

**DARLINGTON BOROUGH COUNCIL**  
**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 6<sup>th</sup> November 2024**

---

<b>APPLICATION REF. NO:</b>	24/00747/RM1
<b>STATUTORY DECISION DATE:</b>	13 November 2024
<b>WARD/PARISH:</b>	Heighington And Coniscliffe/Low Coniscliffe And Merrybent
<b>LOCATION:</b>	Land North Of Coniscliffe Road Darlington
<b>DESCRIPTION:</b>	Application for reserved matters approval relating to appearance, landscaping, layout and scale for the erection of 475 No. dwellings attached to outline permission 17/00632/OUTE dated 28 May 2024 (Outline planning application for the erection of up to 535 Dwellings, landscaping, ancillary works and wider highway mitigation measures with all matters reserved except access) (additional plans and reports received 3 September 2024; amended plans received 16 October 2024)
<b>APPLICANT:</b>	Taylor Wimpey North Yorkshire

---

**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=summary&keyVal=SHE35TFPIET00>

**APPLICATION AND SITE DESCRIPTION**

1. Outline planning permission (reference number 17/00632/OUTE) was granted in May 2024 for the erection of up to 535 dwellings, landscaping, ancillary works and wider highway mitigation measures with all matters reserved except access at the application site, subject to a Section 106 Agreement and planning conditions.

2. The Section 106 Agreement secures 20% of the overall number of dwellings within the site being provided as affordable housing. The Agreement also seeks financial contributions towards:
  - 1) A Public Transport contribution
  - 2) Off site Public Rights of Way Improvements and Walking Routes in the vicinity of the site
  - 3) Travel Plan Contributions
  - 4) Off site Highway Improvements Works on the A66 Trunk Road to be carried out by National Highways
3. The next stage is for the applicant to submit an application for Reserved Matters which provides more detail than was shown in the outline planning application and to also submit an application or applications to discharge planning conditions attached to the outline planning application. Outline permissions cannot be implemented until a Reserved Matters application has been approved and the appropriate planning conditions have been satisfied and discharged.
4. This is an application for Reserved Matters relating to appearance, landscaping, layout and scale only for the erection of 475 No. dwellings within the application site.
5. These are the only Matters that can be considered as part of this submission.
6. The access arrangements for the site were agreed and approved under the outline planning permission. This planning application also confirms that 95 dwellings will be affordable units in accordance with planning policy and the Section 106 Agreement.
7. An application seeking to discharge the planning conditions attached to the outline planning permission has yet to be submitted by the applicant. Such applications will consider matters relating to flood risk and drainage, nutrient neutrality, noise, phasing plans, construction impacts, land contamination, ecology, certain highway matters, tree protection measures etc in more detail.

*Statement of Community Involvement*

8. Prior to submitting the application, a community consultation exercise was commissioned by the applicant in order to establish the views of nearby residents and local stakeholders. On behalf of Taylor Wimpey, ELG Planning consulted local residents and other local stakeholders to engage with them with regards to the planning and development process.
9. A Statement has been submitted in support of the planning application which confirms that the exercise consisted of the distribution of approximately 350 leaflets

among the local area, a public consultation event, consultations with Ward Councillors and the Parish Council and details being provided on the applicant's website.

10. In response to the feedback, amendments to the scheme included the provision of a mown grass land area to create a 'kick about' area, an enhanced planting scheme where appropriate and improvements to the entrance with replacement hedging provided at the front of site with Coniscliffe Road and the provision of a walled entrance feature.
11. Following the submission of the planning application, amended plans have been received which
  - Update the landscape scheme to address ecology comments.
  - Show all private drives with bin collection points where the drive exceeds 25m.
  - Show a turning space where private drives exceed 25m in length to allow for turning of delivery vehicles.
  - Show amendments to the visibility splays to the southern area of the site. Plots 79 and 103 – 106 have been repositioned to ensure that the visibility splay is within the adoptable highways area. The verge and footpath in front of these properties have been realigned to suit the visibility splay.
  - Show a footpath link provided between the shared surface by plots 4 / 13 onto the main footpath along the spine road.
  - Show the removal of a substation adjacent to plot 200 as it is no longer required.

