

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 3RD June 2026

APPLICATION REF. NO: 25/01206/FUL

STATUTORY DECISION DATE: 12 June 2026

WARD/PARISH: Brinkburn And Faverdale

LOCATION: Parcel Mp8 (South) & Mp9, Site At Mount Pleasant Farm, Newton Lane Darlington
DL2 2GR

DESCRIPTION: Application submitted under Section 73 of the Town & Country Planning Act 1990 for the variation of condition 1 (approved plans) attached to planning permission 21/01111/RM1 dated 09 June 2023 (Application for reserved matters approval relating to access, layout, scale, appearance & landscaping attached to outline planning permission 15/00450/OUT dated 31/10/2018 (Outline application for residential development comprising approximately 1200 dwellings, residential and link roads, public open space, landscaping and drainage works together with education and playing fields) for the erection of 72 no. dwellings with associated landscaping and infrastructure) to permit an update to the site boundary, for the removal of plots MP9.20/21/22/23/24/25/26/27/41/42/43. House type changes for plots MP8S.1/2/3/23, MP9.13/15/16/17/18/19/37/38/39/40 and the addition of plots MP8.28/29/30/31/32/33/34 (amended description)

APPLICANT: Bussey And Armstong Projects Ltd

RECOMMENDATION: GRANT 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=T55U5XFP5300>

APPLICATION AND SITE DESCRIPTION

1. Outline planning permission (ref no: 15/00450/OUT) was granted in 2018 for residential development of up to 1200 dwellings at Mount Pleasant and Stag House Farms. The development is under construction, being brought forward in phases by different developers as part of the expansion of West Park.
2. The application site is located within the northern part of the West Park development and forms part of phases known as MP8 (south) and MP9 which are being built by the applicant, Bussey and Armstrong Projects Ltd.
3. Reserved matters approval has previously been granted (ref no: 21/01111/RM1) to construct 72 dwellings on MP9 and the southern part of MP8 and fourteen of the properties have been built or are under construction (Plots 1 to 14).
4. An application (ref no: 21/01288/CON) was submitted to discharge planning conditions attached to the outline permission in relation to layout for Phases MP8 (south) and MP9 that was approved under 21/01111/RM1. The conditions relating to the internal highway layout, a vehicle swept path analysis for the internal highways, parking and cycle parking provision have been discharged.
5. This planning application has been submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) to obtain approval for the following amendments to 21/01111/RM1:
 - Amend the site boundary of Phase MP8 and MP9 to remove plots MP9.20/21/22/23/24/25/26/27/41/42 and 43 to facilitate the development proposals submitted under application 25/01397/RM1 which forms part of this agenda
 - A substitution of house types on plots MP8S.1/2/3/23 and MP9.13/15/16/17/18/19/37/38/39/40
 - Amend the site boundary of Phase MP8 and MP9 to include seven additional plots in Phase MP8 (Plots 28/29/30/31/32/33/34)
 - As a result of these amendments the overall number of dwellings within Phase MP8 (south) and MP9 would be reduced from 72 to 66
6. Phases MP8 (south) and MP9 are bound to the north by West Auckland Road (A68) and dwellings which have been built on Phase MP6 (under planning approval 20/00364/RM1) are located to the south (Juniper Avenue, Mortimer Wheeler Drive and

Black Poplar Avenue). Bridleway No. 7 in the Parish of Archdeacon Newton runs adjacent to Edward Pease Way on the eastern boundary of the application site.

7. A separate planning application will need to be submitted to discharge any appropriate planning conditions attached to outline planning permission 15/00450/OUT which are relevant and appropriate to the redevelopment of Phases MP8 (south) and MP9. Although the issues covered by some of the planning conditions are clearly interrelated to this proposal, the separate mechanism to agree the technical details subject of the other planning conditions, is not for specific consideration as part of this planning application submission.
8. As the overall number of dwellings within Phase MP8 (south) and MP9 would reduce to sixty-six, a separate Non Material Amendment application (ref no: 25/01198/NMA) has been submitted to update the description of planning approval 21/01111/RM1. The application will be determined following a decision being made on this planning application.

