

## PLANNING APPLICATIONS COMMITTEE

17 June 2015

**PRESENT** – Councillor Baldwin (in the Chair); Councillors Cossins, Galletley, L. Haszeldine, Johnson, Kelley, Knowles, Lee, Lyonette, Regan, Stenson and J Taylor (2)

**APOLOGIES** – Councillor Cartwright (1)

**ALSO IN ATTENDANCE** – Councillor Mills (1)

**ABSENT** -

**OFFICERS** – Dave Coates, Principal Planning Officer, Paul Ibbertson, Engineer, within Services for Economic Growth and Andrew Errington, Lawyer (Planning) within the Neighbourhood Services and Resources Group. (3)

**PA12. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**PA13. – PROCEDURE** – The Assistant Chief Executive’s representative gave a short presentation which outlined the procedure to be followed during consideration of the applications for planning permission before this Committee.

**RESOLVED** – That the procedure be noted.

**NOTE - APPLICATIONS FOR PLANNING PERMISSION** – The following standard condition is referred to in those Minutes granting permission :-

Code No.	Conditions
B4	Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details. Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.
J2	The site shall be investigated for landfill gas to the satisfaction of the Local Planning Authority and details of the test, results and measures required to render the development safe shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development. Where measures are required, they shall be installed prior to the development being occupied or such other time as may be required by the Local Planning Authority. Reason - The site lies within 250 metres of a former landfill site and the Local Planning Authority wishes to ensure that the site

	can be developed and occupied with adequate regard for environmental and public safety.
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## **PA14. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION -**

**(1) Proposed Food Store Development - North West Darlington - Introductory Report – Submitted –** A report (previously circulated) advising Members of the receipt of two planning applications which had been received for supermarket developments in the North West of Darlington (Minute PA14(2) below refers).

The submitted report outlined each of the schemes and, taking into account the Council's development plan policies and other relevant material planning considerations, identified the relative merits of each scheme and the impact if planning permission was granted for both schemes. It was explained to Members that the introduction report was intended to provide context for Members to enable them to understand the differences between the two retrospective applications and no judgement on their merits should be arrived at until they had heard all the evidence relating to each individual application.

Reference was also made in the report to the appointment, by the Council, of White Young Green (retail planning consultants) to advise specifically on the retail policy implications of both proposals and to the evidence within its report that, purely for retail policy reasons, scheme B, the application from Bussey and Armstrong Projects Limited, was the preferable site and that, if both schemes were to proceed to implementation, it would be likely to have adverse consequences on Cockerton Centre.

Members were advised that, in determining the applications, it would be necessary for any decisions to be considered in accordance with the relevant policies in the development plan unless material planning considerations indicated otherwise and that, if Members considered that those relevant material considerations did not outweigh the policies of the development plan, they would not agree with the Officers recommendations, contained within the submitted report, to grant planning permission for both applications.

Representatives from Lateral Property Group (Scheme A) and Bussey and Armstrong Projects Limited (Scheme B) addressed the Committee for approximately 10 minutes each on their individual applications prior to the individual applications being considered by Members at (2) below. Members also questioned both applicants at this stage

### **(2) Planning Permission Granted**

**14/01043/OUT - 2 Vantage Point, Faverdale, Darlington.** Outline application for erection of foodstore (Use Class A1) up to 4225 sq m and petrol filling station (Sui Generis) with associated car parking, servicing arrangements with home shopping provision and hard and soft landscaping.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), twelve letters of objection, 241 letters of support and the

objections of Wm Morrison Supermarkets PLC and Bussey and Armstrong Projects Limited which had been received, the comments of the Highways Engineer in relation to a financial contribution to pay for highway improvement works on the local highways network and the comments of the Environmental Health Officer which had also been received, the views of a representative of the applicant and two supporters, whom Members heard and the views on one of the Brinkburn and Faverdale Ward Councillors who also spoke in support of the application).

**RESOLVED** – (a) That, having regard to the National Planning Policy Framework and balancing its contents with the other material planning considerations relevant to the application, this Committee is minded to grant planning permission and instructs the Director of Economic Growth to negotiate an agreement under Section 106 of the Town and Country Planning Act 1990, to secure the provision of highways works and sustainable transport contributions.