#### *Environmental Impact Assessment*

12. The outline planning application was supported by an Environmental Statement covering traffic and transport, air quality and noise impacts. The conclusions of the Environmental Statement demonstrated that the development proposals considered at outline planning stage would not give rise to any significant environmental effects. The Reserved Matters scheme sits entirely within the parameters considered by the Environmental Statement and the outline planning application. In fact, the number of proposed houses forming this Reserved Matters application is less than that which was considered as part of the outline planning application.
13. Following the submission of an EIA Screening Opinion on behalf of the applicant, the local planning authority considered that the development proposals which form the Reserved Matters submission will not result in any additional significant environmental effects by virtue of the scale, location and nature of the proposed development that have not already been considered, and it was therefore considered that no further information was required in accordance with Part 3, Regulation 9 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

## **MAIN PLANNING ISSUES**

14. 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 (2023) supports the plan led system providing that planning decisions should be “genuinely plan-led” (NPPF para 15).
15. Another material consideration in the determination of this application is the Low Coniscliffe & Merrybent Neighbourhood Plan (2019) as whilst the site is adjacent to the urban area it is located within the Neighbourhood Area Boundary.
16. The redevelopment of the site for residential purposes have been established by the granting of the outline planning permission reference number 17/00632/OUTE. The main issues to be considered here are whether this proposed development is acceptable in the following terms:
  - a. Appearance
  - b. Landscaping
  - c. Layout
  - d. Scale
  - e. Nutrient Neutrality
  - f. Planning Conditions

## **PLANNING POLICIES**

17. Alongside the National Planning Policy Framework 2023, the relevant policies within the Darlington Local Plan and the Low Coniscliffe and Merrybent Neighbourhood Plan are as follows.

### **Local Plan (2016-2036)**

- 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
- DC5: Skills & Training
- H1: Housing Requirement
- H2: Housing Allocations
- H3: Development Limits
- H4: Housing Mix
- H5: Affordable Housing
- ENV3: Local Landscape Character
- ENV4: Green & Blue Infrastructure
- ENV5: Green Infrastructure Standards
- ENV6: Local Green Space
- ENV7: Biodiversity & Geodiversity & Development

ENV8: Assessing a Development's Impact on Biodiversity  
IN1: Delivering a Sustainable Transport Network  
IN2: Improving Access and Accessibility  
IN3: Transport Assessments and Travel Plans  
IN4: Parking Provision including Electric Vehicle Charging  
IN6: Utilities Infrastructure  
IN8: Broadband Infrastructure

**Low Coniscliffe & Merrybent Neighbourhood Plan 2018 – 2036**

LCM 1: Landscape  
LCM 2: Tranquillity  
LCM 3: Green Infrastructure  
LCM 5: Biodiversity  
LCM 6: Wildlife Corridors  
LCM 7: Local Green Space  
LCM 8: Design  
LCM11: General Location of New Development  
LCM12: Housing  
LCM 15: Infrastructure  
LCM 18: Transport and New Developments  
LCM 19: Public Rights of Way

**Other relevant documents**

National Planning Policy Framework 2023  
Supplementary Planning Document Design for New Development

**RESULTS OF TECHNICAL CONSULTATION**

18. The Council's Public Rights of Way Officer, Climate Change Officer, Arboricultural Team Leader, Environmental Health Officer, Lead Local Flood Authority Officer and Transport Policy Manager have raised no objections.
19. The Council's Play Area Manager welcomes the play area provision and has provided further advice on the play equipment and maintenance regimes.
20. Northern Gas Networks have raised no objections.
21. National Highways have raised no objections to the planning application.
22. The Air Traffic Engineering Manager for Teesside Airport was consulted on the application as the use of SUDs basins can attract fowl that can impact on aircraft safety. The Manager has raised no objections.
23. Following the submission of amended plans, the Council's Highways Engineer and Ecology Officer have raised no objections.

