

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 27 June 2018**

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**APPLICATION REF. NO: 18/00442/FUL**

**STATUTORY DECISION DATE: 23<sup>rd</sup> August 2018**

**WARD/PARISH: HAUGHTON AND SPRINGFIELD**

**LOCATION: Site of Former Springfield Primary School, Salters Lane South, Darlington**

**DESCRIPTION: Proposed residential development consisting of 80 dwellings, access and landscaping (Re-submission)**

**APPLICANT: NORR CONSULTING**

**APPLICATION AND SITE DESCRIPTION**

Members will recall granting planning permission for 80 dwellings on the application site in March 2018, subject to conditions.

This application is an identical planning application, however is updated to include further Ecological surveys and detailed highway layout. This revised application does not change the recommendation of from the original report.

The application site measures some 2.9 hectares in area and is situated on the site of the former Springfield Primary School playing fields on the west side of Salters Lane South in a predominantly residential area and in close proximity to the Haughton Education Village and Haughton Village. The site consists of grassland with a number of mature trees.

This is a detailed application for the redevelopment of the site for housing. The scheme would consist of the following elements:

- 80 residential dwellings (comprising a mixture of two three and four bed detached, semi and terraced dwellings);
- A minimum of two in-curtilage parking spaces per dwelling;
- The formation of a new access road to the development from Salters Lane South connecting to an internal estate road leading to dwellings grouped in cul-de-sac arrangements;
- Frontage development to all principle locations;
- The provision of internal vehicular and pedestrian routes;
- The provision of a pedestrian routes to connect it to surrounding residential areas;
- The provision of associated hard and soft landscaping.

The application was submitted with a Design and Access Statement as required by the regulations.

**Application documents including Planning Statement, Design and Access statement, detailed plans, consultation responses, representations received and other background papers are available on the DBC website.**

### **Environmental Impact Assessment Requirements**

The Local Planning Authority has considered the proposal against the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).

It is the opinion of the Local Planning Authority, that the proposal is development for which an Environmental Impact Assessment is not required as the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

### **PLANNING HISTORY**

The site has a lengthy planning history relating to various alterations and extensions to the former school buildings. None of this is relevant to this application.

07/01221/FUL - In March 2008 planning permission was granted for the residential development of land to the north of the site.

10/00017/DC – In April 2010 planning permission was granted for the residential development of land to the north of the site.

17/01191/FUL – In March 2018 planning permission was granted for the erection of 80 dwellings with associated access and landscaping.

### **PLANNING POLICY BACKGROUND**

The following policies of the Core Strategy are relevant:

- CS1 – Darlington’s Sub-regional Role and Locational Strategy
- CS2 – Achieving High Quality, Sustainable Design
- CS10 – New Housing Development
- CS11 – Meeting Housing Need
- CS14 – Promoting Local Character and Distinctiveness
- CS15 – Protecting and Enhancing Biodiversity and Geodiversity
- CS16 – Protecting Environmental Resources, Human Health and Safety
- CS17 – Delivering a multi-functional Green Infrastructure Network
- CS19 – Improving Transport Infrastructure and Creating a Sustainable Transport Network

The following policies of the Borough of Darlington Local Plan are relevant: -

- E3 – Protection of Open Land
- E12 - Trees and Development
- E14 - Landscaping of Development

The Council's Design of New Development Supplementary Planning Document 2011 is relevant.

The Council's Planning Obligations Supplementary Planning Document (2013) is also relevant.

The Council's Interim Planning Position Statement (2016) is also relevant.

The National Planning Policy Framework (NPPF) 2012 and National Planning Practice Guidance are also relevant.

## **RESULTS OF CONSULTATION AND PUBLICITY**

One letter has been received through the consultation of this identical application, from Darlington Friends of the Earth, raising the following issues:

- *We believe there are a few anomalies with the applicants planning statement and their ecological appraisal dated December 2017;*
- *Has a bat survey been undertaken to properly establish the status of bats on the site and what impact this development may have on bats – further bat surveys should be undertaken and any mitigating measures agreed before planning approval is granted or at least made a condition of any planning approval;*
- *Has an amphibian and Great Crested Newt investigation been undertaken to establish exactly the status of any amphibians on site and what impact the development may have on any such species – further surveys should be undertaken and any mitigating measures agreed before planning permission is granted or at least made a condition of any approval;*
- *The planning statement indicates the council cannot identify a five year supply of housing – the council can now demonstrate this;*
- *The provision of affordable housing;*
- *The retention of trees and hedgerows where possible;*
- *Gaps in fences to allow hedgehogs to move around the site freely and the creation of a pond or ponds as part of the suds strategy is very welcome;*
- *Bird and bat boxes within this development would be very welcome and perhaps this could be extended to include nest boxes for swifts and wall cavities for starlings, fruit trees and an area of nectar rich planting for our pollinators.*