MAIN PLANNING ISSUES

9. Permission granted under section 73 of the Town and Country Planning Act 1973, takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted. As with 21/01111/RM1, the planning issues to be considered by this Section 73 application are restricted to:
 - a) Access (secondary)
 - b) Layout
 - c) Scale
 - d) Appearance
 - e) Landscaping
10. Interrelated with the above issues is the following considerations.
 - f) Residential Amenity
 - g) Flood Risk and Drainage
 - h) Nutrient Neutrality

PLANNING POLICIES

11. The application site is within the development limits for the urban area and therefore the proposed residential development can be supported, in principle, subject to compliance with national and local development plan policies (Policy H3 of the Local Plan). The proposal has been further established as the application site forms part of

outline planning permission 15/00450/OUT for up to 1200 dwellings. The relevant local plan policies for this planning application are as follows:

Darlington 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

H1: Housing Requirement

H2: Housing Allocations

H3: Development Limits

H4: Housing Mix

ENV3: Local Landscape Character

ENV4: Green & Blue Infrastructure

ENV5: Green Infrastructure Standards

ENV7: Biodiversity & Geodiversity & 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

12. The Council's adopted Design SPD (2011) is also relevant.

RESULTS OF TECHNICAL CONSULTATION

13. The Council's Highways Engineer and Environmental Health Officer have raised no objections to the planning application

RESULTS OF PUBLICITY AND NOTIFICATION

14. Following the Council's publicity and notification exercises two objections and a petition with seven signatories have been received. The objections can be summarised as follows:

- *Increase the volume of motor traffic along Mortimer Wheeler Drive and Juniper Avenue.*
- *This amendment is a significant change to property types and numbers*
- *Overspill parking into surrounding streets*
- *Obstruction of carriageways*
- *Increased pressure on existing residents' parking*
- *The estate was not originally designed for this level of density or parking demand.*
- *Traffic volume entering and exiting the estate*
- *Road widths and pinch points*

- *Emergency vehicle access*
- *Refuse and service vehicle manoeuvrability*
- *Daily congestion at bends and junctions*

15. The objections also include reference to a garage conversion to living accommodation having taken place thereby reducing parking spaces for the property, increasing antisocial behaviour as residents park vehicles in locations which block access roads and create blind spots and visitors have nowhere to park. It is acknowledged in the objection that planning permission is not required to convert garages into living accommodation, but the repercussions of such works should be considered when granting planning permission.

PLANNING ISSUES/ANALYSIS

a) Access (secondary)

16. The primary access arrangements and traffic generation associated with the wider development were considered and addressed under the outline planning application 15/00450/OUT. These arrangements remain unchanged by this planning application, and it is noted that the proposal does not result in any increase of the overall quantum of development approved under 15/00450/OUT. Whilst some development phases have already been consented, significant headroom remains available under the outline consent. The revised proposal does not demonstrate traffic levels which exceed those already agreed under the outline permission and for this reason, traffic generation is not a consideration under this new application as the principle has been accepted as part of the outline consent with required mitigation secured at this time.
17. Access to Phases MP8 and MP9 would be via Mortimer Wheeler Drive and Juniper Avenue which was approved under 20/00364/RM1 (MP6). The internal road and footpath layout for Phases MP8 (south) and MP9 have been approved under the previous reserved matters submission (ref no: 21/01111/RM1) and application 21/01288/CON and remain unchanged apart from a section of highway (Hawksbeard Way) being increased in length to provide access to the dwellings on plots MP8 28/29/30/31/32/33/34. The turning head has been amended to meet the standard geometric requirements for adopted highways. The turning head would be a temporary arrangement pending the remainder of Phase MP8 being brought forward in the future. The design would be subject to further technical review as part of the Section 38 Technical Approval process which is separate to the planning application process.
18. The wider development is compliant with the Tees Valley Design Guidance for adoptable highways. This ensures that developments are safe and accessible for all modes of transport including pedestrians and cyclists. The design standards within local guidance are derived from the nationally recognised Manual for Streets (MfS) which is a DfT document. Full design appraisal and technical approval have been undertaken as part of earlier RM submissions and post planning highways technical approval. Black Poplar Avenue and Mortimer Wheeler Drive are 6.7m wide as they are designed to

enable a future bus service to enter the development as well as accommodating the access and servicing requirements of both residential development cells and the future education facility included within the wider masterplan. Swept path analysis was used to prove that road geometry was suitable for refuse vehicles and busses. MfS allows residential estates road to be constructed to a width of 4.8m. The 6.7m carriageway width is therefore resilient and reflects the wider scale and mix of the development.