**RESULTS OF PUBLICITY AND NOTIFICATION**

24. Following the Council's notification and publicity exercises, two comments and five objections have been received.
25. One comment raised no objections to the principle of the development provided that the development includes appropriate infrastructure for the increase in road traffic; for surgeries, schools, shops, public houses, water supply, flood risk and drainage.
26. The second comment does not object to the planning application but suggests further landscaping in and around the beck, to the rear of the Baydale Beck, on the north western corner of the site and around SUDs basins. The comment also suggests making footpaths around the site into Bridleways, relocating the play area and pumping station and ensuring the spine road is the same width as West Park with passing places.
27. The objections can be summarised as follows:
  - *Concern over school places, shops, GP practices, traffic management on Coniscliffe Road and disposal of sewage and surface water.*
  - *The development will change the look and feel of the area which is popular with dog walkers.*
  - *Impact on wildlife*
  - *Insufficient landscaping for the site as a whole especially to border the northern section of the existing Bridleway. The housing is too close, and the landscape buffer should be enlarged.*
  - *The scheme does not include bungalows which does not accord with the Neighbourhood Plan*
  - *The site is not sustainable when considered on its own merits and appears to be dependent on the planning permission for Land south of Staindrop Road*
  - *Measures to mitigate for increased traffic, antisocial behaviour and increased foot traffic on the Teesdale Way are expected.*
  - *The application should not be determined until planning conditions relating to a phasing plan, off site highway works and flooding and drainage have been agreed and signed off.*
28. Objections have been submitted on behalf of the Low Coniscliffe and Merrybent Parish Council. The objections considers that certain elements of the proposed development do not comply with the Low Coniscliffe and Merrybent Neighbourhood Plan, the Darlington Local Plan and the National Planning Policy Framework. The comments can be summarised as follows:
  - *Concern that in order to meet the needs of an ageing population, there are no bungalows which should be an important part of the housing mix.*
  - *Concerns regarding the level of landscaping at the southern part of the site, adjacent to the A67.*

- *Concern regarding the proximity of the right of way to proposed dwellings, particularly at the northern part of the site and the potential impact of this on both users of the route and the need to create a safe and secure environment for residents.*

## **PLANNING ISSUES/ANALYSIS**

29. Outline planning application ref no 17/00632/OUTE was based on a wider Masterplan considered in conjunction with a scheme to the north submitted under planning application ref no: 17/00636/OUTE for up to 985 dwellings, a convenience store, a GP and land for a primary school which was also approved in 2024.
  30. The Masterplan showed the indicative arrangement of how the two sites would be linked together by a central spine road, new buildings, the street pattern and the arrangement of development blocks, alongside the layout of green infrastructure (open space, landscape habitats, walking and cycling routes). There is a planning condition attached to 17/00632/OUTE stating that any Reserved Matters application shall be carried out in broad accordance with the Masterplan (“the Indicative Development Framework Plan”).
  31. It is noted that the Reserved Matters application is for the erection of No 475 dwellings which is within the parameters of the outline planning permission (535 dwellings). The reduction on the overall number of dwellings is due to the site constraints and the need to comply with appropriate planning policy requirements.
- a) Appearance**
32. This consideration relates matters such as the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
  33. The proposed development comprises a mix of 2, 3 and 4 bed dwellings across the site. The mix of accommodation is distributed across the site to ensure that all tenures are well integrated within the new community and create mixed neighbourhoods. The house types provided for all tenures are identical with regards to elevational treatment and internal space standards providing a consistent level of design and provision of accommodation across the development.
  34. There is a range of contemporary house types and elevational styles and materials to create variation within the street scene and wider development. The range of house types used across the development also allows for varying roof lines and plot widths. The palette of materials includes rough cast ivory render, red multi and red brickwork; cottage red and anthracite/slate grey roof tiles; stone heads and cills, white windows, black garage doors and windows.
  35. Traditional detailing similar to that found within the local context is incorporated in the facade designs with the use of brick string courses, dentil courses to eaves and

verges and brick corbels. A hierarchy of detailing is used across the development depending upon the size and location of the property.

36. Notwithstanding the above, precise details of the materials for the development will form part of a future Discharge of Condition application.
37. More prominent dwellings are located at approach points to create gateway buildings with rendered facades which will provide points of reference and orientation when moving around the development.
38. All house types have been designed to meet National Space Standards. In addition, 77% of all dwellings will meet the requirements of Building Regulations M4(2) and 9% of all dwellings will meet the requirements of Building Regulation M4(3) in line with Policy H4 of the Local Plan and condition 43 of the outline planning permission ref no 17/00632/OUTE.
39. Along the main spine road and exposed corners of lower density development, brick walls with timber panelling are proposed. Close boarded fencing provides plot boundaries. Timber knee rail fencing is used at key points within the development to define the boundaries between dwellings adjacent to any area of public open space but is restricted to areas within close proximity to the SUDs basins.
40. Whilst a scheme for mitigating noise from road traffic and the Baydale Beck Public House will be considered in detail as part of a future Discharge of Condition application, the application has been supported by a Noise Assessment and the proposed development has included acoustic walling and fencing where appropriate. These measures take the form of a mix of 2m, 2.5m and 3m high fencing and walls. The visual appearance of these features is considered to be acceptable and the landscaped areas, where located adjacent to such features, will soften their visual appearance and ensure that they integrate into the local street context. The Council's Environmental Health Officer has raised no objection to the principle of the proposed layout and mitigation measures.
41. It is considered that the appearance of the proposed development complies with policy DC1 of the Local Plan and policies LCM1, LCM8 and LCM12 of the Low Coniscliffe and Merrybent Neighbourhood Local Plan.