Three further representations have been received from local residents, raising the following issues:

- *I wish to bring to your attention the presence of two well established trees on the north east corner of the site – I noted on the original application a comment regarding replacement trees in this location;*
- *I feel that with this authority's current record on the protection of established trees (I'm thinking of the development at the golf course site, where trees have been felled for convenience) this site needs to be considered and monitored carefully;*
- *I walk to work and home again, from Bamburgh Place, across the field to the corner of Kielder Drive – there is an opening at each end in order for person's to be able to do this – this field was not part of the Springfield School site (that was the upper part of the field) and people have walked over this lower field for years – the route should be classed as a public right of way;*

- *I cannot see that there is any allowance for this in the way of a path between houses 49 and 50 on the new proposed site plan of this new development; Is there a path down the side of house number 46 towards Kielder Drive? – if so that would be fine;*
- *Can you please ensure that this public right of way will stay within the development or at least an alternative route is put into place;*
- *I would not like Alnwick Place to be used for access to the housing estate or by the building firm – the road is not wide enough and you cannot park two cars and get through as it is;*
- *I do not want the house to be built directly behind my house as it will be obtrusive for it to be that close to build within 20 feet of my garden; It will also block my right to light as the sun rises and sets to the back of my house and it will devalue it;*
- *You are only building two houses in the whole development this close to residents houses – you could change the position or change it to a bungalow;*
- *There are bats living in the house next door to mine's roof which are protected;*
- *There is a fox living on the field with numerous more wildlife;*
- *We have a pond and two doors away do and both have newts living in them which are protected and you can't tell me they are not present at the other side of my fence in the field.*

The Council's Highways Officer has raised no objections to the proposed development subject to conditions securing submission and agreement of further details of the internal highway layout and the proposed access road junction. There are a number of housing developments currently submitted for planning in proximity to the A167/A1150 corridor. The development traffic generated from these sites would have a detrimental impact on the local highway network unless highway improvements are carried out on the corridor. Specific improvements are proposed at the A167 Burtree Lane traffic signal controlled junction and A1150 Thompson Street East roundabout. A contribution has been agreed towards highway improvements on this corridor.

The Council's Environmental Health Officer has raised no objections to the proposed development subject to contaminated land remediation conditions.

The Transport Policy Officer has raised no objections to the proposed development subject to conditions requiring further details of shared footway links to surrounding infrastructure and details of cycle parking and storage.

The Lead Local Flood Authority has raised no objections to the proposed development subject to planning conditions to secure submission and agreement of a scheme of surface water drainage and management, that the development is carried out in accordance with the submitted FRA and that the surface water management is in place prior to dwellings being occupied.

Northumbrian Water has raised no objections to the proposed development subject to a condition to secure a scheme for the disposal of foul and surface water from the development prior to commencement.

## **PLANNING ISSUES**

The main planning issues to be considered in the determination of this application are: -

- Planning Policy
- Loss of green space

- Impact on non-designated Heritage Assets (Archaeology)
- Design and Layout and impact on visual amenity
- Residential Amenity
- Highway and Sustainable Transport issues
- Surface water and Flood Risk
- Ecology
- Trees
- Planning Obligations
- Other matters

### **Planning Policy**

Section 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 (NPPF) comprises up to date national planning policy and is a material consideration in planning decisions.

Saved Policy E2 (Development Limits) of the Local Plan states that most new development will be located inside the development limits. The site is located within the development limits.

Saved Policy E3 (Protection of Open Land) of the Local Plan states that in considering proposals to develop any area of open land within the development limits, the council will seek to maintain the usefulness and enhance the appearance and nature conservation interest of the open land system as a whole and to supplement the interconnections between its elements. It states that permission will not be granted for development which inflicts material net harm on; the visual relief afforded by the system in built-up areas; the character and appearance of the locality through loss of openness and greenery; facilities for organised sport and other informal recreation or for horticulture; the internal continuity of the system, or its linkages with the open countryside; or, areas recognised for their nature conservation or wildlife interest.