(b) That, upon satisfactory completion and signing of the above agreement, the application be referred to the Secretary of State (National Planning Case Work Unit) for consideration under the Town and Country Planning (Consolidation) (England) Direction 2009.

(c) That, subject to (a) and (b) above, planning permission be granted subject to the following conditions :-

1. The approval of the Local Planning Authority shall be obtained with respect to the following reserved matters prior to the commencement of the development:-
  - (a) appearance
  - (b) landscaping
  - (c) layout
  - (d) scaleApplication for approval of reserved matters shall be made to the Local Planning Authority within 12 months from the date of this permission.  
**Reason** – To ensure the timely delivery of the site and to accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.
2. The development shall be begun 18 months from the final approval of the reserved matters referred to in condition (1) or, in the case of approval on different dates the final approval of the last such matter to be approved.  
**Reason** - To ensure the timely delivery of the site and to accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.
3. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) and unless otherwise agreed in writing by the Local Planning Authority, no more than 30% of the floor space of the foodstore hereby approved shall comprise the sale of comparison goods.  
**Reason** – In the interests of retail planning policy as the approved development is for a foodstore primarily for convenience goods.
4. B4 Details of Materials (Samples).
5. Construction work shall not take place outside the hours of 8.00 am and 6.00 pm Mondays to Fridays, 8.00 am and 1.30 pm Saturdays with no working on a Sundays and Public Holidays.  
**Reason** - To safeguard the amenities of the area.
6. Following construction of the main fabric of the building(s) and Petrol Station, no external works in terms of fitting out the premises shall be carried out outside the

hours of 8.00 am and 6.00 pm Mondays to Fridays, 8.00 am and 1.30 pm Saturdays with no working on a Sundays and Public Holidays, without prior consent of the Local Planning Authority.

**Reason** - To safeguard the amenities of the area.

7. Prior to construction works commencing, a site hoarding fence of no less than 2m in height shall be constructed around the site perimeter. The fence shall be of solid construction with no gaps or loose panels.

**Reason** - To safeguard the amenities of the area.

8. If piled foundations are proposed, 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 and to prevent possible pollution of controlled waters.

9. If piling is to be carried out it shall be of the augured type unless prior approval is obtained from the Local Planning Authority. If an alternative method of piling is to be used then a noise and vibration impact assessment for this is to be provided before the commencement of any works.

**Reason** - To safeguard the amenities of the area.

10. Deliveries to the petrol filling station hereby permitted and the collection of waste shall only take place between 8.00 am and 9.00 pm Mondays to Saturdays, and between 9.00 am and 5.00 pm on Sundays and Public Holiday.

**Reason** - To safeguard the amenities of the area.

11. Deliveries to the foodstore hereby approved and the collection of waste shall only take place between 7.00 am and 10.00 pm Mondays to Saturdays, between 8.00 am and 6.00 pm on Bank Holidays and between 10.00 am to 4.00 pm on Sundays.

**Reason** - To safeguard the amenities of the area.

12. The foodstore and petrol filling station hereby permitted shall only be open for business between the hours of 8.00 am and 10.00 pm on Mondays to Saturdays (including Public Holidays); and between 10.00 am and 6.00 pm on Sundays.

13. **Reason** - To safeguard the amenities of the area.

14. Prior to any part of the development being first used or occupied, details of the arrangements for storing of refuse or waste shall be submitted to, and approved by, the Local Planning Authority and the use shall not take place other than in accordance with the approved details.

**Reason** - To safeguard the amenities of the area.

15. No part of the development hereby permitted shall commence until full details of a scheme for the ventilation of the premises and any externally located heating and cooling equipment relating to the part of the development in question (including details of sound attenuation for any necessary plant and the standard or dilution expected), have been submitted to, and approved by, the Local Planning Authority. Thereafter the development shall only be operated the approved ventilation scheme or subsequent approved amendments to it.

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

16. Unless otherwise agreed in writing by the Local Planning Authority, no system shall be installed or used for the amplification of music or speech which is external to any building hereby approved.

**Reason** - To safeguard the amenities of the area.

17. No development shall commence until full particulars and details of all plant and machinery to be installed on the site of the Petrol Filling station including details of sound levels and attenuation, have been submitted to and approved by the Local Authority and the development shall not be carried out otherwise than in accordance with any approval given.  
**Reason** – In the interests of the amenities of neighbouring residential properties. In accordance with Noise Impact Assessment mitigation measures
18. All noise mitigation measures shall be as detailed the Noise and Vibration Assessment (Royal Haskoning DHV October 2014).  
**Reason** - To safeguard the amenities of the area.
19. Unless otherwise agreed in writing by the Local Planning Authority, no machinery shall be operated on the site or any maintenance or repair work carried out which is external to any building before 7.00 am on weekdays and 8.00 am on Saturdays nor after 7.00 pm on weekdays and 1.00 pm on Saturdays and not at any time on Sundays or Public Holidays.  
**Reason** - To safeguard the amenities of the area.
20. Prior to occupation of the development, a full lighting impact assessment for the lighting proposals, undertaken by an independent qualified assessor shall take place and be agreed in writing with the Local Planning Authority. This should include:
- (a) A description of the proposed lighting units including height, type, angling and power output for all lighting
  - (b) Drawing(s)/contour plans showing the luminance levels both horizontal and vertical of the lighting scheme to demonstrate that no light falls into the curtilage of sensitive neighbouring properties;
  - (c) The Environmental Zone which the site falls within, in accordance with the Institution of Lighting Professionals Guidance on the Reduction of Obtrusive Light, to be agreed with the LPA. The relevant light sensitive receptors to be used in the assessment to be agreed with the LPA in advance of the assessment.
  - (d) Details of the Sky Glow Upward Light Ratio, Light Intrusion (into windows of relevant properties) and Luminaire Intensity.
  - (e) The limits for the relevant Environmental Zone relating to Sky Glow Upward Light Ratio, Light Trespass (into windows) and Luminaire Intensity, contained in Table 2 (Obtrusive Light Limitations for Exterior Lighting Installations) of the Institute of Lighting Professionals Guidance on the Reduction of Obtrusive Light shall not be exceeded.
- Reason** - In the interests of residential amenity and the visual appearance of the locality.
21. Prior to commencement of the development, details of a Dust Action Plan shall be submitted to, and agreed with, the Local Planning Authority. The mitigation measures contained in the Dust Action Plan shall be based on section 6 of the Air Quality Assessment Report by Royal Haskoning DHV dated 13/10/2014, the advice contained in the guidance entitled 'Guidance on the assessment of dust from demolition and construction' (IAQM 2014), and any other relevant best practice guidance to be agreed with the Local Planning Authority. Thereafter, the Dust Action Plan shall be implemented throughout the construction of the development.  
**Reason** - To safeguard the amenities of the area.
22. J2 (Contamination).
23. The development hereby permitted shall not be commenced until such time as a scheme to install underground tank(s) has been submitted to, and approved in

writing by, the local planning authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tank(s), tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

**Reason** – The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

24. No 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), shall take place until a scheme that includes the following components 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:

- (a) A preliminary risk assessment which has identified
  - (i) all previous uses
  - (ii) potential contaminants associated with those uses
  - (iii) a conceptual model of the site indicating sources, pathways and receptors
  - (iv) potentially unacceptable risks arising from contamination at the site.
- (b) 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.
- (c) The results of the site investigation and detailed risk assessment referred to in (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.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**Reason** - National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

25. 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 a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reason** - Further contamination may be discovered during development that will require additional assessment.

26. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.  
**Reason** - Piling may introduce new contaminant pathways to the underlying Magnesian Limestone principal aquifer.
27. Prior to the commencement of the development, precise details showing the off site highway works including improvements to Faverdale Roundabout as shown on drawing no. 2043/SK001/007, the creation of the site access junctions onto Faverdale, widening of Faverdale to incorporate improved pedestrian/cyclist facilities, potential relocated bus stop and revised signing and lining including Traffic Regulation Orders along Faverdale and Keep Clear markings opposite Faverdale Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only take place in accordance with the approved details.  
**Reason** – In the interests of highways safety.
28. Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include details for wheel washing, a dust action plan, the proposed hours of construction, vehicle routes, road maintenance, signage and phasing. The development shall not be carried out otherwise than in complete accordance with the approved details.  
**Reason** – In the interests of highways safety.
29. Prior to the occupation of the development hereby approved details of a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of a named Travel Plan Coordinator to work with the Council to implement the actions identified in the Travel Plan. The use of the site shall not take place other than in accordance with the approved Travel Plan.  
**Reason** – In the interests of highway safety and reducing vehicular traffic to the development.
30. Prior to the occupation of the development hereby approved details of the secure covered cycle parking shall be submitted to and approved by the Local Planning Authority. 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 first occupation of the building. The secure cycle parking shall be retained at all times unless otherwise agreed in writing by the local planning authority.  
**Reason** - To ensure that the adequate secure covered cycle parking provision is made.
31. The proposed development shall be only carried out in all respects in accordance with the recommendations and methods contained within the Ecological Appraisal (Bowland Ecology May 2014).  
**Reason** – in the interests of ecology.
32. Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall achieve a minimum of 10% of its energy needs from decentralised and renewable or low carbon sources.  
**Reason** – In order that the development meets the requirements for decentralised and renewable or low carbon sources of energy.

33. Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall meet as a minimum BREEAM 2011 'very good' rating.  
**Reason** – In order that the development meets the requirements for BREEAM 2011 standards.
34. The development shall not be carried out otherwise than in accordance with Flood Risk Assessment by Integra Consulting Environmental July 2014.  
**Reason** - In the interests of good hydrological practice.
35. At least 20 per cent of the employment at the completed development at any one time shall be restricted to persons residing within the Borough of Darlington administrative area.  
**Reason** – To seek to ensure that the economic benefits of employment at the supermarket are shared with local residents.

**14/01249/OUT - John Fowler Way, Darlington.** Outline application for erection of foodstore and commercial development including a health centre, community facility and office space, with access, parking, service area and landscaping.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), three letters of objection and the objections of Wm Morrison Supermarkets PLC that had been received, the comments of Archdeacon Newton Parish Council and the Environmental Health Officer that had also been received, and the views of a representative of the applicant whom Members heard and one of the Ward Councillors for the Brinkburn and Faverdale ward who spoke in support of the application).

**RESOLVED** – That, having regard to the National Planning Policy Framework and balancing its contents with the other material planning considerations relevant to the application, this Committee is minded to grant planning permission subject to the following conditions and that the application be referred to the Secretary of State (National Planning Case Work Unit) for consideration under the Town and Country Planning (Consolidation) (England) Direction 2009 :-

1. The approval of the Local Planning Authority shall be obtained with respect to the following reserved matters prior to the commencement of the development:-
  - (a) appearance
  - (b) landscaping
  - (c) layout
  - (d) scale

Application for approval of reserved matters shall be made to the Local Planning Authority within 12 months from the date of this permission.  
**Reason** – To ensure the timely delivery of the site and to accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.
2. The development shall be begun 18 months from the final approval of the reserved matters referred to in condition (1) or, in the case of approval on different dates the final approval of the last such matter to be approved.  
**Reason** - To ensure the timely delivery of the site and to accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.
3. The development in Use Classes A1 (Shops) of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall not exceed 2,472 square metres in floor area (gross external area), the development in Use Class B1 (Businesses) of Use Classes Order shall not exceed 2,027 square metres in floor area (gross



external area), the development in Use Class D1 (Non-Residential Institutions) of Use Classes Order shall not exceed 697 square metres in floor area (gross external area) and any ancillary uses shall be contained within these upper size limits.

**Reason** - To ensure there is not an over representation of one the above uses within the overall scheme.

4. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) and unless otherwise agreed in writing by the Local Planning Authority, no more than 30% of the floor space of the foodstore hereby approved shall comprise the sale of comparison goods.

**Reason** – In the interests of retail planning policy as the approved development is for a foodstore primarily for convenience goods.

5. B4 Details of Materials (Samples).

6. Construction work shall not take place outside the hours of 08.00 and 18.00 Mondays to Fridays, 08.00 and 13.30 Saturdays with no working on a Sundays and Public Holidays.

**Reason** - To safeguard the amenities of the area.

7. Prior to construction works commencing, a site hoarding fence of no less than 2m in height shall be constructed around the site perimeter. The fence shall be of solid construction with no gaps or loose panels.

**Reason** - To safeguard the amenities of the area.

8. Following construction of the main fabric of the building(s), no external works in terms of fitting out the premises shall be carried out outside the hours of 8.00 am and 6.00 pm Mondays to Fridays, 8.00 am and 1.30 pm Saturdays with no working on a Sundays and Public Holidays, without prior consent of the Local Planning Authority.

**Reason** - To safeguard the amenities of the area.

9. If piled foundations are proposed, 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 and to prevent possible pollution of controlled waters.

10. Deliveries to the commercial premises hereby approved and the collection of waste shall only take place between 7.00 am and 10.00 pm Mondays to Saturdays, between 8.00 am and 6.00 pm on Bank Holidays and between 10.00 am to 4.00 pm on Sundays.

**Reason** - To safeguard the amenities of the area.

11. Prior to any part of the development being first used or occupied, details of the arrangements for storing of refuse or waste shall be submitted to, and approved by, the Local Planning Authority and the use shall not take place other than in accordance with the approved details.

**Reason** - To safeguard the amenities of the area.

12. The foodstore hereby permitted shall only be open for business between the hours of 8.00 am and 10.00 pm on Mondays to Saturdays (including Public Holidays); and between 10.00 am and 6.00 pm on Sundays.

**Reason** - To safeguard the amenities of the area.

13. Unless otherwise agreed in writing by the Local Planning Authority, no system shall be installed or used for the amplification of music or speech which is external to any

building hereby approved.

**Reason** - To safeguard the amenities of the area.

14. Unless otherwise agreed in writing by the Local Planning Authority, no machinery shall be operated on the site or any maintenance or repair work carried out which is external to any building before 7.00 am on weekdays and 8.00 am on Saturdays nor after 7.00 pm on weekdays and 1.00 pm on Saturdays and not at any time on Sundays or Bank Holidays.

**Reason** - To safeguard the amenities of the area.

15. The development hereby permitted shall not be brought into use until details of any external plant including any extraction ventilation facilities and air conditioning equipment, and their noise generation levels, and any noise attenuation measures, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use and maintained as such thereafter.

**Reason** - In order that the Local Planning Authority may be satisfied as to the arrangements for preventing loss of amenity to neighbouring premises.

16. No development shall commence until details of an acoustic barrier to protect the proposed neighbouring residential development have been submitted to, and approved by, the Local Planning Authority. Thereafter the development shall only take place in accordance with the approved details.

**Reason** – In the interests of the amenities of neighbouring residential properties.

17. Notwithstanding the recommendations set out in the Noise Impact Assessment (QEM Environmental Consultants December 2014) and the Noise Impact Addendum (QEM Environmental Consultants February 2015), the development shall not be brought into use until an amended Servicing Management Plan has been submitted to, and approved by, the Local Planning Authority. The Servicing Management Plan shall include details of measures to:

- (a) ensure delivery bay doors, gates and shutters are well maintained, to minimise noise when opening and closing;
- (b) ensure that radios are switched off and vehicle horns are not used during the delivery process;
- (c) minimise as far as possible noise emitted by vehicle engines, refrigeration equipment and flaps on tail-lifts during the delivery process; and
- (d) ensure that all persons involved in delivery activities are appropriately briefed on measures to minimise noise disturbance arising from the delivery process.

At all times thereafter the approved Servicing Management Plan shall be implemented in accordance with the approved details.

**Reason** - To safeguard the amenities of the area.

18. Prior to occupation of the development, a full lighting impact assessment for the lighting proposals, undertaken by an independent qualified assessor shall take place and be agreed in writing with the Local Planning Authority. This should include:

- (a) A description of the proposed lighting units including height, type, angling and power output for all lighting
- (b) Drawing(s)/contour plans showing the luminance levels both horizontal and vertical of the lighting scheme to demonstrate that no light falls into the curtilage of sensitive neighbouring properties;
- (c) The Environmental Zone which the site falls within, in accordance with the Institution of Lighting Professionals Guidance on the Reduction of Obtrusive Light, to be agreed with the LPA. The relevant light sensitive receptors to be

used in the assessment to be agreed with the LPA in advance of the assessment.

- (d) Details of the Sky Glow Upward Light Ratio, Light Intrusion (into windows of relevant properties) and Luminaire Intensity.
- (e) The limits for the relevant Environmental Zone relating to Sky Glow Upward Light Ratio, Light Trespass (into windows) and Luminaire Intensity, contained in Table 2 (Obtrusive Light Limitations for Exterior Lighting Installations) of the Institute of Lighting Professionals Guidance on the Reduction of Obtrusive Light shall not be exceeded.

The lighting strategy for the site shall maintain the darkness levels to surrounding habitat, including the valuable hedgerow to the northern boundary which is to be retained.

**Reason** - In the interests of residential amenity, the visual appearance of the locality and in the interests of ecology.

19. Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The plan shall include the following:
- (a) Dust Assessment Report which assessing the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place. The Dust Assessment Report should follow the guidance contained within the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014.
  - (b) Methods for controlling noise and vibration during the construction phase and should follow guidance contained within BS5228 "Code of Practice for noise and vibration control on construction and open sites" 2009.
  - (c) Construction Traffic Routes.
  - (d) Details of wheel washing.
  - (e) Road Maintenance.
  - (f) Warning signage.

The development shall not be carried out otherwise in complete accordance with the approved Plan.

**Reason** - To safeguard the amenities of the area.

20. In the event that suspected contaminated material is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter, an investigation and risk assessment must be undertaken, in accordance with best practice guidance, the details of which are to be agreed in writing with the Local Planning Authority in advance. Where remediation is shown to be necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing in advance. Thereafter the development shall only be carried out in accordance with the approved details.

**Reason** – in order to deal with potential contamination issues on the site.

21. Prior to the commencement of the use of the development hereby permitted, following completion of measures identified in the approved remediation scheme (that may be required in accordance with Condition 20), a verification report must be prepared to show that the remediation has been undertaken to a satisfactory standard, which is subject to the approval in writing by the Local Planning Authority.

**Reason** – in order to deal with potential contamination issues on the site.

22. Prior to discharging drainage from the car parking areas shall be passed through an oil interceptor installed in accordance with a scheme to be submitted to and

approved in writing by the Local Planning Authority.

**Reason** – To prevent pollution of the water environment.

23. Prior to the occupation of the development hereby approved details of the secure covered cycle parking shall be submitted to and approved by the Local Planning Authority. 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 first occupation of the building. The secure cycle parking shall be retained at all times unless otherwise agreed in writing by the local planning authority.

**Reason** - To ensure that the adequate secure covered cycle parking provision is made.

24. Prior to the commencement of the development, precise details showing the car park layout and number of parking spaces proposed, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only take place in accordance with the approved detail.

**Reason** – In the interests of highway safety.

25. Prior to the commencement of the development, precise details showing the off site highway works including the creation of the new link roads into the site and access junction onto John Fowler Way Faverdale, incorporating improved pedestrian/cyclist facilities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only take place in accordance with the approved detail.

**Reason** – In the interests of highway safety.

26. Prior to the occupation of the development hereby approved details of a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of a named Travel Plan Coordinator to work with the Council to implement the actions identified in the Travel Plan. The use of the site shall not take place other than in accordance with the approved Travel Plan.

**Reason** – In the interests of highway safety and reducing vehicular traffic to the development.

27. Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include details for wheel washing, a dust action plan, the proposed hours of construction, vehicle routes, road maintenance, signage and phasing. The development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** – In the interests of highway safety.

28. Development shall not commence until details of street lighting have been submitted and agreed in writing by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the approved details unless otherwise agreed in writing.

**Reason** – In the interests highway safety.

29. No development shall be carried out unless and until vehicle swept path analysis has been undertaken to support the movement framework for emergency vehicles, refuse vehicles and service vehicles for the internal network and, where appropriate, in respect of the off-site highway proposals, details of which shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the approved details.

**Reason** – In the interests highway safety.

30. Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall achieve a minimum of 10% of its energy needs from decentralised and renewable or low carbon sources.  
**Reason** – In order that the development meets the requirements for decentralised and renewable or low carbon sources of energy.
31. Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall meet as a minimum BREEAM 2011 ‘very good’ rating.  
**Reason** – In order that the development meets the requirements for BREEAM 2011 standards.
32. The development shall not be carried out otherwise than in accordance with Flood Risk Assessment by Billinghamurst George and Partners dated November 2014.  
**Reason** - In the interests of good hydrological practice.
33. At least 20 per cent of the employment at the completed development at any one time shall be restricted to persons residing within the Borough of Darlington administrative area.  
**Reason** – To seek to ensure that the economic benefits of employment at the supermarket are shared with local residents.