**b) Landscaping**

42. This consideration relates matters such as the treatment of land (other than buildings for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.



43. The proposed development includes landscaped areas which are connected by pedestrian and cycle routes. The areas are a mix of informal recreation areas, amenity spaces, wildlife areas, an informal kick about area and an equipped play area. Existing trees, hedges and watercourses would be integrated into the areas of open space and the spine road design includes a green verge to allow for planting. Ecological features have been incorporated into the development such as bat, bird and bee boxes and hedgehog holes to fences. Each dwelling will have its own private amenity space. SuDs basins, swales and wetland areas are incorporated as part of the landscaping proposals providing wetland habitats that will form an integral part of the green infrastructure.
44. The proposed landscaping scheme uses appropriate planting with a large number of native species and also appropriate non-native species. Further amendments have been made to increase areas of general purpose meadow mix to allow for improved wildlife connectivity across the site at the request of the Council's Ecology Officer.
45. The layout allows green corridors through the development, with the eastern Baydale Beck corridor and western corridor adjacent to the Merrybent Community Woodland being the most valuable for wildlife. The allocation statement at appendix b of the Local Plan (2016-2036) identifies that the site is adjacent to Broken Scar Local Wildlife Site and there is opportunity to create enhanced habitat links to this site. The layout plan demonstrates that these enhanced habitat links across the site between the Local Wildlife Site and also with the Community Woodland to the west have been provided and landscaping corridors have been incorporated along the Beck and between the community woodland and wildlife site. Appropriate levels of landscaped areas have been provided along the eastern and northern edges of the site.
46. Care has been taken to orientate the proposed dwellings or to have dual frontage dwellings overlooking the open space to give natural surveillance of these areas.
47. The southern edge of the built form of the development has been set back from Coniscliffe Road to allow for a landscaped buffer comprising meadow mix, grass and hedge planting and standard and heavy standard tree planting in order to compliment the adjacent community woodland and Merrybent Drive frontages. The set back of the dwellings is further than shown on the Masterplan submitted in support of the outline planning application.
48. The landscaping scheme would be maintained by a private management company and the details of the maintenance regime will be secured as part of the Section 106 Agreement attached to the outline planning permission.
49. The Council's Arboricultural Team Leader and the Ecology Officer have raised no objections to the proposed landscaping scheme following the submission of amended plans. It is considered that the landscaping scheme, in terms of planting proposals, links and corridors and buffer zones have had regard to the requirements

of DC1, ENV, ENV4, ENV5, ENV7, ENV8 of the Local Plan and LCM1, LCM3, LCM4, LCM5, LCM6, LCM8 and LCM12 of the Low Coniscliffe and Merrybent Neighbourhood Local Plan.

50. The extent of landscaped areas and the corridors shown on the landscaping plans is on broad compliance with the Masterplan for the site and planning conditions 33 and 49 attached to outline planning permission 17/00632/OUTE.

**c) Layout**

51. This consideration relates to matters such as the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

52. The layout, which follows the principles of the Masterplan, comprises three parcels of development which are defined by site constraints and separated by areas of open space/landscaping and the central spine road.

*Southern Development Cell*

53. This cell will be Phase 1 and comprises dwellings on either side of the spine road with properties orientated to face outward along the spine road and the Public Right of Way to the west. The proposed internal road pattern is defined with streets running perpendicular to the spine road forming smaller pockets of development served off shared surfaces. This creates links across the site to the existing bridleway along the western boundary. Dwellings fronting onto the spine road are served off private drives allowing for a lower density of built form and a landscaped verge running alongside the road. The frontage onto Coniscliffe Road has been revised to provide a greater stand-off at the entrance to the site and feature entrance walls are proposed at the entrance with Coniscliffe Road to clearly mark the arrival at the site. Details of the feature wall will be secured via a planning condition.