In relation to housing, the NPPF requires local authorities to plan positively for housing development to meet the needs of their area. An update to the Strategic Housing Market Assessment was published in Oct 2017. This work indicated that 8,440 dwellings will be required over 2016 to 2036, an average of 422 dwellings per year. A 20% buffer has been applied to this figure due to previous under delivery. The Council is currently preparing a new Local Plan and an assessment of sites currently shows that a 5.86 year supply of deliverable housing land can be demonstrated. As a consequence policies relating to the supply of housing can now be given weight in the planning balance.

The site falls within the Development Limits and is considered to be a sustainable location, and its development for housing is acceptable in principle. The Council's Interim Planning Position Statement (2016) identified the site as a housing site capable of accommodating a sustainable scheme subject to an acceptable scheme coming forward.

### **Loss of green space**

One of the Core Planning Principles of the NPPF is that planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

Policy CS2 (Achieving High Quality, Sustainable Design) of the Core Strategy includes provision that new development should reflect or enhance Darlington's distinctive nature; create a safe and secure environment; create safe, attractive, functional and integrated outdoor spaces that complement the built form; and relate well to the Borough's green infrastructure network.

CS14 (Promoting Local Character and Distinctiveness) of the Core Strategy seeks to protect, and where appropriate enhance, the distinctive character of the Borough's built, historic, natural and environmental townscapes, landscapes and strong sense of place.

Policy E3 (Protection of Open Land) of the Local Plan states that in considering proposals to develop any area of open land within the development limits, the council will seek to maintain the usefulness and enhance the appearance and nature conservation interest of the open land system as a whole and to supplement the interconnections between its elements. It states that permission will not be granted for development which inflicts material net harm on; the visual relief afforded by the system in built-up areas; the character and appearance of the locality through loss of openness and greenery; facilities for organised sport and other informal recreation or for horticulture; the internal continuity of the system, or its linkages with the open countryside; or, areas recognised for their nature conservation or wildlife interest.

The loss of green space will have minimal impact on recreation as the site is not open to the public. However it does afford some visual relief to the locality in general. Nevertheless, it is considered that the proposal retains an element of openness to the Salters Lane South frontage and will be enhanced through a landscaping scheme to be agreed by planning condition. Ecology issues are considered later in this report.

### **Impact on non-designated Heritage Assets (Archaeology)**

Paragraph 135 of the NPPF requires the effect of an application on the significance of non-designated heritage assets to be taken into account in the determination of planning applications. It goes on to state that in weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 141 of the NPPF requires that Local Planning Authorities make information about the significance of the historic environment gathered as part of plan making or development management publicly accessible. It states that they should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

An Archaeological Evaluation was submitted in support of the application. The survey did not show a significant archaeological resource, however shows some magnetic disturbance in the results which could have a 'masking' effect. The County Archaeologist therefore requested that the Archaeological Evaluation be tested through trial trenching. The full evaluation of the site was submitted and no archaeological remains were encountered and as a result, the County Archaeologist has raised no objections to the proposed development.

### **Design and Layout and impact on visual amenity**

Policy CS2 (Achieving High Quality, Sustainable Design) of the Core Strategy includes provision that new development should reflect or enhance Darlington's distinctive nature; create

a safe and secure environment; create safe, attractive, functional and integrated outdoor spaces that complement the built form; and relate well to the Borough's green infrastructure network.

It is considered that the form, scale and layout of the development is acceptable and has had regard to the character of its surroundings. In particular the scheme is sensitive to the character of the main frontage along Salters Lane South, and provides an attractive internal street scene.

The surrounding area is not one of strong architectural character, and the development does not seek to replicate or follow any particular element of architecture in the immediate vicinity of the site, however it is considered that the proposal shows sensitivity to its surroundings and provides a variety of buildings with architectural detailing such as dormer windows, varied roof heights, gables and varied fenestration to break these up, create interest and complement the sites surroundings. Details of external materials have been provided and these are considered to be acceptable.

Careful consideration should be given to landscaping in order to soften, complement and provide some screening for the development. The issue of retaining existing tree cover is considered in more detail later in this report. Overall, the proposal is considered to be acceptable in respect of its impact on the visual amenities of the locality and responds satisfactorily to the particularities of the site and the surrounding area, as required by local and national policy and guidance.

