

PLANNING APPLICATIONS COMMITTEE

28th September, 2011

PRESENT - Councillor Baldwin (in the Chair); Councillors L. Haszeldine, Johnson, Knowles, Landers, Lee, Long, Macnab, Regan and J. Taylor. (10)

APOLOGIES – Councillors Cossins, D.A. Lyonette and Stenson. (3)

OFFICERS – Roy Merrett, Development Manager, Dave Coates, Principal Planning Officer and Harry Alderton, Highways Engineer, within Services for Place and Andrew, Errington, Lawyer (Planning) within Resources Group.

PA33. DECLARATION OF INTERESTS – There were no declarations of interest reported at the meeting.

PA34. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 31st August 2011.

RESOLVED - That the Minutes be approved as a correct record.

PA35. PROCEDURE – The Assistant Director of Resources representative gave a short presentation which outlined the procedure to be followed during consideration of the applications for planning permission before this Committee.

RESOLVED – That the procedure be noted.

NOTE - APPLICATIONS FOR PLANNING PERMISSION – The following standard conditions are referred to in those Minutes granting permission or consent :-

Code No.	Conditions
A3	Implementation Limit (Three Years) The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission. Reason - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.
B4	Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details. Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.
B5	The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted therewith and approved by the Local Planning

	<p>Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason - To ensure the development is carried out in accordance with the planning permission.</p>
E3	<p>The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which may be agreed in writing by, the Local Planning Authority and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.</p> <p>Reason - In the interests of the visual amenities of the area.</p>
J2	<p>The site shall be investigated for landfill gas to the satisfaction of the Local Planning Authority and details of the test, results and measures required to render the development safe shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development.</p> <p>Where measures are required, they shall be installed prior to the development being occupied or such other time as may be required by the Local Planning Authority.</p> <p>Reason - The site lies within 250 metres of a former landfill site and the Local Planning Authority wishes to ensure that the site can be developed and occupied with adequate regard for environmental and public safety.</p>
J5	<p>Prior to the commencement of any on site works (including demolition and site clearance), details of a wheel washing facility for construction traffic shall be submitted to, and approved in writing by, the Local Planning Authority. Such a facility shall be provided, used and maintained on-site until the development is completed.</p> <p>Reason - To ensure that adequate measures are available to prevent the depositing of soils and debris on the adjoining position of the highway and in the interests of road safety.</p>
J5	<p>Prior to the commencement of any on site works (including demolition and site clearance), details of a wheel washing facility for construction traffic shall be submitted to, and approved in writing by, the Local Planning Authority. Such a facility shall be provided, used and maintained on-site until the development is completed.</p> <p>Reason - To ensure that adequate measures are available to prevent the depositing of soils and debris on the adjoining position of the highway and in the interests of road safety.</p>

PA36. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

10/00836/FUL - Former Torrington's site, Yarm Road, Darlington. Hybrid Application for mixed use development comprising B2 industrial, B8 storage and warehousing (Outline) and

B2/B8 industrial/storage and warehousing units, A3 restaurant, A4 public house and 60 bed hotel (revised scheme) (amended plans received 7th March and 22nd August, 2011 and additional plans received 23rd August, 2011).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the comments of One North East, the Environment Agency, the Highways Agency, the Council's Highways Engineer, the Council's Environmental Health Section, the Council's Senior Arboricultural Officer and the Council's Greenspace Manager that had been received).

RESOLVED – The Director of Place be authorised to negotiate an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following :-

- (a) A financial contribution of £391,201.22 towards the mitigation of traffic impact on the A66 trunk road.
- (b) A financial contribution of £25,000 towards sustainable transport measures.

That upon satisfactory completion and signing of that agreement, planning permission be granted subject to the following conditions :-

- (a) The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.
Reason - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.
- (b) Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.
Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.
- (c) The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted therewith and approved by the Local Planning Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority.
Reason - To ensure the development is carried out in accordance with the planning permission.
- (d) The development hereby permitted shall not commence until a scheme to deal with contamination of land and/or groundwater, including soil contamination, ground/surface water contamination, landfill gas, leachates and stability as appropriate, has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing :-
 - (i) A Phase 1 Preliminary Risk Assessment, carried out by competent person(s), to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

- (ii) A Phase 2 Site Investigation and Risk Assessment shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until :-
 - a) A Phase 1 Preliminary Risk Assessment and has been completed and agreed in writing with the Local Planning Authority.
 - b) The requirements of the Local Planning Authority for site investigations have been fully established; and
 - c) The extent and methodology of the site investigation and risk assessment have been agreed in writing with the Local Planning Authority.

