Authority. The Strategy shall include a delivery

programme and timetable for the main surface water infrastructure and details of drainage in each phase or sub phase and the development shall be implemented in accordance with the delivery strategy.

REASON: To ensure that surface water runoff generated from the development will be controlled during construction phase and the development will not increase flood risk elsewhere.

25. No development shall take place within a phase or sub-phase of the development hereby permitted 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 the construction phases
- d) Details of adoption responsibilities
- e) Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement

The phase or sub-phase shall not be brought into use until the approved Surface Water Drainage scheme (for that phase or sub-phase) has been implemented. The approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

REASON: To ensure that the site is developed in a manner that will not increase the risk of surface water flooding to the site or surrounding area in accordance with guidance within Policy CS16 of the Darlington Core Strategy Development Plan 2011 and the National Planning Policy Framework 2012

26. The drainage scheme shall ensure that foul flows discharge to the public sewer and ensure that surface water discharges to the existing watercourse

REASON: For the avoidance of doubt

27. No phase or sub-phase of the development shall be implemented other than in accordance with the approved Flood Risk Assessment (FRA) (dated September 2016 and prepared by AECOM) and the following mitigation measures:

- a) Limiting the surface water runoff generated by the impermeable areas of the development up to and including the 100 year critical storm so that it will not exceed the runoff from the undeveloped site and not increase the risk of flooding offsite. This will be achieved by restricting flows to 68.50l/s
- b) The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the Local Planning Authority

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants

28. *Highways*

29. No development shall take place within a phase or sub-phase of the development hereby permitted until details of the internal highways layout and site access junctions for that phase or sub-phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include vehicle swept path analysis to support the movement framework for emergency vehicles, refuse, buses vehicles and service vehicles for the internal network and, where appropriate, in respect of the off-site highway proposal. Development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety

30. No development shall take place within a phase or sub-phase of the development hereby permitted until details of car parking and secure cycle parking and storage details for that phase or sub-phase have been submitted to and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands. Development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety and to promote sustainable modes of transport

31. No building within any phase or sub-phase of the development shall be occupied until a Travel Plan (based on the Framework Travel Plan and related to that phase of sub-phase) has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan(s) shall include objectives, targets, mechanisms and measures to achieve its envisaged results, implementation timescales and provision for monitoring as well as arrangements for a Travel Plan co-ordinator, who shall be in place until 5 years after the completion of the final phase of the overall development. The approved Plans shall be audited and updated and submitted for the approval of the Local Planning Authority at intervals of no longer than 18 months. The measures contained within the approved plan(s) and any approved modifications shall be carried out in full.

REASON: In the interests of promoting sustainable transport and travel

Ecology

32. Notwithstanding the recommendations and mitigation measures contained within document entitled "Ecological Appraisal and Reptile Survey Report" (dated November 2015 and prepared by URS), any Reserved Matters applications for a phase or sub-phase of the development shall be accompanied by an Ecological Masterplan. The Masterplan shall include details of ecological enhancements in accordance with the recommendations set out in Section 6 of Northside Mixed Use Development Ecological Appraisal and Reptile Survey Report (dated November 2015). The development thereafter should only be carried out in accordance with the approved scheme.

REASON: In the interests of promoting the ecology of the site

33. No shrub or tree clearance works shall be carried out on the site between 1st March and 31st August inclusive, unless the site is surveyed beforehand for breeding birds and a scheme to protect breeding birds is submitted to and approved, in writing, by the Local Planning Authority. If such a scheme is submitted and approved, the development shall thereafter only be carried out in accordance with the approved scheme.

REASON: In the interests of promoting the welfare of habitats and species

Landscaping and Trees

34. No development shall take place within a phase or sub-phase of the development until a scheme to protect the existing trees shown on the submitted plans to be retained. The submitted details shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m high, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place before the commencement of any work, including demolition operations. The Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of any work to allow an inspection of the measurements to ensure compliance with the approved scheme of protection. Notwithstanding the above approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees:

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

REASON: To ensure the maximum level of protection in order to safeguard the wellbeing of the trees on the site and in the interests of the visual amenities of the area

Pollution Control

35. A commercial unit/s shall not be first occupied until details of any extract ventilation and fume extraction system, including the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment, to be installed and used has been submitted to and approved in writing by the Local Planning Authority and installed before the development hereby permitted commences. The ventilation and extraction system shall be retained, operated and maintained in accordance with the manufacturer's' recommendations including the replacement of any filters.

REASON: In the interests of amenity

36. No paint spraying shall be carried out at the proposed commercial showroom units except in a properly constructed part of the building to which suitable filtration equipment has been fitted, details of which shall be approved in writing by the Local Planning Authority.

REASON: In the interests of amenity

37. No development of the commercial units hereby approved shall commence until a full lighting impact assessment for the lighting proposals undertaken by an independent qualified assessor, has been submitted to and approved in writing by the Local Planning Authority. This should include:

- a) Times of operation of the proposed lighting units;

- b) A description of the proposed lighting units including height, type, angling and power output for all lighting;
- c) Drawing(s)/contour plans showing the luminance levels both horizontal and vertical of the lighting scheme;
- d) 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;
- e) Details of the Sky Glow Upward Light Ratio, Light Intrusion (into windows of relevant properties) and Luminaire Intensity;
- f) 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 visual appearance of the development and the surrounding area

38. The rating level of noise emitted from external plant serving the commercial units hereby approved whether operating individually or when all plant is operating simultaneously, shall be at least 5 dB below the background noise level at the nearest noise sensitive dwelling, when measured and assessed in accordance with BS4142:2014. The background noise level to be used shall be agreed in writing with the Local Planning Authority and the assessment shall be conducted by a suitably qualified noise consultant.

REASON: IN the interests of amenity

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

E21 – Wildlife Corridors

EP9 - Teesside Airport Employment Land - North

H7 - Areas of Housing Development Restraint

T40 - Teesside Airport

Darlington Core Strategy Development Plan Document 2011

CS1 - Sub-Regional Role and Locational Strategy

CS2 - Achieving High Quality Sustainable Design

CS4 - Developer Contributions

CS9 - District and Local Centres and Local Shops and Services

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 Recreation Facilities

CS19 - Improving Transport Infrastructure and Creating a Sustainable Transport Network

Interim Planning Position Statement 2016

Other Documents

Tees Valley Design Guide and Specification: Industrial and Estate Development

Supplementary Planning Document - Design for New Development

Supplementary Planning Document - Planning Obligations

The Durham Tees Valley Airport Master Plan 2014

Aviation Policy Framework 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 Mrs. P. McGuckin 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.