

HUMBLETON FARM DRAFT PLANNING CONDITIONS

TIME LIMITS

1. A1 (Reserved matters)
2. A2 (Reserved matters – time limits)

DETAILS

3. B4 (Details of materials to be approved)
4. B5 (Development in accordance with approved plans)
5. B9 (Details of means of enclosure)

PHASING OF DEVELOPMENT

6. No more than 4 standalone business units on the site (not including the Biogas Plant) shall be built and trading prior to the commencement of the Agricultural and Equine Centre; that no more than 8 standalone business units shall be built and trading prior to the completion and active use the Agricultural and Equine Centre.

Construction of the Biogas Plant can proceed in advance of the Agricultural and Equine Centre hereby approved on the basis that all power generated shall be fed into the National Grid until such time as power is required to feed the Agricultural and Equine Centre and the standalone business units, at which time any surplus shall be made available to the National Grid.

REASON To ensure that the site is not developed in isolation and for unrelated business activity, which would otherwise be considered unacceptable in this countryside location.

7. Notwithstanding the Town and Country (Use Classes) Order 1987 (as amended), the speciality business park units (as shown on the Strategic Layout Plan – drawing 8606-03) shall not be used other than for business' directly related to agricultural or equine need, unless otherwise agreed in writing with the Local Planning Authority.

REASON – The application proposes the development of a business park on a site outside the approved development limits identified in the Borough of Darlington Local Plan 1997. In granting planning permission it is recognised that the development proposed is an integral part of delivering the proposed Agricultural and Equine Centre and it is appropriate to limit occupation of the units to those businesses and uses that are reasonably related to the Agricultural and Equine Centre in order not to prejudice the development plan for the area.

DBC ENVIRONMENTAL HEALTH

8. J2 (Standard contaminated land condition)
9. Prior to the commencement of development, a Construction Noise Management Plan shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the Construction Noise Management Plan shall be implemented in full during the construction phase of the development.

REASON – To ensure that nearby residential properties are not adversely affected by noise emissions arising from construction activities.

10. Noise from construction activities shall be acceptable (in the opinion of the relevant Local Planning Authority Officer acting reasonably) at any of the noise receptors identified in Chapter 12 of the ‘Humbleton Farm Environmental Statement’ outside of the hours of 0730 to 1730 Monday to Friday and 0730 to 1330 on Saturdays, and not at all on Sundays, except with the prior agreement of the Local Planning Authority.

REASON – To ensure that nearby residential properties are not adversely affected by noise emissions arising from construction activities.

11. The Rating Level (as defined in BS 4142:1997) as a result of site operations associated with this planning permission shall be at least 10 dB(A) below the background noise level at the noise monitoring positions 2 to 6 as detailed in Section 12.3.1 of the ‘Humbleton Farm Environmental Statement’ (HFES), Volume 2, dated 10 December 2008, when measured in accordance with BS 4142:1197. The background noise levels to be used shall be those specified in Table 12.5 (HFES) for daytime (0700 to 2300) and Table 12.6 (HFES) for night time (2300 to 0700) 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 protect the amenities of residential properties adjacent to the site from noise.

12. Prior to the commencement of any particular phase of development, or other such timescale as may be agreed in writing with the Local Planning Authority, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall provide details of the layout of all plant and machinery to be installed in connection with the approved development together with details of any noise mitigation measures necessary to comply with the noise limits at the noise receptors identified in accordance with condition 11 above. Thereafter any necessary noise mitigation measures identified in the Noise Impact Assessment shall be implemented in full.

REASON - To protect the amenities of residential properties adjacent to the site from noise.

13. Prior to the commencement of any particular phase of development, or such other timescale as may be agreed in writing with the Local Planning Authority, a scheme for controlling dust (a Dust Action Plan) shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include information on measures to be taken to suppress dust emissions, monitoring procedures and relevant contact details. The development shall not be carried out in otherwise accordance than in complete accordance with the approved details.

REASON – To protect the amenities of residential properties adjacent to the site from dust arising from construction activities.

14. Prior to the commencement of development, or such other timescale as may be agreed in writing with the Local Planning Authority, an Air Quality Assessment, the scope of which shall first be agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation measures shown to be necessary following the Air Quality Assessment shall be agreed with the Local Planning Authority and thereafter implemented in full.

REASON – The Local Planning Authority wish to ensure that the approved development will not have an adverse impact on air quality.

15. Prior to the first occupation of the buildings, details of the external lighting shall be submitted to and agreed in writing by the Local Planning Authority, together with an assessment of the impact on nearby sensitive properties or roads. All lighting will need to be arranged so as not to shine directly towards any sensitive properties or roads and to be shielded to prevent light spillage beyond the site boundary.