19. Under the provisions of the Tees Valley Design Guide, the level of in – curtilage parking provision is related to dwelling size. Dwellings of up to and including three bedrooms require two spaces per dwelling, whilst larger dwellings of four or more bedrooms are required to have a minimum of three parking spaces. Parking for the proposed dwellings would be provided by a mix of in - curtilage driveways, integral and attached garages and detached garages. A review of the parking provision has been carried out and confirms that each dwelling has the appropriate level of in -curtilage parking based on the number of bedrooms within them. Where parking standards are fully met, overspill parking is unlikely to occur and thus present a highway safety of residential amenity concern. As TVDG standards are met, the development is in accordance with Local Plan policy and as such there are no such grounds on which to refuse the application on parking provision.
20. Under the provision of 21/01111/RM1, the Bridleway route was made separate to the estate road (Gentian Grove), had a width of 2m, with an appropriate surface finish, linking into footpath network. This route is an important route around the wider development to bus stops, shops and schools and this section replicates the design and dimensions elsewhere and remains unchanged by this planning application.
21. Whilst the comments relating to garage conversions is acknowledged, there are no planning conditions attached to the outline planning permission (ref no: 15/00450/OUT) which prevent such works from going ahead without having to first obtain planning permission.
22. The proposed development would accord with policies DC1, IN1, IN2 and IN4 of the Local Plan in this regard.

b) Layout

23. If approved, the number of dwellings within this part of Phases MP8 (South) and MP9 would be reduced from 72 to 66 properties (which would be considered under application 25/01198/NMA). The layouts of Phases MP8 (South) and MP9 have not fundamentally changed as the proposal is primarily to substitute house types within existing plots that were approved under the original reserved matters submission. The main change to the layout is the addition of Plots MP8 28 to 34. Plot MP8 28, 29 33 and 34 would be accessed off Hawksbeard Way via a shared drive and Plots 30, 31 and 32 would be accessed off Mortimer Wheeler Drive. The proposed layout of the amended scheme is acceptable and ensures that the development continues to have a high-quality layout which responds appropriately to the character of Phases MP6, MP8

(south) and MP9 as it continues to be brought forward. The proposal would be in accordance with policies DC1 and ENV3 of the Local Plan.

24. The overall unit numbers for the West Park development is governed by the outline permission 15/00450/OUT, which consented up to 1,200 dwellings. There remain approximately 300 plots to be delivered before the outline quantum is reached and there are Phases within the wider development which are still yet to be subject to full reserved matters approval (MP7, the remaining section of MP8 and MP10). The proposed development accords with the overall consented density and sits comfortably within the parameters of the outline planning permission. The acceptability of each reserved matters application must be assessed on its own merits against the outline permission, and the fact that it differs from the previous RM approval (ref no 21/01111/RM1) for the same part of the site is not a reason to refuse this planning application.

c) Scale

25. Most of the dwellings on Phases MP8 (south) and MP9 which were approved under the previous reserved matters submission (ref no: 21/01111/RM1) are two storey properties but there are two, three storey properties on corner plots (Yarm House Type) within the development. All the new house types are two storey properties and would be in keeping with the local area and built environment. The proposed development would accord with Policy DC1 of the Local Plan in this regard.

d) Appearance

26. The design of the proposed dwellings are inspired by the Arts and Crafts movement of the 19th Century which is a common theme for the parts of West Park that have been constructed by Bussey and Armstrong Projects Ltd. The dwellings selected for MP8 (south) and MP9 have been previously delivered across West Park. The two main brick colour palettes are red brick multi blend facing bricks complemented by darker red smooth faced bricks. Both are paired with ivory coloured render on certain house types. Roof tiles are a mix of clay roofing tiles, either red/orange or brown/grey. Windows are UPVC and composite doors are used throughout.
27. The development would remain high quality, designed to be reflective and sympathetic to the design and character of the dwellings that have been or are yet to be built within Phases MP8 (south) and MP9 and the neighbouring MP6 phase. The development continues to promote a high-quality, cohesive design that responds appropriately to the character of the area in accordance with policies DC1 and ENV3 of the Local Plan.

e) Landscaping

28. The soft and hard landscaping scheme primarily consists of tree planting in rear and front gardens, within public areas of open spaces and hedging around some of the front and side gardens consistent with the landscaping scheme previously approved under

reserved matters 21/01111/RM1. As well as the hedging the means of enclosure around the plots are a mix of walls, metal railings and close boarded fencing. The landscaping scheme would be managed and maintained by a private management company and it would also provide an ecological net gain.

