

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 19th January 2022

APPLICATION REF. NO:	21/00405/FUL
STATUTORY DECISION DATE:	8 th June 2021 (EOT 21 st January 2022)
WARD/PARISH:	SADBERGE AND MIDDLETON ST GEORGE
LOCATION:	Land South Of Neasham Road Neasham Road MIDDLETON ST GEORGE DARLINGTON
DESCRIPTION:	Erection of 2 no. detached dwellings (Additional information received 24th August & 13th October 2021)
APPLICANT:	Mr John McArdle

RECOMMENDATION: GRANT OUTLINE PLANNING PERMISSION SUBJECT TO CONDITIONS (see details below)

APPLICATION AND SITE DESCRIPTION

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=QRICF1FPJ0F00>

1. The application site, which is situated within the Middleton One Row Conservation Area, is located to the west of Middleton Lane in Middleton St. George, and comprises part of a residential development of 27 no dwellings (previously approved under reference number 16/00972/FUL) and part of an adjoining garden. This approved development includes four and five bedroomed detached dwellings and six two bedroomed bungalows, all with associated car parking. In addition, the site features landscaping and tree planting with brick boundary walls, timber fences and hedging.

2. Planning permission is sought for the erection of two additional two-storey dwellings within the site (both two storey, one five bedrooms, and one six bedrooms). One of the dwellings would be within the confines of the approved site, and the other dwelling would involve a small extension to the site by including a strip of the rear garden of Brake House, 72 Middleton Lane. This area was formerly used as a grass tennis court before being converted back into a small part of the substantial grounds of Brake House.

MAIN PLANNING ISSUES

3. The main issues for consideration are:
 - (a) Principle of the proposed development;
 - (b) Impact on Heritage Assets;
 - (c) Impact on visual amenity and residential amenity;
 - (d) Impact on trees;
 - (e) Contaminated land;
 - (f) Highway Safety;
 - (g) Flooding and Drainage;
 - (h) Ecology;
 - (i) Other matters.

PLANNING POLICIES

4. Relevant Local Plan policies include those seeking to ensure that new housing development:
 - Is located inside defined development limits (Saved Local Plan Policy E2 and Core Strategy Policy CS1);
 - makes efficient use of land, buildings, and resources, reflects the character of the local area, creates a safe and secure environment, and provides vehicular access and parking suitable for its use and location (CS2);
 - Protects, and where appropriate enhances the distinctive character of the borough's built, historic, natural, and environmental townscapes (CS14);
 - Ensures no net loss of existing biodiversity value by protecting and enhancing the priority habitats, biodiversity, and the geological network through the design of new development, including public spaces and landscaping (CS15);
 - protects and, where possible improves environmental resources whilst ensuring that there is no detrimental impact on the environment, general amenity, and the health and safety of the community (CS16);

RESULTS OF TECHNICAL CONSULTATION

5. No objections in principle have been raised by the Council's Highways Engineer or Environmental Health Officer, subject to conditions. The Conservation Officer has raised some concerns regarding impact on the Conservation Area. No objections have

been raised by the Historic Environment Record Officer, the Local Lead Flood Authority or Northumbrian Water.

RESULTS OF PUBLICITY AND NOTIFICATION

6. Two letters have been received by residents. The main issues raised relevant to this application are:
 - Loss of privacy;
 - Loss of light;
 - Impact on trees, vegetation, and nature;
 - Impact on Conservation Area;
 - Risk of creating a precedent in the Conservation Area;
 - Negative impact on the visual amenities of the locality;
 - Potential raising of ground levels;
 - Increase in surface water flooding;

7. An objection has also been received from Middleton St George Parish Council, raising the following concerns:
 - The proposed development is outside the Development Limits and there is a proven 5 Year Housing Supply ;
 - The development will have an adverse impact on the Conservation Area;
 - The proposal would involve the loss of trees;
 - The Proposal would constitute back land development (intensification) ;
 - There has been no regard to the emerging Neighbourhood Plan
 - - Extra housing of the type proposed not appropriate (ref. MSG Neighbourhood Plan, and its accompanying Housing Needs Assessment and Design Guide)

PLANNING ISSUES/ANALYSIS

a) Principle of the proposed development

8. An application for the development of the wider site for 27 dwellings, bounding Middleton Lane to the east and Neasham Road to the west, was approved in January 2017 (16/00972/FUL). Since then, there have been several variations of the proposed scheme, with the same number of dwellings. Whilst it is noted that the site remains outside of the development limits of the existing Local Plan, the principle of residential development has been established. In addition, the Emerging Local Plan includes the site as an allocation and within development limits. The remainder of the site, which forms part of the garden of Brake House, would remain outside of development limits and therefore is located outside of, but adjacent to, the development limits for Middleton St George as set out in the proposals map accompanying the Borough of Darlington Local Plan. As the application site is located beyond the limits to development, the proposal would be contrary to Saved Policy E2, and also contrary to Policy CS1 and Saved Policy H7.

