

PLANNING APPLICATIONS COMMITTEE

13 December 2017

PRESENT – Councillor Baldwin (in the Chair); Councillors Galletley, Johnson, Kelley, Knowles, Lee, McEwan, Regan, Storr, J Taylor and Tostevin. (10)

APOLOGIES – Councillors Lister and Lyonette. (2)

ABSENT – Councillors Cartwright. (1)

ALSO IN ATTENDANCE – Councillor Mrs H Scott (1)

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

PA36. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA37. MINUTES OF MEETINGS – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 15 November 2017.

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

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

Code No.	Conditions
A3	Implementation Limit (Three Years) The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission. Reason - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.
B4	Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details. Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.
E2	A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of such schemes, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be

	<p>agreed in writing by, the Local Planning Authority, and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.</p> <p>Reason - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.</p>
E11	<p>Prior to the commencement of the development hereby approved (including demolition work), details shall be submitted of a scheme to protect the existing trees shown on the submitted plans to be retained. 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:</p> <ul style="list-style-type: none"> (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. <p>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.</p>

PA38. APPLICATION FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

17/00818/FUL - Land at Carmel Road South, Darlington. Residential development consisting of 59 executive dwellings with associated landscaping and infrastructure (as amended by plans received 14 and 23 November 2017).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the applicant's representative, three objectors and one of the Ward Councillors, all of whom Members heard).

RESOLVED – (a) That, subject to the completion of a Section 106 agreement within six months to secure the following :

- (a) A financial contribution will be made towards supporting the provision of connections and access to support walking and cycling, connecting the existing network outside the site.
- (b) A financial contribution would be made towards improvements bus stops in the vicinity of the application site
- (c) A financial contribution towards securing sufficient primary school places to meet the needs of the new development.
- (d) A financial contribution towards highway improvements on the Blands Corner/A66 roundabout
- (e) The applicant to use reasonable endeavours to achieve a minimum of 10% of the construction workforce to be delivered by new entrant trainees and/or apprenticeships
- (f) Details of the provision, management and maintenance of public open space and wildlife areas
- (g) A financial contribution towards off-site affordable housing.

planning permission be granted subject to the following conditions :-

1. The development hereby permitted shall be commenced not later than the expiration of two years from the date of this permission.
Reason - In the interests of achieving an improved rate of housing delivery in the Borough.
2. B4 – Details of Materials (Samples).
3. Notwithstanding the details shown the approved plans, a chicane barrier shall be erected on the entrances to the footpath links onto Carmel Road South and Bridge Road prior to the completion of the associated footpaths connecting to the roads.
Reason - In the interests of highway and pedestrian safety.
4. Notwithstanding the details shown on the approved plans, precise details of the means of enclosure for the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the materials, colour and elevations of the enclosures and the development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - In the interests of the visual appearance of the development.
5. Prior to the commencement of the development precise details of the internal highways layout and site access junction shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the provision of a partial footway along Carmel Road South across the northern and southern frontage of the development, connecting into the surrounding pedestrian infrastructure. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - In the interests of highway safety.
6. A Road Safety Audit shall be carried out for all of the s.278 works within the public highways and the scope of the Audit shall be agreed in writing with the Local Planning Authority. The development shall not be carried out unless in complete accordance with the

approved Audit.

Reason - In the interests of highway safety.

7. Prior to the commencement of the development, an Arboricultural Method Statement and Tree Protection Plan shall be submitted and approved in writing by the Local Planning Authority. The scheme to protect the trees to be retained 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 or an agreed immovable alternative . The scheme of protection shall be in place before the commencement of any development, including demolition operations. Notwithstanding the above approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees, unless provided for specifically in the specification:

- (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 wellbeing of the trees on the site and in the interests of the visual amenities of the area.

