

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 10 April 2024

APPLICATION REF. NO:	22/00021/OUT
STATUTORY DECISION DATE:	17 April 2024
WARD/PARISH:	Heighington And Coniscliffe
LOCATION:	Land At Former 25 Gate Lane Low Coniscliffe
DESCRIPTION:	Outline application with all matters reserved for the erection of 3 no. dwellings (Provisional Nutrient Certificate received 22 September 2023; additional Nutrient Statement and amended Nutrient Calculator received 17 October 2023; Provisional Nutrient Certificate received 3 January 2024)
APPLICANT:	Mr Paul Million

RECOMMENDATION: GRANT OUTLINE PLANNING PERMISSION 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=summary&keyVal=R5I0BNFPITE00>

APPLICATION AND SITE DESCRIPTION

1. Planning permission (ref no 08/00706/FUL) was granted in November 2008 for the demolition of an existing bungalow on the application site and for the erection of a replacement dwelling with associated access arrangements. The existing bungalow has been demolished but the site has not been redeveloped as per the planning permission and it is currently a vacant, overgrown site in the centre of the village of Low Coniscliffe. The front stone boundary wall has been removed giving the site an open frontage.
2. Outline planning permission has been granted to redevelop the site for one dwelling (ref no 22/00119/OUT) and also for two dwellings (ref no: 22/00020/OUT). These

planning applications were submitted by the applicant for 22/00021/OUT and determined under delegated powers as no objections to redeveloping the site with one or two dwellings were received from residents.

3. This third submission is an outline planning application with all matters (access, appearance, landscaping, layout, scale) reserved for future consideration for the erection of three dwellings on the site. The planning application has been supported by an Indicative Massing plan and an Indicative Site Plan to show how three dwellings can be positioned within the site. The three dwellings would be in the form of a terrace with an overall height to match the dwellings on either side. Whilst no precise details have been provided at this stage, access to the site would be from Gate Lane. The submitted plans show that there is an easement along the eastern boundary for a water main which cannot be built over.

MAIN PLANNING ISSUES

4. The main planning issue to be considered is whether the principle of redeveloping the site for three dwellings is acceptable having taken account of the following matters:
 - a. Planning Policy
 - b. Highway Safety, Parking Provision and Sustainable Transport
 - c. Amenity
 - d. Impact on the Character and Appearance of the Local Area
 - e. Landscaping
 - f. Housing Mix
 - g. Ecology
 - h. Land Contamination
 - i. Flood Risk and Drainage
 - j. Nutrient Neutrality

PLANNING POLICIES

5. The local development plan policies which are relevant to the planning application are:

Darlington Local Plan (2022)

SD1: Presumption in Favour of Sustainable Development

SH1: Settlement Hierarchy

DC1: Sustainable Design Principles and Climate Change

DC2: Flood Risk & Water Management

DC3: Health & Wellbeing

DC4: Safeguarding Amenity

H1: Housing Requirement

H3: Development Limits

H4: Housing Mix

ENV3: Local Landscape Character

ENV4: Green and Blue Infrastructure

ENV7: Biodiversity and Development

ENV8: Assessing a Development's Impact on Biodiversity

IN1: Delivering a Sustainable Transport Network
IN2: Improving Access and Accessibility
IN4: Parking Provision including Electric Vehicle Charging
IN6: Utilities Infrastructure

Tees Valley Minerals and Waste Development Plan Documents (2011)

Policy MWC4: Safeguarding of Minerals Resources from Sterilisation

Low Coniscliffe & Merrybent Parish Neighbourhood Plan 2018-36 (made 2019)

Policy LCM: 1 Landscape
Policy LCM 2: Tranquillity
Policy LCM 5: Biodiversity
Policy LCM 8: Design
Policy LCM 11: General location of new development
Policy LCM 12: Housing
Policy LCM 18: Transport and New Developments

Other relevant Documents

Design of New Development SPD (2011)
National Planning Policy Framework (2021)

RESULTS OF TECHNICAL CONSULTATION

6. The Council's Highways Engineer, Ecology consultant, Environmental Health Officer, Transport Policy Officer have raised no objections to the principle of the development.
7. Northern Gas Networks have raised no objections to the planning application.
8. Natural England have raised no objections to the planning application.

