

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 21 October 2009**

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<b>APPLICATION REF. NO:</b>	<b>09/00530/FUL</b>
<b>STATUTORY DECISION DATE:</b>	<b>28 October 2009</b>
<b>WARD/PARISH:</b>	<b>LINGFIELD</b>
<b>LOCATION:</b>	<b>Central Park, Haughton Road</b>
<b>DESCRIPTION:</b>	<b>Erection of a Teesside University Building (five stories in height).</b>
<b>APPLICANT:</b>	<b>Teesside University</b>

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**APPLICATION AND SITE DESCRIPTION**

The application site is located approximately 0.8km to the north east of the town centre. It is situated on the southern side of Haughton Road to the rear of the Darlington College main building complex and adjacent to the East Coast main railway line.

The site extends to some 1.6 ha in area and comprises the existing sports pitches of the College.

This is a full application for the erection of a five storey building to provide a satellite campus for the University of Teesside and would provide the following accommodation: -

- Undergraduate & post graduate general purpose teaching accommodation
- Learning lounge
- Boardroom and kitchen
- Café bar area
- Administration facilities

The building would be approximately 24m in height, 62m in length, and 20m in width at its widest point. It would be positioned on the western part of the site towards the railway line and broadly orientated north to south. The scheme would incorporate hard and soft landscaping around the building with parking provision made for 85 vehicles and cycle parking for 150 bicycles.

Vehicle access to the site would be gained from Haughton Road via the spine road, which extends along and between the eastern boundary of the College complex and the western boundary of the Borough Council Depot.

The eastern part of the application site is identified for possible future expansion by way of a second University building but is only indicative at this stage and does not form part of the current proposal.

The following supporting documents are submitted with the application: -

- Sustainability Statement
- Supplementary Planning Statement
- Design Report
- Transport Assessment
- Travel Plan
- Design and Access Statement
- Infrastructure Desk Study
- Phase 1 Geoenvironmental Desk Study

In accordance with the guidelines contained in the Council's Adopted Statement of Community Involvement, extensive public consultation has been undertaken. The exercise included a public meeting at the Darlington College where a presentation of the proposed development was made. The proposal was generally welcomed by those who attended.

The Darlington College complex forms one element of the wider Central Park scheme involving the redevelopment of brownfield land between Houghton Road, Yarm Road, the railway line and Hundens Lane. Outline planning permission (Ref: 05/643) was granted in August 2006 for mixed use development of the larger part of the land identified as Central park, adjoining the College site to the South. The scheme comprises residential and office elements, a hotel with conference facilities ancillary uses and areas of public open space.

## **PLANNING HISTORY**

Only the most recent and relevant planning history is included here.

04/143 – Planning permission for the new Darlington College was granted in June 2004 and included associated car parking, playing fields.

04/1228- In December 2004 planning permission was granted to vary the above approval to resite the main College building and relocate the sports hall.

05/643- In August 2006 outline planning permission was granted for the Central Park mixed use development comprising, residential, office, hotel and conference facilities and open space.

06/739- Planning permission was granted in September 2006 for the construction of a pedestrian/cycle bridge over the east coast main railway line to provide improved access to the new Darlington College.

## **PLANNING POLICY BACKGROUND**

## **Relevant Planning Policy**

The starting point for considering the proposal is the statutory development plan. The relevant parts in respect of the proposed development are as follows:-

*RSS: The North East of England Plan, Regional Spatial Strategy to 2021:*

Policy 4 - The Sequential Approach to Development  
 Policy 8 - Protecting and Enhancing the Environment  
 Policy 14 – Supporting Further and Higher Education  
 Policy 16 - Culture and Tourism  
 Policy 24 – Delivering Sustainable Communities  
 Policy 25 - Urban and Rural Centres  
 Policy 34 - The Aquatic & Marine Environment  
 Policy 35 – Flood Risk  
 Policy 38 – Sustainable Construction  
 Policy 39 – Renewable Energy Generation  
 Policy 53 – Demand Management Levels  
 Policy 54- Parking and Travel Plans