The Phase 2 Site Investigation and Risk Assessment Report shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

- (iii) A Phase 3 Remediation Statement for the remediation of land and/or groundwater contamination affecting the site determined through risk assessment shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The works specified in the Phase 3 Remediation Statement shall be implemented and completed in accordance with the agreed Remediation Statement by competent person(s), no alterations to the Remediation Statement or associated remediation works shall be carried out without the prior written agreement of the Local Planning Authority.
- (iv) A completion report (Phase 4 Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works shall be submitted to and agreed in writing with the Local Planning Authority within two months of completion of the development.
- (v) Any contamination not considered in the Phase 3 Remediation Statement but identified during the construction/remediation works shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

Reason - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection.

- (e) Prior to the commencement of any on site works (including demolition and site clearance), details of a wheel washing facility for construction traffic shall be submitted to, and approved in writing by, the Local Planning Authority. Such a facility shall be provided, used and maintained on-site until the development is completed.

Reason - To ensure that adequate measures are available to prevent the depositing of soils and debris on the adjoining position of the highway and in the interests of road safety.

- (f) Prior to the commencement of development, details of any boundary walls/ fences shall be submitted to, and approved by, the Local Planning Authority and such walls/fences shall be erected in accordance with the approved details prior to any part of the development being occupied (or any such later time as may be agreed in writing with the Local Planning Authority).

Reason – In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of visual amenity.

- (g) The hotel/restaurant and public house shall not be brought into use until :-

- (i) the B2/B8 units have been constructed and ready for occupation;
- (ii) the completion of the internal road up to the northern boundary of the B2/B8 units; and
- (iii) the construction, to base course level, of the remainder of the internal road (shown on drawing no. M2701-01 RevA) north of the B2/B8 units.

Reason – To ensure that the site which is allocated for prestige employment purposes within the Borough of Darlington Local Plan Policy EP6 (Prestige Employment) is comprehensively built out in accordance with the approved plans.

- (h) No noise emitting fans, louvers, ducts or other external plant and machinery associated with the uses shall be installed until a scheme to reduce noise and vibration has been submitted and approved by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the buildings and shall thereafter be retained.

Reason – To protect the amenities of neighbouring properties.

- (i) The Rating Level (as defined in BS 4142:1997) as a result of site operations associated with the development shall be at least 5 Db(A) LAeq below the background noise level at the noise monitoring positions (Positions 1,2,3 and 4) shown in Figure 2, of the report by Waterman Environmental entitled Noise Assessment Proposed Commercial Development, Yarm Road, Darlington and dated November 2010. The background noise levels to be used shall be those specified in the report by Waterman Environmental, as detailed above, or if it is the opinion of the Local Planning Authority that these noise levels are no longer applicable, the background noise level shall be measured and agreed with the Local Planning Authority.

Reason – To prevent noise disturbance to adjoining properties.

- (j) No noise emitting fans, louvres, ducts or other external plant and machinery associated with the uses shall be installed until a scheme to reduce noise and vibration has been submitted and approved by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the buildings and shall thereafter be retained.

Reason – To protect the amenities of neighbouring properties.

- (k) The Rating Level (as defined in BS 4142:1997) as a result of site operations associated with the development shall be at least 5 dB(A) LAeq below the background noise level at the noise monitoring positions (Positions 1,2,3 and 4) shown in Figure 2, of the report by Waterman Environmental entitled Noise Assessment Proposed Commercial Development, Yarm Road, Darlington and dated November 2010. The background noise levels to be used shall be those specified in the report by Waterman Environmental, as detailed above, or if it is the opinion of the Local Planning Authority that these noise levels are no longer applicable, the background noise level shall be measured and agreed with the Local Planning Authority.

Reason – To prevent noise disturbance to adjoining properties.

- (l) Before the commencement of any works on site, a scheme for controlling dust emissions shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall include information on measures to be taken to prevent and minimise dust emissions, monitoring procedures and procedures for dealing with complaints and relevant contact details. The scheme shall not be implemented otherwise than in accordance with the approved details and shall be reviewed at the request of the Local Planning Authority.

