

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 5 APRIL 2017

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APPLICATION REF. NO:	16/01020/OUT
STATUTORY DECISION DATE:	19 January 2017
WARD/PARISH:	HURWORTH
LOCATION:	Former M Wood and Co, New Lane, Neasham
DESCRIPTION:	Outline application for erection of 10 no. residential dwellings (with all matters reserved except access) (amended Flood Risk Assessment and Surface Water Strategy received 4 January 2017 and additional swept path analysis received 13 January 2017)
APPLICANT:	MR & MRS J N & N J SWINBANK

APPLICATION AND SITE DESCRIPTION

This is an outline application for the erection of 10 no. dwellings on a 0.6 hectare (approx.) parcel of land to the north of Neasham village. Access is the only matter submitted for consideration at this stage, and access to the site is proposed from New Lane to the west, which is coincident with a public right of way and which bisects the site. Matters of appearance, landscaping, layout and scale would be reserved for later determination and as such no further details of the proposed development have been provided with the application, although the Design and Access Statement and an indicative site plan indicate that the site has the potential for 6 no. detached 4/5 bedroom dwellings on the northern half of the site with a terrace of 4 no. 3 bedroom dwellings on the southern side of the site.

The application site comprises part of the former M Wood & Co Nursery located on New Lane, Neasham, extending to approximately 0.6 hectares either side of New Lane, which is also coincident with a public right of way. Glasshouses on the northern half of the application site and beyond have been demolished however a large storage shed remains on the western side of the site and a number of redundant single storey brick or prefabricated outbuildings on the southern side of the site. These buildings would be demolished as part of the proposals. The site is bounded by existing housing to the south and west sides, by the former nursery and demolished glasshouses to the north and by open countryside to the east. The site is located in both Flood Zones 2 and 3.

The following information has been submitted with the application:

- Planning Statement
- Design and Access Statement
- Amended Flood Risk Assessment and Surface Water Management Strategy
- Tree Surveys

- Ecological Appraisal
- Preliminary Geo-environmental Appraisal

PLANNING HISTORY

The site has a lengthy planning history, the most recent and relevant is set out below:

13/00210/FUL – Erection of 2 no. detached houses with integral double garages. REFUSED 5 JUNE 2013 and APPEAL DISMISSED 13 FEBRUARY 2014.

PLANNING POLICY BACKGROUND

The following policies are relevant to consideration of the application:

Darlington Core Strategy Development Plan Document 2011

- CS1 – Darlington’s Sub-Regional Role and Locational Strategy
- CS2 – Achieving High Quality, Sustainable Design
- CS4 – Developer Contributions
- CS10 – New Housing Development
- CS14 – Promoting Local Character and Distinctiveness
- CS15 – Protecting and Enhancing Biodiversity and Geodiversity
- CS16 – Protecting Environmental Resources, Human Health and Safety

Saved Policies of the Darlington Local Plan 1997

- E2 – Development Limits
- E12 – Trees and Development
- E14 – Landscaping of Development
- H7 – Areas of Housing Development Restraint

National Planning Policy Framework

Interim Planning Position Statement

RESULTS OF CONSULTATION AND PUBLICITY

Highway Engineer – Raises no highway objection subject to conditions requiring the submission of details for approval relating to the internal highways layout, off-site highway works to mitigate the development impact, details of car parking and cycle storage and a construction management plan. A vehicle swept path analysis has been submitted and the Highway Engineer has confirmed that this is acceptable and therefore negates the need for this matter to be dealt with by planning condition.

Sustainable Transport Officer – Do not consider the site to be sustainable due to the limited service operated from the nearest bus stop (service 20 operates three journeys a day on a Monday only). To access a more regular service residents would have to walk over a mile along Neasham Road, which is outside the acceptable limit for Sustainable Transport. The site is close to an advisory on-road cycle route on Tees Way which connects to the wider cycle network in and around Darlington. Safe, secure cycle storage should be made available to residents of the proposed site. In order to enhance walking and cycling access to these areas, a sustainable

transport contribution calculation will be applied as set out in the Supplementary Planning Document, to be used to enhance the walking and cycling routes in the vicinity of the development between Neasham and Darlington.

Countryside Access Officer – Public footpath, Neasham Footpath No. 8 runs through the centre of the proposed development site. It appears that it is proposed for the public footpath to be accommodated on a shared use access road through the development on a similar alignment to the current footpath. In the interests of public safety I would want a separate surfaced route for the public footpath that is not shared with the access road. In normal circumstances I would not want a public footpath on a highway footway, but there does not seem to be any alternative route in this case. Discussions to be had regarding the temporary diversion of the public footpath during the construction period.

Environmental Health Officer (Contaminated Land) – The current Phase 1 report concludes that the development site has been used as open agricultural land and domestic gardens/allotments since prior to 1857 and remained unchanged until it was developed as part of a commercial ‘nursery’ by 1985. The current report identifies a number of ‘potential’ sources of contamination including the presence and use of agricultural chemicals, waste burning, localised made ground, demolition wastes, fuel residues from spills and leakages from tanks on site, although the report does not provide a qualitative risk assessment or conceptual site model. Based on the information provided, and the nature and extent of the proposed demolition and redevelopment works, a number of conditions are recommended.

Environmental Health Officer (Pollution) – Recommends conditions be attached to secure the submission of a demolition and construction management plan and restricting construction activities to within certain hours, to limit the impact of the construction phase on neighbouring properties.