*Saved Policies of the Borough of Darlington Local Plan:*

E1 - Principles of Environmental Protection  
 E2 – Development Limits  
 E3 – Protection of Open Land  
 E14- Landscaping in Development  
 E15- Open Land in New Development  
 E16- Appearance from Main Travel Routes  
 E23- Nature and Development  
 E24- Conservation of Land and Resources  
 E25- Energy Conservation  
 E46- Safety and Security  
 E49- Noise Sensitive Development  
 R1 - Designing for All  
 R9 - Protection of Playing Pitches  
 T12- New Development Road Capacity  
 T13- New Development –Standards  
 T24 –Parking and Servicing  
 T31- New Development and Public Transport  
 T37- Cycle Routes in New Development  
 T39- Conditions for Pedestrians

*National Planning Policy*

Parts of the following Planning Policy Statements are material considerations:

PPS1 - Creating Sustainable Communities (2005)  
 PPS – Planning and Climate Change – Supplement to PPS1  
 PPS9 – Biodiversity and Geodiversity  
 PPS13- Transport (2001)  
 PPS23 – Planning and Pollution Control

PPG24- Planning and Noise  
PPS25- Development and Flood Risk

The following document is also relevant:

Supplementary Planning Document-

- Design of New Development

## RESULTS OF CONSULTATION AND PUBLICITY

One letter of representation has been received from Tees Valley Regeneration (TVR) representing the interests of the Central Park Project Committee. TVR has commented that the Committee welcomes the University's in developing a facility at Central Park but wishes to ensure that the proposal will not adversely affect the delivery of the main Central Park regeneration project and have sought assurances on the following issues: -

*Open Space-* The College playing fields represent a key area of open space within the approved Central Park master plan and the Committee believes that the loss of this space will be detrimental to the openness principle of the overall Central Park scheme. If the University proposals are to be recommended for approval the Committee wishes to see assurances from the planning Authority that it will not seek additional compensatory open space on the main Central Park Scheme. If such assurances cannot be given the Committee must object to the proposals on the grounds of loss of open space and would wish to see the application rejected.

*Transport Assessment: Capacity* – The Committee is surprised that the Transport Assessment (TA) supporting the application concludes that sufficient capacity is available to facilitate this development in addition to the existing Central Park Development proposals, and that applicants' development traffic will not have any significant impact on the local highway network. These conclusions are totally at odds with TA which supported the Central Park outline planning application, which in summary indicated that there was limited capacity available within the existing network and that this limited capacity would be totally committed by the Central Park proposals.

The Committee requires the Local Planning Authority to explain the variance to the position of the extant planning permission and confirm that there is no detrimental impact on the Committee's ability to deliver the main Central Park scheme. Unless this is forthcoming the Committee formally objects to the planning Committee.

*Transport Assessment: Parking Provision* – On the basis that the University building will be used for corporate teaching, the Committee is concerned that the capacity of the facility is not reflected in parking provision of 85 spaces and this will result in overspill onto the Central Park scheme in the future. The Committee wishes to object unless the control and management of car parking at this development is adequately addressed as part of any planning consent.

*Potential Phase 2 building* - The plans submitted with the application indicate the potential for a further building to be erected to the east of the subject building. The Committee would like the Local Planning Authority to ask the applicant to amend the plans to remove any reference to

future phases of development as it considers this area of open space to be fundamental to the overall Central Park scheme.

*Drainage Capacity* – The application indicates that surface water and foul water drainage is to be agreed with TVR, the College and the Council. However, no discussions have yet taken place regarding any discharge of surface water and foul water via the college's private sewer network or a new dedicated sewer for Teesside University to the existing attenuation system (surface water) and pumping station/drains owned by One North East (foul water).

The 'Phase 1 Infrastructure Desk Study' report appended to the application indicates that sufficient capacity is available. However, the report is not clear in making this statement whether the calculations have taken into account the capacity, which is required to adequately service the main Central Park development site. The Local Planning Authority needs to be assured by the applicant that that capacity is available over and above requirements for the main Central Park development site; should this not be the case, new infrastructure or upgrades to the system as appropriate will need to be made as a condition of any planning approval to ensure the existing capacity for Central Park is not restricted.