RESULTS OF PUBLICITY AND NOTIFICATION

9. Following the Council's publicity and notification exercises, three letters of objection have been received and the comments can be summarised as follows:
 - *The car parking that would need to be contained within the site would overwhelm the site and would have to go the road side frontage of the houses which would look like a car park which is not in keeping with the surrounding properties.*
 - *The plans don't show how the site will be enclosed.*
 - *I am unsure of the site is contaminated.*
 - *Developing the site for three dwellings would not be in keeping with the village as the site was previously a single dwelling (dormer bungalow)*
 - *The development would crowd out the adjoining dwellings and overwhelm the bungalows behind*
 - *The three dwellings will be extremely close to existing properties.*
 - *Insufficient information on appearance, quality and technical details*
 - *Any housing must be constructed in accordance with policies contained within the Low Coniscliffe and Merrybent Neighbourhood Plan*

10. Low Coniscliffe and Merrybent Parish Council have confirmed that as the principle of three dwellings on the site is not contrary to the LC&M Neighbourhood Plan (Policy LCM12), they have no objection to the principle of the development. However, the Parish Council has requested that the subsequent Reserved Matters Applications must contain sufficient detail to guarantee the proposal would meet the requirements of the relevant development plan policy. Particular concern is that the design of the development must respect and reinforce local character and distinctiveness; that it provides an appropriate level of off-street parking; respects and establishes building lines, reinstates river stone walling to the frontage of the build; and ensures the development will not prejudice the amenity of future occupiers or that of adjacent properties.

PLANNING ISSUES/ANALYSIS

a) Planning Policy

11. Planning law (S.38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (2021) supports the plan led system providing that planning decisions should be “genuinely plan-led” (NPPF para 15).
12. Policy H1 of the Local Plan sets a minimum housing requirement of 492 net additional dwellings per annum over the plan period to 2036. It also includes a neighbourhood area housing requirement of 962 homes over the plan period for Low Coniscliffe and Merrybent Ward/Parish. This is not in addition to the figure which has been established for the borough, it reflects the combined yield of the allocations and commitments (identified in the Local Plan) within the neighbourhood area. The proposal would be a small scale windfall development which would contribute towards the achievement of these requirements.
13. Policy H3 of the Local Plan seeks to achieve the locational strategy for new development in the Borough by establishing development limits where development within will be acceptable subject to compliance with other relevant national and local policies. The site is located within the development limits of Low Coniscliffe and therefore, the proposal accords with policy H3.
14. The site is also within the development limits identified by the Low Coniscliffe and Merrybent Neighbourhood Plan and therefore, the proposal accords with policy LCM11 of the Plan which states that the focus of new development across the Parish should be within the settlement boundaries of the villages (Low Coniscliffe and Merrybent).
15. The Low Coniscliffe & Merrybent Neighbourhood Plan allocates the site for housing (policy LCM12). The site is referenced as “Central Low Coniscliffe” and has an indicative yield of three dwellings meaning that the principle of redeveloping the site for three dwellings is compliant with the Neighbourhood Plan as well as the Darlington Local Plan.

16. *Tees Valley Minerals and Waste Development Plan Documents (2011)*

The site is located in a limestone (shallow) safeguarding area protected by policy MWC4 of the Tees Valley Minerals & Waste DPD Core Strategy (2011). The policy sets out the circumstances when non-mineral development will be permitted in these mineral safeguarding areas. The site is small, and it is considered that extraction may not be viable or appropriate given the size of the application site and proximity to residential dwellings. Much of the north western part of the borough is covered by this designation and this site would not result in a significant loss to the overall potential area for mineral extraction.