REASON – To protect the amenity of the countryside

ENVIRONMENT AGENCY CONDITIONS

16. Development shall not begin until a surface water drainage scheme for the site, based on sustainable development principles, an assessment of the actual greenfield run-off regime, and including an implementation schedule has been submitted to and approved in writing with the Local Planning Authority. The scheme shall also include details of how the surface water drainage system shall be maintained and managed after completion.

REASON – To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system.

17. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul sewage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

REASON - To ensure no pollution is caused to controlled waters.

18. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a

detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
19. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.
REASON - The information provided with the planning application indicates that the site has been subject to a potentially contaminative land-use i.e. old tip. The environmental setting of the site is sensitive as it lies on the Magnesian Limestone major aquifer and it is located within a groundwater Source Protection Zone. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment.
20. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.
REASON - The information provided with the planning application indicates that the site has been subject to a potentially contaminative land-use i.e. old tip. The environmental setting of the site is sensitive as it lies on the Magnesian Limestone major aquifer and it is located within a groundwater Source Protection Zone. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment.
21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
REASON - Unsuspected contamination may exist at the site, which may pose a risk to controlled waters.

22. Prior to the commencement of development a scheme for the provision and management of a buffer zone of no less than 2 metres from the bank top of the watercourse to the south of the site shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.
REASON - Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. In this case, the watercourse to the south of the site is particularly important as a wildlife corridor for present species. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.
23. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard-standings should be passed through an oil-interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water should not pass through the interceptor.
REASON – To protect the quality of controlled waters at the site.

DBC HIGHWAYS

24. Prior to the commencement of the development hereby permitted, a roundabout shall be provided on the A68 at the entrance to the site. The roundabout shall be provided in accordance with a scheme, the details of which shall be first agreed in writing with the Local Planning Authority, at the developer's expense.
REASON – To provide safe vehicular access to and from the site onto the A68.
25. Prior to the commencement of the development hereby permitted, a scheme for the illumination of the roundabout referred to in condition 24 above and along the A68 to Burtree Lane shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be provided concurrently with the construction of the roundabout.
REASON – In the interests of highway safety.
26. Notwithstanding any details of proposed access roads through the site submitted as part of the application, the design of development shall not include any roads that will allow for vehicles to 'rat run' through the site between the A68 and Burtree Lane.
REASON – In the interests of highway safety.
27. Prior to the commencement of any site works (including any demolition or site clearance works) 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 highway and in the interests of highway safety.

28. Prior to the commencement of the development hereby permitted, or such other timescale as may be agreed in writing with the Local Planning Authority, details of a scheme to deal with construction traffic associated with the carrying out of the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations set out in the approved scheme shall be implemented in full during the construction phase of the development.
REASON – In the interests of highway safety.
29. Prior to the commencement of the development hereby permitted, or such other timescale as may be agreed in writing with the Local Planning Authority, details of any signage on the local highway network, including any adjustments required to existing Advance Direction Signs (ADSs) shall be submitted to and approved in writing by the Local Planning Authority. Any changes to the signage on the local highway network shall be made at the developer's expense.
REASON – In the interests of highway safety.
30. Prior to the commencement of development, or such other timescale as may be agreed in writing with the Local Planning Authority, details of parking for both vehicles and cycles (including spaces for people with disabilities) shall be submitted to, and approved in writing by, the Local Planning Authority. Such provision shall comply with standards in 'Darlington Borough Council Design Guide and Specification: Residential and Industrial Estates Development'. Spaces shown on the approved drawing shall be made available for use prior to the first occupation of any part of the development.
REASON – In order that the Local Planning Authority may be satisfied as to the details of the development and to ensure that parking spaces are available in accordance with Darlington Borough Council's standards.
31. Prior to the commencement of development, or such other timescale as may be agreed in writing by the Local Planning Authority, details of the internal road network shall be submitted to and approved in writing by the Local Planning Authority. The internal road network shall be designed to comply with standards in 'Darlington Borough Council Design Guide and Specification: Residential and Industrial Estates Development' and shall be provided in accordance with the details as approved prior to the first occupation of any part of the development.
REASON – In order that the Local Planning Authority may be satisfied as to the details of the development.
32. Prior to the commencement of development, or such other timescale as may be agreed in writing by the Local Planning Authority, a management plan setting out procedures for dealing with escaped animals onto the adjacent roads shall be submitted to and approved in writing by the Local Planning Authority.
REASON – In the interest of highway safety.

33. All works within the public highway and those affecting the public highway shall be subject to a road safety audit at design and completion stages.
REASON – In the interests of safety and the free flow of traffic on the public highway.