*Design* – The Local Planning Authority should be satisfied that the revised proposal is in accordance with the Design Guidelines for Central Park, suitably integrated into its surrounding and is well connected with other elements of the master plan and the train station.

**Association of North East Councils** has provided a detailed response to the proposed development identifying the relevant policies within the Regional Spatial Strategy (RSS), which the development needs to satisfy and conclude that: -

*“The proposed reuse of previously developed land within a settlement defined in RSS reflects the locational priorities and objectives of the RSS. The use of the land for a Teesside University building is consistent with policy objectives for the site. The design and layout of the proposal are well integrated with their surroundings, reduce the need to travel and offer a variety of transport modes to access other services and facilities.*

*The proposal does not incorporate SUDS and this development would result in the loss of football playing pitches in Darlington. The Local Authority must be satisfied that pitches can be accommodated elsewhere or that the loss of pitches in Darlington is justifiable. This proposal needs to incorporate measures to alleviate these issues to be in general conformity with the RSS. The Local Authority must also ensure that the development incorporates energy efficiency or renewable generation measures in order to reflect the objectives of the RSS.”*

**One North East** has provided an extensive response on the application, the main elements of which are set out below: -

*“Universities and colleges are identified in the Regional Economic Strategy (RES) as having a central role in the regional economy. The institutes play a major role in shaping the North East through scientific and technological developments, developing the skills base of the region, investing in research and development: and by being a major employment sector.*

*In this context One North East considers that the proposed Teesside University building represents an important strategic investment for Darlington and for the wider city region. More specifically, securing the physical presence of Teesside University at Central Park is regarded by the Agency as offering the potential to consolidate the portfolio of higher and further*

*education in the west of the Tees Valley, strengthening synergy between the University and Darlington College, and to create a step change in the level of higher education activity in Darlington. The proposed development is likely to stimulate demand for higher education in the area, including from those who might not otherwise fulfil their potential. Moreover, the Agency believes that the course provision planned for the new campus will deliver employer led skills and knowledge courses and activities, which will help to directly address the skill needs of Darlington's primary growth sectors. This is of critical importance to developing the skill base of the regional workforce in such a way that facilitates economic growth.*

*One North East welcomes the applicant's approach to what is considered a high quality innovative design and the intention to achieve BEEAM 'Very Good' rating. The Agency would encourage the Local Planning Authority to ensure such conditions are achieved or indeed exceeded. A BREEAM 'Very Good' rating or above, will contribute to limiting carbon emissions and maintaining regional reputation as a leading player in the development of low carbon economy.*

*In conclusion, One North East fully supports the proposal. Central Park is an underused site in close proximity to Darlington Town Centre and is a priority development in the city region. The Teesside University satellite campus is considered to complement the vision for the wider Central Park scheme. The development can offer a range of strategic benefits to Darlington and the city region in terms of investment, employment opportunities and developing the local skills base to match the needs of local people, employees and employers. Furthermore the high quality design of the building is considered to be commensurate with the objectives to achieve a high quality, sustainable mixed use development in the Central Park Area."*

**Sport England** has commented as follows: -

*" This proposal has been the subject of some pre-application engagement between the University, College, Borough Council and Sport England in respect of the loss of playing field.*

*The respective parties have recognised the need to replace the playing field in accordance with Government advice set down in PPG17 para 15 iii which states;*

*"the playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity and quality and in a suitable location"*

*Agreement has been reached to date as to what form the replacement provision would take (and that is a new additional synthetic turf pitch at Eastbourne Sports Complex, and the expansion of pitches and associated facilities at Blackwell Meadows). Work is also progressing towards the key milestones that need to be reached to bring the replacement provision to fruition*

*At present however, work is not sufficiently advanced on the proposals at Eastbourne Sports complex, and Blackwell Meadows for Sport England to have sufficient confidence that the replacement provision will happen within the necessary timescales, or indeed at all.*

*In light of the above it is necessary for Sport England to **object** to the proposal on grounds that the development will lead to the permanent loss of the existing playing field. We remain confident that on-going work offers the prospect for our objection to be resolved prior to this application being taken to planning committee."*