Reason – To safeguard the amenities of the area.

- (m) All works within the public highway shall be subject to a Road Safety Audit at both design and completion stages. The Audit shall be carried out in accordance with Road

Safety Audit Standard (HD19/03) in the Design Manual for Roads and Bridges (DMRB) and shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of highway safety.

- (n) No deliveries despatched or received to any of the premises shall take place between 2300 hours and 0700 hours, unless otherwise agreed in writing by the Local Planning Authority.

Reason – To prevent noise and disturbance to adjoining properties.

- (o) Prior to the first occupation of any part of the development the approved Final Travel Plan (as set out in document NEA11124 prepared by JMP Consultants dated 13th May, 2011) shall be implemented to the reasonable satisfaction of the Local Planning Authority.

Reason – To encourage the reduction of journeys made to and from the development by private motor vehicles by the promotion of more sustainable forms of transport.

- (p) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include details of maintenance and management after completion. The approved scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason – To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- (q) Prior to the commencement of development the following details shall be submitted to and approved by the Local Planning Authority :-

- (i) relocation of existing bus stops, including shelters and to include raised kerbs; and
(ii) provision of a new off road cycle path on the north side of Yarm Road linking existing off road paths (McMullen Road to West of Lingfield Way) and entering the site. To include dropped kerbs.

The approved details shall be implemented prior to the uses being brought into operation.

Reason - In order to promote more sustainable forms of transport.

- (r) Notwithstanding anything indicated in the application a scheme to secure improvements to the highway network at the site access (including road widening and signalised junction) shall be submitted to, and approved in writing, prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the approved details.

Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of highway safety.

- (s) Details of landscaping, to include wildlife friendly habitat areas, shall be submitted to, and approved by, the Local Planning Authority prior to site clearance/demolition work commencing on site. Such landscaping shall be provided either within the first planting season after the completion of the development or prior to the building 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 or shrubs of similar size and species to those originally approved.

Reason - To create biodiversity and ensure a satisfactory appearance of the site and to improve the visual amenities of the locality.

- (t) Prior to the commencement of development a Construction Management Plan shall be submitted to, and approved by, the Local Planning Authority. The Construction Management Plan shall include designating and signing construction vehicle and plant routes, warning signage, construction phasing proposals, road maintenance, and keeping public roads clear of all construction debris.
Reason – In the interests of highway safety.
- (u) Notwithstanding anything shown on the approved drawings precise details of the position of the vehicular access gate to units 2-4 shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the approved details.
Reason – In the interests of highway safety.
- (v) Notwithstanding anything shown on the approved plans precise details of pedestrian access to units 2-4 shall be submitted to, and approved by the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the approved plans.
Reason – In the interests of pedestrian safety.
- (w) Prior to the first occupation of any part of the development the approved Final Travel Plan (as set out in document NEA11124 prepared by JMP Consultants dated 13th May, 2011) shall be implemented to the reasonable satisfaction of the Local Planning Authority.
Reason - To encourage the reduction of journeys made to and from the development by private motor vehicles by the promotion of more sustainable forms of transport.
- (x) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include details of maintenance and management after completion. The approved scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
Reason – To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
- (y) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard-standings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.
Reason – To prevent pollution of the water environment.
- (z) No development shall take place until the Local Planning Authority has approved in writing a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10 per cent through the use of on site renewable energy equipment. The carbon savings, which result from, this will be above and beyond what is required by Part L Building Regulations. Before the development is occupied the renewable energy equipment shall have been installed and the Local Planning Authority shall be satisfied that their day to day operation will provide energy for the development for as long as the development remains in existence.
Reason - In order to comply with the objectives set out in the Regional Spatial Strategy for on site renewable energy sources.

Outline Development

- (a) Approval of the following details (“the reserved matters”) in respect of each building/s or phase of the development shall be obtained from the Local Planning Authority in writing before development of the building/s or phase of the development is commenced :-

- (i) Layout;
- (ii) Scale;
- (iii) Appearance; and
- (iv) Landscaping.

The development shall not be carried other than in accordance with the approved plans. Application(s) for the reserved matters for any building/s or phase of development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason – To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.

- (b) The development of any building/s and phase of development hereby permitted must be commenced before the expiry of five years from the date of this permission or before the expiration of two years from the date of the approval of the last of the reserved matters, whichever is the later.

