

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 29 September 2021

APPLICATION REF. NO: 21/00205/RM1

STATUTORY DECISION DATE: 8 October 2021

WARD/PARISH: Heighington And Coniscliffe

LOCATION: Land at Berrymead Farm, Durham Road
COATHAM MUNDEVILLE

DESCRIPTION: Application for reserved matters approval relating to appearance, landscaping, layout, and scale (Phase 1, 123 dwellings) attached to outline planning permission 15/00804/OUT dated 06 February 2020 (Outline planning permission for the erection of 370 No dwelling houses (Use Class C3) and land reserved for a primary school and nursery (D1)) (amended plans received 27 July 2021; Noise Assessment received 6 August 2021; amended plans received 3 September 2021)

APPLICANT: Persimmon Homes Teesside

RECOMMENDATION: GRANT APPROVAL SUBJECT TO CONDITIONS

Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background papers are available on the Darlington Borough Council website via the following link:
<https://publicaccess.darlington.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q82CFLPLCD00>

APPLICATION AND SITE DESCRIPTION

1. Outline planning permission was granted subject to a Section 106 Agreement and planning conditions (reference number 15/00804/OUT) in April 2018 by the Planning Applications Committee to develop the Berrymead Farm site for up to 370 dwellings, with land reserved for a primary school and nursery. At this stage all matters were reserved for future consideration apart from the access arrangements. The planning

permission was issued in February 2020 once the Section 106 Agreement process had been completed.

2. Whilst the outline planning application was a joint submission on behalf of Persimmon Homes, Taylor Wimpey and Northumbrian Land Ltd, this Reserved Matters submission relates solely to a detailed single phase of the development (one third of the overall development) which would be brought forward by Persimmon Homes. This planning application has been submitted to seek approval for the following reserved matters for this single phase (in accordance with conditions attached to 15/00804/OUT):
 - a) Appearance,
 - b) Landscaping,
 - c) Layout
 - d) Scale

3. Persimmon Homes are seeking to develop the area to the north east of the existing watercourse which runs through the development site. This area accounts for approximately one-third of the total developable area on the site and therefore Persimmon Homes intend to develop this parcel on a proportionate basis for 123 units. This submission includes a landscape buffer to the north of the site and measures 20 acres in total. Whilst already approved by the outline application, the boundary of this reserved matters application site has been extended south beyond the watercourse to include the site access from the A167 Beaumont Hill to demonstrate how this phase of the development will be accessed. The overall proposal includes:
 - a. 123 Residential Dwellings
 - b. 2x SUDs ponds/basins & 1x Existing Pond
 - c. 3.43 Hectares of POS & Landscaping.
 - d. 1x Children's Play Area
 - e. 1x Electrical Substation

4. A Reserved Matters application (ref no 21/00346/RM1) has also been submitted on behalf of Taylor Wimpey to develop a second phase of the wider development site with a further 123 units. This site is adjacent to the Persimmon Homes phase the subject of this application and is pending consideration by the Local Planning Authority. The southern end of the development site has yet to be the subject of any Reserved Matters submissions.

MAIN PLANNING ISSUES

5. The principle of developing the site for residential purposes along with the offsite highway works has been established by the granting of the outline planning permission (15/00804/OUT). The main issues to be considered here are whether this proposed phase of the development is acceptable in the following terms:
 - a) Appearance,
 - b) Landscaping,

- c) Layout
- d) Scale
- e) Other Matters

PLANNING POLICIES

6. The Berrymead site (ref no 15/00804/OUT) lies outside of the existing development limits identified by the Proposals Map of the Local Plan 1997. However, at the time the application was submitted and determined, the Council could not demonstrate a 5 year supply of deliverable housing sites. The proposal was considered to make a valuable contribution towards the Council being able to meet that requirement and target, which the Council has continued to do. The site is a housing allocation within the emerging Local Plan and would be within the new development limit for the urban area. The relevant Local Plan policies include those seeking to ensure that the proposed development