9. The reasoned justification to Saved Policy E2 explains that the limits to development are intended to maintain well-defined settlement boundaries and to safeguard the character and appearance of the countryside, and that outside of development limits development will be strictly controlled.
10. Section 38(6) requires, planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. While the proposal would be contrary to those policies set out in paragraph 8 above, there are other material considerations to be considered as part of the planning balance.
11. Planning permission exists for the residential development of the adjacent site (16/00972/FUL) which is currently under construction. The extension to the application site is a small gap site between the existing development site and an existing residential boundary and is of no particular visual merit in amenity terms being of limited size, being situated to the rear of an existing dwelling in substantial grounds and having no road frontage.
12. While Saved Policy E2 seeks to protect the character and appearance of the countryside and is still relevant and should be considered in the planning balance, in the context of the on-going development of adjacent site and the limited impact the application site has in the locality, it is not considered that development on this site would have such a harmful impact on the character and appearance of the countryside so as to warrant refusal of planning permission on this basis. Had this part of the site been included within the wider site when the original approval was granted in 2017, this would not have raised any significant issues and would have been a logical part of the wider site.
13. Despite the conflict with development plan policies, significant weight can be attributed to the limited impact of the proposed additional dwellings in this location on the character and appearance of the surrounding countryside.
14. To conclude, whilst it is noted that the wider site covered by 16/00972/FUL remains outside of the development limits of the existing Local Plan, the principle of residential development has been established. In addition, the Emerging Local Plan includes the wider site as an allocation and within development limits, and the inclusion of a portion of the garden of an existing dwelling at No. 72 Middleton Lane, whilst that part would remain outside of development limits, to accommodate one of the additional dwellings as part of the wider site, would not be considered to raise any significant issues subject to complying with other relevant plan policies. The principle of development in this instance is therefore considered to be acceptable, subject to consideration of the other matters as set out in para. 3 of this report.

b) Impact on Heritage Assets

15. The site is within the Middleton One Row Conservation Area and the Conservation Officer has made the following comments:

'Middleton One Row Conservation Area is designated for its high quality, intact rural qualities. Greenspace is a key feature, as is the River Tees. Historic development is primarily in the form of Georgian and Victorian residential and villa development, but also includes a Medieval Tower Motte Castle Scheduled Monument and a Victorian church, by local architect J.P. Pritchett (junior).

The older elements of Middleton One Row began around the now demolished Pountey's Bridge across the River Tees and the Norman Motte, a Scheduled Monument, off Church Lane. Development continued along The Front with elegant Georgian properties and their commanding view over the village green, the River Tees and onto North Yorkshire countryside. Victorian development spread north along Middleton Lane (primarily in villa form) but there remains separation between it and the Victorian development (primarily in terraced form) that spread south from the current village of Middleton St George, related to the railways.

While the submitted stated is out of date and pays no specific focus the additional development I agree with the findings in the Heritage Statement that the site is not in close proximity to any statutorily protected assets, specifically the Scheduled Monument and listed buildings to harm these heritage assets. Also, although the sites west boundary is close to the route of the Roman Road, it would not encroach upon it. In respect of these heritage assets, I agree that the impact would be neutral, and no harm would be caused.

As has been previously set out the proposed development would have a detrimentally harmful impact to the Conservation Area. The Statement from the previous scheme stated correctly that the green space is enhanced by extensive tree coverage, most notably to the boundaries to the roads, fields, and properties. It is proposed to retain some of this mature landscaping with enhancement in areas. Also, the traditional boundary treatment to Brake House, on the south boundary, would not be affected. With the new proposed 2 dwellings this would impact upon the boundary of Brake House. An area which was previously given some buffer would now be directly impact upon. With the additional development it would have a further impact upon the setting of a non-designated heritage asset, Brake House.

The Character Appraisal clearly refers to the pressure for infill development within the Conservation Area and where valuable green space still exists (the application site) this should be resisted. New development, where suitable, should be guided by the 'best development' in the Conservation Area. The exemplar / best form of development is defined as 'front facing' onto the road with individual entrances to properties. The submitted Heritage Statement (4.17) acknowledges that the 'later 20th century development has mainly been in the form of semi-detached housing within cul-de-sac developments off Middleton Lane, which has affected the character of the Conservation Area.'