Durham County Council Archaeology – As the site is on the outskirts of the medieval village of Neasham and as there may be previously undisturbed remains conditions are recommended to secure a scheme of archaeological works.

Environment Agency – The proposed development will only meet the requirements of the NPPF is the following measures, as detailed in the Flood Risk Assessment by iD Civils Design Ltd dated February 2016 (amended plans) submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Lead Local Flood Authority – The applicant has not provided sufficient detail regarding the management of surface water runoff from the proposed development, therefore recommend a number of conditions.

Northumbrian Water Limited – No issue with the application provided the application is approved and carried out within strict accordance with the submitted ‘Flood Risk Assessment and Surface Water Management Strategy’. A condition is recommended to this effect.

Northern Powergrid – No objection.

Northern Gas Network – No objection.

CPRE – Object to the proposals and register our support for the local residents. The development will be an undue increase in the size of the village and would change its character. The site is not suitable because public transport is not ideal with a very limited bus service; residents will therefore be dependent on cars and so the development will not be sustainable; the development will encourage commuting and not the use of the urban area; there is concern at the capability of local facilities to absorb the extra residents. Accept that Policy H7 is a housing supply policy within paragraph 49 of the NPPF and that the Council admits that it cannot demonstrate a 5 year housing supply. As a result we represent that it must be determined whether the Policy is inconsistent with the NPPF in determining whether or not it is ‘out of date’ in accordance with paragraph 49. We note Policy CS10 of the Core Strategy: there are a number of conditions that are attached to this policy before undesignated sites are to be considered for housing. We note the Interim Planning Position Statement which refers to certain consideration for housing policies; however this document has not been tested at an Examination in Public. We cannot see how any weight can be attached this statement.

Neasham Parish Council – Object to the application for the following reasons:

- Development should be restricted in line with the NPPF because it is impossible to be satisfied, on the basis of evidence produced, that the site is suitable for the development proposed due to flood risk;
- The Parish Council submit that the adverse impacts of the proposed development significantly and demonstrably outweigh the benefits and the application should therefore be rejected;
- The proposal does not meet the sustainable development considerations set out in the Interim Planning Position Statement (IPPS) in terms of impacting upon strategic infrastructure, having access to education facilities, having access to goods and services, accessibility to public transport and connectivity with existing settlements, good design respecting the character of the area and not prejudicing the good planning and future delivery of the strategic vision for the Borough;
- Parish Council does not understand why DBC has waived the need for a Transport Assessment, Travel Plan or Transport Statement, or other evidence relating to the mitigation of traffic and access issues;
- Acknowledge that some of these issues can be dealt with by suitable condition but fundamentally the need for Neasham to rely on facilities in nearby larger villages, themselves under pressure, and in the context of a Local Plan which is at the development stage, is not a solution to sustainability issues. It would remain the position that Key Sustainability Factors could not be met.

A total of 13 no. objections have been received which raise the following issues:

- *The new development is to be situated outside the current village envelope. This would set a precedent for stretching the village boundary further, this would then magnify the following, already existing issues;*
- *The village is situated on a natural flood plan and this development is to be built on a natural soakaway inside the flood defence;*
- *The approach will create a greater surface area for water run-off and contribute to the following issues. During sustained periods of rain, high river levels or worst case scenario both, water comes up through the drains at the side of the road in Teesway. This pools between number 61 – 63 and gradually stretched out to no. 59 – 67 settling to a knee deep height just enough distance not to cause damage to property;*

- *Creating more run off will add to this issue, this happens at the lowest point in the village there is nowhere for the water to go other than eventually into houses;*
- *The new dwellings on New Lane, built up to the height of the flood defence, tower over the surrounding houses and are not in keeping with the rest of the village. This proposed build backs onto the houses beside ours so from their elevated position they will look down onto our property. I cannot see how this will not encroach on our privacy;*
- *One of the key reasons we purchased our house was the countryside view;*
- *The village currently has issues with traffic speeding through, we live on a deceptively sharp bend in Teesway and have witnessed numerous crashes, vehicle stand offs and have had our own vehicles damaged due to stationary vehicles parked at one side of the road leaving little space for farm, school and commuter traffic;*
- *When potentially 20 additional vehicles are added to the village, struggle to see how New Lane could support this additional volume being a single track road/bridleway with existing parking/traffic issues;*
- *We have been residents for over 25 years and having suffered a major flood in 1995 and narrowly escaping a further one in 2000 we have serious concerns over the effect of erecting houses in an area deemed to be flood plain;*
- *Concerned about the effect of an increase number of houses on the drains coping with surface water and extra sewage;*
- *Previous application (13/00210/FUL) on the same land was rejected on appeal. This was for 2 dwellings but this application is for significantly more;*
- *The main reason for the rejection of the previous appeal was due to the character, appearance and development pattern. The height of the proposed dwellings, on elevated foundations, would therefore dominate the whole village and be visible from the main road, again affecting the village character, appearance and development pattern;*
- *The site is not sustainable as it is not in the urban area, and was designed for agricultural/horticultural use;*
- *Understand there is no provision for any parking at this stage, this would mean additional congestion on an already saturated New Lane;*
- *The development will overlook the kitchen, dining room and lounge of my property;*
- *The development will create a massive impermeable area immediately to the north of my property. I see no evidence of an Impermeable Area Impact Study having been carried out as part of Environmental Impact Studies;*
- *Being relatively expensive, the new houses on New Lane are out of reach of the average Neasham resident and so have been bought by commuters making this part of Neasham a dormitory, the residents taking little interest in the village itself. The proposed development is on similar lines and in no way can be regarded as an integral part of the village;*
- *The proposal claims to make a positive contribution to the local community, it will probably have the opposite effect. The village needs low-cost affordable housing, and amenities such as a shop, post office or library, which are all lacking;*
- *The proposal appears to be a preliminary application for consent with very little detail of what is proposed. In this case, the existing residents deserve the right to comment on what is intended, if and when this becomes clear;*
- *The development is sited on a public footpath used by many villagers and tourists. The planning application requests the build of 10 properties surrounding both the north and east sides of my home and gardens. Not only does this lead to huge loss of privacy, it will subsequently impact on the peaceful enjoyment of my property;*