- Provides vehicular access and parking suitable for its use and location (CS2 of the Core Strategy 2011)
- Is within a sustainable location and accessible by various modes of transport, pedestrians, and disabled persons (CS2 of the Core Strategy 2011)
- Protects the general amenity and health and safety of local community (CS16 of the Core Strategy 2011)
- Reflects or enhances Darlington's distinctive nature; creates a safe and secure environment; creates safe, attractive, functional, and integrated outdoor spaces that complement the built form; and relates well to the Borough's green infrastructure network (CS2 of the Core Strategy 2011)
- Does not result in any net loss of existing biodiversity value by protecting and enhancing the priority habitats, biodiversity features and the geological network through the design of new development, including public and private spaces and landscaping (Policy CS15 of the Core Strategy 2011)
- The development has regard to existing trees and incorporates trees into the proposed layout wherever possible (E12 of the Local Plan 1997)
- Includes hard and soft landscaping which has regard to its form, setting and design (policy E14 of the Local Plan 1997)
- Will be focused on areas of low flood risk (Flood Zone 1) and it should comply with national planning guidance and statutory environmental quality standards relating to risk from surface water runoff, groundwater, and sewer flooding (Policy CS16 of the Core Strategy 2011)
- Improves transport infrastructure and creates a sustainable transport network (CS19 of the Core Strategy 2011)
- Complies with statutory standards relating to contaminated land (Policy CS16 of the Core Strategy 2011)

Other relevant documents

- National Planning Policy Framework 2021
- Supplementary Planning Document – Design for New Development

RESULTS OF TECHNICAL CONSULTATION

7. The Council's Highways Engineer, Transport Policy Officer, Environmental Health Officer and Ecology Consultant have raised no objections to the principle of the proposed development.
8. Northern Gas Networks have raised no objections.

RESULTS OF PUBLICITY AND NOTIFICATION

9. Two letters of objection to the planning application have been received following the Council's notification and publicity exercises. The comments are as follows:
 - *This was not included in the local plan, which already includes significantly more dwellings than the Council is obligated to provide or is necessary. Many urban areas need redevelopment*
 - *Mature trees and natural habitats will be destroyed. This is greenbelt land.*
 - *There will be much increased traffic on the already strained roads and junctions (A167, A1150).*
 - *On gov.uk flood risk maps, these houses are at risk of flooding. Increased rainwater due to raised woodland area*
 - *Damage to boundary fence/property due to tree roots*
 - *Lack of light due to tree height*
 - *Anti-social behaviour of youths congregating in unsupervised, secluded area- possible drug and alcohol use*
 - *Increased traffic flow on A167 will make access to home difficult*
 - *Traffic noise/speed is already significant*
 - *Farmland floods annually- where will this surplus water go?*
10. A comment has been received which can be summarised as follows:
 - *An article in the Echo referred to noise levels on the A167 being too high to allow residents to have windows open as this would mean recommended noise levels in habitable rooms will be exceeded. I can confirm that it is not possible to open windows without intrusive noise levels. A potential solution to noise levels would be a 40mph speed restriction and speed cameras. There is no noise problem when traffic is complying with the speed limit*
11. A second comment has been received which states:
 - *I have no objections to the planning permission for the housing development if off street parking for houses on Harrowgate Village is resolved. There is a partial hardstanding outside No 5 Harrowgate Village for off street parking that is insufficient for a modern vehicle and it is substantially smaller than adjacent properties. This affects my ability to park my vehicle off the road which I try and do for safety reasons*