### **Residential Amenity**

The proposal is considered to be acceptable in respect of its impact on the residential amenities of existing properties and meets the generally accepted separation distances as set out in the Design SPD in all instances. Internally, the layout of the development is considered to provide an acceptable residential environment for the future occupiers of the proposed scheme.

A Phase 1 Desk Top Study report and a Phase 2 Ground Investigation Report, both prepared by Arc Environmental (2013) were submitted with the planning application. Although the reports established that due to the previous use of the site, there is little contamination, it has identified some hotspot issues of contamination such as an area where bonfires have taken places, asbestos fibres detected in some soil samples in the north east corner of the site, and two areas of bitumen contamination. Further information which documents the result of a further series of trial pits investigations at the site, which supplement the previous desk top study and site investigation into ground conditions, has since been submitted, which includes a brief remediation plan for the site. Subject to a planning condition to secure a remediation and verification strategy, to be submitted before or at the same time as the verification and completion report, the Environmental Health Officer has raised no objections to the proposed development.

A Construction Management Plan has been submitted and is considered to be acceptable. A planning condition is recommended to ensure compliance with the plan throughout the implementation of the development.

Overall, it is considered that the proposed application is acceptable in respect of its impact on the residential amenities currently enjoyed by existing residents, and those to be provided for the future occupiers of the proposed scheme.

### **Highway and Sustainable Transport Issues**

The Council's Highways Officer has been consulted and has raised no objections to the proposed development. Due to the position of the existing bus stop, and the limited options for its

relocation, the alignment of the access road at Salters Lane South has been amended. At the time of writing, although preliminary drawings have been undertaken and the Highways Officer is satisfied on this basis that the appropriate visibility splays can be achieved, the final plans for this realignment have not yet been completed, and this final detail should be required by planning condition.

A number of details regarding the internal highways layout have also be requested by the Highways Officer, who has agreed that these can all be agreed through a planning condition requiring further details prior to commencement. Since the first application, a number of these have now been resolved and this is reflected in a revised condition.

The site has good accessibility to public transport and a number of potential walking links to the existing surrounding areas. The Transport Policy Officer has raised no objections to the proposed development subject to details regarding the proposed footpath / cycle link which connects to Kielder Drive to the south. To improve accessibility a footpath link to Bamburgh Place to the south west and Alnwick Place to the west is also required, together with the provision of cycle parking for the dwellings and submission and agreement of the detail of these can be required by planning condition.

Discussions at the March Planning Committee resulted in a planning condition which required details of all footpaths connecting to adjacent cul-de-sacs (Kielder Drive, Bamburgh Place, Alnwick Place) to be submitted following the completion of the 20<sup>th</sup> house, to enable a consultation exercise to be undertaken with local residents, by local members, to establish the need for footpath provision within the area. This condition is replicated within the recommendations of this report.

Members should note that offsite highway improvements are proposed to the B1150 and A167 corridor to mitigate the impacts of additional traffic impacting on this part of the network. In this particular case the development would contribute to an enhanced roundabout at the Thompson Street junction on the B1150 to increase its capacity and flows.

### **Surface Water and Flood Risk**

The proposed development is situated within Flood Zone 1.

A Flood Risk Assessment and Drainage Strategy (January 2018) undertaken by Portland Consulting was submitted in support of the application. This demonstrates that the proposed development will have a very low risk of flooding from surrounding watercourse, surface water, sewers and groundwater, and proposes a strategy for the disposal of surface water from the development.

Stockton Borough Council, who acts as the Council's technical advisors for SuDs, has assessed the level of information submitted with this application. They do not raise concerns to the development subject to a condition being attached to any forthcoming approval that requires the developer to submit a full Surface Water Drainage and Management scheme for the whole site that must include detailed design of the surface water management system, build program for the provision of the critical surface water drainage infrastructure, management plans, details of adoption responsibilities and management plans / maintenance and that the development is in accordance with the submitted Flood Risk Assessment.

### **Ecology**



Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity) of the Core Strategy states that the protection, restoration, extension and management of the Borough's biodiversity and geological network will be delivered to help achieve the target level of priority habitats and species set out in the UK and Durham Biodiversity Action Plans by measures including by ensuring that new development would not result in any net loss of existing biodiversity value by protecting and enhancing the priority habitats, biodiversity features and the geological network through the design of new development, including public and private spaces and landscaping.