- *The build of these properties will be visually overbearing as is now obvious from the previous build of 4 houses to the west of my property. New build houses would be totally out of keeping with neighbouring properties, which are mainly smaller cottages;*
- *The development will have an effect on noise and light pollution. My garden is a haven for wildlife and I would hate for this to be lost if the development goes ahead;*
- *Feel you should consider the mental and emotional health of other residents adjacent to the new development site, many being old and frail. My own property was built in 1771 and has no structural foundations. I am worried about the impact the ground works and pile driving will have on my house;*
- *The Parish Council has consistently protected the development limits of the village, the most recent being land off Sockburn Lane, which the Parish Council firmly rejected on various grounds but namely it being outside the development limits and development would have a detrimental impact on the residents whose homes overlook the site;*
- *The need for additional housing in the village must be questioned when there are plans and construction underway for hundreds of houses in the two adjoining villages of Hurworth and Middleton St George;*
- *The flood bank was not built and raised to encourage additional housing/development. It was built to protect existing dwellings and raised at the rear to offset the removal of the sluice on Kent Bank. Neasham is in an area classed as Flood Zone 3, significant risk. It is unclear the impact of development in Hurworth and Middleton St George will have on flows into Cree Beck and Neasham Stell which flow into Kent Beck at the rear of Neasham. If a housing quota is to be forced on Neasham then sites away from the flood plain must be considered first;*
- *The documentation states that the applicant had spoken to residents of New Lane and other villagers to inform them of the proposals and received positive feedback. Several residents confirm that they have never been approached and in fact they object to the application;*

A second letter of objection, in response to an amended flood risk assessment and surface water management strategy, has been received which raises the following issues:

- *There is still no mention of development limits and that the proposed development is outside the development limits of Neasham;*
- *Understand the application site is outside the acceptable planning limit for sustainable transport;*
- *References to finished floor levels. This is a major concern of those properties that border the site. There are several letters of objection raising this issue;*
- *Surface water, this is an issue for houses along Teesway. Additional flows being directed south from the site towards Teesway would not be particularly welcome where water pools during periods of heavy rain.*

PLANNING ISSUES

The main issues to be taken into account in consideration of the application are:

- Planning Policy
- Surface Water and Flood Risk
- Impact on Visual and Residential Amenity
- Highway and Sustainable Transport Issues
- Ecology
- Trees

- Archaeology
- Land Contamination
- Developer Contributions
- Delivery
- Other Matters

Planning Policy

The site is located outside of development limits as set out in the proposals map accompanying the Borough of Darlington Local Plan 1997. Saved Local Plan Policy E2 (Development Limits) states that most new development will be located inside the development limits defined by the Proposals Map. The reasoned justification to the policy explains that the limits to development are intended to maintain well-defined settlement boundaries and safeguard the character and appearance of the countryside, and that outside development limits, development will be strictly controlled.

As a result of a recent appeal decision Local Plan policies relating to the supply of housing land and those that prevent development adjacent to existing settlements in the adopted development plan (parts of Core Strategy Policies CS1, CS10 and Saved Local Plan Policies E2 and H7) cannot be considered 'up to date' as the Council cannot demonstrate a five year supply of deliverable housing sites.

In these circumstances, 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 (paragraph 14). Consequently 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. In this case, the application site is located within Flood Zones 2 and 3 which is one of the restrictive policies listed in footnote 9 of the NPPF. This will be considered further below.

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. Sustainable development has three broad elements: economic, social and environmental. These should not be considered in isolation, because they are mutually dependent. Economic, social and environmental gains should be sought jointly and simultaneously. The Interim Planning Policy Statement (Section 7) sets out the local expectations for housing sites not previously identified for housing in order to apply the NPPF presumption in favour of sustainable development. These are to ensure they:

- 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 the NPPF.

As will be examined in detail in the report, the proposed development has been assessed in terms of its impact on strategic infrastructure and compliance with restrictive policies in the NPPF (Flood Zones 2 and 3) and it is considered that appropriate mitigation can be achieved through planning conditions.

The site is available for development and the proposal would make efficient use of land. The proposal would recycle, in part, previously developed land and contribute to the choice and supply of housing. The construction phase would support the local economy and create or safeguard jobs and future occupiers would be likely to financially contribute towards and support services and facilities within the wider local area.