The additional development would create a further intensification of the space and set further precedent for additional development in the areas, of which would be entirely unacceptable'.

16. Whilst the concerns raised by the Conservation Officer are noted and have been carefully considered, given the limited visibility of the site itself, and the nature of the site which forms part of an existing spacious development site and part of the garden of an existing dwelling, both of which the development would be seen in the context of, it is not considered that the proposal would have a harmful impact on heritage assets. The proposed dwellings are similar in scale, design, and appearance to those already approved as part of the existing permission. Impact on trees in the above context is considered further below.
17. Overall, the proposal would not be considered harmful to heritage assets and complies with Policy CS14 in this regard.

c) Impact on visual and residential amenity

18. The proposed additional dwellings are considered to be acceptable in terms of their layout, scale, and design in the context of the existing approved dwellings and raise no issues in terms of their impact on the visual amenities of the locality both at site level and in the wider context.
19. Whilst the concerns raised regarding impact on amenity of existing plot 5 are noted, it should be noted that the nearest element of the proposed dwelling to this plot would be single storey in scale (the garage element) and as such, this limits the impact on loss of light or overshadowing. Similarly, there are no overlooking issues between plot 5 and the nearest new dwelling to the east.
20. In terms of the relationship between the new dwellings, they are considered to be sufficiently separated, in accord with the Design SPD and on such spacious plots, that they raise no significant amenity issues, and the design and layout achieves appropriate standards of residential amenity.
21. Details of boundary treatment, external materials, finished floor levels and landscaping would be required by planning condition.
22. It is recommended, due to the sites position within a residential area, that a planning condition requiring submission and agreement of a Construction Management Plan, together with the standard restriction on construction working hours, be attached to any approval.
23. In view of the above, there is considered to be no conflict with policy CS2, CS14, CS16, or the Design SPD and the proposal is therefore considered acceptable in this regard

d) Impact on trees

24. A recently planted Leylandii hedge follows the north and western boundary. There are six Horse Chestnut trees and one Ash tree along the northern and western boundaries, none of which are protected by TPO's. As such, an Arboricultural Impact Assessment (Claire Raw, March 2021) was submitted in support of the application.
25. There were seven individual trees surveyed. Five the trees have been given a C category rating(2 C1, 1 C2, 2 C3) and two of the trees have been given a U category rating (unsuitable to retain). In addition to the individual trees, one group and one hedge were surveyed.
26. The report concludes that Trees one-four and hedge one is in conflict with the proposed scheme and will therefore need to be removed to facilitate the development. Tree five should be removed due to its poor condition, tree one should also be removed due to its condition.
27. Trees 1-6 all have signs of bleeding canker at various stages and therefore have limited life expectancies. Bark cracking is evident on all trees and some have areas of decay and significant die back.
28. Whilst the development involves the removal of several trees, it has been demonstrated that these are not worthy of retention or are failing, and as such, it is considered appropriate to require compensatory planting as part of a landscaping scheme. Details of protection measures for retained trees are set out in the report, and subject to a condition to require compliance with this, the proposal is considered acceptable in respect of its impact on trees and complies with policy CS2 and CS14 in this regard.

e) Contaminated land

29. The application has been submitted with a Phase 1 Geo-Environmental Desk Study by MD2 Consulting Ltd dated 30 March 2021. While the site itself has not been used for any potentially contaminative historic uses, the Phase 1 refers to previous land contamination reports for the wider site which identify the presence of mounds of made ground in the south west of the site. In terms of the planning applications associated with the wider development referred to the land contamination conditions were attached and have since been discharged up to the point of needing to submit and agree a Remediation and Verification Strategy.
30. From a consistency point of view and to ensure any made ground is appropriately dealt with as part of this application too, the Environmental Health Officer has recommended that planning conditions CL4 (Phase 3 Remediation and Verification Strategy), CL5 (Construction / Remediation Works) and CL6 (Implementation of Phase 3 Remediation Strategy and Phase 4 Verification and Completion Report) are attached to any permission granted. Subject to these conditions, the proposal does not conflict with Policy CS16 in this regard.