**Environment Agency** has commented that the site lies within Flood Zone 1 and is therefore at low risk of flooding. No Flood Risk Assessment is required as the proposed building and additional hardstanding will not exceed 10,000m<sup>2</sup>. The Agency has advised that a sustainable drainage approach to surface water management (SuDs) should be adopted and that an acceptable means of foul drainage disposal would be to mains sewer. The Sewerage Undertaker, Northumbrian Water should be consulted to confirm that the existing sewer system can accommodate the increased flows generated for the proposed development. The Agency also considers that a development of this scale should also incorporate sustainable construction and renewable energy principles.

**Northumbrian Water** has raised no objection to the proposed development but requested a condition requiring the submission of surface water disposal details to any approval. The developer should seek to adopt sustainable drainage measures in managing the disposal of surface water.

**Network Rail** has no objection to the proposed development but advise that there is a restrictive covenant on the site, which was formerly owned by British Rail and that the applicant has been made aware of this.

Essentially the covenant requires the developer to ensure that the building is adequately soundproofed due to its close proximity to the railway line.

**CE Electric UK** has raised no objections.

**Northern Gas Networks** has no objections to the development.

**The Council's Highways Engineer** has advised that the Transport Assessment accompanying the application indicates that there is unlikely to be any significant impact on the local highway network as a consequence of additional traffic arising from the development. Parking provision accords with adoptable standards. In terms of pedestrian/cycle access to the site this will be available from Houghton Road but access to Yarm Road and Bank Top Station will only be available on completion of the remainder of the phases on Central Park. Consequently he has requested a temporary pedestrian / cycle link to Green Street and Yarm Road in the meantime to be secured through condition or obligation requiring a financial contribution towards this work.

The Council's highways Engineer has responded to the issues raised by Tees Valley Regeneration in their letter of representation, in respect highway capacity and parking provision, and these are covered in detail further in this report under the highway implications section.

**The Council's Transport Section** has also requested the provision of a pedestrian/cycleway between the site and Yarm Road.

**The Council's Environmental Health Officer** has made the following comments:-

*"1. It is recommended that the standard contamination condition J2 is included with any permission granted. So far, the consultants have carried out a Phase 1 investigation and the recommendation from this was to carry out a scheme specific human health risk assessment based on the results of a detailed geotechnical investigation, to assess suitability for the proposed land use. In addition, there is a landfill site adjacent to the proposed new building.*

*2. Piled foundations are proposed at this site, so the following condition should be included;*

*Details of the piling method including justification for its choice, means of monitoring vibration and groundwater risk assessment if necessary in accordance with recognised guidance shall be submitted and agreed in writing by the Local Planning Authority.*

*3. 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. The scheme shall be implemented and reviewed at the request of the Local Planning Authority*

*4. The following condition should be included to minimise the impact of noise from construction activities on nearby residents;*

*Construction work shall not take place outside the hours of 07:30 to 18:00 hours Monday to Friday, 08:00 to 14:00 hours Saturday, with no working on a Sunday, Public Holiday or Bank Holiday, without prior agreement with the Local Planning Authority.*

*5. A lighting impact assessment is required to be provided and agreed by the Local Planning Authority, before any building works commence. This should provide details of the external lighting associated with the proposed development, including lux contour plans where necessary and an assessment of the impact on existing neighbouring residential properties and those proposed by the wider Central Park development scheme.*

*6. A noise impact assessment is required to be provided and agreed by the Local Planning Authority, before any building works commence. This assessment should consider the daytime and nighttime background noise levels at the nearest existing noise sensitive premises from the proposed development. The assessment should consider noise from external plant, boilers and any other noise producing equipment at the proposed development. It should also consider the noise impact on future sensitive residential receptors proposed by the wider Central Park development scheme, which will be located adjacent to this building. Consideration should also be given to the design and positioning of potential noise generating plant and equipment at the site, with regard to proposed future residential properties in the Central Park development.*