In terms of access to goods and services, it is acknowledged that other than a public house and village hall, Neasham does not provide any of the services such as local shops/post offices, doctors surgery or school which are found in the larger villages. While these facilities are available in the nearby villages of Hurworth and Middleton St George, these villages are some distance from the application site and despite good footpath links to Hurworth and access to the cycle network, future occupants of the proposed dwellings would be largely dependent upon the private car, to access these services particularly given the infrequency of bus services serving the village. As such this would be contrary to the underlying aim of the NPPF and development plan policies which seek to guide development to locations which make the fullest use of public transport, walking and cycling.

In cases where adverse impacts are identified, in this case the unsustainable location of the proposed development, paragraph 14 of the NPPF allows these to be weighed against the benefits of the development when assessed against the framework as a whole. In this instance, the proposed development would secure a financial contribution towards affordable housing provision within the Borough and would make use of previously developed land, being the balance of a former nursery site, in such a way that would integrate acceptably into the village without adversely affecting the existing character and built form of the village. This is to be afforded significant weight in the planning balance.

As the application site falls within Flood Zones 2 and 3, consideration of the proposal in terms of the principle of development must also be given as to whether, on application of appropriate NPPF and development plan policies relating to flood risk, development should be restricted on this basis.

Surface Water and Flood Risk

The application site is located in Flood Zones 2 and 3 and as such is one of the restrictive policies identified in footnote 9 of the NPPF. Core Strategy Policy CS16 (Protecting Environmental Resources, Human Health and Safety) states that new development should protect and, where possible, improve environmental resources, whilst ensuring there is no adverse impact on the environment, general amenity and the health and safety of the community. New development will be focussed on areas of low flood risk: Flood Zone 1. In considering development on sites in higher flood risk areas, the Sequential and Exception Tests must be passed and the sequential approach applied on site.

The NPPF, at paragraph 103, states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development

appropriate in areas of risk of flooding where, informed by a site-specific flood risk assessment, it can be demonstrated that with the site the most vulnerable development is located in areas of lowest flood risk and that the development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, and gives priority to the use of sustainable drainage systems.

A Flood Risk Assessment (FRA) and Surface Water Management Strategy has been submitted with the application, and which has been amended in response to comments from both the Environment Agency and Lead Local Flood Authority. In accordance with Policy CS16 and the NPPF, the FRA has been informed by Sequential and Exception Tests, which advises that the site is considered to be in a sequentially preferable location within the village, there being no other housing allocations within the village in locations at a lower risk of flooding. In terms of the exception test which is relevant if, following the application of the sequential test, it is not possible for the development to be allocated in zones of lower probability of flooding; this then requires the development to be assessed in terms of how flood risk will be managed while allowing the necessary development to be assessed.

The nearest watercourse in the River Tees, located approximately 150 metres south of the site and Kent Beck which runs in a westerly direction, approximately 200 metres north of the site. The FRA states that Environment Agency (EA) mapping shows that the site is located within Flood Zone 3 for the undefended scenario and Flood Zone 2 when the effects of the flood defences, a floodbank which runs to the north and east of the application site, are included in the flood modelling.

In terms of flood impact and mitigation measures, the FRA identifies that the most significant risk to the proposed dwellings is from flood risk from rivers/watercourses. The FRA is based on the defended flood levels for Flood Zone 2 and the EA has provided modelled flood levels for the River Tees. When the impacts of climate change are included these levels increase to 23.79m AOD in the defended scenario for a 1 in 100 year event. A topographical survey of the site shows that the central access road is at 23.6m AOD at the entrance to the site with levels falling northwards and southwards from the footpath, to an average of 22.75m AOD on the northern boundary to 22.7m AOD along the boundary of the disused nursery. As some of these site levels fall below the defended levels the FRA sets out a series of mitigation measures which involve setting the finished floor levels (FFLs) at a minimum level of 23.96m AOD and ensuring that access routes within the site being set to provide a link to the flood bund, to allow a means of escape to the east. The FRA also identifies a number of flood resilience measures to be incorporated. It also states that in terms of off-site impacts, with the proposed increase in FFLs, the flood mapping shows that for a 1 in 100 year event, the development site is not inundated thus there will be no displaced floodwater.

The Environment Agency, while objecting to the original FRA on the basis that it did not comply with the requirements of paragraph 9 of the Technical Guide to the NPPF, has subsequently withdrawn its objection on the basis of the amended FRA and Surface Water Management Strategy, subject to a condition that the development be carried out in accordance with this document and that the mitigation measures (raising of FFLs and the provision of a safe route into and out of the site) are fully implemented prior to occupation of the proposed dwellings.

In terms of surface water drainage, the development will require new drainage systems to suit the final approval layouts, however no details of a proposed scheme have been submitted for

consideration. Northumbrian Water has indicated that the planning application does not contain sufficient detail with regards to the management of foul and surface water for the development to be assessed in terms of the capacity to accommodate the flows from the development. As such, a planning condition is recommended for submission and agreement of a detailed scheme for the disposal of foul and surface water.

The Lead Local Flood Authority has also advised that while insufficient detail regarding the management of surface water runoff from the proposed development, this can be dealt with by appropriately worded planning conditions, although the design of the scheme will need to ensure that surface water discharges from the site are flow regulated to ensure flooding problems elsewhere in the catchment are not exacerbated. As such discharge rates from the site will be restricted to 5l/sec with sufficient storage within the system to accommodate a 1 in 30 year storm and to ensure that storm water resulting from a 1 in 100 year event (plus climate change) can be stored on site.