8. The development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2012.

9. The development hereby approved shall not be commenced on site, until a scheme of "Surface Water Drainage Management" for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details:

- (a) Detailed design of the surface water management system including design water levels and finished floor levels demonstrating a suitable freeboard;
- (b) A detailed hydraulic assessment of existing overland flow paths and the watercourse including the culvert under the railway; the risk of blockage at the railway culvert; and existing overland flow paths should flows exceed the capacity of the watercourse and/or railway culvert;
- (c) A build program and timetable for the provision of the critical surface water drainage infrastructure;
- (d) Details of adoption responsibilities
- (e) Management plan for the Surface Water Drainage Scheme

The building hereby approved shall not be brought into use until the approved "Surface Water Drainage Scheme" has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

Reason - To ensure the site is developed in a manner that will not increase the risk of surface water flooding to the site or surrounding area, in accordance with the

guidance within Darlington Core Strategy Development Plan Document 2011 (Policy CS10) and the National Planning Policy Framework 2012.

10. The development hereby approved shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and Drainage Strategy (N17182 – Revision 2 dated August 2017) and the following mitigation measures detailed in the FRA.

- (a) Limiting the surface water runoff generated by the impermeable areas of the development up to and including the 100 year critical storm so that it will not exceed the runoff from the undeveloped site and not increase the risk of flooding off site. This will be achieved in accordance with Section 5 – Drainage Strategy and calculations within the Appendix J stating a Q_{bar} of 9.2l/s

- (b) The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the Local Planning Authority

Reason - To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants

11. No dwellings should be occupied until the surface water management system serving the part of the development in which the dwelling is located is in place and fully operational. A maintenance plan detailing how the surface water management system will be maintained during the construction phase must also be submitted and approved in writing by the Local Planning Authority.

Reason - To reduce the flood risk and ensure satisfactory long term maintenance for the lifetime of the development

12. Prior to the commencement of the development, plans showing finished floor levels through points of the site (Sectional Plans), to be agreed, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - In the interests of residential amenity.

13. The proposed development shall be not be carried out otherwise than in complete accordance with “Potential Impacts and Recommendations” (Section 4) of the submitted document entitled “Ecological Assessment – Proposed Residential Development, Blackwell Grange, Darlington” dated 10 November 2017 and produced by BSG Ecology. Notwithstanding the requirements of the approved document, precise details of the integrated bat boxes and lighting strategy to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and all the agreed mitigation measures shall be implemented prior to the completion of the development.

Reason - In the interests of protected species and their habitats.

14. 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 assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the construction phase of the development. The Dust Assessment Report shall take account of 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 shall take account of the guidance contained within BS5228 “Code of Practice for noise and vibration control on construction and open sites” 2009.
- (c) Construction Traffic Routes, including parking areas for staff and visitors.
- (d) Details of vehicle cleaning.
- (e) Road Maintenance.
- (f) Warning signage.

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

Reason - In the interests of residential amenity and highway safety.

15. Construction work, including the use of plant and machinery (including generators) as well as deliveries to and from the site, shall not take place outside the hours of 08.00 - 18.00 Monday - Friday, 08.00 -14.00 Saturday with no working on a Sunday and Bank/Public Holidays without the prior written permission from the Local Planning Authority.

Reason - In the interests of residential amenity.

16. If piled foundations are proposed, prior to the commencement of the development 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 Plan.

Reason - In the interests of residential amenity.

17. The mitigation measures outlined in the Noise Assessment by Wardell Armstrong LLP dated November 2017 (Job Number: NT13272 Report Number: 0002) submitted with this application shall be implemented in full in respect of each individual dwelling requiring mitigation prior to the first occupation of that dwelling and thereafter shall be retained and maintained for the life of the development.

Reason - To protect the amenities of the future occupiers of the development.

18. Notwithstanding the mitigation measures outlined within the Noise Assessment by Wardell Armstrong LLP dated November 2017 (Job Number: NT13272 Report Number: 0002), precise details of the acoustic barrier to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the dwellings above damp proof course. The details shall include the specification and construction of the fence (i.e. density, height, design) and its location. The development shall not be carried out otherwise than in complete accordance with the approved details and the specific acoustic barrier relating to each dwelling affected by noise (as stated in the Noise Assessment) shall be fully installed prior to the occupation of each of those dwellings, and thereafter shall be retained and maintained for the life of the development.