12. Whessoe Parish Council has objected to the planning application on the following grounds:

- *Essentially the whole piece of land looks to be split into three sections*
 - a) *The northern section - 21/00205/RM1 - Persimmon Homes - with access via A167*
 - b) *The middle section - 21/00346/RM1 - Taylor Wimpey - with access via the A167*
 - c) *The southern section (closest to our Hall/White Horse) - this area also belongs to Taylor Wimpey but there is no Reserved Matters application at this time. This is the area that would have access via two roundabouts onto Burtree Lane*
- *The Parish Council is of the view that it will not work to only access via A167 for these two initial developments, and the Highways Engineer in his response to the Taylor Wimpey application references the need to consider the whole development/site in the round rather than piecemeal by individual developer. Residents of the new developments wanting to travel towards Darlington town centre (i.e., turning right on to the A167) will have enormous difficulty in doing so. If this is all to go ahead, it would be essential to include the Burtree Lane access points right from the beginning. As that is likely to be a hugely costly infrastructure exercise when there are no initial plans to develop that part of the site, then the plans for the A167 entrance should be amended to at the very least traffic lights, if not a roundabout*

PLANNING ISSUES/ANALYSIS

a) Appearance

13. The impact of the overall housing development upon the appearance and the character of the immediate area was considered at outline planning application stage. The outline planning application was supported by a Masterplan to show how the site could be built out and brought forward and this Reserved Matters submission does generally accord with that Masterplan.
14. The residential dwellings consist of a mix of two, three, four and five bed dwellings. The properties are a mix of terraced, semi-detached, and detached dwellings with brick being the predominate material. The bricks would be a mix of red, buff, and brindle variety of a tone and colour which compliments the existing materials surrounding the site along with a selection of contrasting red and grey roof tiles.
15. There is a variety of well designed, high quality house types throughout the development incorporating a mix of gable and pitched roof properties with design features such Village style doors; stone heads and cills detailing; a combination of integrated garages and on plot parking and pitched roofs above door canopies. The design and appearance of the market and affordable units will be indistinguishable and together the properties will form a coherent scheme which complements its immediate context.

16. The visual appearance of the proposed development is considered to be acceptable and would accord with Policy CS2 of the Core Strategy 2011 in this regard.

b) Landscaping

17. The proposed off site highway works approved under the outline planning permission include the creation of a new footpath and cycleway along the western edge of A167 which will result in the need to remove some of the trees that are located on this stretch of highway verge. These works would lead to the removal of 18 Category B trees of moderate quality, 1 Category C tree of low quality, and 3 Category U trees that require removal regardless of the design proposals. The removal of these trees within the highway corridor will undoubtedly cause a negative visual impact within the streetscape.
18. In order to facilitate the proposed housing development, 4 Category B trees of moderate quality, and 2 Category U trees will require removal regardless of design and where access points are required onto the A167. The arboricultural impact of this tree and hedge removal is considered to be low given the retained tree cover and the extent of the proposals.
19. The majority of the existing hedgerow along the A167 will be retained with the dwellings, whilst outward facing, being sited behind the hedgerow. The proposed development includes 3.43 hectares of open space ranging from pockets of open space; a central area of open space with a play area, SUDs areas and an extensive area of open space and woodland to the north of the site. These areas would be supplemented by a landscaping scheme which includes extensive tree planting, hedgerow planting and species rich grassland. The landscaping scheme has recently been amended to increase the levels of wildflower planting in the POS in the north of the site and to increase the levels of wildflower planting around the southernmost SUD's pond.
20. A Landscape Construction and Ecological Management Plan (LCEMP), a combined Landscape Ecological Management Plan (LEMP) and Construction Environmental Management Plan has been submitted in support of the planning application. The plan sets out how ecological habitats will be created, enhanced, managed, and monitored in the short and long-term to promote their biodiversity interest. In addition, a CEMP is provided to detail how protected/priority species and habitats will be protected through the enabling/construction period. The Council's Ecology consultant has advised that the revisions to the landscaping scheme and the LCMEP are acceptable and will allow for the development of robust semi-natural habitats and the monitoring regime will ensure that the habitats are managed positively into the future. The changes to the woodland and wildflower grassland areas will be of benefit to local biodiversity.
21. The wider area will see the loss of trees along the A167 due to the off-site highway works which were approved under the outline planning permission. The development of this phase of the wider site will also result in some further tree and hedge removal. It is however considered that the extensive landscaping proposals for this part of the development site will mitigate for the loss of tree and hedges to an acceptable degree

and will also introduce a high quality landscape scheme which enhances biodiversity, habitat creation and will integrate the development into the existing landscape.