*7. The rating level (as defined in BS4142:1997) as a result of site operations at the proposed development shall be at least 5 dB(A) below the background noise level at the nearest noise sensitive premises. This background level shall be agreed with the Local Planning Authority, prior to the commencement of the development and should consider existing noise sensitive premises as well as nearby proposed noise sensitive premises in the wider Central Park development scheme.”*

**The Council’s Head of Parks and Countryside** has commented as follows: -

*“From a green infrastructure angle, we need to see identified, a significant width of green corridor elements, associated with a selection of the transport links to encourage multifunctionality, notably those that allow connection with other existing, proposed or otherwise strategically advantageous routes for people and wildlife. It is likely then that these will either connect the area under consideration with the rail corridor, with the central hub of central park and towards the Darlington Eastern transport Corridor. The strip identified as complementing the existing rail corridor is very narrow which puts the onus on achieving some element of biodiversity provision compatible with what was lost prior to the development of the*



*college and the proposed development of the university, very difficult without something built into the structure of the building itself such as a green roof.”*

## **PLANNING ISSUES**

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

- Planning Policy
- Design and Layout
- Residential Amenity
- Flood Risk and Surface Water Management
- Highway Implications

### **Planning Policy**

The RSS recognises the pivotal role universities and colleges can have in the regional economy, particularly through raising the skills and knowledge base of the community. Central Park is identified in the RSS as a key brownfield urban regeneration site, having good accessibility to the town centre and railway station. Policy 14 further recognises Central Park’s potential as an appropriate location to promote an education and further education cluster, building on linkages with the existing College. It also encourages support of such development where the necessary infrastructure and campus development is appropriately identified.

Whilst the provision of a University building may be consistent with the RSS, its location is on existing playing fields. The Playing Pitch Strategy 2009 has identified an overall deficit of 18.5 pitches in the Borough, therefore any further loss of pitches must be replaced elsewhere in Darlington, equivalent to current provision (Local Plan policy R9 and Sport England guidance). This includes appropriate changing facilities, car and cycle parking. Sport England has objected to the loss of the playing fields, however discussions involving the Council, Darlington College, Darlington Rugby Football Club and Sport England are ongoing to secure the provision of replacement playing fields and associated facilities at Blackwell Meadows. This is to be secured through a formal legal undertaking on the part of Darlington College. It is anticipated that the matter will be satisfactorily resolved prior to the consideration of the application by members. An update will be provided at the Planning Committee Meeting.

With regard to the issue raised by Tees Valley Regeneration there would be no compensatory open space sought on the main Central Park scheme.

### **Design and Layout**

The proposed building would be five stories in height and of a contemporary design. It would be roughly orientated north – south, running broadly parallel with the railway line. The building essentially comprises three main parts; a central service spine, which would be constructed predominantly of blue engineering bricks; the west facing element fronting the railway line being mainly glazed, and the east facing portion comprising a mixture of metal cladding punctuated with horizontal windows and more extensive glazed areas.

The Council’s Urban Design Officer considers that the design and appearance of the building to be satisfactory. The building is considered to relate well with the main Darlington College building complex both in terms of its siting and overall scale.

The detail of information provided in the applicant's sustainability statement is welcome. The facility will be designed to meet BREEAM 'very good' standards. At least 10% on site renewable energy is intended to be provided by a biomass plant or by air to air heat pumps. This will need to be secured by condition. To reflect the Design SPD, further details are required demonstrating that at least 10% will be achieved.

The layout includes a number of pedestrian routes connecting to the College and Haughton Road beyond and also provides for links through to the Central Park development to the south. A reservation strip of 10-12 metres is provided between the site and Network Rail land to ensure that pedestrian/ cycle access is afforded from the proposed adjoining linear park, which is provided in the Central Park scheme, to enable access through to Yarm Road and Bank Top Station. The Council's Parks and Countryside Manager has commented that the reservation strip is relatively narrow in terms of providing both pedestrian/cycle access and opportunities for some biodiversity provision. However such provision can be made elsewhere within the site and can be made conditional as part of the submission of landscaping details.

