

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 29 July 2009

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APPLICATION REF. NO:	07/00041/OUT
STATUTORY DECISION DATE:	20 April 2007
WARD/PARISH:	SADBERGE AND WHESSOE
LOCATION:	Dean and Chapter Land, Morton Park, Darlington
DESCRIPTION:	Outline application for development of B1 / B2/ B8 employment uses, ancillary commercial development, including hotel, pub / restaurant, and provision of access (amended plans received 21/02/07, 05/06/07 and 26/06/09)
APPLICANT:	PPG LAND LIMITED AND DURHAM CATHEDRAL

APPLICATION AND SITE DESCRIPTION

This application was considered at the meeting of the Planning Applications Committee on 5 March 2008 but was deferred by the Committee on the grounds that it wished to explore further the impact of development on the surrounding road network. Accordingly a joint sustainable transport study was commissioned by the applicants and the developers of the nearby Lingfield Point site. This study considers the transport impacts of both developments and the joint measures that are required to ensure those impacts are properly mitigated. The Lingfield Point application appears elsewhere on the agenda.

The main part of the application site, measures some 46ha in area, and is situated to the north of Morton Park. It lies adjacent to the A66 to the east and existing and allocated industrial land to the west. The Eastern Transport Corridor is immediately to the north of the site. The remainder of the site measures some 4ha and lies to the north of the line of the Eastern Transport Corridor. The site consists predominantly of grassland and scrub with a variety of trees and hedges along its perimeter. It falls gently to the north and more significantly from east to west, currently draining into Lingfield Beck, an existing watercourse on its western boundary.

The application is in outline with details of access to be agreed at this stage and proposes the erection of an employment development consisting of B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution) uses together with commercial development at an ancillary scale to include a hotel and pub / restaurant. As a summary, the composite scheme would consist of the following:

- Erection of B1 (Business) office buildings on the road (Eastern Transport Corridor) frontage; hybrid units and B8 (Storage or Distribution) with the larger units located to the rear of the site;
- Ancillary commercial development consisting of a small scale hotel and pub / restaurant;
- Provision of a new vehicular access from the north;
- Provision of new pedestrian / cycle access arrangements, internal roads and footpaths;
- Provision of car parking;
- Provision of trees and landscaping to include the retention of perimeter planting.
- The construction of a balancing pond to the north of the DETC corridor

As required by the Regulations, the application has been submitted with a Design and Access Statement; details of use and amount of development; indicative layout and scale parameters.

The application is also supported by a sustainable transport study which has been compiled jointly by consultants on behalf both of the applicants and Lingfield Point developers. The study is founded on the principles of evaluating the impact of the two developments on both the local and strategic highway network and then working out what needs to be done to mitigate that impact in terms of reducing dependence on the car and in terms making physical improvements to the highway.

A planning agreement with the Local Planning Authority is proposed whereby the developer would make payments to help finance the following:-

- i) sustainable transport measures including supporting pedestrian and cycle facilities, supporting bus service improvements and traffic management schemes such as car sharing.
- ii) highway improvements at the following junctions: The Little Burdon roundabout; the Morton Palms roundabout; the DETC McMullen Road cross roads and the DETC / Haughton Road Throughabout.

In accordance with the guidelines contained in the Council's Adopted Statement of Community Involvement, a publicity event was undertaken.

PLANNING HISTORY

8/87/634/DM – In May 1998 planning permission was granted in outline for the erection of a mixed industrial, commercial, retail, entertainment, leisure, business, hotel, petrol station, office and warehousing development.

8/87/634/RM1 – In November 1998 reserved matters in respect of medium tech units in respect of the above planning permission were approved.

8/87/634/RM2 - In November 1998 reserved matters in respect of the superstore in respect of the above planning permission were approved.

8/87/634/RM3 – In November 1998 reserved matters in respect of the business units in respect of the above planning permission were approved.

8/87/634/RM4 – In April 1990 reserved matters in respect of superstore, petrol filling station and industrial units in respect of the above planning permission were approved.

8/87/634/RM5 – In November 1990 reserved matters in respect of the superstore, petrol filling station and industrial units in respect of the above planning permission were approved.

93/00339/DM - In October 1993 planning permission was granted for the renewal of planning permission reference number 8/87/634/DM for the erection of a mixed industrial, commercial, retail, entertainment, leisure and business development.

93/00339/RM1 - In December 1993 reserved matters in respect of siting, landscaping and means of access of the retail and business units in respect of the above planning permission were approved.

93/00339/RM2 – In May 1994 reserved matters in respect of siting, landscaping and means of access in respect of the above planning permission were approved.

93/00339/RM3 – In August 1994 reserved matters in respect of siting, design, external appearance and means of access for the petrol filling station in respect of the above planning permission were approved.

93/00339/RM4 – In February 1995 details of landscaping in respect of the application were approved.

97/00058/CONDIT - In January 1997 planning permission was refused for the variation of condition 21 of application 8/93/339/DM dated 18/10/97 (for renewal of outline permission for erection of a mixed industrial, commercial, retail, entertainment, leisure business, hotel, petrol station, office, etc).