22. In response to an objection, maximum heights have been added to landscaping plans for the areas of raised land in the north of the POS. The individual mounds vary between 1m -1.5m above the existing ground level whilst the central area will be 0.5m above the existing ground level. Given the distance from any existing or proposed properties and the general topography of the area it is not expected to lead to any increased risks of overlooking of existing neighbouring dwellings.
23. The proposal would accord with policy CS2 and CS15 of the Core Strategy 2011, saved policies E12 and E14 of the Local Plan 1997 and the National Planning Policy Framework in this regard.

c) Layout

24. The detailed layout of the scheme has been informed by the access arrangements established at the outline planning application stage alongside the principles suggested by the Illustrative Masterplan also submitted with the outline planning application. Whilst the Masterplan is not an approved document, it played a fundamental role in assessing the suitability of residential development on the site during the determination of the outline planning application and has therefore formed the starting point for Persimmon Homes' detailed design to ensure compatibility with later phases of the development.
25. In accordance with the Masterplan, this phase of the development is accessed from the ghost island T-junction from Beaumont Hill (A167) to the east of the site. Dwellings are located along this boundary, between the existing houses fronting out onto the A167 behind the existing hedgerow to provide an outwardly facing relationship between the proposed development and the surrounding area which is in character with the existing dwellings on Beaumont Hill.
26. Within the site, there are pockets of public open space which break up the development pattern, performing both a functional and social role within the development, including the high ground in the north of the site. Within the central area of public open space, a play area is located to serve the wider Berrymead development. A footpath crosses this area to increase its accessibility to the wider site.
27. There are numerous pedestrian and vehicular links safeguarded along the western and southern boundary of the phase to facilitate access to the later phases of the wider scheme, in accordance with the principles of the outline approval which includes the need to formation of a loop with the strategic link road around the safeguarded school land. Officers can confirm that both Persimmon Homes and Taylor Wimpey are in constant discussions with each other about how the two detailed phases will integrate as well as the final phase which has yet to be the subject of any detailed submissions.

28. The layout and position of the dwellings have been amended on some areas of the phase to ensure that the proposed development and its spatial relationship with existing dwellings is in complete accordance with the proximity distance requirements set out in the Council's Supplementary Planning Document – Design for New Development. This has resulted in a clear pattern of development blocks culminating in a mixture of cul-de-sacs, turning heads and shared drives. To provide each dwelling with an area of private external space rear gardens are designed to 'back up' with one another. With an area of semi-private space to the front of the units and a clearly defined private space to the rear, plot boundaries are clear and unambiguous with an obvious delineation between the public and private spaces.
29. At key locations throughout the development, detached units have been positioned within the street scene to form focal buildings within the development. At key corners there are dual frontage properties to aid the transition around corners and provide an outlook onto both elevations. By providing the windows on the side elevation, the properties increase surveillance around the site, thereby reducing the opportunities for crime. The proposal maximises the amount of frontage along the key pedestrian routes and public open space throughout the site to create a safe and legible development and as stated, a continuous frontage is provided along the boundary with the A167 to the east of the development and around areas of green infrastructure within the site.
30. As stated, the off-site highway works and access arrangements onto the A167 to the east and Burtree Lane to the west to mitigate the impacts of the overall development in highway terms has been considered at outline planning application stage.
31. In response to the Parish Council comments, the overall housing development site has access of both the A167 and two roundabouts off Burtree Lane. This phase includes the A167 access and the small roundabout works on Burtree Lane will be delivered as part of the Taylor Wimpey phase of the development and in line with the triggers set out in the Section 106 Agreement. These triggers are that no more than 50 dwellings can be occupied until the Beaumont Hill access is available for use; no more than 80 dwellings can be occupied until the Burtree Lane small roundabout works are available for use, no more than 350 dwellings can be occupied before the fourth arm on the large roundabout on Burtree Lane is available for use, as well as the link road between Burtree Lane and Beaumont Hill being installed prior to the occupation of the 150th dwelling.
32. Even with Persimmon phase and the Taylor Wimpey phase (ref no 21/00364/RM1) combined (total of 246 dwellings), this falls significantly short of the 350 dwelling trigger for the fourth arm of the large Burtree Lane roundabout. Any subsequent triggers will fall with the developer who submits an application for the southern parcel of the site and will need to be assessed as part of that separate application. However, what is clear is that both Persimmon and Taylor Wimpey's schemes both meet the appropriate S106 triggers and can therefore come forward now. Furthermore, a phasing plan for the wider development would be submitted by all developers to discharge a planning