### **Residential Amenity**

The nearest existing residential properties are situated some distance from the site. The closest being approximately 200m to the west in Montrose Street and Dundee Street, beyond the main east coast railway line. A separation distance of some 350m is provided between the site and residential properties to the north in Hundens Lane. In view of this relationship it is considered that the scheme would not result in any material impact on the amenities of existing residents in the immediate area. The unimplemented Central Park scheme will result in new dwellings being located closer to the University development. Consequently the Council's Environmental Health Officer has requested the imposition of conditions to address issues such as, noise from external plant, extract fans etc. in connection with the operation of the building, external lighting and a scheme to control dust during construction work. A condition to control the hours of working during construction has also been requested. However it is considered that this would be inappropriate. Central Government Circular 11/95 (The Use of Conditions in Planning Permissions) advises that conditions, which duplicate other controls, should not normally be used. In this instance issues of any noise problems associated with hours of working can be satisfactorily addressed under Environmental Health Legislation without the need to duplicate the effect of those controls. The other matters raised by Environmental Health can be satisfactorily covered by condition.

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

The site is situated within Flood Risk Zone 1 and is therefore at low risk of flooding, which has been confirmed by the Environment Agency. The Agency has advised that surface water drainage associated with the development should be disposed of by means of sustainable drainage means. Northumbrian Water has raised no objections to the development on grounds of either surface or foul water drainage and has taken into account the adjoining Central Park development site. However they have requested a condition in respect of surface water drainage, which will help to address the concern raised by Tees Valley Regeneration.

### **Highway Implications**

The Council's Highways Engineer is satisfied that the proposed development is unlikely to have any significant impact on the local highway network and in response to the highway capacity issue raised by Tees Valley Regeneration he has commented as follows: -

*“The Transport Assessment submitted in support of the planning application concluded that the development would not have any significant impact on the local highway network, in particular at the junctions onto Haughton Road and Yarm Road. In carrying out the TA it was a requirement that the whole of the Central Park development must be taken account of as committed development. The predicted trip generation of the development, 83 in the morning peak and 74 in the evening peak is relatively small compared to that predicted for the Central Park site, 1310 in the morning peak and 1003 in the evening peak. Notwithstanding this the assessments indicate that there is spare capacity at both accesses even with the introduction of the University traffic. The latest assessments have been able to be carried out with more certainty than the TA submitted with the original Central Park TA, the Haughton Road junction is now operational, the Darlington Eastern Transport Corridor has been open since August 2008 and the layout of the access onto Yarm Road is agreed. The traffic flows on the local highway network have stabilised and more accurate assessments using current traffic flows have been able to be undertaken. The conclusions of the TA have been accepted and no highway objection has been raised in relation to the impact of the development on the local highway network*

*It is therefore considered that the proposed development at the University will not have a detrimental impact on the ability to deliver the main Central Park scheme.”*

Turning to the issue of parking raised by Tees Valley Regeneration the car parking provision for the development accords with adopted standards. An outline Travel Plan has been submitted with the application, which aims to promote the use of alternative modes of transport to access the site, rather than by car. However, officers consider that the Travel Plan requires more detailed measures if it is to achieve the required objectives which can be made conditional to any approval.

As mentioned earlier in this report both the Council’s Highway’s Engineer and Transport Policy Section have requested that provision be made for cycle and pedestrian access from the site to Yarm Road and Bank Top Station, either alongside the railway line or from John Dixon Lane via the undeveloped Central Park site. However the land over which this link is sought is outside the control of the applicant and the College and therefore there may not be any reasonable prospect that this could be achieved. Nevertheless provision for pedestrian/ cycle links is made in the master plan for Central Park between Haughton Road and Yarm Road once this development is built out. In view of this and also the benefits that the development would bring to the town in terms of securing such a strategic investment, officers are of the view that this is not so fundamental an issue as to justify a refusal of planning permission.

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

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**

The principle of the development is considered acceptable in this location. Whilst the development would result in the loss of playing pitches on the site, alternative provision will be

made elsewhere in the Borough to address this issue. The layout and scale, and the design and appearance of the proposed development are considered acceptable. The development would not adversely affect the amenities of neighbouring occupiers. The development is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. Consequently it is considered that there are no material reasons to withhold a grant of planning permission.