On this basis, and subject to planning conditions to secure the appropriate mitigation measures as set out in the FRA and requiring the submission of further details relating to the management of foul and surface water arising from the development, the development is considered to comply with the requirements of Policies CS16 and the NPPF. The visual impact of raising site levels to the defended Flood Zone 2 level will be considered elsewhere in this report.

Impact on Visual and Residential Amenity

One of the Core Planning Principles of the NPPF is that planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

CS14 (Promoting Local Character and Distinctiveness) of the Core Strategy seeks to protect, and where appropriate enhance, the distinctive character of the Borough's built, historic, natural and environmental townscapes, landscapes and strong sense of place. This includes protecting and enhancing the separation and the intrinsic qualities of the openness between settlements.

The site was formerly part of M Wood & Co, an intensive horticultural operation, and until recently the wider site contained approximately 1.6 hectares of land covered with glasshouses which have since been removed. At present there remains a large storage shed to the western side of the site, together with a number of redundant prefabricated outbuildings to the south of the site which would be removed as part of the development. The remainder of the application site, and the wider area to the north, comprises hardstanding and scrub which has grown up as a result of the redundant nature of the site.

The site adjoins agricultural land and domestic gardens to the east, beyond which lies the flood bank which wraps around the eastern boundary of the site. To the west lies a terrace of houses on the north side of New Lane, and the proposed dwellings on this part of the site would appear as a continuation of this built form. The proposed short terrace of dwellings to the south side of the application site would also replace a number of redundant buildings on this part of the site. Although the predominant character of Neasham is of compact linear development along the main routes through the village, there is development along New Lane to the west, including new dwellings on the east side of New Lane. As such the proposed development would appear as a modest extension to this built form which would not adversely affect the character and

appearance of the village, particularly in more open views of the application site gained from Dibdale Road to the east.

It will be necessary to ensure that the finished floor levels of the proposed dwellings are set no lower than 23.96m AOD, to ensure the flood resilience of the properties, which will involve some increase in site levels. A topographical survey submitted with the FRA shows the central access road is at 23.6m AOD at the entrance to the site with levels falling northwards and southwards from the footpath, to an average of 22.75m AOD on the northern boundary and to 22.7m AOD along the boundary of the disused nursery. Site levels will therefore need to be increased by approximately 1.2 metres in places, less in the higher parts of the site, to achieve the necessary finished floor levels. It should be noted that the recently built dwellings on the east side of New Lane have been built at a higher level. This is an outline application and no details of the proposed dwellings have been submitted for consideration and as such no detailed assessment of the impact of an increase in levels can be undertaken at this stage. It may be that the proposed dwellings could be designed in such a way to minimise the impact of the need to raise site levels, both in terms of their visual impact and impact on neighbouring properties, particularly to the south of the site. Based on the indicative layout plan, there will be a separation distance of approximately 35 metres from the rear of the proposed dwellings on this part of the site and the rear of those existing on Teesway. This would enable the appropriate separation distances set out in the Revised Design of New Development SPD to be achieved, taking account of any level differences. These are however matters for future consideration.

Conditions are attached requiring the submission of a Demolition and Construction Management Plan and limiting the hours of demolition and construction to protect the amenities of neighbouring residential properties.

Highway and Sustainable Transport Issues

Access is the only matter submitted for consideration as part of this outline application and must therefore be considered in detail at this stage. The application indicates that the development will be served by a new access off New Lane to the west of the site. New Lane is coincident with public footpath number 8 which bisects the middle of the application site and which would be incorporated into the proposed development as a shared access.

The Council's Highway Engineer has considered the access proposals and advises that New Lane currently serves around 15 existing dwellings and has catered for the traffic from the former Nursery site which would have comprised larger vehicles. Additionally, based on Police accident records there have been no reported accidents on New Lane or its junction with Teesway within the previous 5 year period. On this basis it would be difficult to refuse an additional 10 no. dwellings being served off this road based on safety and traffic generation grounds. Swept path analysis plans have been provided demonstrating that an 11m long refuse vehicle can be accommodated within the new estate road.

The Highway Engineer has raised no objection to the proposal subject to appropriate planning conditions requiring the submission of details of the internal highway layout, details of off-site highway works to mitigate the development impact to include a new footway on the south side of New Lane linking the development to the existing pedestrian infrastructure with drop crossings where required, details of car parking and cycle parking and a construction management plan.

The Council's Sustainable Transport Officer advises that although the site is within 200 metres of the nearest bus stops on Teesway, from which only service 20 is accessible, this service operates only three journeys a day on a Monday only. To access a more regular service residents would have to walk over a mile along Neasham Road, which is over the 400 metre accessible limit, to access the 12/12a service which runs every 30 minutes, Monday to Saturday. Consequently the site is not considered to be in a sustainable location in terms of accessibility to public transport.

The site is however close to an advisory on road cycle route on Teesway which connects to the wider cycle network in and around Darlington. A sustainable transport contribution, in accordance with the calculation set out in the Planning Obligations SPD is triggered by this development. This contribution would be used to enhance walking and cycling routes in the vicinity of the development between Neasham and Darlington.

The Council's Countryside Access Officer has also requested that the route of the public footpath through the development be demarked by a separate surface as part of the shared access proposals, which can be secured by an appropriate planning condition.