Reason - To protect the amenities of the future occupiers of the development.

19. Notwithstanding the mitigation measures outlined within the Noise Assessment by Wardell Armstrong LLP dated November 2017 (Job Number: NT13272 Report Number: 0002), precise details of the glazing specifications for windows (including details on the Rw+Ctr values) and acoustic ventilation strategy (including associated sound attenuation properties) for habitable rooms on the façades of the properties shown in blue in Drawing Number: NT13272/002 included within the assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details and the measures shall be implemented prior to the first occupation of each of the

dwellings requiring mitigation, and thereafter shall be retained and maintained for the life of the development.

Reason - To protect the amenities of the future occupiers of the development.

20. The development shall not be carried out otherwise than in complete accordance with the document entitled Residential Travel Plan, Blackwell Grange” dated November 2017 and prepared by TPS Transport Consultants Ltd unless otherwise agreed in writing by the Local Planning Authority.

Reason - In order to encourage the use of sustainable methods of transport.

21. The development shall not be carried out otherwise than in complete accordance with the plans listed below:

- (a) Red Line Plan – CPT-241 PL-01
- (b) Site Plan – CPT-241 PL-02 Rev F
- (c) Site Plan Sheet 1 – CPT-241 PL-03 Rev F
- (d) Site Plan Sheet 2 – CPT 241 PL-04 Rev F
- (e) Masterplan CPT-241 PL06 Rev E
- (f) Site Plan – Tree Retention/Removal Plan - CPT-241 PL-10 Rev F
- (g) Boundary Treatment - CPT-241 PL-08 Rev F
- (h) The Carnoustie House Type - CRN-PLP1 & CRN-PLE1/1
- (i) The Sandhills House Type - SDH-PLP1 & SDH-PLE1/1 Rev A
- (j) The Sunningdale House Type - SUN-PLP1 & SUN-PLE1/1
- (k) The Troon House Type TRN - PLP1 & TRN-PLE1/1 Rev A
- (l) The Turnberry House Type - TUR-PLP1 & TUR-PLE1/1 Rev A
- (m) The Fairhaven House Type - FHN-PLP1 & FHN- PLE1/1
- (n) The Galloway House Type - GAL-PLP1 & GAL-PLE1/1
- (o) The Sheringham House Type - SHM-PLP1 & SHM-PLE1/1
- (p) The Wentworth House Type - WNT-PLP1 & WNT-PLE1/1
- (q) Garage Elevations, Plan & Section - 6 DG4 v3-EPS6
- (r) Section Location Plan - CPT-241 PL-13
- (s) Materials Plan - CPT-241 PL-07 Rev E
- (t) Engineering Appraisal Sheet 1 – N17182-900 Rev P4
- (u) Engineering Appraisal Sheet 2
- (v) Pumping Station – General Arrangement RE220/DRG/M/04
- (w) Swept Plan Analysis Refuse Vehicle – JN1421-Dwg-0001F

Reason - To ensure the development is carried out in complete accordance with the planning permission.

- (b) That, should the 106 agreement be not completed within the prescribed period and without the written consent of the Council to extend this time, the minded to approve status of the permission shall be considered to be a refusal without any further reference to the Planning Committee.

16/00820/FUL - Station Road, Heighington. Proposed residential development for 43 dwellings and associated access (additional and amended plans (additional plans and information and amended plans received 18 October 2017).

(In reaching its decision, the Committee took into consideration the Planning Officer’s report (previously circulated) and the views of the applicant’s representative and two objectors, all of whom Members heard).