29. The landscaping scheme would accord with policies DC1, ENV3, ENV4, ENV5, ENV7 and ENV8 of the Local Plan.

f) Residential Amenity

30. The proximity distances between dwellings would remain in accordance with the requirements set out in the Council's Design SPD.
31. The application has been supported by a Noise Assessment Report which is based on the revised site layout plan for areas MP8(south) and MP9 and looks at whether suitable noise levels in accordance with the original planning conditions will be achieved for these parts of the site given the proposed changes.
32. As was the case with the earlier reserved matters application 21/01111/RM1, there is still a slight exceedance of no more than +1dB of the upper guidance value for external amenity areas in BS8233 (55dB $LA_{eq,16\text{ hour}}$) in some rear gardens (even with mitigation) but there will still be parts of these gardens that achieve the upper limit. Also, the current assessment model does not account for the northern part of MP8(south) and MP9 being built out under application ref no: 25/01397/RM1 which will afford some additional protection. For some plots the external amenity areas will achieve noise levels below 50dB $LA_{eq,16\text{ hour}}$ without enhanced acoustic boundary treatments.
33. The boundary treatment mitigation recommended for some garden areas includes acoustic barriers. There is a change in the recommended density of the barrier in the latest noise assessment (14 kg/m²) compared to the previous assessment (10 kg/m²) as well as the height requirements (from +1.8m to +4m height to now +1.8m to +2.5m).
34. In terms of ensuring required internal noise levels, the noise assessment recommends four separate façade mitigation strategies (glazing and ventilation specifications) taking into account plot, façade and floor level. This is the same as the earlier assessment/application. Based on the information submitted with the application, the Council's Environmental Health Officer has no objections, in principle, to the variation of the previously approved reserved matters application in terms of noise/layout.
35. Matters relating to land contamination and construction impacts will be dealt with by the separate mechanism of the discharge of condition process. The proposed development is considered to comply with policies DC3 and DC4 of the Local Plan

g) Flood Risk and Drainage

36. Conditions 14 and 16 attached to outline planning permission 15/00450/OUT relate to foul and surface water drainage and an application to discharge these conditions will be submitted separately. However, the proposed surface water drainage scheme has been considered on a site wide basis and the surface water from the application site will be attenuated in the SUDs infrastructure to be constructed on the Mount Pleasant farm site (MP7) under planning permission 20/00033/RM1. There construction works are presently being carried out. The development would accord with policy DC2 of the Local Plan.

h) Nutrient Neutrality

37. The planning application has been supported by a Habitat Regulations Assessment (HRA) which concludes that there will be no likely significant effect on the international nature conservation interests of the Teesmouth and Cleveland Coast SPA and Ramsar Site. The HRA provides a detailed assessment of the planning history for the Garden Village development including details of the drainage strategies for the entire wider site (MP4 – 10) which includes this application site. The Local Planning Authority can confirm that the planning history set out in the HRA is correct.

38. These drainage strategies have been previously approved under previous discharge of condition applications prior to March 2022. The approved drainage systems have been installed and are operational. As a result of considering this information, the local planning authority consider that the legal baseline for the drainage scheme has been previously set, is being complied with and nutrient neutrality can be scoped out of further considerations. Nutrient neutrality falls outside the remit of considerations for this application.

THE PUBLIC SECTOR EQUALITY DUTY

39. 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.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