PLANNING POLICY BACKGROUND

Relevant Planning Policy

The starting point for considering the proposal is the statutory development plan. The relevant policies that should be applied to this proposal are:

Borough of Darlington Local Plan (1997, with alterations 2001)

- E2 – Development Limits
- E7 – Landscape Conservation
- E11 – Conservation of Trees, Woodlands and Hedgerows
- E12 – Trees and Development
- E14 – Landscaping of Development
- E16 – Appearance from Main Travel Routes
- E20 – Sites of Nature Conservation Importance
- E21 – Wildlife Corridors
- E23 – Nature and Development
- E25 – Energy Conservation
- E26 – Energy from Renewable Resources
- E48 – Noise – Generating / Polluting Development
- E49 – Noise Sensitive Development
- E29 – The Setting of New Development
- R1 – Designing for All

EP1 – Land Supply for Employment
EP2 – Employment Areas
EP6 – Prestige Employment
EP5 – Other uses in Employment Areas
EP7 – Office / Business Park Development
TO4 – Hotels and Guest Houses
T8 – Access to Main Roads
T12 – New Development – Road Capacity
T13 – New Development – Standards
T24 – Parking and Servicing Requirements for New Development
T31 – New Development and Public Transport
T37 – Cycle Routes in New Development
T39 – Conditions for pedestrians
T40 – New Development and Lorries

Regional Spatial Strategy

Regional Spatial Strategy for the North East

July 2008. Relevant policies are;

Policy 1 (North East Renaissance), Policy 2 (Sustainable Development), Policy 3 (Climate Change), Policy 4 (The Sequential Approach to Development), Policy 8 (Protecting and Enhancing the Environment), Policy 12 (Sustainable Economic Development), Policy 13 (Brownfield Mixed Use Locations), Policy 19 (Office Development Outside of City and Town Centres), Policy 33 (Biodiversity and Geodiversity), Policy 35 (Flood Risk), Policy 36 (Trees, Woodlands and Forests), Policy 38 (Sustainable Construction), Policy 54 (Parking and Travel Plans)

National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Guidance Note 4: Industrial and Commercial Development and Small Firms (1992)

Planning Policy Statement 6: Planning for Town Centres (2005)

Planning Policy Statement 9: Planning for Biodiversity and Geological Conservation (2005)

Planning Policy Guidance Note 13: Transport (2001)

Planning Policy Guidance Note 16: Archaeology and Planning (1990)

RESULTS OF CONSULTATION AND PUBLICITY

Two letters of objection were originally received in relation to the development. One of objectors was the Lingfield Point developer, who has since withdrawn their objection having now worked closely with the applicant to jointly produce the sustainable transport study.

The second letter of objection was received from agents acting on behalf of the landowner for the adjacent Lingfield Park site. Concerns were raised at the time about the need to deliver a fair and equitable transport strategy. However in the meantime the landowner in question has decided not to be part of the joint discussions with the other two developers. They were reconsulted on the final transport study and to date have raised no objection. However any comments in the meantime will be reported to the Committee

Sadberge Parish Council has been consulted on the proposed development and has raised the following objections:-

(a) no assessment has been made of the extent to which the proposed development would result in additional traffic through Sadberge and (b) no measures have been agreed to prevent any such additional traffic from causing annoyance and harm to Sadberge residents.

As is the case for other potential development sites along the Eastern Transport Corridor, the proposed site has a reasonable road access to the south via the A66 and the A1 (M) and to the east via the A66, but its access to the north is very restricted. Neither the Cross Town Route nor the route around the north east side of Darlington can offer good access to the A1 (M) for vehicles going to or coming from the north.

Sadberge is already used as a “rat run” by drivers attempting to avoid congestion around the north east of Darlington. The proposed development would lead to a further increase in traffic through Sadberge.

The Darlington Eastern Transport Corridor Sustainable Transport Study recognises the need to modify the Little Burdon roundabout to cope with the additional traffic generated by developments along the Eastern Transport Corridor. However, it makes no attempt to assess the impact on traffic volumes through Sadberge.

How many of the vehicles leaving the proposed development would turn right at the Little Burdon roundabout and go through Sadberge in preference to turning left and going round the northern edge of Darlington to reach the northbound A1(M)? How many of the vehicles coming to the proposed development from the north would travel through Sadberge and then join the westbound A66 instead of approaching round the northern edge of Darlington?5

In the Sadberge Parish Plan questionnaire – which achieved a response rate of more than 75% – residents identified traffic as one of the biggest problems for Sadberge. 71% of respondents described traffic volume as a Significant or Major problem. (The only issue with a higher percentage of respondents describing it as a Significant or Major problem was traffic speed, with 78%.)

No proposal for any significant development along the Eastern Transport Corridor should be given any kind of planning permission until and unless (a) there is a link made to the A1M northbound, (b) the transport assessment has been extended to cover traffic through Sadberge, and (c) the relevant developers have proposed suitable mitigation measures to prevent annoyance and harm to Sadberge residents, and (d) the mitigation measures have been agreed and approved by both Darlington Borough Council and Sadberge Parish Council.

The CPRE has been consulted and has raised the following concerns:

We appreciate the land is allocated for employment use and we accept the principle of that use and are content with the concept. However, the indicative illustration and the documentation propose a scale of building to which we object.

This is a significant site on the western edge of the urban area with the primary route of the A66 passing alongside. We consider the development would seriously degrade the quality of the landscape in the area. This may be on the fringe of the urban area, but it is adjacent to the countryside and we consider the beauty of the countryside should not be so detrimentally compromised.

The immense size in both footprint and height of the warehousing elements is totally out of keeping with other developments in the area. Only the Paton and Baldwin's building comes

anywhere near close in area and nothing we are aware of has the consistent height of the warehouses. Of particular note is the statement in the Design and Access Statement at 2.8, of heights 'possibly in excess of 30m'. A 30m high building is very high and out of keeping with the area, but in addition there is comment that heights could be even higher. We consider these heights to be unacceptable.

The same paragraph of 5.8 also comments that the buildings will be shielded from view by the proposed prestige development areas in the south and west. This predisposes that these are built. What if the warehousing is to be developed first? In that instance the warehouses would not benefit from the screening the prestige office development is claimed to offer. The prestige office buildings are also somewhat large.

Will the road network be able to cope? The Highway's Agency's views will be critical as they have already curtailed developments in the area, e.g. the amount of seating permitted in Darlington Football Stadium. When I sat on the steering group during the Gateway Study, the Highways Agency advised members at the time that funding would not be available to dual the whole of the A66. Consequently, the final recommendations were to amend the existing road in a number of relatively small ways. Will this work create capacity to deal with traffic emanating from this much office space and especially the warehousing? Will this work have to be completed before development is permitted? The volumes of traffic warehousing in particular can generate is very significant and it is of note Savers have moved out of Darlington as they were unable to achieve the number of traffic movements they required at their Faverdale site. It is noted the Eastern Transport Corridor has begun construction but it is only single carriageway – will it be able to cope with the traffic created?