condition attached to the outline permission and this will further strengthen the controls over when accesses become available in line with the Section 106 Agreement.

33. The off-site highway works that have been approved under the outline planning permission include improvement to the highway infrastructure outside the dwellings on Harrowgate Village, including the upgrading of the footway to a shared footway and cycle way.
34. Following detailed discussions between the applicant, the Council's Highways Engineer and the Transport Policy Team, the internal road, cycle and footpath layout and design are acceptable and provide good connections to the approved off site highway works on the A167 and beyond. Car parking and cycle parking provision meets the required Tees Valley guidelines.
35. The most recent Acoustic Design Statement relevant to this application considers the impacts of noise from road traffic on the Persimmon area (Phase 1) of the development and concludes that based on the site layout which was used in the assessment, with certain mitigation (glazing standards and trickle vents) suitable noise levels in accordance with relevant guidance and set out in planning conditions attached to the outline planning permission will be achieved (in both internal and external spaces). The site layout does demonstrate good acoustic design with the dwellings closest to A167 screening main garden areas from the road. The Council's Environmental Health Officer has advised that the layout for the Persimmon area (Phase 1) in relation to noise and noise mitigation is acceptable.
36. Overall, the layout of the proposed development is acceptable and would accord with policies CS2 and CS16 of the Core Strategy 2011 and the Supplementary Planning Document on Design for New Development in this regard.

d) Scale

37. Scale and height of a development is important to the successful integration of any new development into the existing built environment and surrounding landscape. This proposal incorporates a mix of 2 and 2.5 storey properties throughout the site in order to create a diverse and attractive development. Whilst it is acknowledged that 2 storey properties are the prominent style within the local area, the 2.5 storey dwellings have been designed to contain a habitable room in the roof space so that they remain reflective of the surrounding development. With a mixture of skylights and dormer windows, the 2.5 storey dwellings will create variation and points of interest within the street scene. The scale of the proposed development is acceptable and would accord with policy CS2 of the Core Strategy 2011 in this regard.

e) Other Matters

Planning Conditions

38. As a separate process to the Reserved Matters application, the applicant will be required to submit application(s) to discharge certain planning conditions attached to the outline planning permission 15/00804/OUT. A planning application (ref no:

21/00304/CON) has been submitted to seeking to discharge conditions relating to the location of the play areas; archaeology; Arboricultural Impact Assessments, ecology and noise which are pending consideration and is subject to consultations with the appropriate consultees.

39. Further submissions will be required to cover matters including the phasing of the development; materials, affordable housing provision; various highway matters, land contamination, drainage, a Travel Plan. It would be the applicant's intention to proceed with these submissions should this planning application be granted.