Reason – To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.

- (c) Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.

Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

- (d) The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which may be agreed in writing by, the Local Planning Authority and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.

Reason - In the interests of the visual amenities of the area.

- (e) The development hereby permitted shall not commence until a scheme to deal with contamination of land and/or groundwater, including soil contamination, ground/surface water contamination, landfill gas, leachates and stability as appropriate, has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing :-

- (i) A Phase 1 Preliminary Risk Assessment, carried out by competent person(s), to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.
- (ii) A Phase 2 Site Investigation and Risk Assessment shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until :-

- a) A Phase 1 Preliminary Risk Assessment and has been completed and agreed in writing with the Local Planning Authority;
- b) The requirements of the Local Planning Authority for site investigations have been fully established; and
- c) The extent and methodology of the site investigation and risk assessment have been agreed in writing with the Local Planning Authority.

The Phase 2 Site Investigation and Risk Assessment Report shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

- (iii) A Phase 3 Remediation Statement for the remediation of land and/or groundwater contamination affecting the site determined through risk assessment shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The works specified in the Phase 3 Remediation Statement shall be implemented and completed in accordance with the agreed Remediation Statement by competent person(s), no alterations to the Remediation Statement or associated remediation works shall be carried out without the prior written agreement of the Local Planning Authority.
- (iv) A completion report (Phase 4 Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works shall be submitted to and agreed in writing with the Local Planning Authority within two months of completion of the development.
- (v) Any contamination not considered in the Phase 3 Remediation Statement but identified during the construction/remediation works shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

Reason - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

- (f) Prior to the commencement of any on site works (including demolition and site clearance), details of a wheel washing facility for construction traffic shall be submitted to, and approved in writing by the Local Planning Authority. Such a facility shall be provided, used and maintained on-site until the development is completed.

Reason - To ensure that adequate measures are available to prevent the depositing of soils and debris on the adjoining position of the highway and in the interests of road safety.

- (g) Details of any extract ventilation and fume extraction system, including the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment, to be installed and used in the pursuance of this permission shall be first approved by the Local Planning Authority and installed before the development hereby permitted commences and thereafter retained in full accordance with the approved details. The ventilation and extraction system shall be operated and maintained in accordance with the manufactures recommendations including the replacement of any filters.

Reason – In order that the Local Planning Authority may be satisfied as to the arrangements for preventing loss of amenity to neighbouring premises due to fumes and smells.

- (h) Prior to the commencement of development, details of any boundary walls/ fences shall be submitted to, and approved by the Local Planning Authority and such walls/fences

shall be erected in accordance with the approved details prior to any part of the development being occupied (or any such later time as may be agreed in writing with the Local Planning Authority).

Reason – In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of visual amenity.

- (i) Details of any extract ventilation and fume extraction system, including the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment, to be installed and used in the pursuance of this permission shall be first approved by the Local Planning Authority and installed before the development hereby permitted commences and thereafter retained in full accordance with the approved details. The ventilation and extraction system shall be operated and maintained in accordance with the manufacturer's recommendations including the replacement of any filters.

Reason – In order that the Local Planning Authority may be satisfied as to the arrangements for preventing loss of amenity to neighbouring premises due to fumes and smells.

- (j) No outside operations associated with the Class B2 or B8 Uses shall take place between 2300 hours and 0700 hours, unless otherwise agreed in writing by the Local Planning Authority.

Reason – To prevent noise and disturbance to adjoining properties.

- (k) No deliveries despatched or received to any of the premises shall take place between 2300 hours and 0700 hours, unless otherwise agreed in writing by the Local Planning Authority.

Reason – To prevent noise and disturbance to adjoining properties.

- (l) Prior to the commencement of the hotel development, a scheme for the protection of the proposed hotel bedrooms shall be submitted and this shall achieve internal noise levels of less than 30dB(A) LAeq in bedrooms, with individual noise events not to exceed 45dB LAFmax in bedrooms. Any works forming part of this scheme shall be carried out in accordance with the approved scheme and prior to any part of the hotel being occupied.

Reason – To protect occupiers of the rooms from noise attributable to the use of the adjoining highway and nearby business units.

- (m) No outside operations associated with the Class B2 or B8 Uses shall take place between 2300 hours and 0700 hours, unless otherwise agreed in writing by the Local Planning Authority.