f) Highway safety

31. The site is located off Middleton Lane in Middleton St, George; and sits within a residential development of 27 no dwellings which is currently under construction (REF16/00972/FUL). 21 no. of the 27 approved units are accessed via Middleton Lane and the remaining six from Neasham Road. This is acceptable from a highway perspective, where both additional units are proposed to be served from Middleton Lane via the main estate access road, which is in accordance with current design guide standards for adoptable highways.
32. The two additional dwellings are a very minor intensification of use of the approved internal road layout and site access, which is constructed to a standard which would permit a maximum of 300 dwellings from a single access. As such the additional two dwellings are not considered to have any material impact on the highway in terms of road safety or traffic impact. A review of the past five years of recorded Police Personal Injury Collision (PIC) records, demonstrate that there are no recorded incidents within close proximity of the site, as such there are no inherent road safety concerns within the site or local to the point of access.
33. The dwellings have parking provision which satisfies current design guide standards, house type F being a five-bed dwelling and house type AHT a four-bed dwelling, each require a minimum of three parking spaces which is easily demonstrated between the integral garages and driveways. Given that both dwellings are located next to a turning head, the generous parking provision is welcomed and should fully mitigate the risk of any overspill parking within the turning facility. The internal driveways are sufficient to enable averaged sized cars to enter and exit within a forward gear, which is welcomed in the interest of highway safety.
34. In the above context, the Highways Engineer has raised no objections and the proposal is in accord with policy CS2 in this regard.

g) Flooding and Drainage

35. The Local Lead Flood Authority requested information on the management of surface water run-off from the proposed development. Whilst the site is in Flood Zone one and is of a minor nature, the proposal involves more development on a site that was previously assessed as satisfactory in terms of surface water management, and there was a requirement to ensure that this is still the case.
36. As a result, the agent has submitted a drainage plan, which has satisfied the Local Lead Flood Authority that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. As such, the proposal complies with Policy CS16 in this regard.

h) Ecology

37. Several objections have raised concerns regarding impact of the proposal on ecology within the site. A Preliminary Ecological Appraisal (OS Ecology, April 2021) was submitted in support of the application.

38. The report concluded the following:

- The overall habitat value of the site is considered to be low;
- The site has low suitability for supporting roosting bats, however the site is sheltered and may provide some foraging opportunities for roosting bats in the local area (however the size of the site limits the value of the area);
- No birds were recorded on site at the time of survey. Given the small size of the site and the garden habitats present, it is likely that locally common species may use the site, but that the value of the site is of no more than low significance.
- No evidence of badger was recorded on site and given the small size of the site, the value to the local population, if used on occasion, is considered to be low.
- There are two ponds within the adjacent garden, one of which has the potential for use by great crested newts. The second pond, which is further from the development area is stocked with goldfish and as such the presence of great crested newts is considered unlikely. The closer pond is within the walled garden, is severed from the site to the north and west but is open to the south and there is the potential for newts to move into the site should they be present.
- No evidence of reptiles was recorded on site however there is a low risk that species such as slow worm are present within the site using the compost heap and other vegetation.
- There is the potential for the site to support small numbers of hedgehog and common toad due to the nature of the habitats present within and around the site.
- The site is within the Impact Risk Zone for Neasham Fen SSSI, however due to the small-scale nature of the proposals, there is not considered to be a significant risk to this site.

39. The report goes on to make several avoidance recommendations including:

- External lighting that may affect the site's suitability for bats will be avoided. If required this will be limited to low level, avoiding use of high intensity security lighting.
- Vegetation clearance works will not be undertaken during the nesting bird season (March to August inclusive) unless the site is checked by an appropriately experienced ecologist and nests are confirmed to be absent.
- Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
- Retained trees will be protected from damage in line with the recommendations in BS5837:2012.

- All works on site will take place to a detailed method statement taking account of the potential impacts of the development to amphibians (including newts), hedgehogs, and reptiles. This should also take account of the presence of Cotoneaster on the site.
- Landscape planting shall include berry and fruit bearing species to provide increased foraging opportunities in the local area.
- Bat boxes and bird boxes should be erected on retained trees within the site in order to enhance the site for these species.

40. The report goes on to make several mitigation recommendations including:

- All works on site will take place to a detailed method statement taking account of the potential impacts of the development to amphibians, hedgehogs, and reptiles. This should also take account of the presence of Cotoneaster on the site.

41. The report goes on to make several compensation recommendations including:

- Landscape planting shall include berry and fruit bearing species to provide increased foraging opportunities in the local area.
- Bat boxes and bird boxes should be erected on retained trees within the site in order to enhance the site for these species.

42. Due to the small-scale nature of the site, and the type of habitats present, which are all considered by the Ecologist to be artificial in nature, there is no requirement for a 10% net gain to be achieved, however the above compensation recommendations will provide some gain, which is a requirement of the NPPF. Subject to a condition requiring compliance with the ecology report, to include detailed method statements, and details of type, number and location of bat and bird boxes, the proposal is considered acceptable in the context of policy CS15 in this regard.