*Northern Western Development Cell*

54. This cell will be Phase 2 and has been designed to provide an outward facing development with an active frontage to the open space and the adjacent countryside. This northern parcel is separated from the north eastern development cell by the large central area of open space which incorporates new footpaths and a range of landscaping. Frontage parking has been reduced to provide a better mix of hard and soft landscaping and there is an informal kickabout area and equipped play area.

*North Eastern Development Cell*

55. This is Phase 3 and has also been designed to provide an outward facing development with frontages to the open spaces and the beck. Additional paths have been created within the open space to create a circular walking route around the site and to connect with future developments to the north. The Safe Route to School runs through this part of the site connecting the site to the wider area via an existing bridge crossing.

56. There are highway and parking related planning conditions attached to the outline planning permission which will need to be considered in detail as part of future Discharge of Condition applications, but generally the layout is largely compliant with the standards required for adoption as public highway as part of an agreement under Section 38 of the Highways Act 1980. Following requests by Officers, further amendments have been made to the layout which are listed in paragraph 10 of this report and the Council's Highways Engineer has raised no objections to the amended development.
57. Details relating to EV charging spaces, cycle parking and bus stop locations and infrastructure would be the subject to future Discharge of Conditions applications. However, the proposed layout includes good footpath and cycleway links and a Safe Route to School via the PROW network and existing bridge crossing. The spine road includes a cycle route along its eastern edge before crossing onto its western edge as it approaches the northern boundary of the site. Whilst this is not fully compliant with non statutory guidance within Cycle Infrastructure Design - LTN I/20, it does result in a reduction in hardstanding and infrastructure alongside the spine road and allows for visual improvements through the provision of landscaping along this important travel route into and through the site.
58. A Public Bridleway runs north south through the site and a Public Footpath link runs east west and these routes have been integrated into the layout of the site. A Rights of Way Strategy will be submitted at a future date as part of a Discharge of Condition application, but the Council's Public Rights of Way Officer has advised that the surface treatments for the routes are acceptable including the fact that the existing surface of the Bridleway will be retained but improved where necessary.
59. The proposed layout is in broad accordance with the Masterplan submitted in support of the outline planning application and the impact of the built form on the public rights of way was considered as part of determining that application. It was recognised that the routes will undoubtedly provide a completely different user experience when development is complete. There are pedestrian linkages onto the Bridleway from the southern development cell and internal roads will cross this route at two separate points within the northwestern development cell.
60. The proposed dwellings will either face directly onto the Bridleway or be dual aspect properties to give natural surveillance along the route as it progresses along its north south direction through the site. The route will have landscaped areas in either side of it and there will be a mix of hedging and boundary fencing along the edges of the route where it passes through the northeastern development cell. Again, it is recognised that the users of the routes will have a different experience, but the bridleway will have a minimum width of 3m and the corridor in which the bridleway sits is considerably wider and generally includes a minimum gap of 1m between the edge of the path and the plot boundary. On the eastern edge of the bridleway the stand-off to boundary fences / paths varies between 3m and 9m but

is generally circa. 5m for the majority of the length of the northern section of  
bridleway.

61. The proposals ensure that the bridleway sits within a green corridor and the addition of hedgerows (there currently are none on this section of the bridleway) and wildflower planting (meadow mix as specified on the landscape scheme) in the spaces around the bridleway itself will significantly enhance the ecological value of this corridor and along ensure that it is a green and pleasant route. The Council's Rights of Way Officer has not objected to the planning application.
62. The site layout plan shows the location of SUDs basins, and a Drainage Statement has been submitted in support of the planning application. These matters would be considered in detail as part of a Discharge of Condition application.
63. The site layout plan includes the erection of a pumping station adjacent to the spine road and alongside a SUDs basin. The precise details of the station would be subject to future Discharge of Condition applications, but the station will be expected to be built to adoptable standards, including enclosures, and it would then be maintained by either Northumbrian Water or the private management company.
64. The equipped play area would be located in the northwestern development cell. Details of the play area have been submitted with the application which show the area being enclosed and comprising appropriate features such as swings, seating areas, slides etc. This would be maintained by the private management company. The contents of the play area have been amended following general advice from the Council's Play Area Manager.
65. Policy H4 of the Local Plan states that housing developments will be encouraged to provide an appropriate mix of housing types, sizes and tenures which have regard to local needs. A suitable housing mix should also give consideration to a site's location, physical constraints, character and surrounding context. Policy LCM 12 of the Neighbourhood Plan states that new developments within housing development limits will be supported where it delivers house types, sizes and tenures to meet identified needs even though it must be highlighted that the application site is not within the settlement boundaries of the Neighbourhood Plan. Comments have been made with regard to the development not including bungalows which is noted but neither the Local Plan or the Neighbourhood Plan make specific reference to developments having to include such house types and there is no planning condition attached to the outline planning permission to secure the inclusion of bungalows within the development. The development will include a percentage of affordable homes and also homes which are built to meet M4 requirements of the Building Regulations in order to provide quality living environments for residents both now and in the future.
66. The separation distances between the dwellings would generally accord with the Council's Supplementary Document on Design for New Development.