RESOLVED – (a) That, subject to the completion of a Section 106 agreement within six months to secure the following :

- (a) A financial contribution towards improvements to the Inbound and Outbound Bus Stops near to the Village Hall
- (b) A financial contribution towards improving footways and cycleways in the vicinity of the site, including improved signage.
- (c) A financial contribution towards education provision in the Village.
- (d) A financial contribution towards improvements to the playing fields in Heighington.

planning permission be granted subject to the following conditions :-

1. The development hereby permitted shall be commenced not later than 18 months from the date of this permission.
Reason - In the interests of achieving an improved rate of housing delivery in the Borough.
2. 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. The details shall include a sample of the random coursed stone and the colour scheme for the render 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.
3. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The provision will take the form of on-site provision (of not less than 20% of the housing units) in accordance with a scheme to be submitted and agreed in writing by the local planning authority. The scheme shall include:
 - (a) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - (b) The arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing) (if no RSL is involved);
 - (c) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing;
 - (d) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced;
 - (e) The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it.**Reason** - To comply with local development plan policy.
4. The mitigation measures outlined in the document entitled 'Noise Survey and Façade Acoustic Design Strategy Beech Crescent, Heighington' by Apex Acoustics Limited dated 18 October 2017 (Report Number: 5763.1, Version B) submitted with this application shall be implemented in full prior to the first occupation of the dwellings and thereafter shall be retained and maintained for the life of the development.

Reason - In the interests of the amenities of the future occupants of the development.

5. Notwithstanding the mitigation measures outlined within the 'Noise Survey and Façade Acoustic Design Strategy Beech Crescent, Heighington' by Apex Acoustics Limited dated 18 October 2017 (Report Number: 5763.1, Version B), prior to the commencement of the development precise details of the acoustic fence to be installed shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the specification and construction of the fence (i.e. density, height, design) and its location. The development shall not be carried out otherwise than in complete accordance with the approved details and the fence shall be fully installed prior to the first occupation of the dwellings, and thereafter shall be retained and maintained for the life of the development.

Reason - In the interests of the amenities of the future occupants of the development.

6. Notwithstanding the mitigation measures outlined within the 'Noise Survey and Façade Acoustic Design Strategy Beech Crescent, Heighington' by Apex Acoustics Limited dated 18 October 2017 (Report Number: 5763.1, Version B), prior to the commencement of the development precise details of the glazing specifications (including details on the $Rw+C_{tr}$ values) and ventilation strategies (including details of trickle ventilators and their acoustic performance ($D_{ne,w}$)) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details and the measures shall be implemented prior to the first occupation of the dwellings, and thereafter shall be retained and maintained for the life of the development.

Reason - In the interests of the amenities of the future occupants of the development.

7. 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 assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the construction phase of the development. The Dust Assessment Report shall take account of 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 shall take account of the guidance contained within BS5228 "Code of Practice for noise and vibration control on construction and open sites" 2009.
 - (c) Construction Traffic Routes, including parking areas for staff and visitors.
 - (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 - In the interests of highway safety and safeguarding the general amenity of the local area.

8. Construction work, including the use of plant and machinery (including generators) as well as deliveries to and the removal of material from the site, shall not take place outside the hours of 08.00 - 18.00 Monday - Friday, 08.00 -14.00 Saturday with no working on a Sunday and Bank/Public Holidays without the prior written

approval from the Local Planning Authority.

Reason - In the interests of safeguarding the general amenity of the local area.

9. If piled foundations are proposed, prior to the commencement of the development 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 Plan.

Reason - In the interests of safeguarding the general amenity of the local area.

10. Precise details of the offsite highway works required to access the site and mitigate the development impact shall be submitted and approved by the Local Planning Authority prior to the commencement of the development. The submitted details shall include the formation of a new site access junction, the provision of new footways linking into the surrounding infrastructure, a new traffic calming feature at the entrance to the revised speed limit, removal of the existing traffic calming feature and resurfacing on the approaches to the junction to comply with current skid resistance policy. The development shall not be carried out otherwise than in complete accordance with the approved details and the works should be complete prior to occupation of the first dwelling.

Reason - In the interests of highway safety.