40. 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

41. This application has been submitted under section 73 of the Town and Country Planning Act 1990 (as amended) to make some changes to the previously approved Reserved Matters for Phases MP8 and MP9. The general traffic generation and highway safety impacts, visual impacts on the surrounding area and the offsite highway works were agreed at the outline planning application stage.
42. The amendments to the proposed layout still ensure good connectivity throughout and to the existing and proposed infrastructure and the development remains acceptable in terms of highway safety and pedestrian and cycling safety, especially along the existing Bridleway. The dwellings remain positioned and orientated to comply with the required proximity distances, and the landscaping scheme will bring biodiversity enhancements to the site and mitigate against the existing tree and hedge loss for this phase. The dwellings are well designed, and phases MP8 (south) and MP9 will integrate well with the surrounding area and the other phases that have been brought forward by the applicant and other developers. The proposed development would accord with the local development 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:
 - Drawing Number A200 B MP9 Bridleway Detail Plan
 - Drawing Number P500 Rev A Bridleway Section
 - Drawing Number 2021/MP8/P2829 Rev B Plot 28,29 Elevation
 - Drawing Number 2021/MP8/P2829 Rev B Plot 28, 29 Plan 1
 - Drawing Number 2021/MP8/P2829 Rev B Plot 28, 29 Plan 2
 - Drawing Number 2021/MP8/P30 Rev B Plot 30 Elevations
 - Drawing Number 2021/MP8/P30 Rev B Plot 31 Plans 1
 - Drawing Number 2021/MP8/P30 Rev B Plot 30 Plans 2
 - Drawing Number A006 Rev J MP8 & 9 Proposed Site Plan
 - Drawing Number A007 Rev C MP 8 & 9 Proposed Unit Types
 - Drawing Number A015 Rev E MP8 & 9 Boundary Types
 - Drawing Number A025 Rev C MP8 & 9 Landscape Strategy and Site Plan
 - Drawing Number 2021/MP8/P31 Rev B Plot 31 Elevations
 - Drawing Number 2021/MP8/P31 Rev B Plot 31 Plan 1
 - Drawing Number 2021/MP8/P31 Rev B Plot 31 Plan 2
 - Drawing Number 2021/MP8/P32 Rev B Plot 32 Plans 2
 - Drawing Number 2021/MP8/P32 Rev B Plot 32 Plans 1
 - Drawing Number 2021/MP8/P33 Rev B Plot 33 Elevations
 - Drawing Number 2021/MP8/P33 Ref B Plot 33 Plan
 - Drawing Number 2021/MP8/P34 Rev B Plot 34 Elevation

- Drawing Number 2021/MP8/P34 Rev B Plot 34 Plan
- Drawing Number 2021/MP9/P15 Rev B Plot 15 Elevation
- Drawing Number 2021/MP9/P15 Rev B Plot 15 Plans
- Drawing Number 2021/MP9/P16 Rev B Plot 16 Elevation
- Drawing Number 2021/MP9/P16 Rev B Plot 16 Plans
- Drawing Number 2021/MP9/P17 Rev B Plot 17 Elevation
- Drawing Number 2021/MP9/P17 Rev B Plot 17 Plans
- Drawing Number 2021/MP8S/P1 Rev A Plot 1 Elevation
- Drawing Number 2021/MP8S/P1 Rev A Plot 1 Plans 1
- Drawing Number 2021/MP8S/P1 Rev A Plot 1 Plans 2
- Drawing Number 2021/MP8S/P2 Rev A Plot 2 Elevation
- Drawing Number 2021/MP8S/P2 Rev A Plot 2 Plans
- Drawing Number 2021/MP8S/P23 Rev B Plot 23 Elevation
- Drawing Number 2021/MP8S/P23 Rev B Plot 23 Plans
- Drawing Number 2021/MP8S/P3 Rev B Plot 3 Elevations
- Drawing Number 2021/MP8S/P3 Rev B Plot 3 Plans
- Drawing Number 2021/MP8S/P13 Rev B Plot 13 Elevations
- Drawing Number 2021/MP8S/P13 Rev B Plot 13 Plans
- Drawing Number 2021/MP8S/P18 Rev A Plot 18 Elevations
- Drawing Number 2021/MP8S/P18 Rev B Plot 18 Plans
- Drawing Number 2021/MP8S/P19 Rev A Plot 19 Elevations
- Drawing Number 2021/MP8S/P19 Rev A Plot 19 Plans
- Drawing Number 2021/MP9/P37383940 Rev A Plot 37, 38, 39 & 40 Elevations
- Drawing Number 2021/MP9/P37383940 Rev A Plot 37, 38, 39 & 40 Plans
- Drawing Number 2012/MP9/P47 Rev A Plot 47 Elevation
- Drawing Number 2012/MP9/P47 Rev A Plot 47 Plan

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

2. Notwithstanding the details shown on the approved plans, every dwelling which has a garage or dedicated marked out car parking space within its curtilage shall include an electrical socket suitable for charging electric vehicles (minimum single 13 amp socket)

REASON To accord with Policy IN4 of the Darlington Local Plan 2016 – 2036

3. The development hereby approved shall provide suitable broadband infrastructure, ducting and connectivity

REASON: To accord with policy IN8 of the Darlington Local Plan 2016 – 2036

INFORMATIVE

In order to comply with the 1968 Countryside Act, standard metal Public Bridleway signposts will be required at both ends of the Archdeacon Newton Public Bridleway No 7, with one located by the bridleway's junction with Black Poplar Avenue and pointing north east along the route. The existing timber signpost by the A68 is in a poor state of repair so this should be replaced with another metal post pointing south west down the route.