67. Overall, it is considered that the proposed layout is acceptable, and the development would accord with the Masterplan, policies DC1, DC4, IN2, IN4 of the Local Plan and policies LCM1, LCM2, LCM8, LCM1, LCM12, LCM18, LCM19 of the Low Coniscliffe and Merrybent Neighbourhood Plan

**d) Scale**

68. This consideration relates to matters such as the height, width and length of each building proposed within the development in relation to its surroundings.

69. The site is currently open fields with limited residential development immediately adjacent to the site. Directly opposite the entrance to the application site on Coniscliffe Road, is the village of Low Coniscliffe. At the northern edge of the village there is a new development by Robertson Homes which provides 37 new dwellings comprising a mix of bungalows and detached 4, 5 and 6 bed properties. The centre of the village comprises of older cottage dwellings along Gate Lane with more recent properties typically larger two storey dwellings.

70. Merrybent Drive lies to the west of the site. Properties consist of mainly 2 and 3 storey properties in terraced and semi-detached blocks with a central green providing a focal point within the development.

71. The existing urban edge of Darlington lies to the east of the development site. Properties are primarily late twentieth century development of detached one / two storey dwellings.

72. The proposed dwellings are all two storey properties which reflect the local environment and context.

73. The proposed development would accord with policy DC1 of the Local Plan policies LCM1, LCM8 and LCM12 of the Low Coniscliffe and Merrybent Neighbourhood Local Plan.

**e) Nutrient Neutrality**

74. Nutrient neutrality was considered and addressed at the outline permission stage which this Reserved Matters application relates to. As a result, there is no requirement for it to be considered again as the mitigation is secured by the conditions on the outline permission which will need to be formally discharged at the necessary stages.

**f) Planning Conditions**

75. As stated throughout this report, there is a need for the developer to submit an application or applications to discharge planning conditions attached to outline planning permission 17/00632/OUTE. The conditions cover a wide range of issues and technical matters. Whilst these applications have yet to be submitted for consideration, this does not prevent Members from determining this Reserved

Matters application. If this application is approved, the developer would then submit the Discharge of Condition application based on the approved layout.

#### **THE PUBLIC SECTOR EQUALITY DUTY**

76. 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 stated in this report, a percentage of dwellings will be constructed to meet Part M of the Building Regulations, and the highway and footpath network will include appropriate crossing points for persons with mobility issues.

#### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

77. 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**

78. This is a Reserved Matters application following the grant of outline planning permission (ref no 17/00632/OUTE) to redevelop the site for residential purposes. The only matters to be considered as those relating to appearance, landscaping, layout and scale. Having considered these matters, the proposed development is acceptable, having had regard to the Masterplan for the site and the appropriate policies within the Darlington Local Plan 2016 – 2036 and the Low Coniscliffe and Merrybent Neighbourhood Plan.

#### **GRANT PERMISSION SUBJECT TO THE FOLLOWING PLANNING CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
  - a) Drawing Number 4061/1 Rev D Detailed Landscape Proposals
  - b) Drawing Number 4061/2 Rev D Detailed Landscape Proposals
  - c) Drawing Number 4061/3 Rev D Detailed Landscape Proposals
  - d) Drawing Number 4061/4 Rev D Detailed Landscape Proposals
  - e) Drawing Number 4061/5 Rev D Detailed Landscape Proposals
  - f) Drawing Number 4061/6 Rev D Detailed Landscape Proposals
  - g) Drawing Number 4061/7 Rev D Detailed Landscape Proposals
  - h) Drawing Number 4061/8 Rev D Detailed Landscape Proposals
  - i) Drawing Number 4061/9 Rev D Detailed Landscape Proposals