11. Prior to the commencement of the development the visibility splays at the new access junction off Beech Crescent shall be submitted to and approved in writing by the Local Planning Authority. The splays shall be applicable to the speed limit should be provided and maintained throughout the life of the proposed use of this development.

Reason - In the interests of highway safety.

12. Notwithstanding the details shown the approved plans, a chicane barrier shall be erected at the entrance of the cycleway/pedestrian footpath onto Station Road prior to the occupation of the first dwelling.

Reason - In the interests of the highway and pedestrian safety.

13. No development shall take place until the applicant has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been approved in writing by the Local Planning Authority. The Scheme shall provide for:
- (a) The proper identification and evaluation of the extent, character and significance of archaeological remains within the application area by means of trial trench evaluation to inform the reserved matters application(s);
 - (b) An assessment of the impact of the proposed development on any archaeological remains identified in the evaluation phase;
 - (c) Proposals for a mitigation strategy for the investigation, recording and recovery of archaeological remains and the publishing of the findings, it being understood that there shall be a presumption in favour of their preservation in situ wherever feasible, should features be identified in the trenching phase (a);
 - (d) Sufficient notification and allowance of time to archaeological contractors nominated by the developer to ensure that archaeological fieldwork as proposed in pursuance of (a) and (c) above is completed prior to the commencement of permitted development in the area of archaeological interest; and
 - (e) Notification in writing to the County Durham and Darlington County Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.

The development shall then be carried out in full accordance with the approved details.

Reason - To comply with para 135 & 141 of the National Planning Policy Framework 2012 because the site is of archaeological interest.

14. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record.

Reason - To comply with para. 141 of the National Planning Policy Framework 2012 which ensures information gathered becomes publicly accessible.

15. Prior to the commencement of the development, precise details of all the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - In the interests of the visual appearance of the development.

16. Prior to the completion of the first dwelling, an ecological lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the street lighting and external floodlighting on the dwellings and the development shall not be carried out otherwise than in complete accordance with the approved details. No additional street lighting or external floodlighting to the dwellings shall be installed within the prior consent of the Local Planning Authority.

Reason - In the interests of protected species and their habitats.

17. Three of the dwellings on the eastern boundary of the site shall incorporate an integrated bat roost within their design. The bat roosts shall be positioned in an optimum location within the dwelling, as informed by a Suitably Qualified Ecologist and the details of the roosts shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of the first dwelling on the site

Reason - In the interests of protected species and their habitats.

18. Prior to the commencement of the development hereby approved (including demolition work), a scheme to protect the existing trees and hedges shown on the submitted plans to be retained shall be erected on site. The scheme shall comprise generally the specification laid down within BS 5837 2012 and shall include fencing of at least 2m high, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The 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.

19. E2 Landscaping (Submission).

20. Prior to the commencement of the development a detailed scheme for the disposal of foul and surface water from the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2012.

21. The development hereby approved shall not commence on site until a scheme of "Surface Water Drainage and Management" for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The scheme shall include, but not be restricted to providing the following details:

- (a) Detailed design of the surface water management system including design water levels and finished floor levels demonstrating a suitable freeboard;
- (b) A build program and timetable for the provision of the critical surface water drainage infrastructure
- (c) A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- (d) Details of adoption responsibilities
- (e) Management plan for the Surface Water Drainage System scheme;

The buildings hereby approved shall not be brought into use until the approved "Surface Water Drainage" scheme has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

Reason - To ensure the site is developed in a manner that will not increase the risk of surface water flooding to the site or the surrounding area, in accordance with the guidance within the Darlington Core Strategy Development Plan document (Policy CS10) and the National Planning Policy Framework 2012.

22. The development hereby approved, shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and Drainage Strategy dated 20th January 2017 and produced by Civic Engineers and the following measures detailed in the FRA:

- (a) Limiting the surface water runoff generated by the impermeable areas of the development up to and including the 100 years critical storm so that it will not exceed the runoff from the undeveloped site and not increase the risk of flooding off site. This will be achieved in accordance with the calculations within Section 5.4 stating a Q_{bar} of 7.35 l/s.

