

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 13 December 2017

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APPLICATION REF. NO:	16/00820/FUL
STATUTORY DECISION DATE:	29 December 2017
WARD/PARISH:	HEIGHINGTON AND CONISCLIFFE
LOCATION:	Station Road, Heighington
DESCRIPTION:	Proposed residential development for 43 dwellings and associated access (additional and amended plans (additional plans and information and amended plans received 18 October 2017))
APPLICANT:	Kew Land Limited

APPLICATION AND SITE DESCRIPTION

The site is currently an arable field measuring approximately 2 hectares and used for the growing of cereal crops. There is a small derelict agricultural building in the north eastern part of the site. The site is on the eastern edge of Heighington Village and it is bounded to the north by Beech Crescent and the Heighington Bypass; to the east by an agricultural field and the Bypass; to the south by Station Road (with dwellings on the opposite side of the road) and to the west by dwellings on Beech Crescent. The site is within the Heighington Conservation Area.

The proposal involves the redevelopment of the site for residential purposes comprising 43 dwellings with a single vehicular access off Beech Crescent (North West corner of the site) and a pedestrian and cycle path link to the south onto Station Road. The development would include a mix of detached and semi detached dwellings ranging from three to five bedrooms. There would be seven house types pepperpotted through the site along with areas of open space and a Sustainable Urban Drainage system (SUDS).

The scheme would include ten, three bed semi detached affordable units which would be pepperpotted through the development and Members are advised that the applicant has reached an agreement, subject to Board Approval, with North Star Housing Group, to manage the affordable units. Furthermore, the applicant is prepared to enter into a Section 106 Agreement to secure financial contributions towards:

- Bus Stop Improvements
- Education provision
- Sports Provision

Public Consultation Exercise

A public event was held in June 2016 in accordance with guidance contained within the Council's adopted "Statement of Community Involvement" document.

Environmental Impact Assessment Requirements

The proposed development has been assessed against the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 and an Environmental Impact Assessment is not required to support the application.

Application documents, detailed plans, consultation responses, representations received and other background papers are available on the Darlington Borough Council website.

PLANNING HISTORY

The relevant entries for this site are as follows:

92/00387/FUL In September 1992 outline planning permission for residential development was REFUSED. An appeal against the decision was DISMISSED in May 1993

08/00321/FUL In July 2008 planning permission was REFUSED for the erection of 14 affordable dwellings on the south end of this application site.

PLANNING POLICY BACKGROUND

The following local and national development plan policies are relevant:

Borough of Darlington Local Plan 1997:

- E2 – Development Limits
- E12 – Trees and Development
- E14 – Landscaping of Development
- H7 – Areas of Housing Development Restraint
- R4 – Open Space Provision
- T8 – Access to Main Roads
- T11 – Traffic Calming

Darlington Core Strategy Development Plan Document 2011:

- CS1 – Darlington's Sub-Regional Role and Locational Strategy
- CS2 – Achieving High Quality, Sustainable Design
- CS10 – New Housing Development
- CS11 – Meeting Housing Need
- CS14 – Promoting Local Character and Distinctiveness
- CS15 – Protecting and Enhancing Biodiversity and Geodiversity
- CS16 – Protecting Environmental Resources, Human Health and Safety
- CS19 – Improving Transport Infrastructure and Creating a Sustainable Transport Network

National Planning Policy Framework (NPPF) 2012

Other Documents

Design of New Development Supplementary Planning Document 2011
Supplementary Planning Document on Planning Obligations 2013
Interim Planning Position Statement 2016

RESULTS OF CONSULTATION AND PUBLICITY

The Local Planning Authority issued 73 consultation letters to local residents and erected a Site Notice and placed an advert in the local press. Letters of objection were received from 22 households to the original proposal and the comments can be summarised as follows:

Development Limits

- *The development will be outside development limits set by and defended by the Council and this will set a precedent for further greenfield development around the village*
- *Development boundaries should not be eroded by greenfield developments such as this one and the character and appearance of the countryside should be safeguarded*

Education

- *The school is at capacity, oversubscribed and will need further extension*
- *The school has already been extended and in danger of becoming overloaded*
- *If the school were to expand to cater for any increase then there would be increased traffic around the school with obvious impacts on residents in that area*

Traffic

- *The number of vehicles will be increased on Beech Crescent which is already dangerous*
- *The site has no consideration to the existing situation on the road network as there will be two accesses opposite each other*
- *The junction has not been designed correctly and the visibility spays are applicable to a 30mph limit only*
- *Traffic and parking throughout the village is already a problem*
- *The access will create a major safety hazard*
- *The increase in traffic will make crossing this already busy road more difficult, especially for children*

Services

- *The village is already overcrowded with services stretched including doctors surgery and other health services*
- *Bus services are very limited and it will be detrimental to the environment to create the potential for more car miles each day by building additional housing*
- *Whenever anything is added to the village, it overloads electricity and we get loads of power cuts and overloads*

Impact on Visual Appearance of the Area

- *This is one of the few remaining areas of green belt land in the village and to build on it will spoil the area*
- *The two fields form a buffer and a scheme will have a significant effect on the character of the village*
- *The housing will be built of materials that will not enhance the village*

- *Many walkers, cyclists, residents, commuters and school children all benefit from the area of outstanding natural beauty which sits proudly as a buffer to the natural end to the village and separates nearby industrial areas and sprawling towns*
- *The visual enjoyments the land as it stands benefits all who walk the bridleways and cycle paths. Housing on the site would damage the character of this real and attractive village*
- *This meant to be a village but is quickly becoming a town*
- *The land around the village is designated as being an Area of High Landscape Value and the proposal will cause damage to it*

Residential Amenity

- *The proposed development is overbearing on the existing housing and is out of scale compared with existing development in the vicinity*
- *The proposed development would mean the loss of existing views, being overlooked and a general loss of privacy for existing properties on Beech Crescent*
- *This will harm the peace and tranquillity we currently enjoy*

Noise Pollution

- *The proposal is too close to the roundabout and bypass and the dwellings will have a severe noise pollution problem to deal with*

Need

- *The proposal does not give the village what it needs such as bungalows and starter homes*
- *Housing is available to buy and rent within the village with a price which is comparable to those which are being proposed to be built*
- *More housing is required for the older residents in the village of retirement age or an old peoples home for residents who have lived there all their lives*
- *The scheme is beneficial to the landowner and no one else*
- *In this area affordable housing is most needed*

Wildlife

- *Any proposals need to be sympathetic to the existing wildlife and their habitat and promote its longevity*
- *The agricultural land provides home to much native wildlife, many birds, owls, bats, foxes, mice and pond creatures which would be displaced*

Conservation Area

- *The development would be outside the current village envelope which was put in place to preserve the character of the conservation status of the village*
- *This development will not enhance the existing village, its location with the Conservation Area and will serve no purpose but to have a detrimental impact on the character of the village*
- *The conservation area was extended in 1999 to include the field on which the dwellings are proposed , together with other fields in the vicinity and it is completely unacceptable to have new building in this conservation area*

Layout

- *The site is not well connected to the south of the village which means people will have to walk to the north of the site and then back down Beech Crescent*
- *The development should not be allowed to have any provision for pedestrian access to Station Road as this will lead to encourage parking in Station Road which is unacceptable. The road is narrow no through road which would not be suitable for additional traffic nor parking in the road*

Drainage

- *Sewerage system is overloaded in wet weather and untreated sewerage ends up in the River Skerne*
- *There is a lack of detail on the management of surface and foul water. During heavy rain the drains on Station Road overflow and run down the lane and during periods of prolonged rain water flows off the southern boundary of the site*

Heighington Parish Council has submitted two objections to the planning application on the following grounds:

- *The additional access point onto Beech Crescent, which is already a busy and dangerous access point to the village from a major roundabout is a major concern*
- *Loss of valuable greenfield site*
- *Arrangements for sewage need to be properly assessed*
- *Surface water issues arising from the site*
- *The electricity supply needs to be assessed thoroughly and the need for additional demand understood*
- *Amenities are generally not adequate to accommodate development on this scale with particular concerns about an already heavily oversubscribed school*
- *Adverse effect on wildlife currently present on the site*
- *There is no space for further expansion of the school on the current site*
- *There are existing problems with the volume of traffic at the school, there is a lack of parking and footpaths to allow safe access to transport children to the school*
- *There are narrow roads around the Parish which are unsuitable for the additional volume of cars*

The Campaign to Protect Rural England has submitted two objections to the planning application and their grounds can be summarised as follows:

- *The development will have a negative impact on the conservation area*
- *The development is outside the development boundary of the village*
- *The site is a significant intrusion in the open countryside*
- *There is a concern at the capability of local facilities, such as school, doctors, sewerage to absorb the existing residents*
- *Local development plan policies that deal with more issues than just housing are not deemed out of date if there is no proven 5 year housing land supply. Policy E2 of the Borough of Darlington Local Plan is up to date and carries weight. CPRE considers the application to be contrary to the Local Plan policy as there is no agricultural or forestry justification for the development and it will bring unacceptable harm to the character and appearance of the rural area.*

- *Settlement boundaries continue to carry weight and the proposal is contrary to policy CS1 of the Darlington Core Strategy Development Plan Document 2011*
- *Housing should occur in the urban area, the North West and Eastern Urban fringes as per Policy CS1*
- *CPRE considers that the development will have a negative impact on the intrinsic quality of agricultural land and is contrary to policy CS14 of the Core Strategy*

Following the consultation exercises on the amended plans, ten further letters of objection were received and the comments can be summarised as follows:

Impact on Visual Appearance and Character of the Area

- *The development is in green belt agricultural land that provides a buffer between the bypass and the historic village*
- *This is a significant addition to the village turning the village into a small town and eventually a suburb of Aycliffe*
- *The development is outside the permitted building envelope that protects the character and conservation area and village*
- *The peace and tranquillity and the countryside will be destroyed*
- *There is nothing particularly "Heighington" about this development and could be anywhere in the UK*
- *Larger villages like Heighington should not be spoiled just to meet an overall housing target for the Borough*

Highway Safety

- *The entrance remains very close to a very busy roundabout and main access to the village and will be a major hazard to pedestrians, cyclists and traffic. The entrance will also open onto a 60mph section of road with no crossing facility*
- *This proposal will potentially increase the number of cars by 100 which would cause significant extra traffic and up to 200+ journeys per day in and out of the village on very narrow roads. Parking or more cars around the village during peak times particularly close to the school and the local shop and pubs where there are already problems*
- *The current bus route goes to Darlington, Shildon and Bishop Auckland with no services to Newton Aycliffe where the majority of the senior pupils go to school and the closest supermarkets to the village are located*
- *The junction onto Tudor Court, Station Road and Beech Crescent will become an access for motor vehicles. This will be dangerous with a cycle and pedestrian right of way but with vehicular access as well it will be very dangerous*
- *Station Road has been the location of various traffic accidents in the past. The proposed pedestrian and cycle path will never be suitable for vehicular access. The road junction onto Beech Crescent will cause a huge problem for cyclists coming from the development*
- *The roads are already busy with commuters as well as an influx of children from outside the village being transported to and from. Parking is a problem as the village was not built for modern day living*
- *People will need to use their cars to get to schools, retail outlets, post office, banks, entertainments facilities, chemists. People are unlikely to rely on bus or train services*
- *The pedestrian and cycle path will encourage parking on Station Road*

Residential Amenity

- *There will be adverse effect on existing and surrounding properties with loss of both light and privacy*
- *The Noise Survey states that Plot 43 will be expected to have above normal/recommend levels of noise but all proposed dwellings in the north end of the site will be above Government guidelines. The Noise Survey was carried out at the least busiest time of the year and day and should be done over 7 days or for a minimum of 24 hours*
- *This will bring extra pollution and noise*

Infrastructure Pressures

- *This will put pressure in doctors surgery, the pre-school and the primary school*
- *Heighington has no post office, library, an overflowing school with some residents not being able to register their children*

Archaeology

- *The report states there are a number of anomalies, most can be attributed to modern materials however there are some of uncertain origin. These unaccountable anomalies should be investigated more thoroughly before any permission is granted.*

Need

- *Given that this site has been producing food for the population and the government expects the country to produce more food after Brexit, a brown field site should be more appropriate for housing*
- *There are many affordable properties in the village and surrounding area*
- *Heighington does need more housing but not this type. There is a need for bungalows or flats that are suitable for people without children. People will want to downsize who have houses that are too large for them but wish stay in the village which is extremely difficult as very little is available*
- *Heighington is big enough and there are lots of elderly people living alone in houses and the village who would be better off with an Old Persons Home so they could stay in the village*
- *There are plenty of better places to build like Shildon and School Aycliffe*
- *What does affordable housing mean? Has a local need been identified or is the proposal just part of the Borough's overall requirement*
- *The local services are minimal with few local activities to participate in.*

Other Matters

- *The developer should carry out another public event to let villagers know that plans have been re-submitted*
- *Jobs generated with by short term and unlikely to be new jobs*
- *Any increase in Council Tax generation will not benefit Heighington*
- *What are the public benefits generated by the development?*

Heighington Parish Council has objected to the planning application on the following grounds:

- *The development would increase the size of the village for which there is insufficient and inadequate infrastructure in order to accommodate the increase*
- *The school is already full and there is no space for further expansion on the current site*

- *There are existing problems with the volume of traffic, parking and inadequate or lack of footpaths to allow safe and easy access to transport children to school. This would only increase with more children enrolled*
- *There are narrow roads around the Parish which are unsuitable for the additional volume of cars which would result from further housing*
- *Dangerous access to the site*
- *Lack of footpaths particularly on Hall Lane*
- *Poor water and sewerage system in the area*

Consultee Responses

The **Council's Contaminated Land Officer** has raised no objection to the proposed development

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

The **Council's Historic Asset Officer** has raised no objection to the proposal subject to the public benefits of the scheme being taken into consideration and then the imposition of planning conditions

The **Council's Sustainable Transport Officer** welcomes the addition of the cycle path and footway onto Station Road and has raised no objections

The **Council's Ecology Officer** has raised no objections

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

The **Council's Senior Arboricultural Officer** has raised no objections to the proposal subject to a planning condition for protective fencing around trees to be retained on site.

The **Council's Capital Assets and School Place Planning Officer** has advised that the development should meet the planning obligations requirement set out in the Supplementary Planning Document – Planning Obligations to mitigate for the school places that would be generated by the proposal.

Durham County Council Archaeology Section has requested the imposition of appropriate planning conditions

Northern Gas Networks has no objections to the proposed development

Historic England has recommended that the harm caused to the significance of the conservation area is considered and that such harm is weighed against any public benefits in line with the National Planning Policy Framework 2012

Northumbrian Water has raised no objections subject to a condition to secure a scheme for the disposal of foul and surface water

The **Flood Risk Management Team** has requested the imposition of planning conditions

PLANNING ISSUES

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

- Principle of the Development
- Impact on Designated Heritage Assets
- Impact on non-designated Heritage Assets (Archaeology)
- Impact on character and appearance of the countryside and the village
- Highway and sustainable transport issues
- Surface water and flood risk

- Land contamination
- Design and layout
- Residential Amenity
- Loss of Agricultural Land
- School Places
- Ecology
- Impact on Trees
- Affordable Housing
- Developer Contributions
- Delivery

Principle of the Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) comprises up to date national planning policy and is a material consideration in planning decisions.

The site is located outside, but adjacent to the development limits for Heighington Village as set out in the Local Plan. Policy E2 (Development Limits) of the Local Plan states that most new development will be located inside the development limits. 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. This policy continues to carry “weight” in the determination of the planning application.

The NPPF at paragraph 47 sets out a requirement for local planning authorities to significantly boost the supply and delivery of housing. This includes a requirement to identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements.

Paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant 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. Recent case law has established that in these circumstances, only policies that relate strictly to the supply of housing should be considered out of date. The Council cannot currently demonstrate a five-year supply of suitable, available and deliverable housing land and consequently planning policies relating to the supply of housing land cannot be considered up to date meaning that parts of Core Strategy policies CS1, CS10 and Local Plan policy H7 must also be considered out of date when determining this planning application.

In these circumstances, this application should be considered with regard to the presumption in favour of sustainable development and the “tilted balance” as set out in Paragraph 14 of the NPPF. Paragraph 14 states, 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.

The Council recognised the potential for this situation (lack of a 5 year supply) 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. This part of Policy CS10 continues to be relevant to determining applications. However, 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 NPPF. Saved Local Plan policies and all other Core Strategy policies continue to be relevant in terms of assessing whether a development can be considered 'sustainable' and for determining site specific issues

In the Interim Planning Position Statement, Heighington is identified as one of the larger villages in the Borough that could support windfall housing development (CS10 of the Core Strategy) due to its existing levels of infrastructure and service provision. Whilst the Interim Planning Position Statement is not part of the Development Plan, it should be considered a material consideration when determining the planning application.

Paragraph 7 of the NPPF sets out the three dimensions of sustainable development; social, economic and environmental, and outlines the number of roles that the planning system performs. These include contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and, contributing to protecting and enhancing our natural, built and historic environment, helping to improve biodiversity, and using natural resources prudently.

In this particular case, the proposal is considered to contribute towards the three dimensions of sustainable development.

Social Benefits – The proposed development will make an important contribution to the supply of housing in the Borough and it will include affordable housing units on site. The occupiers of the development will make use of the local facilities and services in the village and contribute towards and participate in any local social events. The developer has agreed to make a financial contribution towards school provision in the village.

Economic Benefits – The construction of the development will generate short term construction jobs and will benefit other companies in the housing supply "chain" that would provide materials etc. The occupiers of the development will contribute to an increase in expenditure on goods and services from local businesses.

Environmental – The proposal will retain the majority of the existing trees and hedgerows on the boundary of the site and the landscaping scheme will provide additional planting to enhance the potential for the site to support wildlife. No protected species were found present within the site but the development will include measures that will provide new habitat to encourage the presence of bats. Facilities and services within the village are accessible by foot and cycle and public transport services are available to connect the village to Darlington which will assist in minimising the use of private cars. New building standards will ensure that the homes will be very efficient with respect to the energy needed for power and for heating.

To conclude, the proposal is a sustainable development in accordance with the NPPF but the benefits of the proposal have to be assessed against the potential for harm and the proposed development falls within the scope of “development that should be restricted” due to the site being located within the Heighington Conservation Area and therefore the first impact to be considered here is the impact of the development upon heritage assets.

Impact on Designated Heritage Assets

Policy CS2 (Achieving High Quality, Sustainable Design) of the Core Strategy includes provision that new development should reflect or enhance Darlington’s distinctive nature; create a safe and secure environment; create safe, attractive, functional and integrated outdoor spaces that complement the built form; and relate well to the Borough’s green infrastructure network.

Policy CS14 (Promoting Local Character and Distinctiveness) of the Core Strategy indicates that the distinctive character of the Borough’s built, historic, natural and environmental townscapes, landscapes and strong sense of place will, amongst other things, be protected by protecting and enhancing the separation and intrinsic qualities of the openness between settlements.

These policies are in general accord with the core planning principles of the NPPF as they relate to conserving heritage assets in a manner appropriate to their significance, contributing to conserving and enhancing the natural environment and seeking high quality design

As this proposal is situated in the Heighington Conservation Area, the development must be considered against paragraph 131-134 of the NPPF in terms of its impact on the significance of designated heritage assets.

This recommendation must also be mindful of the requirements to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area, as set out in statute. The consideration of this issue goes to the heart of the decision making process. Notwithstanding the fact that the Council cannot demonstrate a five-year supply of housing sites, an assessment of the impact of the development on heritage assets must be the first consideration.

Paragraph 131 of the NPPF covers new development impacting on heritage assets (such as listed buildings and conservation areas) and states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and, the desirability of new development making a positive contribution to local character and distinctiveness.

The Framework goes on to explain that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be. Paragraph 133 sets out the requirement to consider whether a proposed development will lead to substantial harm, or total loss of a designated heritage asset, in which case planning permission should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Paragraph 134 indicates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed, as a separate exercise, against the public benefits of the proposal, including securing its optimum viable use.

Heighington Conservation Area does not currently have the benefit of a Character Appraisal or a Conservation Area Management Plan but the Conservation Area is designated as a classic example of a squared village, a form probably developed from market and defensive functions. The church and buildings have grown around it to divide the large green into two, but also add greatly to the visual interest of the Conservation Area. The present buildings date mainly from the 18th century, although there are some outstanding examples of late 17th century work in stone, colour wash and pantiles. Its green setting is vital to the significance of the conservation area.

The site lies on the outskirts of the village and the land upon which it the site located along with other neighbouring land was included into the existing Conservation Area (designated in 1972) when it was extended in 1999. The land is described as a “*large landscape belt important to the hillside setting of the village*”. To the south it is bordered by Station Road which incorporates the stone listed boundary wall that encloses Trafalgar House, another heritage asset, on the adjacent side of the highway.

The boundary extension to the Conservation Area recognised that “*the northern boundary includes a landscape buffer to the built up fabric of the village and this conservation area boundary remains satisfactory. To the east and south east the present boundary mostly follows the line of rear gardens of the last properties within the village, two of which are substantial listed building groupings, in these directions. The lower slopes of the hillside, which are important to the setting of the village and conservation area, particularly to the south, are presently excluded. With the coming of the by-pass, to the east of the village, after the original conservation area designation, the immediate setting of the conservation area, observable from the east and south, has become more significant. The line of the bypass itself now produces a strong boundary line with the intervening fields producing a fine, gently sloping, and rural foreground setting for the conservation area.*”

The boundary of the conservation area was therefore extended to include all the area between the bypass and the A6072 roundabout and the previous conservation area limit. The boundary extension document specified that “*new development should maintain or enhance and consolidate the appearance of the hillside village. The open fields between the eastern edge of the village and the bypass, as well as the open area to the north, should generally remain clear of buildings in order to maintain the landscape setting of the built form of the conservation area*”.

It is considered that the Bypass represents a major change to the historical asset to the east and it is accepted that there is no heritage significance or asset within the site itself. The existing ruined farm building which would be demolished to facilitate the development has limited impact on the conservation area due to its very poor condition. However it is important to consider the significance of the site to the overall Conservation Area.

The site was incorporated into the Area in 1999 and it is likely that at the time this was due to the open nature of the site and views through it from the east to the edge of the built form of the village but the landscaping planted on the Bypass has since matured considerably, significantly

reducing the visibility of the site from the east. The Council's Heritage Asset Officer considers that the value of this site, to the overall Conservation Area, to be neutral and it does not have any inherent character. It neither adds anything to the Conservation Area nor takes anything away from it due to the fact that it no longer provides a visual buffer as it is not clearly visible. The site is currently enclosed by substantial landscaping and the maturity of this tree belt is such that the site is well screened. The site is only publically visible from a small area on Beech Crescent and limited gaps in the trees on Station Road.

Due to its limited value, development on this site, although weakening the setting on the north east corner would cause "less than substantial harm" to the overall heritage asset and therefore the public benefits derived from the development must be taken into considered as per the NPPF (and the advice from Historic England). The public benefits from this scheme would be the 10 affordable units on an accessible site on the edge of the village, together with agreed financial contributions towards a proposal to expand the capacity of the existing primary school, to improve existing sports provision and to enhance public transport infrastructure. It is considered that these public benefits are sufficient to offset the "less than substantial harm" to the Conservation Area.

The design of the proposal is a mixture of traditional and contemporary features and the site is not visibly or physically linked to the existing residential vernacular properties in the Conservation Area. It is mostly self-contained and the Council's Heritage Asset Officer has no objections to the development having an individual design aesthetic subject to the materials being good quality complementary materials which reflect the local materials and finishes evident in the Conservation Area. The materials that are being proposed are red facing brick with a slate roof, cream render with clay pantile roof tiles and random coursed stone with clay pantile roof tiles. More than half of the development will be random coursed stone and the use of random coursed stone walling with radius stone coping to demarcate plot boundaries will help deliver a good quality scheme in the public realm. The precise details of the materials and means of enclosure will be subject to a planning condition.

The application site is north of a number of listed buildings on Station Road. The listed buildings include Trafalgar House and Garden Wall, Dovecote and Outbuildings north west of Trafalgar House, walls, gate piers and pigsty to the west and north of Trafalgar House and the gazebo and walls to the rear of No 43 Church View. The built form within the application site would be set back from the south boundary by a mix of a landscape buffer and the existing mature trees (which would primarily be retained) and having considered the relationship with the heritage assets to the south, the Heritage Asset Officer considers that the built development will not have an adverse impact on their setting.

Whilst the new cycle path link will impact upon the setting of the adjacent listed buildings, its impact can be mitigated by an appropriate landscaping scheme.

The planning application has been considered in accordance with both national and local development plan policy and it is considered that, on balance, the proposal is acceptable in terms of its impact on the designated heritage assets.

Impact on non-designated Heritage Assets (Archaeology)

Paragraph 135 of the NPPF requires the effect of an application on the significance of non-designated heritage assets to be taken into account in the determination of planning applications. It states that in weighing applications that affect directly or indirectly non-designated heritage

assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 141 of the NPPF requires that Local Planning Authorities make information about the significance of the historic environment gathered as part of plan making or development management publicly accessible. It states that they should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

An Archaeological Survey in support of the planning application reveals that the majority of anomalies that were identified relate to modern material/objects, agricultural activity and geological/pedological variations. The majority of trends of uncertain origin do not form a pattern that would suggest an archaeological origin with the possible exception of a fragmented curvi-linear trend in the north of the survey area but this could be a natural variation or a product of agricultural activity. An Archaeology and Heritage Statement advises that it is unlikely that any remains of greater than local significance will be revealed and it makes a request that any further investigations are secured by a planning condition.

The Durham County Council Archaeology Section has advised that, in this exceptional instance, as the initial Survey shows a low archaeological potential, they can accept that any further works are conditioned as part of an approval.

Impact on character and appearance of the countryside and the village

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.

The second point of saved policy E2 of the Local Plan that seeks to ensure that any development located outside of the development limits does not unacceptably harm the character and appearance of the rural area is still valid as it is broadly consistent with guidance contained within the NPPF and is therefore relevant to the consideration of matters of character and appearance.

Policy E14 (Landscaping of Development) of the Local Plan states the new development will be required to incorporate appropriate hard and soft landscaping which has regard to the setting of the development in its form, design and plant species and which enhances the appearance of the development and its setting.

Policy CS2 (Achieving High Quality, Sustainable Design) of the Core Strategy includes provision that new development should reflect or enhance Darlington's distinctive nature; create a safe and secure environment; create safe, attractive, functional and integrated outdoor spaces that complement the built form; and relate well to the Borough's green infrastructure network

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 application site is well screened from the west by the dwellings on Beech Crescent although there is a section beyond the last dwelling (known as Pendle) where the site is bounded by a maintained hedge making the field more visible at this point before the remainder of the site with Beech Crescent and the Roundabout to the north continues to be screened by mature trees and hedges which provide a stronger visual barrier. The site is completely screened from the Bypass to the north and east by the adjacent agricultural field and its associated trees. The south boundary with Station Road comprises a mix of hedging and mature trees with the site being visible via breaks within the tree and hedge line.

The proposal does represent a major development which will have an impact on the character and appearance of the area but any impact has to be balanced against the need to provide deliverable housing sites in the Borough. It is considered that in general design and visual terms, the proposed development will not have an adverse impact on the appearance of the village and surrounding rural setting and as it is a residential development on the very edge of the existing built up edge of the village, it will not harm the character of the surroundings. The impacts that the proposed development may have on the appearance of the area have been mitigated by an appropriate design, layout and landscaping scheme. The impacts of this development would not significantly and demonstrably outweigh the benefits that the scheme would bring in terms of contributing towards the need for new housing in the Borough, especially the provision of affordable housing on site.

Highway and sustainable transport issues

Policy CS2 (Achieving High Quality, Sustainable Design) of the Core Strategy seeks to ensure that new development provides vehicular access and parking provision suitable for its use and location.

The site access would be via a new T junction off Beech Crescent. A Transport Statement has been produced which demonstrates that traffic generated by the development would not have a detrimental impact on the surrounding highway networks with 23 two way trips in the AM and PM peak. This equates to one car movement every two and a half minutes during the peak hour. An accident study has also been provided as part of the Assessment which shows that there were no accidents on Beech Crescent in the vicinity of the proposed access junction within the previous 5 year and this has been verified with the Police accident statistics held by the Council. Taking into consideration the expected traffic volumes, the proposed access arrangements are considered acceptable.

In order for the Police to enforce a reduced speed limit, some form of significant entrance feature would need to be employed as the development does not involve an active frontage onto the highway. The precise details of this feature would need to be secured by a planning condition along with appropriate visibility splays etc.

Autotracks have been submitted with the planning application which shows that the site can be serviced by an 11m refuse vehicle. The vehicle and cycle parking provision for the development is acceptable.

A new development should be located in areas well served by alternative means of transport to private car, including buses and cycle routes. Accessibility is based on 80% or more of a site being within 400m walking distance to a bus stop. The proposed site is 600m walking distance from the Village Hall bus stops where a frequent 15 minute service is available Monday to Saturday, with an hourly evening and Sunday service. The bus stop that is adjacent to the site at

the former Cumby Arms site is redundant. Heighington train station is approximately 2km from the site and is accessible via a traffic free path.

The site is beyond the desirable walking distance threshold but the applicant has agreed to a planning obligation for a financial contribution towards making improvements to the Village Hall bus stops which it is hoped would encourage the future residents to use public transport within the village.

The layout has been amended to include a pedestrian link onto Station Road to enable future occupant's easier and shorter access onto Station Road and the remainder of the village and to the train station. The link will also benefit cyclists on the site as Station Road connects to a traffic free cycle path along the B6444 towards the train station. The addition of this southern access is welcomed by the Council's Sustainable Transport Officer but he has advised that the path should include a chicane barrier to slow cyclists and make them aware of possible traffic upon exit of the site. This can be secured by a planning condition.

There are no highway safety objections to the proposed development subject to the imposition of appropriate planning conditions.

Surface water and flood risk

Policy CS16 of the Core Strategy states that new development will be focussed on areas of low flood risk. The site is within Flood Zone 1 with a low probability of flooding. The submitted flood risk assessment indicates that the prevailing ground conditions across the site are local permeability glacial tills overlain by a highly permeable aquifer. The Drainage Strategy appears to propose the primary disposal of surface water for parts of the site to ground through infiltration (soakaways) which the Flood Risk Management Team consider unlikely to be a feasible solution for a development in this location. As a result, the Team has requested the imposition of planning conditions relating to the submission of a Surface Water Drainage and Management Plan; that the development is implemented in accordance with the submitted flood risk assessment and that no dwellings are occupied until the surface water management system is in place and fully operational.

Northumbrian Water has also requested the imposition of a planning condition to scheme an appropriate scheme for the disposal of surface and foul water.

Contaminated Land

The development site includes part of Site_00939 Beech Crescent Pond which has been assessed as "Not Contaminated Land" under Part 2A of the Environmental Protection Act 1990, in accordance with DEFRA Statutory Guidance (2012) and the Council's Contaminated Land Inspection Programme (2013). The site is a small (21m x 10m) agricultural pond/ditch from prior to 1858 until 1984. By 1984 the eastern part of the pond has been infilled/regarded to surrounding land levels although the western part remains unchanged. Aerial photos from 1999 show the site as part of two larger agricultural fields subdivided by an established hedgerow and remains in productive use until the present day. The site shows no visual evidence of discolouration, plant stress or instability and has not been used for any other potentially contaminative land uses. As the site, in its current condition, appears to represent a low risk to human health/other receptors and any future change in land use will be managed and regulated through the planning process, the site is unlikely to meet the definition of "contaminated land" under Part 2a of the Environmental Protection Act 1990. The site is therefore determined Category 4 - Not Contaminated Land.

The remainder of the development site has a long history of agricultural uses including a small agricultural hut in the northern quadrant of the site (c.1984 – c.1990) and a larger agricultural hut on the north-eastern perimeter (pre 1857-present) excluded from the development site.

Based on the location, extent and age of the former (infilled) pond, and the low intensity agricultural uses of the remaining land, the Contaminated Land Officer considers that the development site does not represent any contamination issues or constraints and recommends that no further geoenvironmental investigations or risks assessments are warranted or necessary.

Design and layout

Policy CS2 (Achieving High Quality, Sustainable Design) of the Core Strategy includes provision that new development should reflect or enhance Darlington's distinctive nature; create a safe and secure environment; create safe, attractive, functional and integrated outdoor spaces that complement the built form; and relate well to the Borough's green infrastructure network

Policy E14 (Landscaping of Development) of the Local Plan states the new development will be required to incorporate appropriate hard and soft landscaping which has regard to the setting of the development in its form, design and plant species and which enhances the appearance of the development and its setting.

The development comprises two storey detached and semi detached dwellings constructed from a mix of red facing bricks, render and random coursed stone with clay pantiles or Spanish roofing slates. There will be landscaped open spaces in the north west corner; along the south boundary, a section of the east boundary and in the centre of the site. A pedestrian and cycle path would be formed through the south boundary onto Station Road. The dwellings would have front and rear garden space and parking would be provided through a mix of integral garages, attached garages and driveways. Front gardens would be enclosed by a mix of hedging and random course stone walling and the rear gardens by 1.6m high close boarded timber fencing. There would be a stone wall feature at the access entrance to the site.

The layout and design of the development and dwellings has been based upon the guidance contained within the Council's adopted Supplementary Planning Document on Design for New Development and it looks to establish a connection with the surrounding area by the choice of materials, elevational treatments and means of enclosure details.

It is considered that the proposed design and layout of the development is acceptable and would accord with local development plan policy.

Residential Amenity

Policy CS16 (Protecting Environmental Resources, Human Health and Safety) of the Core Strategy seeks to ensure that new developments do not harm the general amenity and health and safety of the local community which echoes one of the core principles of the NPPF which seeks to secure high quality design and good standards of amenity for all existing and future occupants of land and buildings.

The dwellings on Beech Crescent are a mix of single storey bungalows and detached and semi detached two storey dwellings. The boundary between the gardens and the application site comprises a mix of hedges, wall, fencing and mature trees.

The proximity distances that must be met between existing and proposed dwellings are set out in the Council's adopted Supplementary Planning Document – Design for New Development.

There are eleven new dwellings that would share the west boundary of the site with the existing dwellings on Beech Crescent and the proximity distances between the dwellings exceed the minimum requirements outlined in the SPD. Sectional plans that have been submitted with the planning application show that there would be no significant differences in finished floor levels between existing and proposed dwellings and the new development would not be overbearing when viewed from the existing properties and their gardens. Existing trees on the boundary would also act as a visual barrier.

A Construction Management Plan would be secured by the imposition of an appropriate planning condition along with controls over the hours of construction and deliveries and also any methods of piling foundations, if required.

A Noise Assessment has been submitted in support of the planning application. The dominant noise source at this site is road traffic noise from Beech Crescent to the north and the A6072 to the east. The Noise Survey concludes that most external areas will experience noise levels below the upper limit of 55dB LAeq (BS8233) without the need for any specific mitigation, and with the inclusion of a 1.8 meter high barrier on a small part of the western site boundary suitable noise levels will be achieved for external spaces associated with all dwellings on the site. For internal spaces the survey has considered two different ventilation system options for different parts of the site given varying exposure to noise. With the two different options (minimum glazing and ventilation strategies) used in the assessment it has been demonstrated that the relevant internal noise levels as detailed in the guidance can be achieved for all dwellings on the proposed development site for daytime and night time periods.

In response to a concern by one of the objectors over how the Noise Assessment was carried out, the Council's Environmental Health Officer has advised as follows:

The measurements have been taken in accordance with the shortened measurement procedure within the Department of Transport's Calculation of Road Traffic Noise (CRTN) which is an accepted method for measuring road traffic noise which can be used in the assessment of its impact on developments. This procedure allows sample measurements to be taken from three consecutive hours (and does not require measurements to be taken of the full three hours). There is an equation in section 41.2 of CRTN which can be used and it is stated that the minimum sample period should be no less than 5 minutes.

As the time histories (pages 9 and 10) show that the ambient noise levels are fairly steady through the measurement periods provides an indication that the survey is representative of the noise environment.

In relation to the second point in the objection which mentions there being more traffic between 8.30am and 9.30am, this does not comply with the procedure in the CRTN which details measurements are to be made between 1000 and 1700 hours.

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

Loss of Agricultural Land

At paragraph 112, the NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The Natural England website classifies the application site as being Grade 3b agricultural land which is not considered to fall within the NPPF classification of the best and most versatile agricultural land

School Places

A total of 9 primary school places need to be mitigated for by this housing development and the Council's Capital Asset and School Place Planning Officer has advised that the Heighington Academy currently has less than 5% capacity. As a result the applicant has agreed to a planning obligation to make a financial contribution towards expanding the School from a 38 to 45 place primary school, creating an additional 35 places across the school. This obligation would be secured via the Section 106 Agreement.

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 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by; protecting and enhancing valued landscapes, geological conservation, interests and soils; and, recognising the wider benefits of ecosystems services; and, minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

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

An Ecological Assessment has been submitted in support of the planning application which advises that the surveys found no evidence of badgers and bats were found not to roost in the existing derelict building. There was no evidence of the presence of any Great Crested Newts. Breeding birds and foraging bats and hedgehogs are certain to be present but most likely use the boundary features and the eastern hedge boundary which is considered to be the most ecologically important feature at the site. This boundary treatment would be retained and incorporated into the layout of the housing development.

The housing development will occupy the cropping area of the arable field and the boundaries of the site will not be significantly affected as vehicular access and the pedestrian access will look to utilise gaps in the boundary and/or result in the minimal loss of tree and hedge.

The Council's Ecology Officer accepts the findings of the Assessment but has requested the imposition of planning conditions to secure a sensitive lighting scheme for the site; bats bricks being incorporated into three dwellings on the eastern boundary and protection measures for the hedgerows

Impact on Trees

Policy E12 (Trees and Development) of the Local Plan seeks to ensure that new development takes full account of trees and hedgerows on and adjacent to the development site. The layout and design of the development should wherever possible avoid the need to remove trees and hedgerows and to provide their successful retention and protection during development.

There are trees around the edge of the site but none are covered by a tree preservation order. The majority of trees and hedges on the site would be retained apart from a section of hedge and two trees to facilitate the vehicular access off Beech Crescent, a section of hedge on the west boundary to provide appropriate garden space for the dwellings on Plots 30 to 34 and some trees on the south boundary to facilitate the footpath and cycleway.

The footpath link would result in the loss of the minimum number of trees as possible and none of them are considered worthy of retention or protection.

The Council's Senior Arboricultural Officer has no objections to the proposed development subject to a condition being imposed to secure appropriate tree protection measures.

A planning condition can be imposed to secure an appropriate landscaping scheme as there has been some slight amendments to the layout since a scheme was originally submitted.

Affordable Housing

The Supplementary Planning Document on Planning Obligations sets out a requirement of 20% of housing developments outside the urban area to be affordable units where a scheme is for five dwellings or more. The proposed development would include 10 affordable units (23%) comprising semi detached dwellings which would be pepperpotted throughout the site as required by the SPD. The applicant has reached an Agreement, subject to final Board approval, with North Star Housing Group for the affordable units and the precise nature of the affordable scheme shall be secured by a planning condition.

Developer Contributions

Planning obligations are a legal agreement negotiated between the Council and a developer/landowner as part of a planning application. They will only be used to secure site related and/or community infrastructure required by new development where they are:

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

The Draft Heads of Terms for the proposed development are as follows:

Sustainable Transport

A financial contribution would be secured to make improvements to the Inbound and Outbound Bus Stops near to the Village Hall and a further financial contribution would be secured towards improving footways and cycleways in the vicinity of the site, including improved signage.

Education Provision

A financial contribution towards education provision in the Village.

Sports Provision

A financial contribution would be secured to make improvements to the playing fields in Heighington which are used by Heighington Boys Clubs.

Delivery

As detailed earlier in this report, one of the aims set out 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 by the Council. The applicant has recognised this objective and has agreed to reduce the implementation period of any approval from three years to two years.

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) comprises up to date national planning policy and is a material consideration in planning decisions.

The proposed development is considered to comply with the relevant policies of the local plan and contribute towards the three dimensions of sustainable development set out in the National Planning Policy Framework 2012. Heighington Village is highlighted in the Council's Interim Planning Position Statement as being one of the larger villages in the Borough that could support windfall housing development due to its existing levels of infrastructure and service provision subject to any proposed scheme being acceptable in relation to other material considerations and against national policy criteria.

The impact on the historic environment is a significant factor that has been taken into account in the decision making process. The design of the proposal is considered to be in keeping with the character and appearance of the Heighington Conservation Area and the 'less than substantial harm' is significantly outweighed by the public benefits of the proposal, and in particular, the delivery of on-site affordable housing.

The impact on character and appearance of the village and its rural setting and the impact on nature conservation and wildlife has been taken into account in the decision making process. Overall, it is considered that the proposal is acceptable in such terms.

The size and siting of the proposed dwellings would be such that no significant detrimental impacts in terms of light, outlook or overlooking issues would be raised. The proposal is considered acceptable in respect of its impact on highway safety.

Planning conditions are required in relation to archaeological work, noise, surface water drainage and ecology.

The above issues have been considered in the context of the sites Conservation Area location, the impact on landscape character and the fact that the Council cannot currently demonstrate a five-year supply of suitable, available and deliverable housing land, and in the face of a requirement for local authorities to significantly boost the supply and delivery of housing. Overall, it is considered that the benefits of the proposed development significantly and demonstrably outweigh the impacts identified in this report and the proposal can be supported subject to a Section 106 Agreement and planning conditions.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE COMPLETION OF A SECTION 106 AGREEMENT WITHIN SIX MONTHS TO SECURE THE FOLLOWING

- a) A financial contribution towards improvements to the Inbound and Outbound Bus Stops near to the Village Hall
- b) A financial contribution towards improving footways and cycleways in the vicinity of the site, including improved signage
- c) A financial contribution towards education provision in the Village.
- d) A financial contribution towards improvements to the playing fields in Heighington

SHOULD THE 106 AGREEMENT NOT BE COMPLETED WITHIN THIS PRESCRIBED PERIOD WITHOUT WRITTEN CONSENT OF THE COUNCIL TO EXTEND THIS TIME, THE MINDED TO APPROVE STATUS OF THE PERMISSION SHALL BE CONSIDERED TO BE A REFUSAL WITHOUT ANY FURTHER REFERENCE TO THE PLANNING COMMITTEE.

AND THE FOLLOWING PLANNING CONDITIONS:

1. The development hereby permitted shall be commenced not later than two years from the date of this permission
REASON; In the interests of achieving an improved rate of housing delivery in the Borough
2. Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development. The details shall include a sample of the random coursed stone and the colour scheme for the render and the development shall not be carried out otherwise than in accordance with any such approved details.
REASON - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.
3. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The provision will take the form of on-site provision (of not less than 20% of the housing units) in accordance with a scheme to be submitted and agreed in writing by the local planning authority. The scheme shall include:

- a) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- b) 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);
- c) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing;
- d) 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;
- e) 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.

REASON: To comply with local development plan policy

4. The mitigation measures outlined in the document entitled 'Noise Survey and Façade Acoustic Design Strategy Beech Crescent, Heighington' by Apex Acoustics Limited dated 18 October 2017 (Report Number: 5763.1, Version B) submitted with this application shall be implemented in full prior to the first occupation of the dwellings and thereafter shall be retained and maintained for the life of the development
REASON: In the interests of the amenities of the future occupants of the development
5. Notwithstanding the mitigation measures outlined within the 'Noise Survey and Façade Acoustic Design Strategy Beech Crescent, Heighington' by Apex Acoustics Limited dated 18 October 2017 (Report Number: 5763.1, Version B), prior to the commencement of the development precise details of the acoustic fence to be installed shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the specification and construction of the fence (i.e. density, height, design) and its location. The development shall not be carried out otherwise than in complete accordance with the approved details and the fence shall be fully installed prior to the first occupation of the dwellings, and thereafter shall be retained and maintained for the life of the development.
REASON: In the interests of the amenities of the future occupants of the development
6. Notwithstanding the mitigation measures outlined within the 'Noise Survey and Façade Acoustic Design Strategy Beech Crescent, Heighington' by Apex Acoustics Limited dated 18 October 2017 (Report Number: 5763.1, Version B), prior to the commencement of the development precise details of the glazing specifications (including details on the R_w+C_{tr} values) and ventilation strategies (including details of trickle ventilators and their acoustic performance ($D_{ne,w}$)) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details and the measures shall be implemented prior to the first occupation of the dwellings, and thereafter shall be retained and maintained for the life of the development
REASON: In the interests of the amenities of the future occupants of the development
7. Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The plan shall include the following:

- 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 construction phase 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 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) Construction Traffic Routes, including parking areas for staff and visitors.
- d) Details of wheel washing.
- e) Road Maintenance.
- f) Warning signage.

The development shall not be carried out otherwise in complete accordance with the approved Plan

REASON: In the interests of highway safety and safeguarding the general amenity of the local area

8. Construction work, including the use of plant and machinery (including generators) as well as deliveries to and the removal of material from the site, shall not take place outside the hours of 08.00 - 18.00 Monday - Friday, 08.00 -14.00 Saturday with no working on a Sunday and Bank/Public Holidays without the prior written approval from the Local Planning Authority

REASON: In the interests of safeguarding the general amenity of the local area

9. If piled foundations are proposed, prior to the commencement of the development details of the piling method including justification for its choice, means of monitoring vibration and groundwater risk assessment if necessary in accordance with recognised guidance shall be submitted and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Plan

REASON: In the interests of safeguarding the general amenity of the local area

10. Precise details of the offsite highway works required to access the site and 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 the formation of a new site access junction, the provision of new footways linking into the surrounding infrastructure, a new traffic calming feature at the entrance to the revised speed limit, removal of the existing traffic calming feature and resurfacing on the approaches to the junction to comply with current skid resistance policy. The development shall not be carried out otherwise than in complete accordance with the approved details and the works should be complete prior to occupation of the first dwelling.

REASON: In the interests of highway safety

11. Prior to the commencement of the development the visibility splays at the new access junction off Beech Crescent shall be submitted to and approved in writing by the Local Planning Authority. The splays shall be applicable to the speed limit should be provided and maintained throughout the life of the proposed use of this development
REASON: In the interests of highway safety
12. Notwithstanding the details shown the approved plans, a chicane barrier shall be erected at the entrance of the cycleway/pedestrian footpath onto Station Road prior to the occupation of the first dwelling
REASON: In the interests of the highway and pedestrian safety
13. No development shall take place until the applicant has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the 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 application(s);
 - 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 and the publishing of the findings, 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 (a);
 - 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 National Planning Policy Framework 2012 because the site is of archaeological interest.

14. 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 National Planning Policy Framework 2012 which ensures information gathered becomes publicly accessible.
15. Prior to the commencement of the development, precise details of all the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority.

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

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

16. Prior to the completion of the first dwelling, an ecological lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the street lighting and external floodlighting on the dwellings and the development shall not be carried out otherwise than in complete accordance with the approved details. No additional street lighting or external floodlighting to the dwellings shall be installed within the prior consent of the Local Planning Authority

REASON: In the interests of protected species and their habitats

17. Three of the dwellings on the eastern boundary of the site shall incorporate an integrated bat roost within their design. The bat roosts shall be positioned in an optimum location within the dwelling, as informed by a Suitably Qualified Ecologist and the details of the roosts shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of the first dwelling on the site

REASON: In the interests of protected species and their habitats

18. Prior to the commencement of the development hereby approved (including demolition work), a scheme to protect the existing trees and hedges shown on the submitted plans to be retained shall be erected on site. The scheme shall comprise generally the specification laid down within BS 5837 2012 and shall include fencing of at least 2m high, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The 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 that a maximum level of protection in order to safeguard the well being of the trees on the site and in the interests of the visual amenities of the area.

19. E2 Landscaping (Submission)

20. Prior to the commencement of the development a detailed scheme for the disposal of foul and surface water from the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2012

21. The development hereby approved shall not commence on site until a scheme of “Surface Water Drainage and Management” for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The scheme shall include, but not be restricted to providing the following details:
- a) Detailed design of the surface water management system including design water levels and finished floor levels demonstrating a suitable freeboard;
 - b) A build program 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 phase;
 - d) Details of adoption responsibilities
 - e) Management plan for the Surface Water Drainage System scheme;

The buildings 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

22. REASON: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to the site or the surrounding area, in accordance with the guidance within the Darlington Core Strategy Development Plan document (Policy CS10) and the National Planning Policy Framework 2012
23. The development hereby approved, shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and Drainage Strategy dated 20th January 2017 and produced by Civic Engineers and the following measures detailed in the FRA:
- a) Limiting the surface water runoff generated by the impermeable areas of the development up to and including the 100 years critical storm so that it will not exceed the runoff from the undeveloped site and not increase the risk of flooding off site. This will be achieved in accordance with the calculations within Section 5.4 stating a Q_{bar} of 7.35 l/s

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

24. No dwellings shall be occupied until the surface water management system for the development or any phase of the development is in place and fully operational.
- REASON: To reduce flood risk and ensure satisfactory long term maintenance for the lifetime of the development

25. A maintenance plan detailing how the surface water management system will be maintained during the construction phase shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development
REASON: To reduce flood risk and ensure satisfactory long term maintenance for the lifetime of the development
26. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
- a) 000 Revision A – Location Plan
 - b) 100 Revision K – Proposed Site Layout
 - c) 102 Revision I – Proposed Block Layout
 - d) 103 Revision A – Proposed Indicative SUDs Masterplan
 - e) 110 Revision C – House Type 985
 - f) 111 Revision C – House Type 945 – Affordable
 - g) 112 Revision C – House Type 1176
 - h) 113 Revision C – House Type 1210
 - i) 114 Revision C – House Type 1620
 - j) 115 Revision C – House Type 1910 – Layouts
 - k) 116 Revision C – House Type 1910 – Elevations
 - l) 117 Revision C – House Type 2100 – Layouts
 - m) 118 Revision C - House Type 2100 – Elevations
 - n) 124 Revision A – Typical Wheelie Bin Store
 - o) 125 Revision C – Street Scenes
 - p) 125 Revision A – Site Sections
 - q) 2490/PO8 – Strategic Landscape Masterplan
 - r) 1169-01 – Visibility Plan
 - s) 1169-SP01 – Swept Path Analysis

REASON – To ensure the development is carried out in accordance with the planning

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

Borough of Darlington Local Plan 1997:

- E2 – Development Limits
- E12 – Trees and Development
- E14 – Landscaping of Development
- H7 – Areas of Housing Development Restraint
- R4 – Open Space Provision
- T8 – Access to Main Roads
- T11 – Traffic Calming

Darlington Core Strategy Development Plan Document 2011:

- CS1 – Darlington’s Sub-Regional Role and Locational Strategy
- CS2 – Achieving High Quality, Sustainable Design
- CS10 – New Housing Development
- CS11 – Meeting Housing Need
- CS14 – Promoting Local Character and Distinctiveness
- CS15 – Protecting and Enhancing Biodiversity and Geodiversity
- CS16 – Protecting Environmental Resources, Human Health and Safety
- CS19 – Improving Transport Infrastructure and Creating a Sustainable Transport Network

National Planning Policy Framework (NPPF) 2012

Other Documents

Design of New Development Supplementary Planning Document 2011

Supplementary Planning Document on Planning Obligations 2013

Interim Planning Position Statement 2016

INFORMATIVES

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 new adopted highways and 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 to contact the Assistant Director: Highways, Design and Projects (contact Mr. Chris Easby 01325 406707) to discuss the introduction of a 20mph zone.