Saved Policy E21 (Wildlife Corridors) states that development which would materials harm the wildlife habitat value of linear features providing corridors within which wildlife can move and live, including the open land network within the urban area where it forms continuous corridors, rivers and streams, road and rail corridors, woodlands, hedgerows and green lanes will not be permitted. It goes on to state that harm will be assessed according to the impact of development on the value of the feature in terms of its continuity and ecological structure and diversity; and that the landscaping of new development within or adjacent to wildlife should, where appropriate, incorporate semi-natural habitats which contribute to maintaining the wildlife value of the corridor.

This is in general accord with paragraph 109 of the NPPF, which states that the planning system should contribute to and enhance the natural and local environment by; protecting and enhancing valued landscapes, geological conservation, interests and soils; and, recognising the wider benefits of ecosystems services; and, minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 118 of the NPPF advises that local planning authorities should seek to conserve and enhance biodiversity by applying a number of principles.

A Preliminary Ecological Appraisal (June 2018) undertaken by E3 Ecology Limited, was submitted with the planning application, together with specific Great Crested Newt and Bat Surveys (E3 Ecology, June 2018). The report makes a number of observations including the following:

- A. That the site comprises a mixture of amenity and semi-improved grassland, semi-improved neutral grassland and scattered trees and hedgerows ranging from low to parish value for the habitat it supports;
- B. Survey recorded habitats on site that are predominantly of low suitability for foraging and commuting bats;
- C. Three trees are of moderate suitability for roosting bats, two of which are considered to have the potential to be impacted upon by the development;
- D. The site is not considered to be of value to ground nesting birds;
- E. Hedgerow, scattered trees and scrub habitats on site are likely to be of greatest value to nesting garden and woodland bird species;
- F. Two ponds were identified within 500m of the site and habitats on site are currently moderately suited to Great Crested Newts;
- G. Hedgehog are considered likely to forage and potentially breed on the site and the common toad may also be present depending on the status of local potential breeding ponds;

The specific Great Crested Newt Survey identified:

- Nearby ponds are considered of good and excellent suitability for great crested newts;
- Survey found no evidence of great crested newts within either of the ponds and as such it is considered that the species is likely to be absent from the site;
- High numbers of smooth newt were recorded within Pond one and small numbers in pond two;
- Moderate numbers of common frog were recorded in both ponds and small numbers of common toad, a national priority species, were also recorded within both ponds;
- The site is likely to provide only limited terrestrial habitat opportunities to local amphibian populations due to the sub optimal nature of some of the onsite habitats and severance from breeding points by existing development and roads;
- Overall the site is considered to be of no more than local value for the amphibian assemblage;
- The value of the site to great crested newt populations in the local area is considered to be low;

The Bat Survey identified:

- Habitats on site are predominately of low suitability for foraging and commuting bats;
- Three trees were initially considered to be of moderate suitability for roosting bats;
- Transect survey May 2018 recorded low levels of common pipistrelle activity, mainly around site margins where trees are present;
- Remote monitoring in May recorded small numbers of common pipistrelle and noctule passes and one soprano pipistrelle pass;
- June transect and remote monitoring data was similar, with fewer noctule and soprano passes;
- First and last bat records, in relate to sunset / sunrise times, did not suggest that a roost was nearby;
- An aerial survey of the two trees in May recorded no bats or bat field signs;
- The suitability of the mature Sycamore tree was subsequently downgraded to low suitability following aerial assessment of potential roosting features;
- The remaining moderate risk tree was surveyed by two observers and filmed with an infra-red camera, at dawn and dusk, with no evidence of roosts being present;
- The site is concluded to be unlikely to support roosting bats and is considered to be of local conservation value.

As a result, the report makes a number of recommendations to mitigate the development which include:

- a. Vegetation clearance / tree felling to be undertaken outside of the bird nesting season;
- b. Protection of retained trees;
- c. Retained hedgerows to be enhanced with supplementary hedgerow planting;
- d. Appropriate boundary treatments;
- e. Works on site to be undertaken in accordance with a precautionary amphibian method statement;
- f. Trees to be resurveyed though aerial survey before felling to confirm that bats are absent;
- g. Bat boxes will be provided on retained trees prior to the start of works;
- h. New planting will be designed to promote wildlife with native trees and shrubs, wildflower grassland and SuDs;

- i. Street lighting will be designed to minimise light spill into areas of green infrastructure to less than 10 lux 5m beyond the footway.