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

23. No dwellings shall be occupied until the surface water management system for the development or any phase of the development is in place and fully operational.

Reason - To reduce flood risk and ensure satisfactory long term maintenance for the lifetime of the development.

24. A maintenance plan detailing how the surface water management system will be maintained during the construction phase shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason - To reduce flood risk and ensure satisfactory long term maintenance for the lifetime of the development.

25. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:

- (a) 000 Revision A – Location Plan
- (b) 100 Revision K – Proposed Site Layout
- (c) 102 Revision I – Proposed Block Layout
- (d) 103 Revision A – Proposed Indicative SUDs Masterplan
- (e) 110 Revision C – House Type 985
- (f) 111 Revision C – House Type 945 – Affordable
- (g) 112 Revision C – House Type 1176
- (h) 113 Revision C – House Type 1210
- (i) 114 Revision C – House Type 1620
- (j) 115 Revision C – House Type 1910 – Layouts
- (k) 116 Revision C – House Type 1910 – Elevations
- (l) 117 Revision C – House Type 2100 – Layouts
- (m) 118 Revision C - House Type 2100 – Elevations
- (n) 124 Revision A – Typical Wheelie Bin Store
- (o) 125 Revision C – Street Scenes
- (p) 125 Revision A – Site Sections
- (q) 2490/PO8 – Strategic Landscape Masterplan
- (r) 1169-01 – Visibility Plan
- (s) 1169-SP01 – Swept Path Analysis

Reason – To ensure the development is carried out in accordance with the planning.

(b) That, should the 106 agreement be not completed within this prescribed period without written consent of the Council to extend this time, the minded to approve status of the permission shall be considered to be a refusal without any further reference to the planning committee.

17/00847/FUL - Field at OSGR E434813 N513507, Yarm Road, Middleton St George. Residential development consisting of 44 dwellings, garages and associated infrastructure (additional Archaeological Evaluation received 21 September 2017, amended Flood Risk Assessment and Drainage Strategy received 24 November 2017, amended site plan, elevations plans and boundary treatment plans received 27 November 2017 and additional ground gas addendum report received 30 November 2017).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the applicant's agent and a representative of the Parish Council that had been received).

RESOLVED – (a) That, subject to the completion of a Section 106 agreement within six months to secure the following:

- (a) A financial contribution of £54,288 towards education provision in Middleton St George;
- (b) A financial contribution of £12,000 towards traffic calming measures along Yarm Road to support a reduction in the speed limit from 40mph to 30mph;
- (c) A financial contribution of £7,000 towards the improvement of the Acorn Close bus stop.
- (d) Affordable housing to be provided on site at 20 per cent of the total number of dwellings.

planning permission be granted subject to the following conditions :-

1. The development hereby permitted shall be commenced not later than 18 months from the date of this permission.
Reason – To accord with the provisions of Section 92(2) of the Town and Country Planning Act 1990 and to ensure the speedy provision of the site for the approved development.
2. The development hereby permitted shall be carried out in accordance with the approved plans as detailed below:
 - (a) Proposed Site Plan, drawing number (00) 300 Rev. N dated 9.3.17
 - (b) Proposed Landscape Plan, drawing number (00) 310 Rev. H dated 9.3.17
 - (c) Yarm Road Street Elevations, drawing number (00) 500 Rev. G dated 24.11.17
 - (d) Proposed Boundary Treatments, drawing number (00) 360 Rev. E dated 9.3.17
 - (e) Proposed Fencing Types and Details, drawing number (00) 610 Rev. B dated 9.3.17
 - (f) House Type T3 (S), drawing number (00) 320 Rev. D dated 9.3.17
 - (g) House Type 4, drawing number (00) 355 Rev. B dated 9.3.17
 - (h) House Type 5, drawing number (00) 326 Rev. B dated 9.3.17
 - (i) House Type 7, drawing number (00) 330 Rev. B dated 9.3.17
 - (j) House Type 9, drawing number (00) 335 Rev. B dated 9.3.17
 - (k) House Type 12, drawing number (00) 350 Rev. B dated 9.3.17**Reason** – To ensure the development is carried out in accordance with the planning permission.
3. B4 (Details of external materials to be submitted).
4. 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 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.
Reason – In the interest of highway safety.
5. Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the following:
 - (a) Dust Assessment Report which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the construction phase of the development. The Dust Assessment Report shall take account of the guidance contained within the Institute of Air Quality Management 'Guidance on the assessment of dust from demolition and construction' February 2014;
 - (b) Method for controlling noise and vibration during the construction phase and shall take account of the guidance contained within BS5228 'Code of Practice for noise and vibration control on construction and open sites' 2009;