THE PUBLIC SECTOR EQUALITY DUTY

40. In considering this application the Local Planning Authority has complied with Section 149 of the Equality Act 2010 which places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The proposed layout will include dropped kerbs, tactile paving etc at appropriate places and the dwellings would be designed to meet Part M of the Building Regulations. The proposed development would accord with policy CS2 of the Core Strategy 2011 in this regard.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

41. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION AND RECOMMENDATION

42. This application is a Reserved Matters submission for one phase of the Berrymead Farm housing development. Members were minded to approve the outline planning application (15/00804/OUT) for the wider site in April 2018, at a time when the Council could not demonstrate a 5 year supply of deliverable housing land, subject to the applicant entering into a Section 106 Agreement. The traffic generation and highway safety impacts, visual impacts on the surrounding area and the offsite highway works, including tree removals to facilitate footpaths/cycle paths and access points were agreed at the outline planning application stage.
43. The proposed layout provides good connectivity throughout and to the existing and proposed infrastructure and it raises no highway, pedestrian or cycling safety concerns. The dwellings are positioned and orientated to comply with the required proximity distances between dwellings and the extensive landscaping scheme will bring biodiversity enhancements to the site and mitigate against existing tree and hedge loss. The proposed dwellings are well designed, and this phase of development will integrate well with the surrounding area and the other phases that will be brought forward to develop the whole site (370 dwellings).

44. A separate application process will be completed to discharge the necessary planning conditions attached to the outline planning permission insofar as they relate to this individual phase of the development. Those submission will consider matters such as drainage, affordable housing provision, tree protection measures, archaeology etc and the details will be considered by the local planning authority in conjunction with the appropriate statutory and non-statutory consultees.

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
 - a) Drawing Number DAR-BMF-000 A – Location Plan
 - b) Drawing Number DAR-BMF-001 F – Site Layout Overall
 - c) Drawing Number DAR-BMF-002 F – Site Layout Extract
 - d) Drawing Number DAR-BMF-003 C – Materials Layout
 - e) Drawing Number DAR-BMF-004 C – Boundary Treatment Plan
 - f) Drawing Number D900 Rev 3 – Swept Path Analysis Refuse Vehicle
 - g) Drawing Number DAR-BMF-005 D - Landscape Layout Plan 01
 - h) Drawing Number DAR-BMF-006 D - Landscape Layout Plan 02
 - i) Drawing Number DAR-BMF-007 D - Landscape Layout Plan 03
 - j) Drawing Number DAR-BMF-008 B – Ecology Layout
 - k) Drawing Number DAR-BMF-010 B - Adoptable Areas Plan
 - l) Drawing Number DAR-BMF-011 A – Tree Removal Plan
 - m) Drawing Number DAR-BMF-013 A - Tree / Hedge Retention Plan
 - n) Drawing Number DAR-BMF-019 - Sound Mitigation Layout
 - o) Drawing Number GW-WD-06 F – Greenwood
 - p) Drawing Number SWC-WD-06 F - Sherwood Corner
 - q) Drawing Number SW-WD-06 D Sherwood
 - r) Drawing Number BD-WD-06 R – Bond
 - s) Drawing Number BM-WD-06 E – Burnham
 - t) Drawing Number CM-WD-06 Q - Compton
 - u) Drawing Number CWC-WD-06 E - Charnwood
 - v) Drawing Number CWC-WD-06 G – Charnwood Corner
 - w) Drawing Number DM-WD-06 E – Delamare
 - x) Drawing Number DY-WD-06 D - Danbury
 - y) Drawing Number FH-WD-06 – Fenchurch
 - z) Drawing Number GTC E SS 0010 R2 1 Close Coupled Sub Station
 - aa) Drawing Number HL-WD-06 B - Haldon
 - bb) Drawing Number HY-WD-06 S - Harley
 - cc) Drawing Number MS-WD-06 C - Marston
 - dd) Drawing Number PD-WD-06 L – Portland
 - ee) Drawing Number RN-WD-06 E Rendlesham
 - ff) Drawing Number SGD-001 B Single and Double Garage

gg) Drawing Number SGD-010 - Double Garage

hh) Drawing Number SN-WD-06 H - Saunton

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