b) Highway Safety, Parking Provision and Sustainable Transport

17. The construction of three additional dwellings is considered acceptable in general highway terms as any additional vehicle movements are considered to be minimal and can be accommodated on the local highway network without the requirement for further traffic impact assessment or mitigation measures. Based on TRICs figures applied to similar locations, the expected traffic generation would be an additional 2No. two-way trips in the AM/PM peak hours, or one additional vehicle movement per half hour, which would fall well short of the threshold to demonstrate a 'severe impact' required to justify refusal based on National Planning Policy Framework (2023) guidance.
18. A review of the past 5 years of recorded police accident data reveals that there are no recorded personal injury collisions (PICS) within Gate Lane or the junction with the A67 Coniscliffe Road, or that the traffic generation associated with the additional dwellings would have any material impact upon road safety.
19. As this is an outline application with all Matters Reserved for future consideration, access arrangements and parking provision will be secured by suitably worded planning conditions. The precise location of the vehicle access point(s) for the dwellings is not determined at this stage, however there is no objection, in principle, with taking access from Gate Lane, as there were two historic access locations on the site frontage and the final site layout will dictate what amendments are needed. All works within the public highway require the prior approval and consent of the Highways Authority with a Section 184 Agreement required to create new or amended access point(s).
20. Matters that would need to be considered at Reserved Matters stage involve the height of any new boundary treatments adjacent to the public highway, the materials for the in curtilage driveways and ensuring the number and dimensions of any in curtilage parking provision meets the requirements set out in the Tees Valley Design Guide.
21. This application site has good access to public transport; in line with Policy IN2 of the Local Plan as it is within 400m of bus stops on Coniscliffe Road/Gate Lane. The site is also located close to the cycling network as there are various cycle routes close by that connect to the wider cycle network. There are no details submitted in support of the planning application showing any cycle parking at the proposed properties so this would be secured by a planning condition. The cycle parking should be safe and secure and in

line with the most recent cycle guidance issued (Cycle Infrastructure Design - Local Transport Note 1/20 July 2020), which states that there should be 1 cycle space per bedroom for residential developments.

22. A planning condition has been imposed to secure appropriate provision of EV charging points for the development.
23. The Council's Highways Engineer and Transport Policy Officer have raised no objections to the principle of the planning application.
24. Based on the information submitted in support of the planning application, any future Reserved Matters submission for three dwellings on the site will be capable of complying with policies DC1, IN2 and IN4 of the Local Plan and LCM12 and LCM18 of the Neighbourhood Plan, subject to the imposition of appropriate planning conditions

c) Amenity

25. The application site is immediately bound to the north, east and west by existing dwellings and to the south by dwellings on the opposite side of Gate Lane. There is a close boarded fence and high hedge along the northern boundary with Nos 97 and 99 Back Lane and the gable elevations and stone garden walls of Nos 23 and 27 Gate Lane form the east and west boundaries of the site. The Gate Lane frontage is open as the stone boundary wall has been removed.
26. The Indicative Site Plan submitted in support of the application shows that it would be possible to have a 21m separation distance between the proposed dwellings and Nos 97 and 99 Back Lane to the north which will meet the minimum privacy distance guidance set out in the Council's Design SPD. These dwellings are semi detached bungalows separated from the application site by a timber fence and a high hedge. The high hedge to the rear of No 99 Back Lane provides a significant screen between that property and the application site. It is acknowledged that the outlook from No 97 Gate Lane will change as the application site is currently an open clear site.
27. The Indicative Massing plan submitted in support of the application shows that the heights of the new dwellings could match the height of Nos 23 and 27 Gate Lane. The planning system is not necessarily intended to protect an outlook that a resident may enjoy at a particular point in time but to maintain an outlook that meets acceptable standards of amenity. Whilst precise details of the scale of the new development would be the subject of future Reserved Matters submissions, it is shown that any proposed development would maintain an acceptable standard of amenity when viewed from the rear and also from the opposite side of Gate Lane. Further landscaping can be planted on this shared boundary to provide further screening, if necessary, and it is important to acknowledge that a dwelling, albeit a bungalow, was previously on the site.
28. There are two window openings (ground and first floor) in the side elevation of No 23 Gate Lane (east) and a ground floor opening in the side elevation of No 27 Gate Lane (west) which are positioned on the shared boundary line, and all look across the

application site. The Indicative Site Plan shows that the terrace could be sited 6m from No 23 Gate Lane and 2m from the side elevation of No 27 Gate Lane. It is not clear if these neighbouring windows are to habitable rooms. Whilst any form of development will have an impact on the outlook these openings, if they are habitable rooms, it is considered that the impact would not be so adverse, having taken into consideration that a dwelling, albeit a bungalow, would have previously been located on the site impacting on views from the same windows and the site was previously a domestic garden.