- (c) Construction Traffic Routes, including parking areas for staff and visitors;
- (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 - In the interests of highway safety and residential amenity.

6. Construction work shall not take place outside the hours of 08.00 – 18.00 Monday to Friday, 08.00 – 13.00 Saturday with no working on a Sunday and Bank/Public Holidays without the prior written permission from the Local Planning Authority.

Reason – In the interests of residential amenity.

7. Prior to first occupation of the dwellings hereby approved, boundary treatments shall be erected along the boundaries of the development in accordance with the details show on the plan entitled 'Proposed Boundary Treatments' drawing number (00) 360 Rev. E. The specification of the acoustic fence including the materials, density and construction methods of the fence shall first be agreed in writing with the Local Planning Authority prior to the construction of the fence and shall be erected in accordance with the details as approved and thereafter be so maintained in perpetuity.

Reason – In the interest of visual and residential amenity.

8. Precise details of the off-site highway works required to access the site and mitigate the development impact shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The submitted details shall include the provision of a new footway and associated crossings on Yarm Road to connect into the surrounding infrastructure. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason– In the interest of highway safety.

9. A Road Safety Audit shall be carried out for all of the works within the public highways and the scope of the Audit shall be agreed in writing with the Local Planning Authority. The development shall not be carried out unless in complete accordance with the approved Audit.

Reason – In the interest of highway safety.

10. The development hereby approved shall not be commenced on site, until a scheme for the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The scheme shall include but not be restricted to providing the following details:

- (a) Detailed design of the surface water management system, discharge rates must be limited to $Q_{bar} 5.1l/sec$ for all storm events and sufficient storage provided to contain all surface water runoff generated for all storm events up to and including the 1 in 100yr+40%cc within the boundary of the site;
- (b) A build program and timetable for the provision of the critical surface water drainage infrastructure;
- (c) A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- (d) Details of adopting responsibilities;
- (e) Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement.

Reason – To ensure the site is developed in a manner that will not increase the risk of surface water flooding to the site or surrounding area, in accordance with the guidance within the Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

11. No dwellings should be occupied until the surface water management system for the development is in place and fully operational. A maintenance plan detailing how the surface water management system will be maintained during the construction phase must also be submitted and approved in writing by the Local Planning Authority.

Reason – To reduce flood risk and ensure satisfactory long term maintenance for the lifetime of the development.

12. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled 'Flood Risk Assessment and Drainage Strategy'. The drainage scheme shall ensure that foul flows discharge to the combined sewer manhole 8402 and ensure that surface water discharges to the existing watercourse.

Reason – To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework.

13. Prior to the commencement of the development hereby permitted details of the proposed surface water and foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with Network Rail. Such a scheme shall be designed to ensure that all surface water and foul water drainage from the development area shall be directed away from Network Rail's retained land and structures into suitable drainage systems. Thereafter the development shall be carried out in accordance with the details as approved.

Reason – To ensure the safety, operational needs and integrity of the railway.

14. Prior to the commencement of development hereby permitted full overland flow conditions shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with Network Rail. Such details shall ensure that the construction of surface water retention ponds/tanks, SuDS or flow control systems do not take place within 30m of the Network Rail boundary where these systems are proposed to be **above** existing track level or 20m of the Network Rail boundary where these systems are proposed to be **below** existing track level. Thereafter the development shall be carried out in accordance with the details as approved.