Ecology

Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity) of the Core Strategy states that the protection, restoration, extension and management of the Borough's biodiversity and geological network will be delivered to help achieve the target level of priority habitats and species set out in the UK and Durham Biodiversity Action Plans by measures including by ensuring that new development would not result in any net loss of existing biodiversity value by protecting and enhancing the priority habitats, biodiversity features and the geological network through the design of new development, including public and private spaces and landscaping.

Paragraph 118 of the NPPF advises that local planning authorities should seek to conserve and enhance biodiversity by applying a number of principles.

An Ecology Report has been submitted with the application which confirms that the site, including any buildings on the site, does not provide a suitable habitat for Bats, Great Crested Newts or Badgers. Three inactive swallows' nests were located in one of the remaining buildings on the site and this building is considered suitable for nesting birds throughout the breeding season. As such the appraisal recommends that demolition of this building takes place outside of the bird breeding season and that compensatory nesting opportunities are provided on the site as part of the development. It also proposes that landscape planting should be incorporated to enhance the ecological value of the site and that a low-level lighting scheme be implemented to avoid indirect disturbance to bats, birds and small mammals. Subject to a condition to secure these mitigation measures, the proposed development is considered to comply with Policy CS16.

Trees

Policy E12 (Trees and Development) of the Local Plan states that development proposals will be required to take full account of trees and hedgerows on and adjoining the site. An Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) have been submitted with the application which identify that the site is covered in a range of ruderal plants due to the derelict nature of the site, with a dense coverage of brambles and young saplings beginning to emerge. There are a number of mature trees along the south, west and east boundaries of the southern half of the site and hedgerows along the south and west boundaries of

this part of the site which would be retained as part of the development proposals. The AIA states that Tree 7, a Mature Ash tree, and parts of Group 3, comprising hawthorn, elder, cherry, holly and Leylandii, which are located to the east of the site and are identified as Category B trees, having moderate importance. The loss of these trees could be mitigated against by a condition requiring the submission of a landscaping scheme. Detailed tree protected measures are also proposed to be secured by planning condition.

Archaeology

The site is located on the outskirts of the medieval village of Neasham and as such there may be previously undisturbed remains present on the site. Accordingly the County Archaeologist has recommended conditions be attached to any outline permission granted to secure a programme of archaeological works in accordance with paragraphs 135 and 141 of the NPPF and Policy CS14 (Promoting Local Character and Distinctiveness).

Land Contamination

A Phase 1 Preliminary Geo-Environmental Appraisal has been submitted with the application. The report concludes that the development site has been used as open agricultural land and domestic gardens/allotments since prior to 1857 and remained unchanged until it was developed as part of a commercial horticultural 'nursery' by 1985. The report identifies a number of 'potential' sources of contamination including the presence and use of agricultural chemicals, waste burning, localised made ground, demolition wastes including glass fragments, fuel residues from spills and leakages from tanks on site. The report has been reviewed by the Council's Contaminated Land Officer and based on the information provided, and the nature and extent of the proposed demolition and redevelopment works, the application be approved subject to standard land contamination conditions.

Developer Contributions

The application would be eligible for a number of developer contributions in line with the requirements of the Planning Obligations SPD. Where a relevant determination is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Recent Government Guidance on Planning Obligations, which amends paragraph 031 of the Planning Practice Guidance (November 2016), states that there are specific circumstances where contributions for affordable housing and tariff style planning obligations (Section 106 Agreements) should not be sought from small-scale development. Most relevant to this application is that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000 square metres.

Legal advice taken on this matter is that notwithstanding this guidance a developer may offer to make such contributions to offset the particular impact of a development. In this instance the applicant has agreed to make financial contributions in accordance with the formula set out in the Planning Obligations SPD in respect of affordable housing, primary school provision and sustainable transport. While affordable housing would ordinarily be secured on site, in these

circumstances the provision of a financial contribution for off-site provision is acceptable. These contributions are considered to meet the necessary tests set out above.

Delivery

The purpose of the interim planning position set out for housing in the Interim Planning Position Statement is to significantly boost housing delivery over the next five years or so to meet the housing need identified; if an outline planning application is being considered outside of the urban area, it is considered appropriate to impose a constrained time limit (in the region of 18 months) for the submission of all outstanding reserved matters and typically a one year time limit for the commencement of development from the date of approval of the last reserved matters. Should planning permission be approved, it is recommended that this approach be followed.

Other Matters

Reference is made by a number of objectors to the scheme to a previous application on the southern half of the site for the erection of 2 dwellings (13/00210/FUL) which was refused in June 2013 and subsequently dismissed on appeal in January 2014. This appeal decision pre-dates the Gladman appeal decision which ruled that a number of the Council's housing policies were out of date because a 5 year housing supply could not be demonstrated and as such can be afforded little weight in consideration of this application.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The proposed development has 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. The proposed development does not give rise to crime and disorder issues.

CONCLUSION

The proposed development would provide housing, including a financial contribution towards housing provision across the Borough, on a windfall site on the edge of Neasham village which would secure the reuse of previously developed land, being the balance of a former nursery site, in such a way that would integrate acceptably into the village without adversely affecting the existing character and built form of the village. Subject to appropriate planning conditions to secure appropriate mitigation the proposed development would not have an adverse impact in terms of flood risk such that in accordance with paragraph 14 of the NPPF the development of the site should be restricted. The proposed development can achieve satisfactory access and is acceptable in terms of its impact on highway safety. There would be no unacceptable impact on ecology, archaeology or trees, subject to appropriate mitigation.