29. The site has been vacant now for many years and has been the subject to a number of requests to the local planning authority for the landowner to keep the area tidy. The redevelopment proposals will improve the overall amenity of the street scene and the wider village, subject to the final designs and layout etc being acceptable and compliant with the development plan and neighbourhood plan policies relating to protecting amenity.
30. A condition has been imposed to secure the submission of a Construction Management Plan due to the number of dwellings being proposed and the location of the site in a residential area.
31. Based on the information submitted in support of the planning application, any future Reserved Matters submission for three dwellings on the site will be capable of complying with policies DC4 of the Local Plan and LCM2 and LCM 8 of the Neighbourhood Plan

d) Impact on the Character and Appearance of the Local Area

32. There is a mix of terraced, detached and semi detached dwellings in the village varying in terms of age, design, size and materials. The application site is located between Nos 23 and 27 Gate Lane which are traditional style properties constructed from stone and render with stone walls around the front gardens.
33. Matters of appearance, layout and scale are reserved for future consideration, but the Indicative Massing and Site Plans show that the three dwellings can be satisfactorily sited within the application site giving each dwelling appropriate amenity space to both the front and rear to match the building line and the general appearance, character and layout of the wider street scene.
34. The guidance contained within the Council's Design SPD indicates that developments of between one and 2.5 storeys would be acceptable within Low Coniscliffe having also taken into account the general character and appearance of the local area. The Design SPD also provides guidance on appropriate materials which will be a matter of consideration for future Reserved Matters submissions.
35. It is considered that, in principle, the erection of three dwellings with appropriate boundary treatments would not have an adverse impact on the character or appearance of the local area subject to meeting the relevant development plan and neighbourhood plan policies and appropriate conditions.

36. Based on the information submitted in support of this planning application, any future Reserved Matters submission will be capable of complying with policies DC1 and ENV3 of the Local Plan and LCM1, LCM8, LCM12 of the Neighbourhood Plan

e) Landscaping

37. Whilst landscaping proposals for the site are reserved for future consideration, there will be opportunities to secure an acceptable planting scheme in the interests of residential amenity, visual appearance of the street scene and biodiversity.

38. Based on the information submitted in support of the planning application, any future Reserved Matters submission will be capable of complying with policies DC1, ENV3, ENV4, ENV7, ENV8 of the Local Plan and LCM12 of the Neighbourhood Plan

f) Housing Mix

39. Policy H4 of the Local Plan sets out requirements for accessible, adaptable and wheelchair user dwellings for new residential development to ensure homes provide quality living environments for residents both now and in the future. It requires proposals to provide 45% of all new dwellings to meet building regulations category M4(2) adaptable and accessible dwelling standards and 9% to meet M4 (3 a or b) wheelchair user dwellings standard. Given that the application is small scale, it is considered that it would be unreasonable to request that the M4(3) requirement is met but the M4(2) requirement should be adhered to and can be secured by a planning condition.

g) Ecology

40. A planning condition has been recommended to ensure the proposed development includes biodiversity gains such as a good landscaping scheme and built in bat and bird boxes as recommended by the Council's ecology consultant. The proposed development would comply with policies EN7 and EN8 of the Local Plan and LCM5 of the Neighbourhood Plan

h) Land Contamination

41. Whilst a screening assessment has been submitted in support of the planning application, there is likely to be made ground on site due to the former presence of a building (bungalow) and hence the site is not greenfield. The screening assessment contains no detailed photographs and Council records also show there is a diesel tank in close proximity to the site. Due to the sensitive end use and as the layout is indicative there also remains the possibility of a garden being situated in the location of the former bungalow. The Council's Environmental Health Manager has advised that the full range of land contamination conditions are attached to any planning approval along with the Informative set out below. This will enable a final decision as to what is required to be made as part of a future Reserved Matters application. The proposed development would accord with policy DC 1 of the Local Plan in this regard.

i) Flood Risk and Drainage

42. The site is within Flood Zone 1 with a low risk of flooding with surface and foul water disposed via main sewer. The proposed development would accord with policy DC2 of the Local Plan