Reason – To ensure the safety, operational needs and integrity of the railway.

15. Notwithstanding any details of the proposed boundary treatment submitted as part of the application, details of trespass proof fence to be built adjacent to Network Rail's boundary, shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with Network Rail, prior to the commencement of development. Thereafter the development shall be carried out in accordance with the details as approved.

Reason – To ensure the safety, operational needs and integrity of the railway.

16. In the event that excavations/piling/buildings are to be located within 10 metres of the railway boundary, prior to the commencement of the development hereby permitted a method statement shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with Network Rail. This should include an outline of the proposed method of construction, risk assessment in relating to the railway and construction traffic management plan. Thereafter the development shall be carried out in accordance with the details as approved.

Reason – To ensure the safety, operational needs and integrity of the railway.

17. In the event that external lighting is to be used either during the construction or operational phases of the development, details shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with Network Rail prior to the commencement of development. Thereafter the development shall be carried out in accordance with the details as approved.

Reason – To ensure the safety, operational needs and integrity of the railway.

18. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority, in conjunction with Network Rail, prior to any works commencing and, upon approval of such scheme, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be agreed in writing by, the Local Planning Authority. Where any trees/shrubs are to be planted adjacent to the railway boundary these shrubs shall be positioned at a minimum distance greater than their predicted mature height from the boundary and only trees/shrubs from Network Rail's list of permitted tree species shall be used. Thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for period of five years to the satisfaction of the Local Planning Authority.

Reason – In the interests of the visual amenities of the area and to ensure the safety, operational needs and integrity of the railway.

19. E11 (Tree Protection).

20. The mitigation measures set out in Section 6 of the Naturally Wild Ecological Impact Assessment dated 28.07.2015 shall be implemented in full. In addition, no development shall take place until precise details of a scheme for the mitigation of the loss of the northern boundary hedge and the provision for bird nesting opportunities on the site, in accordance with the mitigation measures set out in section 6 of that report has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented in full prior to first occupation of any of the dwellings on site.

Reason – To comply with Core Strategy Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity).

21. Prior to the commencement of the development hereby permitted, details of the finished floor levels of the dwellings and gardens hereby approved in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the details as approved.

Reason – In the interest of visual and residential amenity.

(b) That, should the Section 106 agreement not be completed within this prescribed period and without the written consent of the Council to extend this time, the minded to approve status of the permission shall be considered to be a refusal without any further reference to the planning applications committee.

17/00861/CU - 23 Vane Terrace, Darlington. Change of use of dwelling to Residential Institution (Use Class C2).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of an objector, whom Members heard).

RESOLVED - That planning permission be granted subject to the following planning conditions :

1. A3 – Implementation Time.
2. The development shall be carried out in complete accordance with the plans noted below.

R/17/297/007-8-9 and 10

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason - In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

3. Before development takes place, details of a soundproofing scheme within the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason – In the interests of the residential amenity of adjoining residents.

(2) Planning Permission – Withdrawn

16/01256/FUL - Land adjacent Royal Oak Pub off Yarm Road Middleton St George, Darlington. Erect 12 dwellings and access roads and other infrastructure.

(NOTE – This application was withdrawn at the meeting).

PA39. NOTIFICATION OF APPEALS – The Director of Economic Growth reported that Mr and Mrs Corr had appealed against this Authority's decision to refuse planning permission, for an application for planning consent for the demolition of an existing stable block and the proposed erection of two storey building, with stables on the ground floor and a dwelling above, at land adjoining Ashtree Cottage, Sadberge Road, Middleton St George, Darlington, DL2 1RJ (17/00375/FUL).

RESOLVED - That the report be received.

PA40. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 7 of Part I of Schedule 12A to the Act.

PA41. COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 29 NOVEMBER 2017 (EXCLUSION NO. 7) - Pursuant to Minute PA35/Nov/17, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 29 November 2017.

RESOLVED – That the report be noted.