(I) Other matters

43. One matter raised by objection is the issue of precedent. Whilst this is noted, the unique nature of the site is not considered to raise concerns regarding precedent. The same situation could not be replicated along the remainder of the southern boundary of the site and as set out in section a of this report, the particularities of this site lend themselves to the proposed development, and do not prejudice development plan policy regarding development outside of the development limits. Any other proposals in other parts of the Conservation Area would also be subject to the same rigorous exercise and would be considered on their individual merits.

44. Darlington Borough Council has received a proposed neighbourhood development plan, along with accompanying supporting information, from Middleton St. George Parish Council. The proposed neighbourhood development plan has undergone a statutory check under Schedule 4B of the Town and Country Planning Act 1990 prior to and publicised under Regulation 16 of the Neighbourhood Planning (General) Regulations

2012 with a view to then making the neighbourhood plan available for independent examination. The regulation 16 consultation has been completed and the LPA is now waiting for an examiner to be appointed to examine the neighbourhood plan.

45. The guidance in the NPPG sets out that [Section 70\(2\) of the Town and Country Planning Act 1990 \(as amended\)](#) provides that a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application. Where the local planning authority publishes notice of a referendum, the emerging neighbourhood plan should be given more weight, while also taking account of the extent of unresolved objections to the plan and its degree of consistency with NPPF.
46. Given the above the policies in the neighbourhood plan can only be given very limited weight as it is still to be examined and needs to go through referendum.

CONCLUSION AND RECOMMENDATION

47. The proposed development is considered acceptable in the context of the relevant policies in the development plan. Subject to the proposed conditions the development would be acceptable in respect of impact on heritage assets, highway safety, residential and visual amenity, trees, drainage, and ecology.

PUBLIC SECTOR EQUALITY DUTY

48. 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.
49. Accordingly it is recommended **THAT OUTLINE PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**
1. A3 Implementation Limit 3 years
 2. PL (Accordance with Plan)
 3. B4 External materials
 4. A landscaping scheme, which shall include the type and location of replacement trees shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of such schemes, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as 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 – To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.

5. The development shall be carried out in full accordance with the recommendations including the scheme to protect the existing trees to be retained, as set out in the Arboricultural Impact Assessment (C. Raw, April 2021) unless otherwise agreed in writing by the Local Planning Authority.

REASON – To ensure that a maximum level of protection in order to safeguard the well-being of the trees on the site and in the interests of the visual amenities of the area.

6. Prior to the commencement of the development hereby approved, details of measures (type and location) to secure biodiversity net gains, relating to enhancements and opportunities for birds and bats, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the agreed measures shall be fully implemented in the carrying out of the development and shall remain in place thereafter.

REASON – To comply with Core Strategy Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity) and to provide biodiversity net gains in accordance with the requirements of the National Planning Policy Framework.

7. The development shall be carried out in accordance with the recommendations set out in the Preliminary Ecological Appraisal (Land at Brake House, Middleton St George, OS Ecology Limited, April 2021) including detailed method statements undertaken by a qualified Ecologist, unless otherwise agreed in writing by the Local Planning Authority.

REASON – To comply with Core Strategy Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity) and to provide biodiversity net gains in accordance with the requirements of the National Planning Policy Framework.

8. Prior to the commencement 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.

9. 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.

10. 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.

11. Prior to the commencement of the development, a site-specific Construction Management Plan shall be submitted to 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 demolition and construction phase and shall take account of the guidance contained within BS5228 "Code of Practice for noise and vibration control on construction and open sites".
- c) Construction Traffic Routes, including parking areas for staff and visitors.
- d) Details of wheel washing.
- e) Road Maintenance.
- f) Warning signage.

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

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

12. No construction 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 residential amenity.

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

REASON – To provide adequate facilities to encourage the use of sustainable modes of transport.

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

REASON – In the interests of visual and residential amenity.

15. Prior to the occupation of the development hereby approved, details of boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the agreed boundary treatment shall be in place prior to the occupation of the development.

REASON – In the interests of visual and residential amenity.

INFORMATIVES

Northumbrian Water

We can inform you that two public sewers cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. For further information is available at <https://www.nwl.co.uk/services/developers/>

Section 184 Crossover

The applicant is advised that works are required within the public highway, to construct a new vehicle crossing and contact must be made with the Assistant Director : Highways, Design and Projects (contact Mrs Lisa Woods 01325 406702) to arrange for the works to be carried out or to obtain agreement under the Highways Act 1980 to execute the works.

Street Naming

Prior to the commencement of the development the applicant is advised that contact be made with the Assistant Director : Highways, Design and Projects (contact Mrs. P. McGuckin 01325 406651) to discuss naming and numbering of the development.
would raise no highway objection to the proposal.