How necessary is this warehousing and office space? In the Faverdale Area there are at least three empty warehouses, including the Savers site. Office space is vacant in many places around Darlington and more is being built in the Morton Park area.

How will the development affect the view from the brick train? A walk up the bank to the viewpoint at the tope and rear of the brick train currently brings breathtaking views to the distant horizon in all directions. Are these to be curtailed to the north by the bulk of vast warehouses? This is something we strongly object to.

Tees Valley Joint Strategy Unit has been consulted and has made the following comments:

Having examined the application, JSU transport and planning officers do not consider the proposals in the outline planning application to be sufficiently developed in detail to be strategic at this stage and therefore do not propose to take this planning application to the Tees Valley Joint Strategy Committee.

The site is allocated within the Borough of Darlington Local Plan for Business (use class B1), general industrial (use class B2) and warehousing (use class B8) and for high quality / business park development, and identified as a key site in the Darlington Gateway Development Framework published by the Tees Valley Partnership in 2003. The site allocation is supported by policies EMP5 and EMP6 of the Tees Valley Structure Plan 2004. The site is currently undeveloped Greenfield land with no direct access however at that location it is considered that improved access to the site will be achieved from the accessibility given to the area by Darlington Eastern Transport Link Road being built 2006-2008.

North East Assembly has been consulted and has made the following comments:

The site is allocated for B1, B2 and B8 development in the adopted local plan, and is identified for general and mixed use employment development in the emerging Darlington Core Strategy. RSS policy 18 aims to protect employment land from redevelopment to alternative uses. In the context of PPS6, a hotel, restaurant and public house are all described as a town centre use. RSS policy 25 reflects the intentions of PPS6, by directing such high trip generating uses to defined urban centres. It is noted however that this commercial development is deemed to be ancillary. The local authority needs to be satisfied that the applicant has made adequate justification for the release of employment land on this site for the uses proposed, and that the approval of the application will not affect the vitality and viability of Darlington town centre. This will ensure consistency with RSS policies 18 and 25.

RSS policy 19 aims to steer office development toward town and city centres, unless sites are already allocated for office development in adopted development plans. Although the site is on the edge of Darlington town centre, it is allocated for B1 development in the adopted local plan. This proposal is therefore consistent with RSS policy 19.

The site is in close proximity to the Central Darlington brownfield mixed-use location identified in RSS policy 13. This policy aims to direct major mixed-use regeneration projects toward specific sustainable locations. Development at this location could potentially compromise the development of the Central Darlington brownfield mixed-use location, although it is noted that the site is allocated for B1, B2 and B8 development in the adopted local plan. The local authority must be satisfied that there are no more sequentially preferable sites for this development, particularly within the Central Darlington brownfield mixed-use location boundary. This will ensure consistency with RSS policy 13.

The proposal is considered to present potential issues of conflict with regional planning policy. The intention to incorporate SUDS is consistent with RSS policy 34. However, the local authority needs to be satisfied that there are no more sequentially preferable sites for the development, having regard for the Central Darlington brownfield mixed-use site identified in RSS policy 13; that there is adequate justification for the release of employment land for the commercial development proposed; the local authority needs to be certain that the proposed commercial development will not adversely affect the vitality and viability of Darlington town centre; that the site is accessible by sustainable modes of travel; the local authority needs to be satisfied that the capacity and effective running of local highways is not adversely affected by the development; the proposal needs to incorporate BREEAM standards and provide 10% of its energy supply from decentralised renewable/low carbon sources; and the local authority needs to be satisfied that suitable mitigation measures are put in place to prevent any potential adverse archaeological or ecological impacts.

This proposal would be in general conformity with the RSS provided the issues outlined in this report are addressed.

One North East has been consulted and has made the following comments:

The Agency notes the content and measures outlined in the transport study which seeks to promote the use of sustainable transport initiatives not only relating to the development of this particular site but also development sites along the Darlington Eastern Transport Corridor (DETC). I understand that the Local Planning Authority (LPA) has been working closely with

the developer in the preparation of this Study and is generally satisfied with the measures and mechanism proposed to achieve appropriate initiatives towards provision of sustainable transport for this area.

As you are aware from One North East's original response to this planning application, Agency concerns relate to the proposals centred around the Class B1 office and hotel elements of the development, particularly the implications that the amount of Class B1 office provision within this scheme could have for other regeneration sites within the area.

The additional information provided by GVA Grimley, which seeks to update the market information regarding demand for office accommodation within the area, is noted. One North East again urges the Council in reaching its decision to be satisfied that this proposal would not result in the saturation of the B1 office or hotel markets which would be likely to have an adverse impact upon the wider regeneration objectives.

Subject to the resolution of the above policy and highway issues to the LPA's satisfaction together with the achievement of appropriate design and environmental quality standards (including BREEAM rating and generation of 10% of electricity from renewable energy sources¹), the Agency raises no objection to this application.

Tees Valley Regeneration has been consulted and has made the following comments:

Tees Valley Regeneration is the Urban Regeneration Company for the Tees Valley, established in 2002 as part of the first wave of Urban Regeneration Companies across the country. As such Tees Valley Regeneration and our partners have selected 5 key projects across the Tees Valley, which in combination, represent key strategic development opportunities to contribute to the economic step change for the Tees Valley sub-region.

Two of the keys Tees Valley Regeneration Projects are located in fairly close proximity to the proposed development. At Durham Tees Valley Airport we are working with Peel Holdings on the expansion of facilities at the airport. I would be concerned that the application proposals have the potential to undermine the strategic regeneration objectives of the DTVA project. Planning approval has recently been given to the development of land at the north side of the DTVA, in the form of 18,600m² B1, 100 bed hotel (C1) and 560n² ph / restaurant (A3). This development along with the development of the Brownfield Southside of the DTVA is at risk of being compromised by the application in question.

The other project in close proximity is the Central Park project, which is already in the process of bringing a 30ha Brownfield site within Darlington's core back into use. In addition to the higher education campus already on site, Central Park has outline permission for 600 residential units, 28,000m² B1 office accommodation, a hotel with conference facilities, along with ancillary retail, car parking, etc. In sequential terms I am of the view that Central Park must be favoured in advance of the application site.

As a general comment, I am concerned that since the adoption of the Local Plan, national and regional policy guidance requires a sequential approach to the development of Greenfield land such as the application site to ensure that sites in the urban core are developed before sites such as this on the edge of the town. I would expect the local authority to fully examine the issues relating to sequential development and expect the applicant to justify development.

¹ In accordance with Government objectives as set out in PPS6 (Aug 04) and its review published June 06.

I would also like to point out that the site is allocated in the local plan for employment uses. It would therefore appear that the hotel development is a departure from the local plan and I would like this letter to be taken as formal objection to the hotel element of the application.

Overall, I would expect that the local authority will carefully consider this application in the light of the cumulative effect of the B1 office and hotel elements of this proposal in the context of not only Tees Valley Regeneration project sites, but other existing sites, permissions and projects located within the urban centre and on Brownfield sites.

Finally, as this application is in outline only, I would request that should approval be granted, that any subsequent application for reserved matters is also forwarded to Tees Valley Regeneration for comment.

The Council's Environmental Health Officer has been consulted and has raised no objections to the proposed development.

The Highways Agency has been consulted and verbally raises no objection. Final written confirmation of views are anticipated in time for the meeting.

The Council's Highways officer has raised no objection to the proposed development subject to the following considerations.

- The basic principles of the sustainable transport study are accepted and the securing of financial payments towards highway improvements to the local and trunk road network and towards sustainable measures will need to be secured through a planning agreement.
- A link through to Morton Road to ensure the site is permeable for public transport, cyclists and pedestrians should be secured by condition.
- Car parking provision within the site will be given further consideration at reserved matters stage.
- An assessment of HGV traffic generated by the development was submitted by the developer. There is a projected increase of approximately 18% eastbound and 27% westbound on existing HGV movements. Though this would appear to be a large increase the total HGV movements will represent less than 2% of the total traffic flow in both directions and this is not considered to be significant.
- A condition will be required to ensure the installation of signals and associated equipment at the existing junction between the site and the DETC.
- The development will impact on the local highway network, in particular the DETC / McMullen Road junction and Barton Street / Haughton Road / DETC junction. Contributions have been identified in the Sustainable Transport study to fund mitigation works to these junctions.
- A condition will be required to secure a travel plan for the development and to secure public transport facilities within the site, covered cycle parking and showering and changing facilities.
- A condition requiring the provision of wheelwash facilities to prevent soil and debris being tracked onto the public highway will be required.

The Council's Transport Policy Officer has been consulted and has raised no objections to the proposed development.

The Council's Estates Officer has been consulted and has raised no objections to the proposed development.

The Council's Arboricultural Officer has been consulted and has raised no objections to the proposed development.

The Council's Economic Regeneration Officer has been consulted and has made the following comments on the proposal:

The site has the potential to be a key employment site for Darlington. It is identified within both the Darlington Gateway Donaldson's report 2003 and "Taking Forward Darlington Gateway" research report in December 2006 as a key future employment generator. Both studies suggest that there is latent demand for new high quality industrial and office premises within Darlington. However both reports refer to this site being a long-term aspiration. The site is a Greenfield site in the east of the Borough located between the existing Morton Palms, Lingfield Point, and the Durham Tees Valley Airport Sites.

The applicant perhaps needs to provide evidence of sequential testing with existing sites that there is sufficient demand to bring this site forward at this point in time, in particular with regards to the proposed levels of industrial accommodation. Recent enquires for large-scale distribution accommodation has been on sites closer to the A1 (M). Similarly, with new office accommodation coming on stream at Morton Palms, Lingfield Point and Central Park, there is again a desire to see clear evidence of demand and occupier take-up for further office premises coming to the market in the short term.

The Council is highly supportive of employment regeneration schemes. The Economic Regeneration team is keen to engage with developers and contractors to support the sustainability objectives of major schemes. The Council is keen to see that where major regeneration schemes are built that schemes endeavour to contract with local contractors (local being at sub regional Tees Valley level) to maintain spend within the sub-region. The Council, together with other Tees Valley and Tyne and Wear authorities will be encouraging developers and their contractors to include method statements regarding trainee placements and end occupier clauses to capture local employment opportunities for local residents.

Northern Gas Networks has been consulted and has raised no objections to the proposed development.

The National Grid has been consulted and has raised no objections to the proposed development.

Northern Electric has been consulted and has raised no objections to the proposed development.

Northumbrian Water has been consulted and has raised no objections to the proposed development.

The Environment Agency has been consulted and has raised no objections to the proposed development.

The Council's Building Control Manager has been consulted and has raised no objections to the proposed development.

The Council's Rights of Way Officer has been consulted and has raised no objections to the proposed development.

Natural England has been consulted and has raised no objections to the proposed development.

PLANNING ISSUES

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

- Planning Policy
- Visual Amenity
- Residential Amenity
- Ecology
- Foul and Surface Water Drainage
- Flooding
- Highway Implications
- Archaeology

Planning Policy

The adopted Local Plan

The application site is allocated for employment related uses in the adopted Local Plan. Policy EP2 (Employment Areas) of the Borough of Darlington Local Plan permits B1 (Business) uses within the application site, together with B2 (General Industrial) and B8 (Storage or Distribution) where they do not harm the amenity of nearby residential areas. The development of storage and distribution use on the site has the potential to service occupiers wanting to utilise the A1, A19 and Teesside Ports. Policies EP6 (Prestige Employment) and EP7 (Office / Business Park Development) also apply to the northern and north eastern areas of the application site and indicate that these prime areas are suitable for office / business park development and will normally only be developed for prestige employment development given their prominent location adjacent to main travel routes.

Policy EP5 (Other Uses in Employment Areas) of the Borough of Darlington Local Plan permits other uses within allocated employment areas only to the extent that they form comprehensive development proposals for employment related development. The other uses proposed consist of a hotel with conference facilities and a pub / restaurant. These uses comprise some 2 percent of the proposed employment floorspace and it is considered that in the context of the whole scheme, these can reasonably be considered of an ancillary nature. The proposed uses are considered to be of an appropriate scale to meet demand created from the proposed masterplan and surrounding business uses.

National Policy

Planning Policy Statement 1: Delivering Sustainable Development (2005) sets out the key principles that should be applied in the determination of decisions on planning applications, in order to contribute to the delivery of sustainable development. The guidance places increased

emphasis on the role of high quality and inclusive design in the achievement of the government's objectives.

Planning Policy Guidance Note 4: Industrial and Commercial Development and Small Firms (1992) emphasises the Government's aims in respect of economic growth and its compatibility to environmental objectives. The guidance recognises that changing trends in the way that business operates has allowed integration with other uses whilst avoiding material harm. The guidance states that Local Planning Authorities should not place unjustifiable obstacles in the way of development that is necessary to provide homes, investment and jobs.

Planning Policy Statement 6: Planning for Town Centres (2005) sets out the Government's objectives for main town centres uses, including offices. Applicants putting forward proposals for main town centre uses outside a town centre are as a general rule required to demonstrate the need for the development, that it is of an appropriate scale, that there are no more central sites for it (i.e. that the applicants have adopted a sequential approach to site selection), that there would be no unacceptable impacts on existing centres and that the location is accessible.

However, PPS6 adds that: a demonstration of need is not required where an application is in accordance with an up-to-date development plan document strategy, a sequential approach need not be applied to a proposal for a site which is "*allocated in an up-to-date development plan document*"; and an impact assessment need not be undertaken for an application which is in accordance with an up-to-date development plan strategy. The wording for each of these is slightly different but officers consider that the present proposals qualify for exemption under all of them given that the existing development plan policy as set out in the adopted local plan is in general conformity with regional guidance, being an existing allocation.

It is acknowledged that the Regional Spatial Strategy seeks to prioritise the development and regeneration of more central key brownfield sites such as Central Park for mixed use development and that the office, hotel and pub / restaurant elements of the proposed scheme would be somewhat at odds with this strategy. However the RSS also recognises that there are other locations where smaller scale mixed use developments will contribute to economic prosperity. Taking into account the current depressed economic climate, the need to ensure the supply of a choice of high quality office accommodation is not impeded is considered to be particularly important to prevent occupiers who may otherwise have been attracted to Darlington from locating elsewhere. As previously stated officers are satisfied that the proposed commercial uses i.e. hotel and restaurant are at an ancillary scale.

Regarding scale, the gross floor space of the development would not be considered to be excessive and would appear to be appropriate to the location. Finally, the Local Planning Authority is required to consider whether the development would be accessible by a choice of means of transport, in accordance with the objectives of PPG 13: Transport (2001). This issue will be dealt with in more detail in the Highway Issues section of this report.

In conclusion, the proposal is considered to accord with the relevant policies of PPG4, PPS6 and PPG13 and in broad terms with those of the development plan. The remaining issues to be considered are all detailed matters of development control, to be considered in the remaining sections of this report.

Visual Amenity

The proposed development is considered to be generally acceptable in terms of scale and siting. The office buildings are located in the area allocated for prestige office development to provide an enhanced appearance along the more prominent areas along the main travel routes as a gateway to the town centre. No elevational details are submitted at this stage and therefore a full assessment of the detailed design of the development can only be made once reserved matters have been submitted. Nevertheless, a Design and Access statement was submitted with the application to explain the principles that will be applied in the final design of the development. This indicates that high quality elevations will be provided in the most visible areas of the site.

A majority of the area occupied by the proposed warehouses would be the interior part of the site which would therefore benefit from screening by the more prestige elements of the proposal.

The final layout and scale of buildings including height would be subject to a reserved matter planning applications.

The layout of the development has largely been informed by the constraints and particularities of the site. The scheme includes for the retention of much of the existing natural landscaping such as trees and hedgerows and will include additional planting to assimilate the buildings into their surroundings and to soften the development. These details will be assessed at the reserved matters stage. Nevertheless, it is recommended that a planning condition be attached to any approval to secure the submission and agreement of a scheme to protect the existing natural features within the site during construction works.

Residential Amenity

The nearest residential properties are situated in Lingfield Close, some 170 metres from the western boundary of the site. These properties are already situated in an industrial / commercial area and as a result will already experience higher than average noise levels. The Council's Environmental Health Officer has considered the proposal and has recommended that a planning condition be attached to any approval to secure the submission, agreement and implementation of a scheme to minimize noise and disturbance resulting from the development in the form of acoustic fencing or bund profiles.

The applicant has submitted a ground investigation report for the site. The Council's Environmental Health Officer has studied the report and considers that further site investigation work / gas monitoring will be required in the future and therefore recommends that the standard contaminated land condition is attached to any approval.

Ecology

PPS 9: Biodiversity and Geological Conservation (2005), advises that in taking decisions, local planning authorities should ensure that appropriate weight is attached to protected species and biodiversity and geological interests within the wider environment. Protected species are therefore a material consideration in the determination of planning applications and recent government guidance states that full information should be considered by the Local Planning Authority prior to determining such applications and not left to planning conditions.

A report has been submitted with the application, which assesses the existing ecological interest of the site. The report identified the features of ecological interest including foraging capacity of existing hedgerows, trees with potential for roosting bats and birds and the grassy verges that attract a diversity of butterfly species. The report went on to identify impacts on species or

potential species and features and identified enhancement and mitigation plans for each of these issues.

Natural England has been consulted on the proposed development and has raised no objections, stating that the development is unlikely to have an adverse effect in respect of species, especially protected by law. A number of planning conditions have been recommended to ensure that the development is implemented in accordance with the mitigation measures set out in the report.

Foul and Surface Water Drainage and Flood Risk

The application has been submitted with a Drainage and Flood Risk Assessment.

To the north side of the Eastern Transport Corridor, the application proposes a balancing pond to retain surface water. This area would be landscaped with Native wetland plants, which will be detailed in the submission of the landscaping plan at reserved matters stage.

It is proposed to construct an infrastructure foul sewer network to serve the proposed development, which will connect to the existing public sewer located in the southwestern corner of the site.

The application site is not within a floodplain and the report indicates that the risk of flooding both on site and to the surrounding areas will not be increased as a consequence of development. Both the Environment Agency and Northumbrian Water have been consulted and have raised no objections. The Environment Agency has recommended a number of planning conditions in order to prevent pollution of the water environment and to reduce the risk of flooding.

Highway Implications

The Council's Highways Officer has been consulted and has raised no objections subject to the consideration identified earlier in the report.

He has stated that the basic principles of the sustainable transport study are accepted and the securing of financial payments towards highway improvements to the local and trunk road network and towards sustainable measures will need to be achieved through a planning agreement.

Accordingly a planning agreement between the Local Planning Authority and the developer is proposed whereby the developer would make payments to help finance the following:-

- iii) sustainable transport measures including supporting pedestrian and cycle facilities, supporting bus service improvements and traffic management schemes such as car sharing.
- iv) highway improvements at the following junctions: The Little Burdon roundabout; the Morton Palms roundabout; the DETC McMullen Road cross roads and the DETC / Haughton Road Thoroughabout.

The planning agreement would need to ensure the getting and spending of money is controlled by the Council. A Steering group consisting of DBC and Highway Agency officers would be established with view to agreeing and making recommendations on precisely how and when the money raised would be spent

The study explains how the level of payments from the developer is determined according to type and quantity of land use.

In relation to the proposals in this application the maximum required contributions would be £641,420 for sustainable transport measures and £766,800 for physical improvement works to the highway.

These payments would be pro-rated according the nature and scale of any particular phase being brought forward as defined within a detailed reserved matter application. The payments would then become due upon commencement of that phase.

The level of contributions required towards highway improvements has been set taking into account a worst case scenario of heavy reliance on the private car. If travel plan measures turn out to be successful in reducing or removing the requirement for highway works then there is scope for the Steering Group to decide that a lesser contribution level is required for future phases.

There would also be scope for the Steering Group to re-invest any surplus highway contribution towards sustainable transport measures. This would need to be kept under review by the Steering Group through the monitoring of the travel plan.

Concern has been expressed by Sadberge Parish Council on the possible impact of additional traffic rat-running through Sadberge in order to ease access to and from the A1. In this regard the Highways officer has commented as follows:

There is a weight restriction on Hillhouse Lane to the north of the village and this will restrict use of this route by HGVs. In relation to general traffic the STS identifies only 13% of the traffic generated by the development as using the A66(T) to the east of Little Burdon roundabout. The predicted traffic generation from the site is in the region of 775 trips (both directions) in the morning and evening peaks, the amount of traffic that would be accessing the site from this section of the A66(T) would therefore be approximately 100 trips (both directions). The amount of traffic that would use the road through Sadberge has not been identified, however it is not anticipated that the proportion of these 100 trips that would divert off the A66 would be significant and this could not be a reason for recommending refusal of the application.

The Highways Agency views are anticipated and will be reported to the meeting

Archaeology

The application has been submitted with a desk based archaeological assessment and a geophysical survey. The geophysical survey results suggest that the application site may have some potential archaeological remains within it. The County Archaeologist has been consulted and has provided the following comments:

Although the vast majority appears to be related to Post Medieval Agricultural Land Use, there are some areas of the site where geophysical anomalies suggest earlier activity. I did recommend to the applicant that the evaluation of these features was conducted now in support of the outline application, however they were resistant to this approach. In fact it was put to me that the evaluation should be conditioned and then carried out piecemeal, as and when developers came on board for the different phases. I advise that the latter part of this is strongly

resisted by the Local Planning Authority as a piecemeal evaluation is problematic (if it is done by more than one contractor) and in the long run more expensive and less effective. Only one phase of evaluation across the whole application area should ideally be carried out to enable the Local Planning Authority to determine the impact of future applications.

Therefore, I recommend that should the authority be minded to granted permission, a planning condition be attached recommending archaeological works prior to the reserved matters application being submitted.

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 application site lies within an area allocated for employment land as identified in the development plan. The indicative layout and scale of the proposed development are considered acceptable. The development would not adversely affect the amenities of neighbouring occupiers or ecology. The application is not considered to raise any issues in relation to foul or surface water drainage, car parking provision, highway safety or crime prevention. Subject to a planning agreement being put in place to secure robust sustainable transport and travel planning measures and to secure the funds for highway improvement work should they be required it is considered that there are no material reasons to withhold a grant of planning permission.

RECOMMENDATION

- A. THAT SUBJECT TO NO OBJECTIONS BEING RECEIVED FROM THE HIGHWAYS AGENCY OR AS A RESULT OF THE PUBLICITY EXERCISE THE ASSISTANT CHIEF EXECUTIVE BE AUTHORISED TO ENTER INTO AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO SECURE THE FOLLOWING: -
1. FINANCIAL CONTRIBUTIONS TOWARDS IMPROVEMENTS TO THE EXISTING LOCAL AND STRATEGIC ROAD NETWORK IN ACCORDANCE WITH THE PRINCIPLES OF THE DETC – SUSTAINABLE TRANSPORT STUDY JUNE 2009
 2. FINANCIAL CONTRIBUTIONS TOWARDS TRAVEL PLANNING / SUSTAINABLE TRANSPORT INITIATIVES; IN ACCORDANCE WITH THE PRINCIPLES OF THE DETC – SUSTAINABLE TRANSPORT STUDY JUNE 2009
 3. THE ESTABLISHMENT OF A STEERING GROUP OF OFFICERS TO DETERMINE AND MAKE RECOMMENDATIONS ON WHEN AND HOW THE CONTRIBUTIONS RAISED UNDER 1 AND 2 ABOVE WILL BE SPENT
 4. TARGETTED TRAINING AND RECRUITMENT
 5. A FINANCIAL CONTRIBUTION TO THE COUNCIL'S LEGAL COSTS ASSOCIATED WITH THE SECTION 106 AGREEMENT.

B. THAT UPON SATISFACTORY COMPLETION AND SIGNING OF THAT AGREEMENT, PLANNING PERMISSION BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS AND REASONS:

- 1) 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
- (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 five years from the date of this permission.

REASON- To comply with Section 92 of the Town and Country Planning Act 1990.

- 2) The development of any building/s and phase of development hereby permitted must be commenced before the expiry of seven years from the date of this permission or two years from the date of the approval of the last of the reserved matters, which ever is the later.

REASON- To comply with Section 92 of the Town and Country Planning Act 1990.

- 3) J2 Contaminated Land
- 4) The maximum quantum of development hereby approved shall not exceed that illustrated on drawing 8720 104F

REASON In the interests of highway safety and to protect the viability of the town centre.

- 5) Prior to the commencement of the development, full and precise details of a link to the site from Morton Road for the benefit of public transport including (unless otherwise agreed in writing with the Local Planning Authority) timescale for implementation, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – In the interests of highway safety and in order to promote the use of public transport.

- 6) Unless otherwise agreed in writing with the Local Planning Authority prior to the occupation of the first unit on the site a scheme to signalise the junction between the site

and the DETC shall be implemented in accordance with details to be previously agreed by the Local Planning Authority.

REASON – In the interests of highway safety.

- 7) Prior to the commencement of any phase of the development, or within such extended time as may be agreed with the Local Planning Authority, the development shall be scoped for potential noise impacts and a scheme to protect the surrounding noise sensitive properties (the location of which are to be previously agreed in writing with the Local Planning Authority) from noise and disturbance arising from the development, such as acoustic fencing or bund profiling, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – To minimise the impact of the proposal on nearby noise sensitive properties in the interests of maintaining an acceptable level of residential amenity.

- 8) No development shall take place unless in accordance with the recommendations detailed within the protected species report Bat Survey of Trees at Yarm Road, Darlington, by Martin Prescott Environmental Services 2006/0034 dated 21/08/2006 including, but not restricted to obtaining a Protected Species licence if trees 7 or 14 are to be removed; undertaking confirming surveys if any further mature trees are to be removed and conservation of existing hedgerows; provision of sympathetic lighting in the vicinity of trees 7 and 14 in order to avoid disturbance to the known bat roosts.

REASON – To conserve protected species and their habitat.

- 9) Prior to the commencement of any phase of development, or within such extended time as may be agreed in writing with the Local Planning Authority, details of the surface water drainage scheme including the means of balancing and attenuation shall be submitted to, and agreed in writing with the LPA. The scheme shall be in full accordance with the submitted Flood Risk Assessment (FRA – Ref: CPH/3759 prepared by JPG (Holdings) Limited and dated 11 January 2007 unless otherwise agreed in writing with the Local Planning Authority, The development shall then only proceed in accordance with the agreed scheme.

REASON – To ensure flood risk is not increased at the site or to surrounding areas.

- 10) No development approved by this permission shall be commenced until a scheme for the design, planting and maintenance of the proposed balancing pond has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be completed in accordance with the approved plans and retained throughout the life of the development. The balancing pond shall be fully implemented within a timescale to be agreed in writing by the LPA prior to the commencement of development

REASON – To protect and enhance the water environment.

- 11) Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from parking areas and hardstandings 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.

- 12) Roof drainage downwater pipes shall at all times be sealed at ground level to prevent the ingress of any contaminated water / run-off.
REASON – To prevent pollution of the water environment.
- 13) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glassed must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
REASON – To prevent pollution of the water environment.
- 14) Prior to the commencement of any phase of development, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained throughout the construction period.
REASON – To prevent pollution of the water environment.
- 15) Prior to the commencement of any phase of the development, or within such extended time as may be agreed in writing by the Local Planning Authority, full details of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out in accordance with those details prior to the 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.
- 16) No development shall take place until the applicant has secured the implementation of 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.
REASON – The site is in an area of high archaeological potential as indicated in the Historic Environment Assessment Report submitted by the applicant. This is in line with Policy E34 of the Borough of Darlington Local Plan 1997 and with national planning guidance PPG16 Archaeology and Planning.
- 17) Prior to the commencement of development hereby approved details shall be submitted to and approved in writing by the Local Planning Authority of a scheme to protect the existing trees to be retained as part of the landscaping proposals for the site. The submitted details shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m high, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place before the commencement of any work, including demolition operations. The Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of any work to allow an inspection of the measurements to ensure compliance with the approved scheme of protection. Notwithstanding the above approved

specification, none of the following activities shall take place within the segregated protection zones in the area of the trees:

- (a) The raising or lowering of levels in relation to the existing ground levels;
- (b) Cutting of roots, digging of trenches or removal of soil;
- (c) Erection of temporary buildings, roads or carrying out of any engineering operations;
- (d) Lighting of fires;
- (e) Driving of vehicles or storage of materials and equipment.

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

18. Prior to the commencement of any phase 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.

19. Prior to the commencement of any phase of development wheel wash facilities shall be installed in accordance with details to be previously agreed by the Local Planning Authority.

REASON: In the interests of highway safety

20. Unless otherwise agreed in writing by the Local Planning Authority, no part of the development within any phase shall be occupied until a Travel Plan including details of provision for cycle parking and showering and changing facilities has been submitted to and agreed in writing by the Local Planning Authority to help reduce dependency on the private car. The Travel Plan should include clear and unambiguous objectives and modal split targets, together with a time-bound programme of implementation, monitoring and regular review and improvement; and support the measures contained within the approved Sustainable Transport Strategy produced in support of this application. The agreed Travel Plan shall thereafter be implemented unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of highway safety and capacity

21. No development within any particular phase 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.

22. No development shall be commenced until a design statement incorporating BREEAM Standards, for the development has been submitted to, and approved by, the Local Planning Authority. The development shall not be carried out otherwise in accordance with the approved details.

REASON – In order that the Local Authority are satisfied as to the details of the development and to ensure that the development is carried out in a sustainable manner.

23. If within a period of 5 years from the date of planting of any tree or shrub, in connection with the landscaping works required, that tree or shrub or any tree or shrub planted in replacement of it, is removed, uprooted, or destroyed, seriously damaged or dies, another tree or shrub of the same size and species to that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.

REASON - To ensure that the details of the approved masterplan are implemented as the development proceeds and to ensure a high quality appearance to the development..

24. Prior to the commencement of development within any phase, or such other period as may be agreed in writing with the Local Planning Authority, the details of any walls, fencing or other means of enclosure shall be submitted to, and approved by, the Local Planning Authority. The approved means of enclosure shall be erected prior to the approved development being brought into use, or within any approved phase of the development prior to that phase of the development being brought into use.

REASON - In the interests of visual and/or residential amenity.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application site lies within an area allocated for employment land as identified in the development plan. The indicative layout and scale of the proposed development are considered acceptable. The development would not adversely affect the amenities of neighbouring occupiers or ecology. The application is not considered to raise any issues in relation to foul or surface water drainage, car parking provision, highway safety or crime prevention. Subject to a planning agreement being put in place to secure robust sustainable transport and travel planning measures and to secure the funds for highway improvement work should they be required it is considered that there are no material reasons to withhold a grant of planning permission

Borough of Darlington Local Plan (1997, with alterations 2001)

E2 – Development Limits

E7 – Landscape Conservation

E11 – Conservation of Trees, Woodlands and Hedgerows

E12 – Trees and Development

E14 – Landscaping of Development

E16 – Appearance from Main Travel Routes

E20 – Sites of Nature Conservation Importance

E21 – Wildlife Corridors

E23 – Nature and Development

E25 – Energy Conservation
E26 – Energy from Renewable Resources
E48 – Noise – Generating / Polluting Development
E49 – Noise Sensitive Development
E29 – The Setting of New Development
R1 – Designing for All
EP1 – Land Supply for Employment
EP2 – Employment Areas
EP6 – Prestige Employment
EP5 – Other uses in Employment Areas
EP7 – Office / Business Park Development
TO4 – Hotels and Guest Houses
T8 – Access to Main Roads
T12 – New Development – Road Capacity
T13 – New Development – Standards
T24 – Parking and Servicing Requirements for New Development
T31 – New Development and Public Transport
T37 – Cycle Routes in New Development
T39 – Conditions for pedestrians
T40 – New Development and Lorries

Regional Spatial Strategy

Regional Spatial Strategy for the North East
July 2008.

Policy 1 (North East Renaissance), Policy 2 (Sustainable Development), Policy 3 (Climate Change), Policy 4 (The Sequential Approach to Development), Policy 8 (Protecting and Enhancing the Environment), Policy 12 (Sustainable Economic Development), Policy 13 (Brownfield Mixed Use Locations), Policy 19 (Office Development Outside of City and Town Centres), Policy 33 (Biodiversity and Geodiversity), Policy 35 (Flood Risk), Policy 36 (Trees, Woodlands and Forests), Policy 38 (Sustainable Construction), Policy 54 (Parking and Travel Plans)

National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Guidance Note 4: Industrial and Commercial Development and Small Firms (1992)

Planning Policy Statement 6: Planning for Town Centres (2005)

Planning Policy Statement 9: Planning for Biodiversity and Geological Conservation (2005)

Planning Policy Guidance Note 13: Transport (2001)

Planning Policy Guidance Note 16: Archaeology and Planning (1990)

INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

The applicant is advised that there are highway works that will be subject to a Sec.38/278 Agreement (Highways Act 1980) and contact must be made with the Assistant Director: Highways and Engineering (contact Mr.S.Brannan 01325 388755) 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 an numbering of the development.

The applicants are advised that planning permission, if granted, does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences requires as described in Part IV B of the circular.

The applicants are advised that the Environment Agency should be informed of any instance where the following is proposed: - more than 3500 litres of oil stored at any single private dwellings -more than 200 litres of oil at an industrial, commercial or institutional site. The above activities are regulated by the Control of Pollution (Oil Storage) (England) Regulations 2001. These guidelines are intended to help reduce pollution caused by inadequate storage of oil in fixed tank installation. For further information please refer to the Agency web page www.environment-agency.gov.uk/business).

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

The disposal of and connection points of foul and surface water must be agreed with Northumbrian Water.

Prior to the commencement of the development, details of how foul water from the site will be discharged and treated, including any upgrades to the existing sewerage system and or sewage treatment works that may be required, shall be agreed with Northumbrian Water.

All connections to public sewers must be carried out by Northumbrian Water.

If any sewers are to be offered for adoption they must be constructed in highways or public open spaces to which vehicular access is possible and in accordance with Water Services Association's Publication "Sewers for Adoption 6th Edition".

New discharges of foul and surface water must be on separate systems.

Surface water must be prevented from entering combined or surface water sewers. Alternative means of discharge must be investigated.