It is acknowledged that the proposed development would not have ready access to those shops and services identified in the IPPS and that in view of the limited bus service within the village occupants of the proposed dwellings would largely be reliant on the private car, however the proposed benefits of the development, as outlined above, are considered to outweigh the harm in this instance and the principle of development is considered to be acceptable subject to a condition requiring the submission of any reserved matters within 18 months in accordance with the IPPS.

RECOMMENDATION

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

- (i) AFFORDABLE HOUSING
- (ii) EDUCATION
- (iii) SUSTAINABLE TRANSPORT IMPROVEMENTS

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

1. Approval of the following details (the reserved matters) in respect of the development shall be obtained from the Local Planning Authority in writing before the development is commenced:
 - (a) layout
 - (b) scale
 - (c) appearance
 - (d) landscaping

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

REASON – To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990 and to ensure the speedy provision of this site for the approved development.

2. The development hereby permitted shall be begun either before the expiration of;
 - (a) three years from the date of this permission, or
 - (b) one year from the date of approval of the last of the reserved matters to be approved; whichever is the later.

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

3. B3 (Details of Materials)
4. B5 (Development in Accordance with Approved Plans)
5. B9 (Fencing, Walls, Enclosures)
6. C5 (Restriction of PD Rights – Residential)
7. E2 (Landscaping – submission)
8. E11 (Tree Protection)

9. Prior to the commencement of the development hereby permitted precise details of the internal highways layout, to include details of a separate surface for public footpath no. 8 running through the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the internal highway layout shall be implemented in accordance with the details as approved.

REASON – In the interests of highway safety.

10. Precise details of the off-site highway works required to mitigate the development impact shall be submitted and approved by the Local Planning Authority prior to the commencement of the development. The submitted details shall include a new footway on the south side of New Lane linking the development to the existing pedestrian infrastructure with dropped crossings where required. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – In the interests of highway safety.

11. Prior to the commencement of the development hereby permitted precise details of car parking and secure cycle parking and storage details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number, location and siting of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – In the interests of highway safety.

12. Prior to the commencement of the development, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the following:
- (a) Dust Assessment Report which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of 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) 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;
 - (c) Measures for the identification and removal of Hazardous Materials including asbestos, fuel tanks, agrochemicals, glass fragments,
 - (d) Construction Traffic Routes, including parking areas for staff and visitors;
 - (e) Details of wheel washing;
 - (f) Road Maintenance;
 - (g) Warning Signage;
 - (h) Condition survey of New Lane should also be carried out in conjunction with Darlington Borough Council’s Highway Inspector to highlight any issues arising from the demolition of the existing buildings and construction of the new development site.

The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – In the interest of highway safety and the general amenity of the surrounding area.

13. Construction and demolition work including the delivery of materials and the removal of waste from the site shall not take place outside the hours of 08.00 – 18.00 Monday to Friday, 08.00 – 14.00 Saturday with no working on a Sunday and Bank/Public Holidays without the prior written permission from the Local Planning Authority.

REASON – To safeguard the amenities of the surrounding area.

14. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been approved in writing by the Local Planning Authority. The Scheme shall provide for:
- i. Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance;
 - ii. Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts;
 - iii. Post-fieldwork methodologies for assessment and analyses;
 - iv. Report content and arrangements for dissemination, and publication proposals;
 - v. Archive preparation and deposition with recognised repositories;
 - vi. A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy;
 - vii. Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works;
 - viii. A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

REASON – To comply with paragraphs 135 and 141 of the NPPF because the site is of archaeological interest.

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

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

16. Following the demolition of any existing buildings and prior to the commencement of any site investigative works, a Phase 2 Site Investigation Strategy (Sampling and Analysis Plan) shall be designed and documented by a ‘suitably competent person(s)’ in accordance with published technical guidance (e.g. BS10175 and CLR11) and submitted to and agreed

in writing with the Local Planning Authority, unless the LP 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 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.

17. A Phase 3 Remediation and Verification Strategy shall be prepared by a ‘suitably competent person(s)’ to address all human health and environmental risks associated with contamination identified in a 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 LPA 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.

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

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

19. A Phase 4 Verification and Completion Report shall be compiled and reported by a ‘suitably competent person(s)’, documenting the purpose, objectives, investigation and risk assessment findings, remediation methodologies and validation results obtained to demonstrate the completeness and effectiveness of all approved remediation works conducted. The Phase 4 Verification and Completion Report shall be submitted and agreed in writing with the Local Planning Authority within 2 months of completion of the development unless the LPA dispenses with the requirement specifically and in writing.

The development site or agreed phase of development site, shall not be occupied until all of the approved investigation, risk assessment, remediation and verification requirements

relevant to the site (or part thereof) have been completed, reported and approved in writing by the Local Planning Authority.

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

20. The development hereby permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by iD Civils Design Ltd dated February 2016 (amended plans) and the following mitigation measures detailed within the FRA:
1. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven as highlighted in 8.19 of the FRA;
 2. Finished floor levels are set no lower than 23.96 m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON – To ensure safe access and egress from and to the site and to reduce the risk of flooding to the proposed development and future occupants.

21. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled 'Flood Risk Assessment and Surface Water Management Strategy'. The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 5202 and ensure that surface water discharges to the surface water sewer at manhole 5301 at a restricted rate of 5 l/sec if it is proven that there is no other option for the disposal of surface water.

REASON – To prevent the increased risk of flooding from any sources in accordance with the NPPF.

22. The development hereby approved shall not be commenced on site, until a scheme for the implementation, maintenance and management of the sustainable draining 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:
- (i) Detailed design of the surface water management system;
 - (ii) A build programme and timetable for the provision of the critical surface water drainage infrastructure;
 - (iii) Details of adoption responsibilities;
 - (iv) Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement.

The building hereby approved shall not be brought into use until the approved 'Surface Water Drainage' scheme has been implemented and the approved scheme shall be

maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

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

23. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment and Surface Water Management Strategy, Report no. 4483/FRA01E, dated February 2016 and the following mitigation measures:
- (i) Surface water discharge rates will be limited to 5l/sec;
 - (ii) Finished Floor Levels will be set a minimum level of 23.96m AOD;
 - (iii) Access routes within the site should be set to provide a link to the flood bund which lies at a higher level than the site, to allow a means of escape to the east should there be an extreme storm event. Householders should register with the Environment Agency's flood warning service and be made aware of the flood evacuation procedures as part of a new homeowners pack.

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.

24. No development shall commence until a market appraisal of the dwellings hereby approved has been undertaken to inform the amount of financial contribution to be secured by Section 106 Agreement, in accordance with the formula set out in paragraphs 7.1.15 and 7.1.16 of Darlington Borough Council's Planning Obligations SPD dated January 2013. Thereafter the market appraisal shall be submitted to and approved in writing by the Local Planning Authority, and referred to the District Valuer in the event of any dispute, and the monies paid in accordance with the timescales set out in the Section 106 Agreement accompanying this permission.

REASON – To comply with the Council's Housing Policy.

25. The demolition of building 7, as identified in the Naturally Wild Preliminary Ecological Appraisal dated 21 July 2016, shall take place in strict accordance with the mitigation measures set out in Section 6 of that report.

REASON – To comply with Core Strategy Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity) as the building is suitable nesting birds.

26. No development shall take place until precise details of a scheme for compensatory nesting opportunities on the site, in accordance with the mitigation measures set out in Section 6 of the Naturally Wild Preliminary Ecological Appraisal dated 21 July 2016, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented in full prior to first occupation of any of the dwellings on site.

REASON – To comply with Core Strategy Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity).

27. Prior to the commencement of the development hereby permitted, details of the finished flood levels of the dwellings and gardens hereby approved in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the details as approved.

REASON – In the interest of visual and residential amenity.

INFORMATIVES

Highway Matters

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.

Rights of Way

The applicant is advised that contact must be made with the Countryside Access Officer (Malcolm Thompson 01325 406640) to discuss the temporary diversion of Public Footpath, Neasham Footpath No. 8 during the construction period. Agreement would have to be reached on the suitability of the proposed route with both the Countryside Access Officer and the owner of the land of the diversion route. A legal procedure must be followed, including advertising of the temporary diversion and the cost must be met by the applicant.

Land Contamination

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

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

The latest editions of each guidance can be found on the Council’s website at the following link:
<http://www.darlington.gov.uk/contlandplanningguidance>

Surface Water Drainage

The updated guidance states the new allowances for climate change now require both +20% scenario and a +40% scenario. Therefore new surface water drainage scheme designed within the Flood Risk Assessment/Drainage Strategies require at least three sets of calculations;

1. 1 in 30 year event;
2. 1 in 100 year plus 20% climate change;

3. 1 in 100 year plus 40% climate change;
- Drainage systems can be designed to include a 20% allowance for climate change;
 - A sensitivity test against the 40% allowance is required to ensure that the additional runoff is wholly contained within the site and there is no increase in the rate of runoff discharged from the site. It must be demonstrated that there are no implications to people from the increased flood hazard (volume between 20% and 40% allowance). It is crucial that the additional runoff from the 40% is contained within the site and does not contribute to an increased flood risk to **people/property/critical infrastructure/third parties elsewhere**.
 - If the flows cannot be contained within the site without increasing risk to properties or main infrastructure a 40% allowance must be provided.

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 / groundwater issues on the site must be alleviated by the installation of sustainable drainage system within the site

The proposed development is in a Flood Zone 2 / 3, therefore the Environment agency will be providing comments on this application

The Environment Agency's surface water maps show a low risk of surface water flooding 1 in 1000 year event 0.1% chance in any year, to parts of the site, careful consideration should be given to blue/green corridors when considering existing surface water flooding on the site in relation to the site layout.

The Council's flood risk team are not aware of any previous flooding of the site, however this does not mean that the site has never been subject to previous flooding. Environment Agency records confirm that flooding affected Neasham village in 1963,1968 and 1995 but there are no records to suggest the development site was affected by the flooding.

The applicant must consider local guidance detailed in the 'Tees Valley Local Standards for Sustainable Drainage'. It is recommended that the applicant contacts the Flood Risk Management Team at an early stage to discuss surface water management requirements and their proposed surface water drainage solution for this proposed development.

THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT IN CONSIDERATION OF THE APPLICATION: