

PLANNING APPLICATIONS COMMITTEE

Wednesday, 20 December 2023

PRESENT – Councillors Haszeldine (Chair), Ali, Allen, Bartch, Beckett, Kane, Lawley, Lee, McCollom, Robinson and Tostevin.

APOLOGIES – The Mayor, Councillors Anderson and Laing.

ALSO IN ATTENDANCE – Councillors Crudass, Mrs. Culley, Donoghue, Holroyd, Marshall, Mrs. Scott and Snedker.

OFFICERS IN ATTENDANCE – David Hand (Head of Service for Planning Policy, Economic Strategy and Environment), Mark Ladyman (Assistant Director Economic Growth), Dave Coates (Head of Planning, Development and Environmental Health), Arthur Howson (Engineer (Traffic Management)), Andrew Errington (Lawyer (Planning)), Lisa Hutchinson (Principal Planning Officer) and Paul Dalton (Democratic and Elections Officer)

PA55 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

PA56 MOTION (WITHOUT NOTICE) TO ADJOURN THE MEETING

Councillor Robinson moved a Motion that this meeting be adjourned, and reconvened at a later date, to allow Members greater time to read the submitted reports, which was seconded by Councillor Lawley.

The Motion was Lost.

PA57 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

A3	<p>Implementation Limit (Three Years) The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.</p> <p>Reason - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.</p>
E3	<p>The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which may be agreed in writing by, the Local Planning Authority and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.</p> <p>Reason - In the interests of the visual amenities of the area.</p>

PL	<p>The development hereby permitted shall be carried out in accordance with the approved plan(s) as detailed below, ^IN;</p> <p>Reason - To define the consent.</p>

(1) LAND NORTH OF CONISCLIFFE ROAD

17/00632/OUTE - Outline planning application for the erection of up to 535 Dwellings, landscaping, ancillary works and wider highway mitigation measures with all matters reserved except access For the avoidance of doubt planning permission is hereby granted separately and severably for site infrastructure landscaping and development cells identified on plan reference Indicative Development Framework plan (Drawing Number 7055-SK-01_N) (Additional Phasing Plan and Noise Assessment and Amended Flood Risk Assessment and Masterplan received 8 November 2017; additional Archaeology Report received 7 February 2018; additional Transport Assessment Addendum and additional Arboricultural Report received 3 January 2019 and Environmental Statement received 11 January 2019; updated Planning Statement; Environmental Statement and Ecology Reports received 28 January 2022; amended site location plan received 10 March 2022; Health Impact Assessment received 2 August 2022; amended Habitat Regulation Assessment and Nutrient Assessment Report and supporting information received 15 August 2023 and 7 September 2023).

(In making its decision, the Committee took into consideration the Planning Officer’s report (previously circulated), the views of the Council’s Highways Engineer, Environmental Health Officer, Transport Policy Officer, Travel Plan Officer, Ecology Consultant, Head of Skills and Employability (Education), Conservation Officer and Public Rights of Way Officer, the views of the Durham County Council Archeology Team, the Environment Agency, Northumbrian Water, the Lead Local Flood Authority, National Highways, Natural England, Historic England, Northern Gasworks and Sport England.

Members were informed that prior to the adoption of the Darlington Local Plan (2016-2036) in February 2022, the planning application had attracted 220 letters of objection and three letters of representation. At this time objections were also received from Darlington Friends of the Earth, Darlington Bird Club, the Campaign for the Protection of Rural Countryside (CPRE), Jenny Chapman MP and Phil Wilson MP on behalf of constituents, and Low Coniscliffe and Merrybent Parish Council. A further 118 objections had been received following further notification exercises undertaken by the local planning authority, when appropriate, and the views of the Applicant, the Applicant’s Agent, one objector and the Ward Councillor, whom the Committee heard.)

RESOLVED – Subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 within six months to secure planning obligations that are appropriate for the development covering:

- a) A Public Transport contribution of £262,500
- b) Public Rights of Way Improvements and Safe Route to School contribution of £423,207,75
- c) Travel Plan Contributions consisting of:
 - a. £2850 monitoring fee

- b. £160,500 for Personalised Travel Advice
- c. £107,000 for Travel Plan Implementation Bond
- d) Off site Highway Improvements Works on the A66 of £310,212.79
- e) Management Programme for open space and play areas
- f) 20% affordable housing, of which, 50% for affordable rent and 50% for affordable home ownership.

that Planning Permission be granted subject to the following conditions:

GENERAL

1. Details of the appearance, landscaping, layout, and scale of the whole of the development or within each phase of the development hereby permitted (hereinafter called “the reserved matters”) for each phase shall be obtained from the Local Planning Authority in writing before any development within that part of the site is commenced. The development shall be carried out as approved.

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

2. Applications for approval of the reserved matters shall be made to the local planning authority not later than five years from the date of this permission.

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

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

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

APPROVED PLANS

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

- a) Drawing Number CR D LP01 REV A - Location Plan
- b) Drawing Number 14011/GA/01 Rev D Site Access Proposals

REASON - For the avoidance of doubt.

5. The application(s) made pursuant to condition 1 shall not propose more than 535 dwellings.

REASON - For the avoidance of doubt.

HILLSIDE CONDITION

6. The development hereby permitted shall be built in accordance with the approved plans listed at Condition 4) and the approved Indicative Development Framework plan (Drawing Number 7055-SK-01_N) listed at condition 7 unless a further planning application specific to one or more of the severable areas is submitted and approved by the Council in substitution for that part of the approved development. If such an application is approved, the remaining severable areas may still be developed as approved in this planning permission, it being intended that this Planning permission should permit each severable area separately and severably from the others.

REASON - For the avoidance of doubt.

MASTERPLAN

7. The detailed matters to be covered in the Reserved Matters, shall be carried out in broad accordance with the Indicative Development Framework plan (Drawing Number 7055-SK-01_N) contained in the application and the plans submitted therewith and approved by the Local Planning Authority or as shall have been otherwise agreed in writing by the Local Planning Authority.

REASON - In order to achieve a satisfactory form of development.

NUTRIENT NEUTRALITY

8. The 336th dwelling of the development hereby permitted shall not be occupied until:
- a) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address the additional nutrient load imposed on protected European Sites by the development beyond the occupation of the 336th dwelling and shall allow the Local Planning Authority in consultation with Natural England to ascertain that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
 - b) All measures forming part of that mitigation package have been implemented as approved.

REASON - To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017.

9. Prior to the occupation of the first dwelling, details shall be submitted to and approved in writing by the Local Planning Authority to show that agricultural production on all land within the redline boundary of the planning application site has ceased. The evidence shall include the submission of a management plan setting out how the agricultural use remains ceased and an annual report demonstrating continued adherence to this mitigation strategy.

REASON - To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017.

10. Notwithstanding the approved plans, the development hereby approved shall include a minimum of 13.28 hectares of greenspace, unless otherwise agreed by the Local Planning Authority and prior to the occupation of the first dwelling, a landscape management plan, including the long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved and any subsequent amendments shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

- a) The detail, extent and type of new planting;
- b) Details of management regimes including confirmation that the green spaces will be managed with no or low fertiliser input; This document was classified as:
- c) Details of any new habitat created on site including new drainage basins, habitat piles and great crested newt hibernacula;
- d) Details of treatments of site boundaries and/or buffers around water bodies;
- e) Details of dog waste bins and
- f) Details of management responsibilities

REASON - To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017.

EXTERNAL MATERIALS

11. No dwellings hereby approved within the development as a whole or within each phase of the development shall be erected above damp proof course level until samples and details of the external materials to be used in the construction of those dwellings in that phase have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

REASON - In the interests of the visual amenity.

NOISE

12. For each phase of the development, prior to or at the same time as a reserved matters application relating to layout, a detailed noise impact assessment and scheme of noise mitigation for the protection of proposed residential properties from road traffic noise (from the A1(M), Coniscliffe Road and the new strategic spine road) and noise from the Baydale Beck Public House, compiled by a suitably qualified and experienced acoustic consultant, shall be submitted to, and approved by, the Local Planning Authority. The noise impact assessment shall consider the proposed layout, orientation and design of the dwellings based on good acoustic design* and the scope of the assessment shall be agreed in writing with the Local Planning Authority prior to the submission of the assessment.

- a) The noise impact assessment shall demonstrate via calculations that the following internal and external noise levels in respect of residential properties are not exceeded:
 - Internal noise levels for bedrooms shall not exceed 30dB LAeq(8 hour)**

- Internal levels shall not exceed 45dB LAFmax more than 15 times during the night***
- Internal noise levels for living rooms shall not exceed 35dB LAeq(16 hour)**
- External noise levels within garden areas shall not exceed 55dB LAeq(16 hour)** unless otherwise agreed in writing with the Local Planning Authority

* A good acoustic design process should be followed in accordance with Professional Practice Guidance on Planning & Noise New Residential Development, May 2017.

** LAeq(8 hour) nighttime 8 hours between 23:00 and 07:00 and LAeq(16 hour) daytime 16 hours between 07:00 and 23:00. In relation to garden areas, where possible the desirable level of 50dB LAeq(16 hour) shall not be exceeded.

*** Justification shall be included in the noise impact assessment on the external LAFmax used to calculate the façade mitigation required and internal noise levels.

b) The detailed scheme of noise mitigation shall include the following:

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

c) The requirements of this condition or parts of the condition can be dispensed with if it is demonstrated and agreed in writing with the Local Planning Authority that no adverse noise impacts from a particular source(s) will arise for the particular phase of the development.

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

REASON - In order to safeguard the amenities of the future impacts of the development.

CONSTRUCTION IMPACTS

13. Prior to the commencement of each phase of the development, a site-specific Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning Authority dispenses with any requirement[s] specifically and in writing:

- 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) Details of any temporary construction access to the site including measures for removal following completion of construction works.
- d) Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway.
- e) The parking of contractors' site operatives and visitor's vehicles.
- f) Areas for storage of plant and materials used in constructing the development clear of the highway.
- g) Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas.
- h) Details of the routes to be used by HGV construction traffic and highway condition surveys on these routes.
- i) Protection of carriageway and footway users at all times during demolition and construction.
- j) Protection of contractors working adjacent to the highway.
- k) Details of site working hours.
- l) Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate.
- m) Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
- n) Measures to control and monitor construction noise.
- o) An undertaking that there must be no burning of materials on site at any time during construction.
- p) Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works.
- q) Details of the measures to be taken for the protection of trees.
- r) Details of external lighting equipment.
- s) Details of any ditches to be piped during the construction phases.
- t) A detailed method statement and programme for the building works; and
- u) Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

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

REASON - In the interests of highway safety and to protect the amenity of the local area.

14. Construction work for each phase of the development, including the use of plant and machinery (including generators) as well as deliveries to and from the site(s), 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 permission from the Local Planning Authority.

REASON - To protect the amenity of the local area.

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

REASON - To protect the amenity of the local area.

LAND CONTAMINATION

16. Prior to the commencement of each phase of the development and any site investigation works or at a time agreed in writing by the Local Planning Authority 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 be submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing. The Phase 2 Site Investigation Strategy (Sampling and Analysis Plan) shall be sufficient to fully and effectively characterise and evaluate the nature and extent of any potential contamination and assess pollutant linkages. No alterations to the agreed Phase 2 Site Investigation Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework 2023.

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

REASON - The site may be contaminated as a result of past or current uses and/or is

within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework 2023.

18. Prior to the commencement of each phase of the development or at a time agreed in writing by the Local Planning Authority a Phase 3 Remediation and Verification Strategy shall be prepared by a "suitably competent person(s)" to address all human health and environmental risks associated with contamination identified in the Phase 2 Site Investigation and Risk Assessment. The Remediation and Verification Strategy which shall include an options appraisal and ensure that the site is suitable for its new use and no unacceptable risks remain, shall be submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework 2023.

19. Any contamination not considered in the Phase 3 Remediation and Verification Strategy but identified during subsequent construction/remediation works shall be reported in writing within a reasonable timescale to the Local Planning Authority. The contamination 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. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework.

20. The Phase 3 Remediation and Verification works shall be conducted, supervised and documented by a "suitably competent person(s)" and in accordance with the agreed Phase 3 Remediation and Verification Strategy. No alterations to the agreed Remediation and Verification Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority. 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, validation results and post remediation monitoring carried out to demonstrate the completeness and effectiveness of all agreed 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 or at a time

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

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework.

PHASING PLAN

21. Notwithstanding the detail shown on the approved plans, no development (except for site preparation works and the formation of a site compound) shall take place until a scheme of phasing for the dwellings, highways, and Drainage infrastructure and associated open space/green infrastructure has been submitted to and approved in writing by the local planning authority. Development shall be carried out broadly in accordance with the approved details.

REASON - To ensure that the key elements of each phase of the development is completed in an order which ensures that infrastructure needs, landscaping/open space and access are in place relevant to each phase before further development is undertaken, in the interests of good planning.

FLOOD RISK AND DRAINAGE

22. The development hereby approved shall not be commence on site, until a scheme of Surface Water Drainage and Management” for the implementation, maintenance and management of a Sustainable Surface Water 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 construction Phase
- d) Details of adoption responsibilities; and
- e) Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement;

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

the lifetime of the development.

REASON - To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Policy DC2 of the Darlington Local Plan and the National Planning Policy Framework 2023.

23. The development permitted by this planning permission shall only be carried out in accordance with the approved document "Flood Risk Assessment and Surface Water Management Strategy for a Proposed Residential Development at Coniscliffe Road, Darlington" dated " produced by ID Civils Design Ltd dated October 2017" and the following mitigation measures detailed within the FRA:

- Limiting the surface water runoff generated by the impermeable areas of the development up to and including the 100 year critical storm so that it will not exceed the runoff from the undeveloped site and not increase the risk of flooding off site This will be achieved in accordance with the calculations within Section 5 stating a post development discharge limit of 89 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 buildings/dwellings should be occupied until the surface water management system for the development or any phase of the development is in place and fully operational. A maintenance plan detailing how the surface water management system will be maintained during the construction phase must also be submitted and approved in writing by the Local Planning Authority.

REASON - To reduce flood risk during construction/development of the site.

25. 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 for a Proposed Residential Development at Coniscliffe Road, Darlington" dated " produced by ID Civils Design Ltd dated October 2017" and the following mitigation measures detailed within the FRA:

- a) Limiting the developable area, excluding roads and footpaths, outside of the flood zone areas and outside of the 8 metre easement of the Main Rivers in the vicinity.

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 reduce the risk of flooding to the proposed development and future occupants.

26. The development hereby permitted shall not commence until such time as a detailed sewage infrastructure plan has been submitted to, and approved in writing by, the local planning authority. The plan shall be implemented as approved and shall include the following elements:

- A timescale for the proposed works at Northumbrian Water Limited (NWL) sewage treatment works, which will provide the required extra capacity and treatment levels to prevent deterioration of the Water Framework Directive (WFD) status of the Tees from Skerne to Tidal Limit waterbody (GB103025072595). This will ensure that any proposed works will align with the build times of the development;
- An assessment of the WFD impacts to the Skerne to Tidal Limit waterbody (GB103025072595) from the increase of foul drainage looking at the impact of Ammonia and Phosphate concentrations of the waterbody.
- An assessment of the hydraulic capacity, where any combined sewers will be connected into, demonstrating that no additional spills from combined systems will occur due to a lack of hydraulic capacity; and
- An assessment of the total volume of foul drainage that will be generated by the development.

REASON - The Water Environment (Water Framework Directive) Regulations 2017 and the Northumbria River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. It specifically states that no waterbody should deteriorate in status and aim to achieve Good Status or Good Ecological Potential as soon as is reasonably practical. Any proposed plan or development should not contradict the Northumbria River Basin Management Plan 2015. Without this condition, the impact could cause deterioration of the Water Framework Directive status of the Tees from Skerne to Tidal Limit waterbody, which currently has a WFD status of Moderate.

27. The development hereby permitted shall not commence until such time as a Construction Surface Water Management Plan has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved, and the plan should include, but not limited to, the following:

- Treatment and removal of suspended solids from surface water run-off during construction works;
- Approach to ensure no sewage pollution or misconnections;
- Approach to ensure water mains are not damaged during construction works;
- Management of fuel and chemical spills during construction and operation, including the process in place to ensure the environment is not detrimentally impacted in the event of a spill;
- If contaminated land is present then construction runoff is likely to contain hazardous chemicals and elements. If this is the case, a scheme is required to

manage the associated risks, and minimise mobilisation of hazardous pollutants into the water environment during construction and site operation.

REASON - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework 2023.

28. No development shall take place until a Biosecurity Plan has been submitted to, and agreed in writing by, the local planning authority and implemented as approved. The biosecurity plan shall include the following elements:

- biosecurity and Invasive Non Native Species (INNS) management best practice, utilising the check-clean-dry procedure across the site.
- identify specific actions and mitigation for known INNS, and methods to ensure no INNS are brought on to site; and
- a procedure should be outlined in the event of new INNS being discovered whilst on site; in the event of which a strategy for containment and removal should be enacted.

REASON - To prevent the spread of invasive non-native species, such as signal crayfish, Himalayan balsam, American skunk cabbage, rhododendron, giant hogweed, and Japanese knotweed.

29. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Surface Water Management Strategy for a Proposed Residential Development at Coniscliffe Road, Darlington" dated "produced by ID Civils Design Ltd dated October 2017". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 4901 and ensure that surface water discharges to the existing watercourse.

REASON - To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2023.

ECOLOGY

30. The development hereby approved shall not be carried out otherwise than in complete accordance with the Recommendations contained within Chapter 6 of the document entitled "Ecological Appraisal – Land to the North of Coniscliffe Road, Darlington" dated December 2021 and produced by Delta Simons unless otherwise agreed in writing by the Local Planning Authority.

REASON - In the interest of protecting habitats and biodiversity.

31. At each Reserved Matters stage, an updated DEFRA Metric shall be submitted to and approved in writing by the Local Planning Authority to ensure that the proposal achieves a net gain in accordance with the submitted Biodiversity Net Gain Report "Land North of Coniscliffe Park, Darlington" produced by Delta Simons dated January 2022 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To ensure that any impacts on biodiversity and ecology are mitigated and that appropriate enhancement works, and biodiversity net gain are secured.

32. At Reserved Matters stage, an updated 30 year Biodiversity and Ecological Management for the who development or each phase of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and operated in full accordance with the measures contained within the final Biodiversity Management Plan, including provision for future monitoring, reporting and any necessary amendment of management measures, or such other alternative measures which may subsequently be approved in writing by the Local Planning Authority for the lifetime of the development hereby approved.

REASON - To ensure that any impacts on biodiversity and ecology are mitigated and that appropriate enhancement works, and biodiversity net gain are secured.

33. The landscaping scheme submitted under condition 1 shall seek to include the following ecological principles:

- The Green Infrastructure corridor alongside the Baydale Beck should seek to significantly enhance the biodiversity value of this feature. Public access arrangements should reflect the importance of this feature as a wildlife corridor and the need to reduce disturbance of habitats along the Baydale Beck.
- The SUDs should incorporate retention basins / wetland habitat types as alternatives to detention basins. Retention features still have a drainage function but deliver far greater biodiversity gains. The use of conveyance features and rain gardens should be considered throughout the development, integrated within Green Infrastructure and the development cells.
- The built environment should also provide opportunities for wildlife. Housing should provide nesting and roosting opportunities for bats, birds and invertebrates through the incorporation of built-in wildlife bricks that provide opportunities for a range of species. The range of species catered for should be expansive and approx. 30% of the houses should include some form of integrated nesting opportunities for wildlife.
- A green corridor to the east which links the Baydale Beck to the development to the north. The corridor could incorporate semi-natural habitats and SUDs features to create ecological connectivity through the site and link the developments.
- The use of flowering lawns rather than more intensively managed traditional amenity grasslands where considered appropriate.

REASON - In the interest of protecting and enhancing habitats and biodiversity.

HIGHWAYS

34. Prior to the first occupation of the development, a detailed scheme for the offsite highway improvement works, including an arboricultural works and protection measures, at Blands Corner, shown indicatively on drawing 14011/GA/05 rev D, shall be submitted to and approved in writing by the Local Planning Authority in consultation with National Highways.

REASON - To ensure that the A66 continues to serve its purpose as part of a national

system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.

35. Prior to the occupation of the 105th dwelling, the off-site highway improvement works referred to in condition No.34 shall be completed in accordance with such details as approved.

REASON - To ensure that the A66 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.

36. No more than 300 dwellings shall be occupied under this permission until the link road has constructed to the northern boundary of the site.

REASON - In the interests of highway safety.

37. Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until swept path analysis, fully detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

REASON - To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

38. No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

REASON - To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

39. Notwithstanding condition 21), except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed phasing plans of the internal highway and footways which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. Details shall include for each individual phase; how each phase(s) of the development provide footway and cycleway connections between one another; and to the proposed Safer Routes to School (STRS) network to the east of the application site, via the 2no proposed bridges and 1no.existing bridge over Baydale Beck (whichever is applicable)

and other suitable routes. This will include phasing details for new and improved/modified walking and cycling infrastructure to ensure that the cycling and walking network within the site are developed in a comprehensive and timely manner and provide safer routes to local schools. The development must only be carried out in compliance with the approved engineering drawings and the routes identified will be constructed in accordance with the phasing details prior to the occupation of each phase to ensure that residents have access to community services via active travel.

REASON - To ensure safe and appropriate access and egress and turning facilities to all premises, in the interests of highway safety and the convenience of all prospective highway users.

40. For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority. An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site. A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site. Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme of delivery.

REASON - To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

41. There must be no access or egress by any vehicles between the highway and in curtilage driveway until visibility splays providing clear visibility of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway of the major road have been submitted to and approved in writing by the Local Planning Authority. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

REASON - In the interests of highway safety.

42. No dwelling on each phase of the development must be occupied until the related parking facilities submitted to and approved in writing by the Local Planning Authority. The agreed parking provision shall be constructed in accordance with the details approved in writing by the Local Planning Authority prior to the occupation of each dwelling on each phase of the development. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

REASON - To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the

development.

HOUSING MIX

43. The development hereby approved shall comprise 45% of all new dwellings meeting building regulations category M4(2) adaptable and accessible dwelling standards and 9% meeting M4 (3 a or b) wheelchair user dwellings standard. Precise details of how this will be achieved shall be submitted as part of the Reserved Matters applications requested by condition 1) and the development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – To ensure the development complies with policy H4 of the Darlington Local Plan 2016 – 2036.

SUSTAINABLE TRANSPORT

44. Prior to the first occupation of dwellings on each phase of the development, precise details of cycle parking provision for each dwelling within that phase shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking details shall accord with the guidance contained within Cycle Infrastructure Design - Local Transport Note 1/20 July 2020 and shall be in place prior to the occupation of each dwelling.

REASON - In order to promote sustainable modes of transport.

45. Prior to the construction of dwellings within the development, precise details of the location and infrastructure design of bus stops on the proposed link road shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be fully implemented to an adoptable standard and available for use within a timeframe to be agreed by the Local Planning Authority.

REASON - To ensure that a bus service can be operational within the development.

46. Prior to the first occupation of the development hereby approved or each phase of the development, details of the type and location of an electrical socket suitable for charging electric vehicles for each property with a dedicated garage or parking space, shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details prior to the occupation of the dwellings and maintained as such thereafter.

REASON - To accord with Policy IN4 of the Local Plan.

PUBLIC RIGHTS OF WAY

47. Prior to the commencement of the development, a phased Public Right of Way Strategy shall be submitted and approved in writing, by the Local Planning Authority. The details shall include but not be limited to, details of shielding, surfacing, crossings and further provisions made for the Public Rights of Way both on and surrounding the site., details of timelines for construction in proximity to the Public Rights of Way and how users will be kept safe during the construction period of each phase. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON - To protect and enhance the existing Public Rights of Way in accordance with Policy IN1 of the Darlington Local Plan 2016 – 2036.

PLAY AREAS

48. The details to be submitted in pursuance of Condition 1 shall include details on the precise number, design and location of children’s play areas within the application site, the details of the play equipment that would be provided within the areas and a timeframe for their implementation. The development shall not be carried out otherwise than in complete accordance with the approved details and the agreed details shall be retained during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON - In the interests of the character and appearance of the proposed development.

LANDSCAPING

49. The landscaping details to be submitted in pursuance of Condition 1 shall include the provision of green infrastructure based on the formula contained within Policy ENV5 of the Darlington Local Plan 2016 - 2036. The types of green infrastructure shall include informal recreation space, wildlife friendly space, street trees and landscape buffers/enhancements to Baydale Beck corridor including linkages, on the western boundary adjoining the Merrybent Community Woodland to the agricultural land to the north and the frontage with the A67 . The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON - In the interests of the character and appearance of the proposed development and in order to comply with Housing Allocation Statement (Site 41 – Coniscliffe Park South) contained within Appendix B Darlington Local Plan 2016 – 2036.

50. The landscaping details agreed under condition 1 shall be shall be fully implemented concurrently with the carrying out of the development or each phase of the development, or within such extended period which may be agreed in writing by, the Local Planning Authority and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.

REASON - In the interests of the visual amenities of the area.

BROADBAND CONNECTIVITY

51. Prior to the any commencement of development or any phase of the development, above damp proof course level, a statement shall be submitted to and approved in writing by the Local Planning Authority detailing the measures necessary for providing broadband connectivity, including ducts, to each premises within the development hereby approved. The approved infrastructure shall be laid out in

accordance with the details as approved at the same time as other services during the construction process and be available for use on the first occupation of each building and thereafter be so maintained for the lifetime of the development.

REASON - To ensure that the development is provided with high quality broadband services enhancing its attractiveness, in accordance with Policy IN8 of the Local Plan.

TREES

52. The details to be submitted in pursuance of Condition 1 shall include an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan for the whole development or each phase. The submitted details for the Tree Protection Plan shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m high, consisting of a scaffolding frame braced to resist impacts, supported by a wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place before the commencement of any work, including demolition operations. The Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of any work to allow an inspection of the measurements to ensure compliance with the approved scheme of protection. Notwithstanding the above approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees:

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

REASON - In the interests of the visual appearance of the site and surrounding area.

TRAVEL PLAN

53. Further to the submitted Framework Travel Plan (May 2017 Rev 2), a Travel Plan (TP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority and Highways England. prior to the first occupation of each phase of the development hereby approved. The individual Travel Plan shall be added to the ModeshiftStars Community / Modeshift Stars Business/Residential site and the Travel Plan shall be continued in accordance with the details contained therein, including attaining Bronze Standard within 12 months of the occupation of the phase of development and annual reviews for the first five years of the Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON - To encourage and promote sustainable transport.

ARCHAEOLOGY

54. No development shall commence until a written scheme of investigation setting out a phased programme of archaeological work in accordance with 'Standards For All

Archaeological Work In County Durham And Darlington' has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

REASON - To safeguard any Archaeological Interest in the site, and to comply with part 16 of the National Planning Policy Framework 2023.

55. No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

REASON - To comply with Paragraph 205 of the National Planning Policy Framework 2023, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

SOIL

56. The development hereby approved shall be carried out with having regard to the methods for safeguarding soil resources, the use and protection of soils in construction projects, including the movement and management of soil resources contained with "Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009) produced by DEFRA and the British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

REASON - In order to safeguard soil resources as part of the overall sustainability objectives of the development.

NOTE: Should the 106 Agreement not be completed within this prescribed period without the written consent of the Council to extend this time, the minded to approve status of the Permission shall be considered to be a refusal on the grounds that the Application has failed to provide adequate mitigation measures to provide a satisfactory form of development in accordance with the requirements of Darlington Local Plan 2016-2036, without further reference to the Planning Committee.

(2) LAND SOUTH OF STAINDROP ROAD

17/00636/OUTE - Outline planning permission for residential development of up to 985 dwellings (Use Class C3), convenience store with up to 400 sqm retail floor space (Use Class E), a GP (Class E) land for proposed primary school and early years school (Use Class F1) and sports pitches with associated parking, public open space, landscaping and sustainable drainage system (SUDS), onsite nutrient mitigation scheme and vehicular access points from Staindrop Road with all matters reserved except means of vehicular access For the avoidance of doubt planning permission is hereby sought separately and severably for site infrastructure landscaping and development cells identified on plan reference Indicative Development Framework plan (Drawing Number 7055-SK-01_R) (amended Flood Risk Assessment received 7 September 2017, Minerals Report, Agricultural Land Report and

Phasing Plan received 26 September 2017, 2 October 2017, 9 October 2017, Archaeology Report received 23 November 2018; Transport Assessment Addendum and Arboricultural Report received 3 January 2019 and Environmental Statement received 11 January 2019; amended Planning Statement; updated Environmental Statement Addendum; Environmental Statement Non Technical Summary and Ecological reports received 28 January 2022; Shadow Habitat Regulations Assessment; Health Impact Assessment; Retail Sequential Test Assessment received 3 October 2022; amended Planning Statement Addendum, Biodiversity Net Gain Assessment received 2 November 2022; amended Indicative Development Framework Plan received 12 May 2023; amended Nutrient Neutrality Assessment and Mitigation Strategy Report and Shadow Habitats Regulations Assessment received 14 August 2023).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer, Environmental Health Officer, Transport Policy Officer, Travel Plan Officer, Ecology Consultant, Head of Skills and Employability (Education), Conservation Officer and Public Rights of Way Officer, the views of the Durham County Council Archeology Team, the Environment Agency, Northumbrian Water, the Lead Local Flood Authority, National Highways, Natural England, Historic England, Northern Gasworks and Sport England.

Members were informed that prior to the adoption of the Darlington Local Plan (2016-2036) in February 2022, the planning application had attracted 72 letters of objection and three letters of representation. At this time objections were also received from Darlington Friends of the Earth, Darlington Bird Club, the Campaign for the Protection of Rural Countryside (CPRE), Jenny Chapman MP and Phil Wilson MP on behalf of constituents, and Low Coniscliffe and Merrybent Parish Council. A further 163 objections had been received following further notification exercises undertaken by the local planning authority, when appropriate, and the views of the Applicant's Agent, and two objectors, whom the Committee heard.)

RESOLVED – Subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 within six months to secure planning obligations that are appropriate for the development covering:

- a) £487,500 - A Public Transport contribution for Bus Service
- b) £989,457 - Public Rights of Way Improvements and Safe Route to School including new bridge crossings
- c) Travel Plan Contributions consisting of:
 - 1) £2850 monitoring fee
 - 2) Up to £295,500 for Personalised Travel Advice (based on £300 per household)
 - 3) Up to £197,000 for Travel Plan Implementation Bond (based on £200 per household)
- d) £573,111.69 Off site Highway Improvements Works on the A66/A67/ B6280 Morton Palms Roundabout north bound approach and A66/A1150 Burdon Roundabout
- e) Up to £1,947,436.81 for off site highway improvements on the A68 corridor

(based on £1,977.09 per dwelling)

- f) £5000 for implementing a Traffic Regulation Order
- g) Management Programme for open space and play areas.
- h) Details of the retention and transfer of the land set aside for a primary school, playing fields, a local store and healthcare facility
- i) 20% affordable housing, of which, 50% for affordable rent and 50% for affordable home ownership.

that Planning Permission be granted subject to the following conditions:

GENERAL

1.

Details of the appearance, landscaping, layout, and scale of the whole of the development or within each phase of the development hereby permitted (hereinafter called “the reserved matters”) for each phase shall be obtained from the Local Planning Authority in writing before any development within that part of the site is commenced. The development shall be carried out as approved.

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

2. Applications for approval of the reserved matters shall be made to the local planning authority not later than ten years from the date of this permission.

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

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

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

APPROVED PLANS

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

- c) Drawing Number 7055 –L- 100 - Location Plan
- d) Drawing Number p16033-002A – Proposed Access Arrangement (only those works within the existing public highway and the application site)

REASON - For the avoidance of doubt.

5. The application(s) made pursuant to condition 1 shall not propose more than 985 dwellings and a local centre comprising convenience store with up to 400 sqm retail floor space (e Class E), a GP (Class E) land for proposed primary school and early years school (Use Class F1) and sports pitches with associated parking.

REASON - For the avoidance of doubt.

HILLSIDE CONDITION

6. The development hereby permitted shall be built in accordance with the approved plans listed at Condition 4) and the approved Indicative Development Framework plan (Drawing Number 7055-SK-01_R) listed at condition 7 unless a further planning application specific to one or more of the severable areas is submitted and approved by the Council in substitution for that part of the approved development. If such an application is approved, the remaining severable areas may still be developed as approved in this planning permission, it being intended that this Planning permission should permit each severable area separately and severably from the others.

REASON - For the avoidance of doubt.

MASTERPLAN

7. The detailed matters to be covered in the Reserved Matters, shall be carried out in broad accordance with the Indicative Development Framework plan (Drawing Number 7055-SK-01_R) contained in the application and the plans submitted therewith and approved by the Local Planning Authority or as shall have been otherwise agreed in writing by the Local Planning Authority.

REASON - In order to achieve a satisfactory form of development.

NUTRIENT NEUTRALITY

8. Prior to the commencement of any phase of the development hereby permitted, details of a nutrient mitigation scheme for that phase of development shall be submitted to, and approved in writing, by the Local Planning Authority in consultation with Natural England. Such mitigation scheme shall address the additional nutrient load imposed on protected European Sites by the development and shall allow the Local Planning Authority in consultation with Natural England to ascertain that such additional nutrient loading by the development will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites. The mitigation scheme should also take into account changes in legislation and any upgrades to Stressholme Wastewater Treatment Works. The approved nutrient mitigation scheme shall be implemented for that phase prior to the first occupation of any dwelling within that phase of the development, in accordance with the approved mitigation scheme, and any subsequent amendments shall be agreed in writing by the Local Planning Authority.

Where part or all of the nutrient mitigation scheme relies upon the cessation of agricultural production within the red line boundary, then prior to the occupation of the first dwelling within that phase of the development evidence shall be proved in writing that such uses have ceased, a management plan setting out how the agricultural use remains ceased and an annual report demonstrating continued adherence to the nutrient mitigation scheme as approved.

REASON - To ensure the development is nutrient neutral in accordance with the

Conservation of Habitats and Species Regulations 2017 (as updated, amended and superseded).

9. Where part or all of the nutrient mitigation scheme relies upon an appropriate Sustainable Drainage Systems (SuDs), precise details of the SuDs measures and the reduction to the nitrogen levels in accordance with guidance contained within Ciria "Using SuDs to reduce Nitrogen In Surface Water Run off" document (C815) dated 2023 shall be submitted and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the agreed details, which shall be implemented in full for that phase prior to the occupation of the first dwelling within that phase of the development.

Where part or all of the nutrient mitigation scheme (in a) above) includes reliance upon greenspace and/or landscaped areas within the site red line boundary, then prior to the commencement of that phase of the development a landscape management plan, including the long term design objectives, management responsibilities, and maintenance schedules for such greenspace and/or landscaped areas (except privately owned domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved and any subsequent amendments shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

- a) The detail, extent and type of new planting.
- b) Details of management regimes including confirmation that the green spaces and/or landscaped areas will be managed with no or low fertiliser input.
- c) Details of any new habitat created on site including new drainage basins, habitat piles and great crested newt hibernacula.
- d) Details of treatments of site boundaries and/or buffers around water bodies.
- e) Details of dog waste bins [and signs to encourage their use]
- f) Details of management responsibilities
- g) Details of timetables for provision, management and maintenance of each element

REASON - To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017 (as updated, amended and superseded).

EXTERNAL MATERIALS

10. No dwellings hereby approved within the development as a whole or within each phase of the development shall be erected above damp proof course level until samples and details of the external materials to be used in the construction of those dwellings in that phase have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

REASON - In the interests of the visual amenity.

PLAYING FIELDS/PITCHES

11. The Reserved Matters referred to in Condition 1 shall provide detail of how the proposed playing fields shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use in accordance with a phasing plan to be submitted as part of the Reserved Matters application.

REASON - To ensure that the development makes appropriate sporting provision for its residents in accordance with para. 92 of the National Planning Policy Framework 2023.

12. Prior to the first use of any sports pitch(es) to be available for Community use, a Community Use Agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority and a copy of the completed approved agreement shall be provided to the Local Planning Authority. The Agreement shall apply to the sports pitch(es) and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England consider necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved Agreement.

REASON - To ensure that the development makes appropriate sporting provision for its residents in accordance with the National Planning Policy Framework 2023.

FLOOD RISK AND DRAINAGE

13. The development permitted by this planning permission shall only be carried out in accordance with the document entitled Flood Risk Assessment – Land South of Staindrop Road dated May 2017 and produced by Enzygo Environmental Consultants and the following mitigation measures detailed within the FRA:

- a) Limiting the developable area, excluding roads and footpaths, outside of the 8 metre distance of the Main Rivers within the vicinity.

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 future access to the Main Rivers for maintenance purposes.

14. No development shall take place until a Biosecurity Plan has been submitted to, and agreed in writing by, the local planning authority and implemented as approved. The biosecurity plan shall include the following elements:

- a) biosecurity and invasive non-native species (INNS) management best practice, utilising the check-clean-dry procedure across the site.
- b) identify specific actions and mitigation for known INNS, and methods to ensure no INNS are brought on to site.
- c) a procedure should be outlined in the event of new INNS being discovered

whilst on site; in the event of which a strategy for containment and removal should be enacted.

REASON - To prevent the spread of invasive non-native species, such as Himalayan balsam, New Zealand pigmyweed, giant hogweed, Japanese knotweed, and signal crayfish.

15. No development within a phase shall take place until a landscape management plan for that phase, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved for that phase and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- a) detail extent and type of new planting (NB planting to be of native species)
- b) details of maintenance regimes including how current hedgerows can be gap filled or laid to improve composition and value.
- c) details of any new habitat created on site including new drainage basins, habitat piles or great crested newt hibernacula.
- d) details of treatment of site boundaries and/or buffers around water bodies
- e) details of management responsibilities

REASON - To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the site's nature conservation value of the site in line with national planning policy.

16. No development within a phase shall take place until construction and management plans for that phase of the existing pond and proposed drainage basins are submitted to and approved in writing by the Local Planning Authority.

REASON - To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy. This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework 2023, which recognise that the planning system should conserve and enhance the environment by minimising impacts on biodiversity.

17. The development hereby permitted shall not be commenced until such time as a detailed sewage infrastructure plan has been submitted to, and approved in writing by, the local planning authority. The plan shall be implemented as approved. The plan shall include the following elements:

- a) Confirmation of which sewage treatment works will receive the foul flows. Confirmation that there is sufficient capacity in the receiving Northumbrian Water network to accept the flows without increasing storm overflow spills.
- b) Confirmation that there is sufficient capacity at the receiving sewage treatment works (STW) to accept the flows while still operating within the permitted flow and quality limits.
- c) A timescale for the proposed works at Northumbrian Water Limited (NWL)

sewage treatment works, which will provide the required extra capacity and treatment levels to prevent deterioration of the Water Framework Directive status of the Tees from Skerne to Tidal Limit waterbody (GB103025072595). This will ensure that any proposed works will align with the build times of the development.

- d) If there is not currently capacity within the network or at the STW, then the plan should detail an appropriate phasing approach for the development to enable the necessary upgrades to the sewage network before connecting the development.
- e) An assessment of the WFD impact to the Skerne to Tidal Limit waterbody (GB103025072595) from the increase of foul drainage looking at the impact of Ammonia and Phosphate concentrations of the waterbody.
- f) An assessment of the hydraulic capacity, where any combined sewers will be connected into, demonstrating that no additional spills from combined systems will occur due to a lack of hydraulic capacity; and
- g) An assessment of the total volume of foul drainage that will be generated by the development.

REASON - The Water Environment (Water Framework Directive) Regulations 2017 and the Northumbria River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. It specifically states that no waterbody should deteriorate in status and aim to achieve Good Status or Good Ecological Potential as soon as is reasonably practical. Any proposed plan or development should not contradict the Northumbria River Basin Management Plan 2015. Without this condition, the impact could cause deterioration of the Water Framework Directive status of the Tees from Skerne to Tidal Limit waterbody (GB103025072595). The Tees from Skerne to Tidal Limit (GB103025072595) has an overall status of Moderate.

18. The development hereby permitted shall not be commenced until such time as a Construction Surface Water Management Plan for each phase of the development has been submitted to, and approved in writing by, the local planning authority. The scheme for each phase shall be implemented as approved. The plan should include, but not limited to, the following:

- a) Treatment and removal of suspended solids from surface water run-off during construction works.
- b) Approach to ensure no sewage pollution or misconnections.
- c) Approach to ensure water mains are not damaged during construction works.
- d) Management of fuel and chemical spills during construction and operation, including the process in place to ensure the environment is not detrimentally impacted in the event of a spill.
- e) If contaminated land is present, then construction runoff is likely to contain hazardous chemicals and elements. If this is the case, a scheme is required to manage the associated risks, and minimise mobilisation of hazardous pollutants into the water environment during construction and site operation.

REASON - To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water

pollution in line with paragraph 174 of the National Planning Policy Framework.

19. The development hereby permitted shall not be commenced until such time as a Water Framework Directive (WFD) assessment has been submitted to, and approved in writing by, the local planning authority.

REASON - This approach is supported by paragraph 174 of the National Planning Policy Framework (2023) which recognises that planning should contribute to and enhance the environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, considering relevant information such as river basin management plans.

20. The development hereby approved shall not be commence on site, until a scheme of Surface Water Drainage and Management” for the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme for each phase has first been submitted to and approved in writing by the Local Planning Authority. The scheme for each phase 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.

- f) Detailed design of the surface water management system including design water levels and finished floor levels demonstrating a suitable freeboard.
- g) A build program and timetable for the provision of the critical surface water drainage infrastructure
- h) A management plan detailing how surface water runoff from the site will be managed during construction Phase.
- i) Details of adoption responsibilities; and
- j) Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement.

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

REASON - To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Policy DC2 of the Darlington Local Plan and the National Planning Policy Framework 2023.

21. The development permitted by this planning permission shall only be carried out in accordance with the document entitled Flood Risk Assessment – Land South of Staindrop Road dated May 2017 and produced by Enzygo Environmental Consultants and the following mitigation measures detailed within the FRA:

- a) A surface water management strategy for the development will be required to

manage and reduce the flood risk posed by runoff from the site, The developer will be required to ensure that any scheme for surface water should build in sufficient capacity for the entire site.

- b) Surface Water discharge rates from the site must be restricted to existing Qbar rates for all storm events.

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.

- 22. No buildings/dwellings should be occupied until the surface water management system for the development or any phase of the development is in place and fully operational. A maintenance plan detailing how the surface water management system will be maintained during the construction phase must also be submitted and approved in writing by the Local Planning Authority.

REASON - To reduce flood risk during construction/development of the site.

- 23. The development or each phase of the development hereby approved shall not be carried out otherwise than in broad accordance with the drainage scheme contained within the Flood Risk Assessment (FRA) SHF.1132.050.HY.R.01.B dated September 2017 and "Foul Drainage Analysis". The drainage scheme shall ensure that foul flows discharge to the existing foul sewer at or downstream of manhole 4502 and ensure that surface water discharges to two new outfalls to the Baydale Beck unless otherwise agreed by the Local Planning Authority.

REASON - To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2023.

PHASING PLAN

- 24. Notwithstanding the information submitted with the planning application, no development (except for site preparation works and the formation of a site compound) shall take place until a scheme of phasing and separation for the dwellings, highways, and Drainage infrastructure and associated open space/green infrastructure has been submitted to and approved in writing by the local planning authority. Development shall be carried out broadly in accordance with the approved details.

REASON - To ensure that the key elements of each phase of the development is completed in an order which ensures that infrastructure needs, landscaping/open space and access are in place relevant to each phase before further development is undertaken, in the interests of good planning.

HIGHWAYS

25. Prior to the first occupation of the development a detailed scheme, including arboricultural works and protection measures, for the off-site highway improvement works at Bland's Corner shown indicatively on drawing 14011/GA/05 rev D shall be submitted to and approved in writing by the local planning authority and Highways England.

REASON - To ensure that the A66 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.

26. Prior to the occupation of the 195th dwelling, the off-site highway improvement works referred to in condition 25 shall be completed in accordance with such details as approved.

REASON - To ensure that the A66 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.

27. No more than 300 dwellings shall be occupied under this permission until the link road has constructed to the southern boundary of the site and brought into use.

REASON - In the interests of road safety.

28. Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until swept path analysis, fully detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

REASON - To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

29. No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

REASON - To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

30. Notwithstanding condition 24), except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed phasing plans of the internal highway

and footways which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. Details shall include for each individual phase; how each phase(s) of the development provide footway and cycleway connections between one another; and to the proposed Safer Routes to School (STRS) network to the east of the application site, via the 2no proposed bridges and 1no existing bridge over Baydale Beck (whichever is applicable) and other suitable routes. This will include phasing details for new and improved/modified walking and cycling infrastructure to ensure that the cycling and walking network within the site are developed in a comprehensive and timely manner and provide safer routes to local schools. The development must only be carried out in compliance with the approved engineering drawings and the routes identified will be constructed in accordance with the phasing details prior to the occupation of each phase to ensure that residents have access to community services via active travel.

REASON - To ensure safe and appropriate access and egress and turning facilities to all premises, in the interests of highway safety and the convenience of all prospective highway users.

31. For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority. An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site. A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site. Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme of delivery.

REASON - To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

32. There must be no access or egress by any vehicles between the highway and in curtilage driveway until visibility splays providing clear visibility of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway of the major road have been submitted to and approved in writing by the Local Planning Authority. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

REASON - In the interests of highway safety.

33. No dwelling on each phase of the development must be occupied until the related parking facilities submitted to and approved in writing by the Local Planning Authority. The agreed parking provision shall be constructed in accordance with the details approved in

writing by the Local Planning Authority prior to the occupation of each dwelling on each phase of the development. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

REASON - To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

SUSTAINABLE TRANSPORT

34. Prior to the first occupation of dwellings on each phase of the development, precise details of cycle parking provision for each dwelling within that phase shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking details shall accord with the guidance contained within Cycle Infrastructure Design - Local Transport Note 1/20 July 2020 and shall be in place prior to the occupation of each dwelling.

REASON - In order to promote sustainable modes of transport.

35. Prior to the construction of dwellings within the development, precise details of the location and infrastructure design of bus stops on the proposed link road shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be fully implemented to an adoptable standard and available for use prior within a timeframe to be agreed by the Local Planning Authority.

REASON - To ensure that a bus service can be operational within the development.

36. Prior to the first occupation within a phase of the development hereby approved, details of the type and location of an Electric Socket suitable for charging electric vehicles for each property with a dedicated garage or parking space, shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details prior to the occupation of the dwellings and maintained as such thereafter.

REASON - To accord with Policy IN4 of the Local Plan.

TRAVEL PLAN

37. Further to the submitted Framework Travel Plan (May 2017), Travel Plans (TP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority and Highways England. prior to the first occupation of each phase of the development hereby approved. The individual Travel Plan shall be added to the ModeshiftStars Community / Modeshift Stars Business/Residential site and the Travel Plan shall be continued in accordance with the details contained therein, including attaining Bronze Standard within 12 months of the occupation of the phase of development and annual reviews for the first five years of the Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON - To encourage and promote sustainable transport.

HOUSING MIX

38. The development hereby approved shall comprise 45% of all new dwellings meeting

building regulations category M4(2) adaptable and accessible dwelling standards and 9% meeting M4 (3 a or b) wheelchair user dwellings standard. Precise details of how this will be achieved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development or each phase of the development and the development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – To ensure the development complies with policy H4 of the Darlington Local Plan 2016 – 2036.

PUBLIC RIGHTS OF WAY

39. Prior to the commencement of the development, a phased Public Right of Way Strategy shall be submitted and approved in writing, by the Local Planning Authority. The details shall include but not be limited to, details of shielding, surfacing, crossings and further provisions made for the Public Rights of Way both on and surrounding the site., details of timelines for construction in proximity to the Public Rights of Way and how users will be kept safe during the construction period of each phase. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON - To protect and enhance the existing Public Rights of Way in accordance with Policy IN1 of the Darlington Local Plan 2016 – 2036.

NOISE (GENERAL/SCHOOL DEVELOPMENT/PLAYING FIELDS)

40. For each phase of the development, prior to or at the same time as a reserved matters application relating to layout, a detailed noise impact assessment and scheme of noise mitigation for the protection of proposed residential properties from road traffic noise (from the A1(M), Coniscliffe Road and the new strategic spine road) and noise from the Baydale Beck Public House, compiled by a suitably qualified and experienced acoustic consultant, shall be submitted to, and approved by, the Local Planning Authority. The noise impact assessment shall consider the proposed layout, orientation and design of the dwellings based on good acoustic design* and the scope of the assessment shall be agreed in writing with the Local Planning Authority prior to the submission of the assessment.

d) The noise impact assessment shall demonstrate via calculations that the following internal and external noise levels in respect of residential properties are not exceeded:

- Internal noise levels for bedrooms shall not exceed 30dB LAeq(8 hour)**
- Internal levels shall not exceed 45dB LAFmax more than 15 times during the night***
- Internal noise levels for living rooms shall not exceed 35dB LAeq(16 hour)**
- External noise levels within garden areas shall not exceed 55dB LAeq(16 hour)** unless otherwise agreed in writing with the Local Planning Authority

* A good acoustic design process should be followed in accordance with Professional Practice Guidance on Planning & Noise New Residential Development, May 2017.

** LAeq(8 hour) nighttime 8 hours between 23:00 and 07:00 and LAeq(16 hour)

daytime 16 hours between 07:00 and 23:00. In relation to garden areas, where possible the desirable level of 50dB LAeq(16 hour) shall not be exceeded.

*** Justification shall be included in the noise impact assessment on the external LAFmax used to calculate the façade mitigation required and internal noise levels.

- e) The detailed scheme of noise mitigation shall include the following:
- Details of the sound insulation, alternative forms of ventilation and any other works to be provided for the proposed residential properties to achieve the internal and external noise levels as specified above.
 - The details (height, density), design and location of any acoustic barrier to be installed to achieve the internal and external noise levels at the proposed residential properties as specified above.
 - A plan identifying the proposed residential properties which require noise mitigation, and the noise mitigation measures to be installed.
- f) The requirements of this condition or parts of the condition can be dispensed with if it is demonstrated and agreed in writing with the Local Planning Authority that no adverse noise impacts from a particular source(s) will arise for the particular phase of the development.

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

REASON - In order to safeguard the amenities of the future impacts of the development.

41. Prior to or at the same time as a reserved matters application for the school development, a detailed noise impact assessment and scheme of noise mitigation measures compiled by a suitably qualified and experienced acoustic consultant, shall be submitted to, for approval in writing by, the Local Planning Authority. The noise impact assessment shall consider the layout, orientation and design of the school development and the scope of the assessment shall be agreed in writing with the Local Planning Authority prior to the submission of the assessment. The noise impact assessment and scheme of noise mitigation measures shall include details of noise levels, calculations and proposed sound insulation and mitigation in respect of:

- a) Protecting external areas of the school from excessive road traffic noise (having regard to Building Bulletin 93 (2003))
- b) The impact of noise on the proposed residential development(s) from external plant, machinery and equipment associated with the school development. The rating level of noise emitted from external plant, machinery or equipment whether operating individually or when all plant is operating simultaneously, shall not exceed the daytime and night-time background sound level at any residential property when measured and assessed in accordance with BS4142

'Method for rating and assessing industrial and commercial sound' unless otherwise agreed in writing by the Local Planning Authority. The background sound level to be used in the BS4142 Assessment and noise sensitive receptors shall be agreed in writing with the Local Planning Authority.

- c) Minimising the impact of noise on the proposed residential development(s) from the use of music rooms, halls or equivalent noise generating facilities associated with the school development.
- d) Minimising the impact of noise from playgrounds, playing fields and/or sports pitches (having regard to intended frequency and pattern of usage).

The approved details, findings and noise mitigation measures shall be implemented prior to the occupation of the school development/prior to the plant, machinery or equipment first becoming operational and thereafter shall be retained and maintained for the duration of the development.

REASON - In the interests of the amenities of the future occupants of the development.

42. Prior to the commencement of the development of any sports pitch(es), a detailed noise impact assessment and scheme of noise mitigation measures compiled by a suitably qualified and experienced acoustic consultant, shall be submitted to, for approval in writing by, the Local Planning Authority. The noise impact assessment shall consider the proposed layout, orientation and design of the pitch(es) and the scope of the assessment and criteria/noise levels to be met shall be agreed in writing with the Local Planning Authority prior to the submission of the assessment. The noise impact assessment and scheme of noise mitigation measures shall include details of noise levels, calculations and proposed mitigation in respect of:

- a) Minimising the impact of noise on the proposed residential development(s) and shall include intended hours of use (to be agreed) and details (height, density), design and location of any acoustic barrier(s) to be installed, as well as details of any other mitigation.

The approved details, findings and noise mitigation measures shall be implemented prior to first use of any sports pitch(es) and thereafter shall be retained and maintained for the duration of the development.

REASON - In the interests of the amenities of the future occupants of the development.

43. No means of amplification of sound shall be permitted relating to the sports pitch(es) including the use of loudspeakers and public announcement systems without the prior written approval of the Local Planning Authority.

REASON - In the interests of the amenities of the future occupants of the development.

EXTERNAL LIGHTING

44. For each phase of the development, a scheme and assessment relating to any proposed

external lighting associated with that phase of the development undertaken by an independent qualified assessor, shall be submitted to the Local Planning Authority prior to installation unless the Local Planning Authority dispenses with the requirement specifically and in writing. This should include:

- a) Times of operation of the proposed lighting units.
- b) A description of the proposed lighting units including height, type, angling and power output for all lighting.
- c) Drawing(s)/contour plans showing the luminance levels (both horizontal and vertical) of the lighting scheme to demonstrate that no excess light falls into the curtilage of sensitive neighbouring properties.
- d) The Environmental Zone which the site falls within, in accordance with the Institution of Lighting Professionals Guidance on the Reduction of Obtrusive Light, to be agreed with the LPA. The relevant light sensitive receptors to be used in the assessment to be agreed with the LPA in advance of the assessment.
- e) Details of the Sky Glow Upward Light Ratio, Light Intrusion (into windows of relevant properties) and Luminaire Intensity.
- f) The limits for the relevant Environmental Zone relating to Sky Glow Upward Light Ratio, Light Trespass (into windows) and Luminaire Intensity, contained in Table 2 (Obtrusive Light Limitations for Exterior Lighting Installations) of the Institute of Lighting Professionals Guidance on the Reduction of Obtrusive Light shall not be exceeded.

REASON - In the interest of the visual appearance and amenity of the proposed development and to protect the amenities of the future occupiers of the development.

CONSTRUCTION IMPACTS

45. Prior to the commencement of each phase of the development, a site-specific Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning Authority dispenses with any requirement[s] specifically and in writing:

- v) 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.
- w) 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.
- x) Details of any temporary construction access to the site including measures for removal following completion of construction works.
- y) Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway.
- z) The parking of contractors' site operatives and visitor's vehicles.
- aa) Areas for storage of plant and materials used in constructing the development

- clear of the highway.
- bb) Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas.
 - cc) Details of the routes to be used by HGV construction traffic and highway condition surveys on these routes.
 - dd) Protection of carriageway and footway users at all times during demolition and construction.
 - ee) Protection of contractors working adjacent to the highway.
 - ff) Details of site working hours.
 - gg) Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate.
 - hh) Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
 - ii) Measures to control and monitor construction noise.
 - jj) An undertaking that there must be no burning of materials on site at any time during construction.
 - kk) Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - ll) Details of the measures to be taken for the protection of trees.
 - mm) Details of external lighting equipment.
 - nn) Details of any ditches to be piped during the construction phases.
 - oo) A detailed method statement and programme for the building works; and
 - pp) Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

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

REASON - In the interests of highway safety and to protect the amenity of the local area

46. Construction work for each phase of the development, including the use of plant and machinery (including generators) as well as deliveries to and from the site(s), 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 permission from the Local Planning Authority.

REASON - To protect the amenity of the local area.

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

REASON - To protect the amenity of the local area.

NOISE (COMMERCIAL UNIT)

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

REASON - In the interests of the general amenity of the local area.

49. The rating level of noise emitted from external plant, machinery or equipment whether operating individually or when all plant is operating simultaneously shall not exceed the daytime and night time background noise level at the nearest noise sensitive dwelling, when measured and assessed in accordance with BS4142:2014. The background noise level to be used shall be agreed in writing with the Local Planning Authority and the assessment shall be conducted by a suitably qualified noise consultant.

REASON - In the interests of general amenity of the local area.

50. Any subsequent planning application for the erection of the retail unit shall include details of the hours of opening and deliveries.

REASON - In the interests of general amenity of the local area.

LAND CONTAMINATION

51. Prior to the commencement of each phase of the development and any site investigation works or at a time agreed in writing by the Local Planning Authority 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 Land Contamination Risk Management LCRM) and be submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing. The Phase 2 Site Investigation Strategy (Sampling and Analysis Plan) shall be sufficient to fully and effectively characterise and evaluate the nature and extent of any potential contamination and assess pollutant linkages. No alterations to the agreed Phase 2 Site Investigation Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework 2023.

52. Prior to the commencement of each phase of the development or at a time agreed in

writing by the Local Planning Authority a Phase 2 Site Investigation works shall be conducted, supervised and documented by a “suitably competent person(s)” and carried out in accordance with the approved Phase 2 Site Investigation Strategy (Sampling and Analysis Plan). A Phase 2 Site Investigation and Risk Assessment Report prepared by a “suitably competent person(s)”, in accordance with published technical guidance (e.g. BS10175 and Land Contamination Risk Management LCRM) and shall be submitted to and agreed in writing with the Local Planning Authority unless the Local Planning Authority dispenses with the requirement specifically and in writing.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework 2023.

53. Prior to the commencement of each phase of the development or at a time agreed in writing by the Local Planning Authority a Phase 3 Remediation and Verification Strategy shall be prepared by a "suitably competent person(s)" to address all human health and environmental risks associated with contamination identified in the Phase 2 Site Investigation and Risk Assessment. The Remediation and Verification Strategy which shall include an options appraisal and ensure that the site is suitable for its new use and no unacceptable risks remain, shall be submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework 2023.

54. Any contamination not considered in the Phase 3 Remediation and Verification Strategy but identified during subsequent construction/remediation works shall be reported in writing within a reasonable timescale to the Local Planning Authority. The contamination 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. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework.

55. The Phase 3 Remediation and Verification works shall be conducted, supervised and documented by a "suitably competent person(s)" and in accordance with the agreed Phase 3

Remediation and Verification Strategy. No alterations to the agreed Remediation and Verification Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority. 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, validation results and post remediation monitoring carried out to demonstrate the completeness and effectiveness of all agreed remediation works conducted. The Phase 4 Verification and Completion Report and shall be submitted and agreed in writing with the Local Planning Authority within 2-months of completion of the development or at a time agreed unless the Local Planning Authority dispenses with the requirement specifically and in writing. The development site or agreed phase of development site, shall not be occupied until all of the approved investigation, risk assessment, remediation and verification requirements relevant to the site (or part thereof) have been completed, reported and approved in writing by the Local Planning Authority.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework.

ECOLOGY

56. The development hereby approved shall not be carried out otherwise than in complete accordance with the Recommendations contained within Chapter 5 of the document entitled "Ecological Appraisal – Land to the North off Staindrop Road, Darlington" dated December 2021 and produced by FPCR Environment and Design unless otherwise agreed in writing by the Local Planning Authority.

REASON - In the interest of protecting habitats and biodiversity.

57. At each Reserved Matters stage, an updated DEFRA Metric shall be submitted to and approved in writing by the Local Planning Authority to ensure that the proposal achieves a net gain in accordance with the submitted Biodiversity Net Gain Assessment "Land North off Staindrop Road, Darlington" produced by Gladman dated October 2022 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To ensure that any impacts on biodiversity and ecology are mitigated and that appropriate enhancement works, and biodiversity net gain are secured.

58. At Reserved Matters stage, an updated 30 year Biodiversity and Ecological Management for the whole development or each phase of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and operated in full accordance with the measures contained within the final Biodiversity Management Plan, including provision for future monitoring, reporting and any necessary amendment of management measures, or such other alternative measures which may subsequently be approved in writing by the Local Planning Authority for the lifetime of the development hereby approved.

REASON - To ensure that any impacts on biodiversity and ecology are mitigated and that appropriate enhancement works, and biodiversity net gain are secured.

59. The landscaping scheme submitted under condition 1 shall seek to include the following ecological principles:

- The Green Infrastructure corridor alongside the Baydale Beck should seek to significantly enhance the biodiversity value of this feature. Public access arrangements should reflect the importance of this feature as a wildlife corridor and the need to reduce disturbance of habitats along the Baydale Beck.
- The SUDs should incorporate retention basins/wetland habitat types as alternatives to detention basins. Retention features still have a drainage function but deliver far greater biodiversity gains. The use of conveyance features and rain gardens should be used throughout the development, integrated within Green Infrastructure and the development cells.
- The built environment should also provide opportunities for wildlife. Housing should provide nesting and roosting opportunities for bats, birds and invertebrates through the incorporation of built-in wildlife bricks that provide opportunities for a range of species. The range of species catered for should be expansive and approx. 30% of the houses should include some form of integrated nesting opportunities for wildlife.
- The use of flowering lawns rather than more intensively managed traditional amenity grasslands where considered appropriate.
- Green Infrastructure corridors should allow for a range of semi natural habitats, SUDs features and recreational opportunities to be included alongside access routes.

REASON - In the interest of protecting and enhancing habitats and biodiversity.

PLAY AREAS

60. The details to be submitted in pursuance of Condition 1 shall include details on the precise number, design and location of children's play areas within the application site and details of the play equipment that would be provided within the areas. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON - In the interests of the character and appearance of the proposed development.

BROADBAND CONNECTIVITY

61. Prior to the any commencement of development or any phase of the development, above damp proof course level, a statement shall be submitted to and approved in writing by the Local Planning Authority detailing the measures necessary for providing broadband connectivity, including ducts, to each premises within the development hereby approved. The approved infrastructure shall be laid out in accordance with the details as approved at the same time as other services during the construction process and be available for use on the first occupation of each building and thereafter be so maintained for the lifetime of the

development.

REASON - To ensure that the development is provided with high quality broadband services enhancing its attractiveness, in accordance with Policy IN8 of the Local Plan.

GREEN INFRASTRUCTURE/LANDSCAPING

62. The landscaping details to be submitted in pursuance of Condition 1 shall include the provision of green infrastructure based on the formula contained within Policy ENV5 of the Darlington Local Plan 2016 - 2036. The types of green infrastructure shall include informal recreation space, wildlife friendly space, street trees, a robust boundary treatment along the western edge to distinguish between the main urban area and the countryside, enhancements of the existing green infrastructure and wildlife friendly network along the eastern boundary of the site and the Baydale Beck and improved connectivity with the Cocker Beck corridor and the River Tees. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON - In the interests of the character and appearance of the proposed development and in order to have regard to Appendix B Housing Allocation Statement (Site 249 – Coniscliffe Park North) contained within the Darlington Local Plan 2016 – 2036.

63. The landscaping details agreed under condition 1 shall be fully implemented concurrently with the carrying out of the development or each phase of the development, or within such extended period which may be agreed in writing by, the Local Planning Authority and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.

REASON - In the interests of the visual amenities of the area.

EDUCATION LAND

64. The land allocated for education purposes (approx. 1.83 hectares) and the associated playing fields as shown on the approved Indicative Development Framework plan (Drawing Number 7055-SK-01_R) shall be retained for such purposes for a time period of ten years from the commencement of the development unless otherwise agreed in writing by the Local Planning Authority.

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

LOCAL STORE

65. The land allocated for local store (approx. 1.2 hectares) and the associated playing fields as shown on the approved Indicative Development Framework plan (Drawing Number 7055-SK-01_R) shall be retained for such purposes for a time period of ten years from the commencement of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON - To ensure that land is allocated for such purposes in the event of a local store being required.

66. The local store hereby approved shall be used for purposes within Class E(a) and for no other purpose (including any other purpose in of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

REASON - In the interests of retail planning policy.

GP PRACTICE

67. The land allocated for a GP Surgery (approx. 0.37 hectares) and the associated playing fields as shown on the approved Indicative Development Framework plan (Drawing Number 7055-SK-01_R) shall be retained for such purposes for a time period of ten years from the commencement of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON - To ensure that land is allocated for such purposes in the event of a GP Surgery being required.

SOILS

68. The development hereby approved shall be carried out having regard to the methods for safeguarding soil resources, the use and protection of soils in construction projects, including the movement and management of soil resources contained with "Construction Code of Practice for the Sustainable Use of Solis on Construction Sites (2009) produced by DEFRA and the British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

REASON - In order to safeguard soil resources as part of the overall sustainability objectives of the development.

TREES

69. The details to be submitted in pursuance of Condition 1 shall include an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan for the whole development or each phase. The submitted details for the Tree Protection Plan shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m high, consisting of a scaffolding frame braced to resist impacts, supported by a wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place before the commencement of any work, including demolition operations. The Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of any work to allow an inspection of the measurements to ensure compliance with the approved scheme of protection.

Notwithstanding the above approved specification, none of the following activities shall take

place within the segregated protection zones in the area of the trees:

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

REASON - In the interests of the visual appearance of the site and surrounding area.

NOTE: Should the 106 Agreement not be completed within this prescribed period without the written consent of the Council to extend this time, the minded to approve status of the Permission shall be considered to be a refusal on the grounds that the Application has failed to provide adequate mitigation measures to provide a satisfactory form of development in accordance with the requirements of Darlington Local Plan 2016-2036, without further reference to the Planning Committee.

(3) SITE OF FORMER BLACKWELL GRANGE GOLF CLUB (EAST), CARMEL ROAD SOUTH, DARLINGTON

23/00782/FUL - Residential development consisting of 44 No. dwellings, with associated access, landscaping, SUDS pond and infrastructure, demolition of agricultural building and the regeneration of Blackwell Grange historic parkland (Amended CMP received 30th August 2023, Additional information regarding Vibration received 30th August 2023) (Amended plans / additional information received 28th September and 2nd October 2023).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highway Engineer, Transport Planning Officer, the Environmental Health Officer, the Historic Environment Record Officer, the Ecology Officer, the Senior Arboricultural Officer, and the Local Lead Flood Authority. The views of National Highways, the Council's Conservation Advisor, Northumbrian Water and Historic England were also taken into consideration.

Members were informed that 120 letters from residents had been received in total, with some individual letters containing both points of support and objection. 109 letters were categorised as objections, with 11 categorised as letters of support, and the views of three objectors, two supporters and the Ward Councillor, were heard at the meeting by the Committee).

RESOLVED – Subject to the developer entering into an agreement pursuant to Section 111 of the Local Government Act 1972 to ensure that the developer enters into a Section 106 agreement within six months to secure the following:

- a) £918,000 Affordable Housing Contribution;
- b) £44,000 sustainable transport contribution;
- c) £120,000 towards improvement scheme (A66 Bland's Corner roundabout) to increase the capacity of the junction and maintain traffic flow along the strategic and local road networks.

d) A Landscape Management clause would be included within the Agreement.

that Planning Permission be granted subject to the following conditions:

GENERAL

1. A3 (Standard 3-year time limit)

APPROVED PLANS

2. PL (Accordance with Plans)

BWG-SL-001 REV K Site Layout Plan
BWG-ED-001 Enclosures details
BWG-ENC-001 REV C Enclosures Layout
BWG-MCP-001 Overall POS MC Plan
BWG-POS-001 POS MC Plan Rev B
BWG-SG-001 Sales Garage Floor Plan
BWG-SG-001 Sales Garage Foundation Design
BWG-SS-001 Street scene
D334_L_100_REV I Landscape Strategy
D334D204 REV A Construction Details
BWG-MF-001 REV B Materials finishes layout.
D334_L_209_REV F Bat and Bird Box location Plan
BWG-BBP-001 REV B Bat and Bird Box location Plan
BWG-EV-001 EV Charging point locations
D334_L_201_REV P Parkland Landscape Strategy
D334_L_208_REV E Seat and Bin Locations
D334_P_205_REV D Parkland Tree Planting
D334_P_206_REV C Orchard Planting
D334_L_202_REV A Pond Layout
D334_P_207_ Pond Planting
BWG-BTP-001 Rev B Railing Plan
22100-01-T2 Engineering Layout sheet 1
22100-02-T6 Engineering Layout sheet 2
22100-03-T8 Engineering Layout sheet 3
22100-04-T2 Engineering Layout sheet 4
22100-05-T2 Engineering Layout sheet 5
22100-06-T4 Engineering Layout sheet 6
AU-M4(3)-01 Austin House Type Plans
AU-M4(3)-02 MAT TYPE 1 Austin Mat Type 1
AU-M4(3)-02 MAT TYPE 2 Austin May Type 2
AU-M4(3)-02 MAT TYPE 3 Austin Mat Type 3
AU-M4(3)-02 MAT TYPE 4 Austin Mat Type 4
AU-M4(3)-03 Roof Plan and section
HOUSE TYPE MOOD BOARD TYPE 1 REV J
HOUSE TYPE MOOD BOARD TYPE 2 REV J
HOUSE TYPE MOOD BOARD TYPE 3 REV J
HOUSE TYPE MOOD BOARD TYPE 4 REV H

BR-01 The Brunel Proposed floor plans.
BR-02 The Brunel Proposed elevations Mat Type 1
BR-02-MT02 The Brunel Proposed elevations Mat Type 2
BR-02-MT03 The Brunel Proposed elevations Mat Type 3
BR-02-MT04 The Brunel Proposed elevations Mat Type 4
BR-03 The Brunel Proposed roof plan section.
DA-01 The Darwin Proposed plan.
DA-02 The Darwin Second floor and roof plan
DA-03 The Darwin Mat Type 1
DA-03-MT02 The Darwin Mat Type 2
DA-03-MT03 The Darwin Mat Type 3
DA-03-MT04 The Darwin Mat Type 4
DA-04 The Darwin Proposed section.
DRL-GD-002 Double Garage Design
FR-01 The Franklin proposed plans.
FR-02 The Franklin proposed second floor and roof plan.
FR-03 The Franklin Mat Type 1
FR-03 The Franklin Mat Type 2
FR-03-MT03 The Franklin Mat Type 3
FR-03-MT04 The Franklin Mat Type 4
FR-04 The Franklin Proposed section.
MO-01 The Morris Proposed plans.
MO-02 The Morris Mat Type 1
MO-02 The Morris Mat Type 2
MO-02-MT02 The Morris Mat Type 3
MO-02-MT03 The Morris Mat Type 4
MO-03 The Morris Proposed roof plan section.
NI-01 The Nightingale Proposed floor plans.
NI-02 The Nightingale Mat Type 1
NI-02-MT02 The Nightingale Mat Type 2
NI-02-MT03 The Nightingale Mat Type 3
NI-02-MT04 The Nightingale Mat Type 4
NI-03 The Nightingale Proposed Roof Plan section.
P-DE-001 Herringbone Drive Detail
WO-01 The Wordsworth Proposed Floor Plans.
WO-02 The Wordsworth Mat Type 1
WO-02-MT02 The Wordsworth Mat Type 2
WO-02-MT03 The Wordsworth Mat Type 3
WO-02-MT04 The Wordsworth Mat Type 4
WO-03 Wordsworth Proposed roof plan section.
22100 101 P5 SUDS Maintenance Plan
22100 501 REV P2 Pumping Station
22100 95 T5 SUDS Sections

HILLSIDE CONDITION

3. The development hereby permitted shall be built in accordance with the approved plans listed at Condition 2 unless a further planning application specific to one or more of the severable areas is submitted and approved by the Council in substitution

for that part of the approved development. If such an application is approved, the remaining severable areas may still be developed as approved in this planning permission, it being intended that this Planning permission should permit each severable area separately and severably from the others.

REASON - For the avoidance of doubt

M4 STANDARD

4. The development hereby approved shall comprise a minimum of 45% of all new dwellings meeting building regulations category M4(2) adaptable and accessible dwelling standards and a minimum of 9% meeting M4 (3 a or b) wheelchair user dwellings standard as detailed in the submitted plans.

REASON – To ensure the development complies with policy H4 of the Darlington Local Plan 2016 – 2036.

HIGHWAY

5. No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

REASON - To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

6. There must be no access or egress by any vehicles between the highway and the application site Carmel Rd South A167, until splays are provided giving clear visibility of 90 metres measured along both channel lines of the major road from a point measured 4.5 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and always retained for their intended purpose.

REASON – In the interests of highway safety.

7. The following schemes of off-site highway mitigation measures must be completed as indicated below:

The proposed 'Ghost Island' Junction access to be located on Carmel Rd South in accordance with DMRB CD123 along with details of footways and pedestrian crossing facilities which link to the surrounding cycling/pedestrian infrastructure. Works include but are not limited to, resurfacing works, kerbing and drainage signage and

lining. Prior to occupation of the first dwelling.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit within three months of the granting of planning permission or within such extended time as may be agreed in writing by the Local Planning Authority.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority within three months of the granting of planning permission or within such extended time as may be agreed in writing by the Local Planning Authority.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

REASON - To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

8. No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and always retained for their intended purpose.

REASON - To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

CONSTRUCTION IMPACTS

9. The development shall not be carried out otherwise than in complete accordance with the Construction Management Plan received 14th November 2023 produced by Esh Homes (documents listed below) unless otherwise agreed in writing by the Local Planning Authority

Dust Mitigation/Assessment Report, Homes by Esh
Construction Management Plan Drawing Number BWG-CMP-001 Revision G dated 07.11.2023, Homes by Esh
Noise at Work (Reference ECP024, Issue: 1, Revision O), Homes by Esh

Wheel Washing Safety Method Statement, Homes by Esh dated 02.11.2023.

REASON – In the interests of highway safety and residential amenity.

10. Notwithstanding the details set out in condition 9 in relation to the construction management plan, contact details for the responsible person (site manager/office) who can be contacted in the event of any issue shall be submitted to the Local Planning Authority prior to the first occupation of any of the dwellings. This information shall also be provided with the sales contract information for all properties.

REASON – To protect the amenities of residents of the new development.

11. The piling shall take place in accordance with the details submitted on 16th November 2023 (confirmation of plots and vibration monitoring). Any change to the piling proposals should be agreed with the Local Planning Authority prior to any such works.

REASON – In the interests of residential amenity.

12. No construction or demolition activities, including the use of plant and machinery, as well as deliveries to and from the site, shall take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-14.00 Saturday with no activities on Sunday or Bank/Public Holidays without the prior written permission of the Local Planning Authority.

REASON – In the interests of amenity.

TRANSPORT POLICY

13. A footpath connecting the development hereby approved to the bus stops on Grange Road, via the existing access to Blackwell Grange, shall be constructed prior to occupation of the 11th dwelling. Details of the path shall be submitted to and approved by the Local Planning Authority in accordance with the above timescale, including details of the construction, lighting, and arrangements for long term maintenance.

REASON – To provide a safe route to school in the interests of pedestrian safety.

14. The cycle parking provision as show in the submitted plans, shall be in place prior to the occupation of the dwellings hereby approved and shall be maintained as such thereafter.

REASON – To encourage the use of sustainable modes of transport to and from the development.

15. The EV Charging points as shown on plan BWG-EV-001 and supporting specifications shall be in place prior to the occupation of the dwellings hereby approved and shall be maintained as such thereafter.

REASON - To accord with Policy IN4 of the Local Plan

FLOODING AND DRAINAGE

16. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Blackwell Grange Flood Risk Assessment & Drainage Strategy" dated "12th December 2022". The drainage scheme shall ensure that foul flows discharge to the foul public sewer at manhole 7901 and ensure that surface water discharges to the highway drain on Grange Road.

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

17. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy - 22100-FRA1 - dated 22.09.2023 REVISION E and the following mitigation measures.

Discharge of Surface Water • Repairs and cleansing to Highways Drainage to an adoptable standard as agreed with ESH. Communicated via email on the 30th of October 2023.

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.

18. The buildings hereby approved shall not be brought into use until: - • Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said buildings.

REASON - To reduce flood risk and ensure satisfactory long-term maintenance are in place for the lifetime of the development.

LAND CONTAMINATION

19. Any contamination not considered in the 'Coast Consulting Engineers Blackwell Grange Remediation Strategy dated 16 January 2023 Report No 22093-04 Revision A' but identified during the construction/remediation works or from the soil sampling in the location of the existing storage building/compound following the demolition of the said building shall be reported in writing within a reasonable timescale to the Local Planning Authority. The contamination shall be subject to further risk

assessment and remediation proposals agreed in advance and 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. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework.

20. The Phase 3 Remediation and Verification works shall be conducted, supervised and documented by a "suitably competent person(s)" and in accordance with the agreed 'Coast Consulting Engineers Remediation Strategy dated 16 January 2023 Report No 22093-04 Revision A'. No alterations to the agreed Remediation and Verification Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority.

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, validation results and post remediation monitoring carried out to demonstrate the completeness and effectiveness of all agreed 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 or at a time agreed unless the Local Planning Authority dispenses with the requirement specifically and in writing.

The properties which require remediation works, shall not be occupied until all 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. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework.

NOISE

21. With the exception of the proposed acoustic fence (further details required by condition 21) the noise mitigation measures shall be implemented in full in accordance with the requirements of the 'NJD Environmental Associates Noise Assessment Report reference NJD22-0116-001R Version 3 dated September 2023' unless otherwise agreed in writing by the Local Planning Authority. All noise mitigation measures shall be completed prior to the occupation of that particular property. No changes to the noise mitigation shall be carried out without the prior

written agreement of the Local Planning Authority and the measures shall be retained and maintained for the life of the development.

REASON – In the interests of residential amenity.

LANDSCAPE AND MEANS OF ENCLOSURE

22. Prior to the development hereby approved being occupied, details of an appropriate means of enclosure to gardens backing onto Grange Road and Carmel Road South (with an addendum to the noise report), shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment shall be in place prior to the occupation of the dwellings hereby approved. All other boundary treatment, as set out in drawing No. BWG-ENC-001 Rev C and BWG-ED-001 shall be in place prior to the occupation of the dwellings hereby approved.

REASON – In the interests of visual and residential amenity.

23. Notwithstanding the approved landscaping scheme referred to in condition 2, further details of the number, species and location of heavy standard trees shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the landscaping scheme. Thereafter the development shall be carried out in accordance with the details as approved.

REASON – To ensure a satisfactory appearance of the site and to improve the visual amenities of the area.

24. E3 Landscaping (Implementation)

TREES

25. The development shall not be carried out otherwise than in accordance with the recommendations and tree protection measures set out in the submitted 'Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan' (Blackwell-East, Blackwell Lane Darlington, ARB/AE/2942, Elliott Consultancy Limited, October 2023) unless otherwise agreed in writing by the Local Planning Authority.

The agreed scheme of protection shall be in place before the commencement of any work, including demolition operations. Notwithstanding the approved specification, none of the following activities shall take place within the segregated protection zones in the areas of the trees.

- a) The raising or lowering of levels in relation to 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 a maximum level of protection to safeguard the wellbeing of the trees on the site and in the interests of the visual amenities of the area.

HERITAGE IMPACTS

26. The building known as the ‘Coach House’ shall not be demolished until an appropriate programme of historic building recording (level 2) and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning.

REASON - To ensure that an appropriate record is made of the historic building fabric that may be affected by the development.

27. Notwithstanding the information within the submitted Wall Surveys and Repair Specification, further details shall be provided prior to repairs to each section of wall (A-K), to include confirmation of the required extent of works (alongside any impacts on landscape / ecology). No works shall take place until the details have been agreed in writing by the Local Planning Authority.

REASON – To both ensure retention of historic fabric and ensure that the adjacent areas of landscaping are retained or reinforced/replanted following removal to facilitate the works to conserve that combined character.

28. Prior to the occupation of the development hereby approved, details of the size, type, and location of the proposed interpretation panels shall be submitted to, and approved in writing by, the Local Planning Authority. These shall be in place prior to the occupation of the development hereby approved and shall be retained as such thereafter.

REASON - To recognise the heritage significance of the site.

ECOLOGY

29. The development shall not be carried out otherwise than in complete accordance with the recommendations set out within the Preliminary Ecological Appraisal (Blackwell Grange Parkland, Grange Road Darlington, Barrett Environmental Limited, July 2023) unless otherwise agreed in writing by the Local Planning Authority.

REASON – In the interests of biodiversity.

30. The development shall not be carried out otherwise than in complete accordance with the recommendations set out within the ‘Parkland Restoration non-native Invasive Plant Management Plan (Complete Weed Control, October 2023) unless otherwise agreed in writing by the Local Planning Authority.

REASON – In the interests of biodiversity.

31. The development shall not be carried out otherwise than in complete accordance with the recommendations set out within the Ecological Method Statement (Blackwell Grange, Darlington, Eco North, November 2023) unless otherwise agreed in writing by the Local Planning Authority.

REASON – In the interests of biodiversity.

32. The development shall not be undertaken otherwise than in complete accordance with the submitted Biodiversity Management Plan for a minimum period of 30-years from the commencement of development.

REASON – In the interests of ecology and to ensure that 10% biodiversity net gain is achieved throughout the overall development in accordance with the requirements of the NPPF and Policy ENV8.

HOUSING DEVELOPMENT

33. The housing element of this planning permission relates only to allocation 403 (Blackwell Grange East) as identified in the Darlington Local Plan (2016 – 2036).

REASON – For the avoidance of doubt.

NUTRIENT NEUTRALITY

34. Prior to the first occupation of the development, a Final Nutrient Credit Certificate, signed by Natural England and the applicant, shall be submitted to the Local Planning Authority.

REASON - To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017.

NOTE: Should the 106 Agreement not be completed within this prescribed period without the written consent of the Council to extend this time, the minded to approve status of the Permission shall be considered to be a refusal on the grounds that the Application has failed to provide adequate mitigation measures to provide a satisfactory form of development in accordance with the requirements of Darlington Local Plan 2016-2036, without further reference to the Planning Committee.

NOTE: The Chair used his powers to vary the order of the Agenda, and took this item ahead of the above Minute PA56 (a) and Minute PA56 (b) at the meeting.