Reason – To prevent noise and disturbance to adjoining properties.

- (n) Prior to the commencement of development a Construction Management Plan shall be submitted to, and approved by, the Local Planning Authority. The Construction Management Plan shall include designating and signing construction vehicle and plant routes, warning signage, construction phasing proposals, road maintenance, and keeping public roads clear of all construction debris.

Reason – In the interests of highway safety.

- (o) Before the commencement of any works on site, a scheme for controlling dust emissions shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall include information on measures to be taken to prevent and minimise dust emissions, monitoring procedures and procedures for dealing with complaints and relevant contact details. The scheme shall not be implemented otherwise than in accordance with the approved details and shall be reviewed at the request of the Local Planning Authority.

Reason – To safeguard the amenities of the area.

- (p) Notwithstanding anything shown in the application precise details of the internal highway layout shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The submitted details should include the following :-

- (i) carriageway width of 7.3 metres;
- (ii) footway width of 2 metres on both sides of the carriageway;
- (iii) minimum centre line radius (60 metres);
- (iv) junction radii (12 metres);
- (v) construction thickness;
- (vi) junction visibility of 2.4 metres x 70 metres; and
- (vii) inscribed circle diameter for roundabouts (minimum ICD 28 metres).

The development shall not be carried out otherwise than accordance with the approved details.

Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of highway safety.

- (q) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard-standings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.

Reason – To prevent pollution of the water environment.

- (r) No development shall take place until the Local Planning Authority has approved in writing a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10 per cent through the use of on site renewable energy equipment. The carbon savings, which result from, this will be above and beyond what is required by Part L Building Regulations. Before the development is occupied the renewable energy equipment shall have been installed and the Local Planning Authority shall be satisfied that their day to day operation will provide energy for the development for as long as the development remains in existence.

Reason - In order to comply with the objectives set out in the Regional Spatial Strategy for on site renewable energy sources.

- (s) All works within the public highway shall be subject to a Road Safety Audit at both design and completion stages. The Audit shall be carried out in accordance with Road Safety Audit Standard (HD19/03) in the Design Manual for Roads and Bridges (DMRB) and shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of highway safety.

PA37. NOTIFICATION OF APPEALS – The Director of Place reported that :-

- (a) Mr Lees had appealed against this authority’s decision to refuse planning permission for demolition of existing dwelling and erection of replacement dwelling and retrospective slope stabilisation works at 51 Blackwell, Darlington (Reference Number 10/00780/FUL);
- (b) Mr. Lees had appealed against this authority’s decision to refuse planning permission for variation of condition 3 of planning permission 05/00788/FUL dated 18th November, 2005 for substitution of house types relating to plots 1 and 2 (demolition of

2 No. existing dwellings and construction of 5 No. detached dwellings to include upgrading of the river bank) and retrospective slope stabilisation works at the site of former No. 59 Blackwell (Reference Number 09/00908/FUL); and

- (c) Mr. and Mrs. Rogers had appealed against this authority's decision to refuse planning permission for change of use to mixed use to include private gypsy site with association development including stationing a mobile home, erection of amenity block, construction of hard standing for 2 No. touring caravans, car parking and access track at land off Aycliffe Lane, Brafferton, Darlington (Reference Number 11/00279/FUL).

PA38. NOTIFICATION OF DECISIONS ON APPEALS – The Director of Place reported that the Inspectors appointed by the Secretary of State for Environment have dismissed the appeal by Mr. and Mrs. Carroll against this authority's decision to refuse planning permission for erection of first floor extension over existing kitchen to form additional bedrooms at 23 Hewitson Road, Darlington (Reference Number 11/00226/FUL).

RESOLVED - That the reports be received.

PA39. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Sections 100B(5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 7 of Part I of Schedule 12A to the Act.

PA40. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA32/Aug/11, the Director of Place submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 15th September, 2011.

RESOLVED - That the report be received.

PA41. COMPLETION OF BOUNDARY FENCING AND LANDSCAPING WORKS TO REAR PLOT 4 MANOR FARM, BISHOPTON – The Director of Place submitted a report (previously circulated) informing Members of the current position and to seek their agreement to take no further action.

RESOLVED – That no further action be taken in respect of plot 4 Manor Farm Court.