The Ecology Officer has been consulted and has confirmed that the reports are suitable, subject to compliance with all of the recommendations proposed within the reports which can be required by planning condition. The Ecology Officer has recommended that the SuDs and Landscape proposals should have ecologist input to ensure maximum biodiversity benefit throughout. Subject to these conditions, it is considered that the proposed development will conserve and enhance the natural environment.

### **Trees**

Saved Policy E12 (Trees and Development) of the Local Plan states that development proposals will be required to take full account of trees and hedgerows on and adjoining the site.

The proposal would necessitate the removal of a number of trees. An Arboricultural Implications Assessment undertaken by Elliot Consultancy Limited (February 2018) has been submitted with this revised application. This confirms that the overall tree loss amounts to the loss of five category A trees of high quality, 22 category B trees of reasonable quality, 14 trees of lesser quality and two trees that would require removal regardless of the proposals. The arboricultural impact of the proposal is considered to be moderate to high from a visual perspective within the site, however from a wider landscape perspective the impact is much reduced due to the retained tree cover (particularly on the eastern boundary) and with regards the removed trees being generally semi-mature and lacking overall stature in the landscape. Tree planting within the scheme will assist to compensate for this loss of canopy cover. A detailed soft landscaping scheme is required to show the location and specification of compensatory planting and it is recommended that a planning condition be attached to any approval to secure submission and agreement of this.

### **Planning Obligations**

The application triggers a requirement for developer contributions in line with the requirements of the Planning Obligations SPD.

Where a relevant determination is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The applicant has agreed to pay the following contributions:

- i) £62,500 for Transport;
- ii) £80,000 for Highway Improvements (Thompson Street East Roundabout);
- iii) 20% Affordable Housing to be provided on-site.

The above figures were agreed with reference to the Planning Obligations SPD and in close liaison with internal consultees. Overall, it is considered that these meet the tests set out above,

are necessary, directly related to the development, and fairly and reasonably related in scale and kind to the development.

The financial contributions were collected by the Council through the Contract of Sale, negating the need for Section 106 Agreements to be prepared.

Further information has been submitted in connection with the provision of affordable housing on the site, which will consist of a mix of affordable rent and rent to buy models. This states that the majority of the scheme will be affordable units with only twenty five percent of the scheme to be market housing. The market housing is spread throughout the development and as such, most of the affordable housing units will be constructed before the sale of the market housing. The applicant has agreed not to sell more than 80% of the market sale units until at least 50% of the affordable units have been constructed. The 16 No. affordable rent units will remain available for future owners and tenants in perpetuity. Overall, the proposed Affordable Housing, as set out in an Affordable Housing Statement, is considered to be acceptable.

### **Conclusion**

The application site lies within development limits identified in the development plan. The scale, design and layout of the development accords with the relevant policy in the development plan. The development respects the amenity and general character of the area. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. The proposal accords with the relevant policies in the development plan set out below:

### **RECOMMENDATION**

Subject to the S106 financial contributions being collected through the land sale arrangements planning permission be GRANTED subject to the following conditions:

#### **General**

1. A3 Implementation Limit (3 years)
2. Details of soft landscaping shall be submitted to, and approved by the Local Planning Authority, prior to the first occupation of the development hereby approved. Such landscaping shall be provided either within the first planting season after completion of the development, or any individual phase thereof, or prior to the buildings being occupied and thereafter permanently maintained. Any trees or shrubs removed, dying, severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally approved and planted.

REASON – To ensure satisfactory appearance of the site and to improve the visual appearance of the locality.

3. PL (Accordance with Plans)
4. Prior to the commencement of the development hereby approved, including any site clearance, further details shall be submitted of the finished floor levels of the proposed dwellings on site and the development implemented in accordance with those approved details.

REASON – In order that the Local Planning Authority may be satisfied as to the details of the development.

5. Construction work shall not take place outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday with no working on a Sunday and Bank / Public Holidays without the prior written permission of the Local Planning Authority.

REASON – In the interests of residential amenity.