DBC TRANSPORT POLICY

34. Prior to the commencement of the development hereby permitted, a Travel Plan shall be produced for the site and submitted in writing to the Local Planning Authority for approval. Thereafter the Travel Plan shall be implemented in full, in accordance with the details and timescales set out in the plan.
REASON – To ensure that the development complies with the advice given in ‘Planning Policy Guidance Note 13 – Transport’ regarding the need to include travel plans as an integral part of applications of this scale.
35. Prior to the commencement of any development works on the site, details of proposals to provide an upgraded pair of bus stops and associated bus shelters (either in the existing locations or in the new locations) and pedestrian links between the site and the bus stop shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the proposed links and bus stop improvements shall then be installed and completed to the satisfaction of the Local Planning Authority, prior to occupation. The proposed works shall be subject to a Road Safety Audit at both design stages and completion stages and the scheme shall include a pedestrian road crossing solution across the A68 that complies with the Road Safety Audit.
REASON – In the interests of reducing the traffic impact of development on the strategic road network and in the interests of pedestrian safety.

HIGHWAYS AGENCY

36. Prior to uses commencing on site, details of improvements to junction 58 of the A1 (as shown in principle on Dougal Baillie drawing number 06094-PL-03) shall be submitted to and approved in writing by the Local Planning Authority, following consultation with the Highways Agency. The proposed works shall be subject to a Stage 2 (detailed design) Road Safety Audit. The Audit shall be carried out in accordance with DMRB HD19/03 and shall be submitted to and approved in writing by the Local Planning Authority, following consultation with the Highways Agency.
REASON – In the interests of safety and the free flow of traffic on the A1 and its junctions.
37. Prior to the Agricultural and Equine Centre hereby approved first being occupied, the required improvements to junction 58 of the A1 (as set out in condition 36) shall be completed to the satisfaction of the Local Planning Authority, in consultation with the Highways Agency. The proposed works shall be subject to a Stage 3 (completion of construction) Road Safety Audit. The Audit shall be carried out in accordance with DMRB HD19/03 and shall be submitted to and approved in writing by the Local Planning Authority, following consultation with the Highways Agency.

REASON – In the interests of safety and the free flow of traffic on the A1 and its junctions.

38. Stage 4 (monitoring) Road Safety Audits shall be carried out using 12 months and 36 months of accident data from the time the improvements works (as set out in conditions 37 and 38) become operational. The Audits shall be carried out in accordance with DMRB HD19/03 and shall be submitted to and approved in writing by the Local Planning Authority, following consultation with the Highways Agency.

REASON – In the interests of safety and the free flow of traffic on the A1 and its junctions.

NATURAL ENGLAND

39. All lighting used on site, both during the construction and operational phase, shall be designed so as to avoid disturbance to foraging bats on the site. This should include avoidance of high-intensity lighting where possible and avoiding illuminating roost entrances and foraging features.

REASON – To conserve protected species and their habitat.

40. Prior to the commencement of development hereby permitted, a further checking survey for the presence of badgers on the site shall be undertaken by the project ecologist. Should evidence be found, the ecologist should advise on a suitable course of action to minimise the risk of damage to any setts, or harm to badgers using the site.

REASON – To conserve protected species and their habitat.

DBC COUNTRYSIDE

41. Prior to the commencement of the development hereby permitted, a detailed environmental masterplan, the scope of which shall first be agreed in writing by the Local Planning Authority shall be submitted and agreed in writing by the Local Planning Authority. The environmental masterplan shall also provide for a 10-year management plan for the site. Thereafter the development hereby approved shall be carried out in accordance with the contents of the environmental masterplan and the necessary mitigation measures shall be implemented in full.

REASON – In the interest of safeguarding and enhancing the biodiversity of the site.

DCC ARCHAEOLOGY

42. Prior to the submission of the reserved matters/full planning application the developer must secure the implementation of and undertake an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record within one year of the date of the completion of the scheme hereby approved by this permission or such other period as may be agreed in writing by the Local Planning Authority.

REASON – The site is in an area of high archaeological potential as shown by the Environmental Impact Assessment (EIA). The results of the evaluation

(geophysical survey and targeted trial trenching) will be needed to help determine the future reserved matters/full planning application.

INFORMATIVES

HIGHWAYS

The applicant is advised that the construction of the roundabout on the A68 would be the subject of a Section 38/278 Agreement (Highways Act 1980) and contact must be made with the Assistant Director - Highways and Engineering (contact Mr A Hush 01325 388757) to discuss this matter.

The applicant is advised that contact must be made with the Assistant Director – Highways and Engineering (contact Ms P Goodwill 01325 388760) to discuss naming and numbering of the development.

The applicant is advised that no development should take place until Footpath No. 7 Coatham Mundeville has been diverted onto Burtree Lane to the satisfaction of the Local Planning Authority.