## RECOMMENDATION

THAT SUBJECT TO SPORT ENGLAND LIFTING ITS OBJECTION TO THE SCHEME PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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1. A3 – Implementation Limit (Three Years).
2. B4 - Details of Materials (Samples).
3. B5 - Detailed Application
4. J2 - Contamination
5. 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% 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.

6. 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

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

REASON- To ensure the discharge of surface water from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 “Development and Flood Risk” and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

8. Notwithstanding anything shown on the approved plans precise details of secure covered cycle parking provision 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 and the cycle parking provision shall be made available prior to the occupation of the building.

REASON – To ensure that adequate cycle parking provision is provided in accordance with the adopted and emergency planning and transport policy, which promotes access by alternative transport modes.

9. 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. 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.

10. Details of the piling method including justification for its choice, means of monitoring vibration and groundwater risk assessment if necessary in accordance with recognised guidance shall be submitted and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – To safeguard the amenities of the area.

11. Development shall not commence until an external lighting impact assessment (to include lux contour plans), has been submitted to, and approved by, the Local Planning Authority. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON – To protect the amenities of nearby properties.

12. No noise emitting fans, louvres, ducts or other external plant associated with the use 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 building and shall thereafter be retained.

REASON – To protect the amenities of nearby properties.

13. Notwithstanding any information that has been provided with the application, details of a full travel plan (to include showering and changing facilities) shall be submitted to, and approved by, the Local Planning Authority prior to the building being brought into use. The Travel Plan shall not be implemented otherwise than in accordance with the approved details.

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

14. Prior to the building being brought into use a car park management plan shall be submitted to, and approved by the Local Planning Authority. The measures set out in the approved management plan shall be implemented before the car park is brought into operation and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON- In order that the Local Planning Authority may be satisfied as to the details of on site car parking arrangements for users of the building and to ensure that obstruction and inconvenience to users of the adjacent highway and premises are avoided.

### **SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION**

The principle of the development is considered acceptable in this location. Whilst the development would result in the loss of playing pitches on the site alternative provision will be made elsewhere in the Borough to address this issue. The layout and scale, and the design and appearance of the proposed development are considered acceptable. The development would not adversely affect the amenities of neighbouring occupiers. The development is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. Therefore the proposed development is considered to comply with the policies in the development plan and Government planning policy set out below: -

#### ***RSS: The North East of England Plan, Regional Spatial Strategy to 2021:***

Policy 4 - The Sequential Approach to Development  
Policy 8 - Protecting and Enhancing the Environment  
Policy 14 – Supporting Further and Higher Education  
Policy 16 - Culture and Tourism  
Policy 24 – Delivering Sustainable Communities  
Policy 25 - Urban and Rural Centres  
Policy 34 - The Aquatic & Marine Environment  
Policy 35 – Flood Risk  
Policy 38 – Sustainable Construction  
Policy 39 – Renewable Energy Generation  
Policy 53 – Demand Management Levels  
Policy 54- Parking and Travel Plans

#### ***Saved Policies of the Borough of Darlington Local Plan:***

E1 - Principles of Environmental Protection  
E2 – Development Limits  
E3 – Protection of Open Land  
E14- Landscaping in Development  
E15- Open Land in New Development  
E16- Appearance from Main Travel Routes  
E23- Nature and Development  
E24- Conservation of Land and Resources

E25- Energy Conservation  
E46- Safety and Security  
E49- Noise Sensitive Development  
R1 - Designing for All  
R9 - Protection of Playing Pitches  
T12- New Development Road Capacity  
T13- New Development –Standards  
T24 –Parking and Servicing  
T31- New Development and Public Transport  
T37- Cycle Routes in New Development  
T39- Conditions for Pedestrians

***National Planning Policy***

Parts of the following Planning Policy Statements are material considerations:

PPS1 - Creating Sustainable Communities (2005)  
PPS – Planning and Climate Change – Supplement to PPS1  
PPS9 – Biodiversity and Geodiversity  
PPS13- Transport (2001)  
PPS23 – Planning and Pollution Control  
PPG24- Planning and Noise  
PPS25- Development and Flood Risk