j) Nutrient Neutrality

43. The application site is located within the River Tees Catchment Area and is therefore subject to the guidance issued by Natural England on the 16th of March 2022 in respect of the unfavourable condition of the Teesmouth and Cleveland Coast Special Protection Area (SPA), Ramsar Site and associated Sites of Special Scientific Interest. The Natural England Teesmouth and Cleveland Coast Special Protection Area/Ramsar Evidence Pack August 2022 (TIN204) confirms that this protected area is currently in an unfavourable condition due to nutrient enrichment, which includes pollution from nitrates, including Nitrogen.
44. Regulation 63 of the Conservation of Habitats and Species Regulations (2017) requires Darlington Borough Council (as the Competent Authority) prior to giving permission for any plan/project that is likely to have a significant effect on a European site (either alone or in combination with other plans/projects) to undertake an appropriate assessment of the implications of the plan/project for that site in view of that site's conservation objectives.
45. Regulation 75 of the Conservation of Habitats and Species Regulations (2017) states that it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority
46. The Screening Assessment requires the Local Planning Authority as the Competent Authority to consider and conclude whether the potential for likely significant effects to the Teesmouth and Cleveland Coast SPA/Ramsar designated features can be excluded for this planning application. If they cannot, the Local Planning Authority must make an Appropriate Assessment (AA) of the implications of the development for that site, in consideration of the affected sites conservation objectives.
47. The information required to enable the Local Planning Authority to undertake the Screening Assessment and where necessary, and Appropriate Assessment is provided by the applicant's submitted Nutrient Budget Calculator, Nutrient Statement and Provisional Credit Certificate. This information provided by the applicant is considered sufficient to enable the Local Planning Authority as the Competent Authority to fully consider the impacts of the development proposal on Teesmouth and Cleveland Coast SPA/Ramsar.
48. The submitted nutrient budget calculator demonstrates that the proposals will increase the nitrogen arising from the development and consequently it cannot be ruled out at

the screening stage that this development will not have a likely significant effect on the Teesmouth and Cleveland Coast SPA/Ramsar.

49. The applicant has used Natural England's Nutrient Budget Calculator tool for the River Tees catchment to establish a nutrient budget for the proposal. Following consideration, the assumptions and inputs used by the applicant within this updated calculator are satisfactory and are an accurate reflection of the site and its location. This proposal for three dwellings would increase the total annual nitrogen load arising by 4.6 kg per year.
50. This figure was arrived at by incorporating increased water efficiency measures to reduce the water usage per person per day to 105 litres rather than 120 litres as set out in the Nutrient Budget calculator. Sufficient evidence has been provided by the applicant within their Nutrient Neutrality Statement to demonstrate this is achievable with examples of the fittings that can be used to achieve this derived from the Governments Code for Sustainable Homes (2010) Appendix A. A condition has been applied to ensure that the water efficiency measures including the appropriate fittings are installed within each dwelling prior to their occupation to ensure the daily water usage per person per day does not exceed 105 litres.
51. As a nitrogen surplus would arise, the applicant has accepted that mitigation would be necessary in order to avoid likely significant effects. Informed by the Nutrient Budget Calculator Tool the applicant proposes to mitigate this nitrogen surplus by purchasing 4.6 credits from the Natural England Tees Catchment credit scheme which is equivalent to the surplus nitrogen of 4.6kg that needs to be mitigated.
52. The applicant has provided a countersigned provisional credit certificate obtained from Natural England which is sufficient evidence for this form of mitigation to be considered robust and achievable and appropriately located within the Tees catchment. A preoccupation condition has been imposed to ensure that the required and necessary mitigation is secured and in place. The Council as Competent Authority considers this a form of mitigation in keeping with Natural England guidance.
53. The proposed mitigation measures would adequately mitigate the effects of the proposal and ensure the proposed development will not result in an increase in nitrogen reaching the Teesmouth and Cleveland Coast SPA. So, it can be concluded that the proposal will not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA and meets the relevant Habitat Regulations, subject to the conditions.
54. In accordance with Regulation 63 of the Conservation of Habitats and Species Regulations (2017) Natural England have been consulted and they have no objections subject to appropriate mitigation measures being secured by planning conditions

THE PUBLIC SECTOR EQUALITY DUTY

55. 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. As this is an outline planning application, no details on the design and layout of the dwellings have been provided at this stage. However, when Reserved Matters applications are submitted, the new dwellings will be expected to meet the requirements of Building Regulations and Policy IN2 of the Local Plan in this regard