6. E5 (Boundary Treatment Submission)

### **Contaminated land**

7. CL4 Phase 3 Remediation and Verification Strategy
8. CL5 Construction / Remediation Works
9. CL6 Phase 4 Verification and Completion Report

### **Trees**

10. The development shall not be carried out otherwise than in accordance with the Arboricultural Implications Assessment (Elliott Consultancy Limited, February 2018) and in particular the measures to protect existing retained trees in order to protect them from damage by compaction, severance and material spillage, in accordance with BS5837. No demolition or site clearance shall be commenced until the agreed measures are in place and have been inspected by the Council's Arboricultural Officer. The approved measures shall remain in place through the carrying out of this planning permission. Notwithstanding the above approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees:
  - a) The raising or lowering of levels in relation to existing ground levels;
  - b) Cutting of roots, digging of trenches or removal of soil;
  - c) Erection of temporary buildings, roads or carrying out of any engineering operations;
  - d) Lighting of fires;
  - e) Driving of vehicles or storage of materials and equipment;

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

### **Affordable Housing**

11. The affordable housing shall be provided in complete accordance with the approved scheme as set out in the Affordable Housing Statement (Karbon Homes, May 2018) unless otherwise agreed in writing with the Local Planning Authority.

REASON – To comply with Council Housing Policy.

### **Flood Risk and Drainage**

12. The development hereby approved shall not be commenced on site, until a scheme of 'Surface Water Drainage and Management' for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to and approved

in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The scheme shall include, but not be restricted to providing the following details;

- I. Detailed design of the surface water management system including design water levels and finished floor levels demonstrating a suitable freeboard;
- II. A build program and timetable for the provision of the critical surface water drainage infrastructure;
- III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- IV. Details of adoption responsibilities;

The buildings hereby approved shall not be brought into use until the approved 'Surface Water Drainage' scheme has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

REASON - To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy dated 23rd January 2018 and the following mitigation measures detailed in the FRA.
  - Limiting the surface water run-off generated by the impermeable areas of the development up to and including the 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This will be achieved in accordance with the calculations within the Section 5.02 stating a Qbar of 12.0 l/s.

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

REASON - To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

14. No dwellings should be occupied until the surface water management system for the development or any phase of the development is in place and fully operational. A maintenance plan detailing how the surface water management system will be maintained during the construction phase must also be submitted and approved by the Local Planning Authority prior to the commencement of the development.

REASON – To reduce flood risk and ensure satisfactory long term maintenance for the lifetime of the development.

15. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

REASON – To prevent the increased risk of flooding from any sources in accordance with the NPPF.

### **Highways**

16. The development shall not be carried out otherwise than in complete accordance with the actions set out in the Construction Management Plan (Construction Phase Health and Safety Plan, Gus Robinson Developments Limited) dated March 2018 unless otherwise agreed in writing by the Local Planning Authority.

REASON – In the interests of residential amenity and highway safety

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

REASON- In the interests of highway safety.

18. Notwithstanding the details shown on the approved drawings, prior to the commencement of the development, details shall be submitted, and approved in writing, to provide for the following:

- a) Internal highways layout;

The details as provided shall be implemented in the agreed form prior to any part of the development hereby permitted first being brought into use or in such other time as may be agreed by the Local Planning Authority.

REASON – In the interests of highway safety.

19. Details of all footpaths connecting to adjacent cul-de-sacs (Kielder Drive, Bamburgh Place, Alnwick Place) shall be submitted following the completion of the 20<sup>th</sup> house, and agreed in writing with the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – To enable a consultation exercise to be undertaken with local residents, by local members, to establish the need for footpath provision within the area.

### **Ecology**

20. The development shall not be carried out otherwise than in complete accordance with the mitigation recommendations set out in the Preliminary Ecological Appraisal Former Springfield School, Darlington (E3 Ecology, June 2018 Final), the Great Crested Newt Survey Former Springfield School, Darlington (E3 Ecology, June 2018 Final); and the Bat Survey Former Springfield School, Darlington (E3 Ecology, June 2018) unless otherwise agreed in writing by the Local Planning Authority.

REASON - To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, Policy CS15 of the Core Strategy.'

**INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED**

The developer is required to submit detailed drawings of the proposed internal highway and off site highway works to be approved in writing by the Local Planning Authority and enter into a Section 278 / 38 agreement before commencement of the works on site. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr S Brannan 01325 406663) to discuss this matter.

The applicant is advised that contact must be made with the Assistant Director: Highways, Design and Projects (contact Mrs P McGuckin 01325 406651) to discuss naming and numbering of the development.

An appropriate street lighting scheme and design to cover the proposed development should be submitted to and approved in writing by the Local Planning Authority. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr M Clarkson 01325 406652) to discuss this matter.

The applicant is advised that contact be made with the Assistant Director: Highways, Design and Engineering (contact Mr Chris Easby 01325 406707) to discuss introduction of Traffic Regulation Orders in connection with a 20mph zone.