- j) Drawing Number 4061/10 Rev D Detailed Landscape Proposals
- k) Drawing Number 4061/11 Rev D Detailed Landscape Proposals
- l) Drawing Number 4061/12 Rev D Detailed Landscape Proposals
- m) Drawing Number 4061/13 Rev A Composite Plan
- n) Drawing Number PL02 Rev H Proposed Site Layout
- o) Drawing Number PL02 Rev E Boundary Treatment Plan
- p) Drawing Number PL04 Rev C Surface Treatment Layout
- q) Drawing Number PL05 Rev C Material Layout
- r) Drawing Number PL06 Rev G Coloured Plot Layout
- s) Drawing Number PL07 Rev B Phasing Plan
- t) Drawing Number PL08 Rev C EV Charging Points Plan
- u) Drawing Number EMT41/2021/PL2 Rev C Plumdale Plans
- v) Drawing Number EMT41/2021/PL3 Rev C Plumdale Elevations
- w) Drawing Number EMT41/2021/PL3 Rev C Plumdale Elevations (Render)
- x) Drawing Number PL11 Detached Garage Plans and Elevations
- y) Drawing Number PL12 Detached Double Shared Garage Plans and Elevations
- z) Drawing Number PL13 Boundary Treatment Details
- aa) Drawing Number SS01 Rev B Example Street Scenes
- bb) Drawing Number EMA22/2021/PL2 Rev C Beaford Plans
- cc) Drawing Number EMA22/2021/PL3 Rev B Beaford Elevations
- dd) Drawing Number EMA32/2021/PL2 Rev C Brambleford Plans
- ee) Drawing Number EMA32/2021/PL3 Rev C Brambleford Elevations
- ff) Drawing Number EMA43/2021/PL2 Rev C Colford Plans
- gg) Drawing Number EMA43/2021/PL3 Rev C Colford Elevations
- hh) Drawing Number EMA43/2021/PL3 Rev C Colford Elevations (Render)
- ii) Drawing Number EMA46/2021/PL2 Rev D Rightford Plans
- jj) Drawing Number EMA46/2021/PL3 Rev D Rightford Elevations
- kk) Drawing Number EMA46/2021/PL3 Rev D Rightford Elevations (Render)
- ll) Drawing Number EMA47/2021/PL2 Rev D Shilford Plans
- mm) Drawing Number EMA47/2021/PL3 Rev D Shilford Elevations
- nn) Drawing Number EMA47/2021/PL3 Rev D Shilford Elevations (Render)
- oo) Drawing Number EMAP11/12/2021/PL2 Rev B Allstead/Bamstead Plans
- pp) Drawing Number EMAP11/12/2021/PL3 Rev A Allstead/Bamstead Elevations
- qq) Drawing Number EMAP41/2021/PL2 Rev B Witherstead Plans
- rr) Drawing Number EMAP41/2021/PL3 Rev B Witherstead Plans Elevations
- ss) Drawing Number EMAW32/2021/PL2 Inglethwaite Plans
- tt) Drawing Number EMAW32/2021/PL3 Inglethwaite Elevations
- uu) Drawing Number EMG31/2021/PL2 Rev C Byrneham Plans
- vv) Drawing Number EMG31/2021/PL3 Rev C Byrneham Elevations
- ww) Drawing Number EMG31/2021/PL3 Rev C Byrneham Elevations (Render)

- xx) Drawing Number EMG43/2021/PL2 Rev C Hubham Plans
- yy) Drawing Number EMG43/2021/PL3 Rev C Hubham Elevations
- zz) Drawing Number EMG43/2021/PL3 Rev C Hubham Elevations (Render)
- aaa) Drawing Number EMG44/2021/PL2 Rev C Kitham Plans
- bbb) Drawing Number EMG44/2021/PL3 Rev C Kitham Elevations
- ccc) Drawing Number EMG44/2021/PL3 Rev C Kitham Elevations (Render)
- ddd) Drawing Number EMT31/2021/PL2 Rev C Aynesdale Plans
- eee) Drawing Number EMT31/2021/PL3 Rev C Aynesdale Elevations
- fff) Drawing Number GTC 3 SS 0012 R2 2 Close Coupled SubStation

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

2. Prior to the first occupation of the development, precise details of the walled entrance feature shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the agreed details. The entrance feature shall be constructed prior to the completion of the development and shall be retained for the lifetime of the development.

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