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

56. 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

57. Outline planning permission has already been granted for two separate schemes to redevelop the application site with one and two dwellings respectively. This is a third outline application for the erection of three dwellings on a vacant site within the centre of the village which was previously occupied by a bungalow. The principle of a scheme for three dwellings is supported by the Darlington Local Plan (2016 – 2036) and the Low Coniscliffe and Merrybent Neighbourhood Plan as the site is within the development limits identified by both Plans and Policy LM10 of the Neighbourhood Plan stipulates three dwellings as the maximum number of properties that would be acceptable on the site.
58. Whilst all matters are reserved for future consideration, the Indicative Massing and Site Plans submitted in support of the planning application show that three dwellings can be positioned within the site without having an adverse impact on residential amenity. The dwellings can be designed so that they would not have an adverse impact on the character and appearance of the street scene having had consideration to site context and the Council's adopted Design SPD. It is not envisaged that the proposal will raise any highway safety concerns and appropriate planning conditions can be imposed which will ensure that the Reserved Matters submissions will accord with the local development plan and the Neighbourhood Plan in terms parking, landscaping, ecology enhancements. The applicant has purchased the appropriate amount of credits from the Natural England Tees Catchment credit scheme to mitigate the impact of the development upon the Teesmouth and Cleveland Coast SPA
59. Should this application be approved, the developer would then have an option as to which scheme (one, two or three dwellings) would progress to the Reserved Matters stage. Any Reserved Matters application would be subject to consultations with residents, consultees and the Parish Council.

THAT OUTLINE PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. A1 - Outline (Reserved Matters)
2. A2 - Outline (Implementation Time)
3. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below.

a. Drawing Number Site – A001 Location Plan

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

4. The planning application made in pursuance of condition 1 shall not propose more than three dwellings.

REASON: For the avoidance of doubt

5. Notwithstanding the details contained within the Nutrient Neutrality Statement dated 10 July 2023 submitted in support of the planning application, precise details of the water efficiency measures to ensure the daily water usage per person per day does not exceed 105 litres shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the development. The details shall include details of the appropriate permanent fittings and they shall be installed within each dwelling prior to their occupation and retained in place for the lifetime of the development.

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

6. Prior to the first occupation of the development hereby approved, 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

7. The planning application made in pursuance of condition 1 shall be made for dwellings which are a maximum 2.5 storeys in height

REASON: In the interests of the visual appearance of the street scene, residential amenity and to accord with the Council's adopted Supplementary Planning Document: Design for New Development (2011)

- 8 The planning application made in in pursuance of condition 1 shall include, but not be limited to, the following details:
- a) Cycle parking provision for the dwellings (one cycle space per bedroom).
 - b) Electric Vehicle Charging provision for each dwelling (one single phase 13 amp socket).
 - c) Precise details of all boundary treatments for the site.
 - d) Precise materials for in- curtilage driveways including a sealed material for the first 3.0m measured from the highway boundary.
 - e) Precise details of in curtilage parking including the number, location and dimensions of each space.
 - f) Details of refuse and recycling storage
 - g) Details of any external lighting
 - h) Precise details of proposals for biodiversity net gain (landscaping/bat and bird boxes) measures
 - i) Precise details of vehicle access including dropped kerbs, pavement crossings and where appropriate removal of redundant crossing points and reinstatement of footways.

REASON: in order to ensure a satisfactory form of development which accords with the Darlington Local Plan (2016 – 2036) and the Low Coniscliffe and Merrybent Neighbourhood Plan

- 9 The planning application made in in pursuance of condition 1 shall be for dwellings which comply with Category 2 requirements (accessible and adaptable dwellings) of Building Regulations Approved Document M: Volume 1(Access to and use of dwellings). The planning application shall include details as to how the requirements will be met and the development shall not be carried out otherwise than in complete accordance with the approved details.

REASON: In order to comply with policy H4 (Housing Mix) of the Darlington Local Plan 2016 – 2036

- 10 CL1 - Phase 1 Preliminary Risk Assessment
- 11 CL2 - Phase 2 Site Investigation Strategy
- 12 CL3 – Phase 2 Investigation Works
- 13 CL4 - Phase 3 Remediation and Verification Strategy
- 14 CL5 - Construction/Remediation works.
- 15 CL6 - Phase 4 Verification and Completion Report

16. 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 residential amenity

17. 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.
 - d. Details of Contractor Parking and Compound, if necessary
 - e. Pedestrian Routes
 - f. Details of wheel washing, if necessary
 - g. Road Maintenance, if necessary
 - h. Warning signage.

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

REASON: In the interests of highway safety and the amenity of the surrounding area

INFORMATIVES

Street Naming and Numbering

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.

Land Contamination

Due to the size and scale of the development it maybe, that instead of a Phase 1 Preliminary Risk Assessment the completion of the Screening Assessment contained within the YALPAG "Development of Land Affected by Contamination" Technical Guidance for Developers,

Landowners and Consultants may suffice to meet the requirements of the land contamination planning condition. Contact must be made with the Council's Environmental Health Section for further advice.