



DARLINGTON
Borough Council

Planning Applications Committee Agenda

1.30 pm, Wednesday, 1 March 2023
Council Chamber, Town Hall, Darlington DL1 5QT

Members of the Public are welcome to attend this Meeting.

1. Introductions/Attendance at Meeting
2. Declarations of Interest
3. To Approve the Minutes of the Meeting of this Committee held on 1 February 2023 (Pages 5 - 12)
4. Introduction to Procedure by the Assistant Director, Law and Governance's Representative (Pages 13 - 14)
5. Applications for Planning Permission and Other Consents under the Town and Country Planning Act and Associated Legislation (Pages 15 - 16)
 - (a) 23 Langdale Road (Pages 17 - 24)
 - (b) Land at Teesside International Airport, Teesside Airport Road (Pages 25 - 66)
6. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting
7. Questions

PART II

8. Notification of Decision on Appeals –

The Chief Executive will report that the Inspectors appointed by the Secretary of State for the Environment have: -

Dismissed the appeal by Town & Country Advertising Limited against this Authority's decision to refuse permission for the erection of a 2 metre fence on a side garden replacing an existing fence at 12 Redworth Road, Darlington, Durham, DL3 0BL (22/00716/FUL) (Copy of Inspector's decision enclosed)

Recommended – That the report be received.
(Pages 67 - 70)

PART III

EXCLUSION OF THE PUBLIC AND PRESS

9. To consider the Exclusion of the Public and Press –

RECOMMENDED - That, pursuant to Sections 100B(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 of the Act.

10. Complaints Received and Being Considered Under the Council's Approved Code of Practice as of 16 February 2023 (Exclusion Paragraph No. 7) –
Report of the Chief Executive
(Pages 71 - 80)

11. SUPPLEMENTARY ITEM(S) (IF ANY) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting

12. Questions



Luke Swinhoe
Assistant Director Law and Governance

Tuesday, 21 February 2023

Town Hall
Darlington.

Membership

Councillors Allen, Cossins, Haszeldine, Heslop, C L B Hughes, Johnson, Mrs D Jones, Laing, Lee, Marshall, McCollom, Sowerby and Tait.

If you need this information in a different language or format or you have any other queries on this agenda please contact Paul Dalton, Elections Officer, Operations Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays E-Mail: paul.dalton@darlington.gov.uk or telephone 01325 405805

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PLANNING APPLICATIONS COMMITTEE

Wednesday, 1 February 2023

PRESENT – Councillors Cossins, Haszeldine, Heslop, C L B Hughes, Johnson, Mrs D Jones, Laing, Lee, Marshall, McCollom and Tait.

APOLOGIES – Councillors Allen and Sowerby.

ALSO IN ATTENDANCE – Councillors Boddy, Mrs Culley, Donoghue and Mrs H Scott.

OFFICERS IN ATTENDANCE – Dave Coates (Head of Planning, Development and Environmental Health), Arthur Howson (Engineer (Traffic Management)), Andrew Errington (Lawyer (Planning)), Lisa Hutchinson (Principal Planning Officer) and Paul Dalton (Elections Officer)

PA55 DECLARATIONS OF INTEREST

Councillor Marshall declared a non-pecuniary interest in Minute PA61 below, and left the meeting during consideration of the application.

PA56 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 7 DECEMBER 2022

RESOLVED – That the Minutes of this Committee held on 7 December 2022, be approved as a correct record.

PA57 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

A3	<p>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.</p> <p>Reason - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.</p>
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PA58 7 BRIAR CLOSE AND 8 BLACKWELL GROVE

22/01252/FUL - Conversion of existing bungalow (8 Blackwell Grove) and amalgamation of plots to create pool house and gymnasium for use by 7 Briar Close with the erection of a linked extension with pergola and patio area, replacement raised roof with 4 no. dormer windows, new pitched roof to garage and incorporating conversion of integral garage within main dwelling into habitable space. Erection of a single storey rear extension at No 7 Briar Close. Landscaping works including removing access from Briar Close with the repositioning of electronic access gates with stone piers (off Blackwell Grove) and infill gap to form brick boundary wall, hard standing, gazebo, 1.2m high fencing and associated landscaping works (amended plans and entrance gate details received 6 January 2023).

(In reaching its decision, the Committee took into consideration the Planning Officer's report

(previously circulated), the views of the Council's Highways Engineer and Environmental Health Officer, seven letters of objection received, a further three letters of objection received following the submission of amended and additional plans, and the views of the Ward Councillor, whom the Committee heard).

RESOLVED – That Planning Permission be granted subject to the following conditions:

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans and documents, as detailed below:
 - a) Drawing Number L022009 – 003A Proposed Floor Plans
 - b) Drawing Number L022009 – 004 A Proposed Elevations
 - c) Drawing Number L022009 – 006 Existing and Proposed Site Entrance
 - d) Drawing Number 5014/2 Rev B – Landscape Masterplan
 - e) Schedule of Items Shown on Landscape Masterplan
 - f) Timber Palisade Fencing and Gate
 - g) Wiveton Summerhouse

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

3. Prior to the commencement of the development, a site-specific Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning Authority dispenses with any requirement[s] specifically and in writing:
 - 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 demolition and 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".
 - c. Construction Traffic Routes, including parking areas.
 - d. Details of Contractor Parking and Compound, if necessary.
 - e. Pedestrian Routes.
 - f. Details of wheel washing, if necessary.
 - g. Road Maintenance, if necessary.

h. 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 the amenity of the surrounding area.

4. Prior to the commencement of the development, precise details of the means of enclosure for the access on Briar Close shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the design, height, position and materials of the enclosure 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 and street scene.

5. The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which may be 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.

REASON - In the interests of the visual amenities of the area.

6. The windows formed in the dormer extensions on the front and rear roof slope of the gym/swimming pool area hereby approved shall be obscure glazed and shall not be repaired or replaced other than with obscured glazing.

REASON - To prevent overlooking of the neighbouring dwellings.

7. The materials used in the external finishes to facilitate the conversion of the integral garage of No 7 Briar Close to a cinema room shall match those used on the existing building.

REASON - In the interests of maintaining the visual amenity of the development.

8. The swimming pool and gym hereby approved shall only be used for purposes incidental to the enjoyment of the occupants of the dwellinghouse and shall not be used for any commercial/business purposes or activities.

REASON - In the interests of highway safety and to safeguard the amenity of the local area.

PA59 23 LANGDALE ROAD

22/01228/CU - Change of Use from dwelling house (Use Class C3) to short term serviced accommodation (Sui Generis) (Retrospective Application).

(The Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer and Environmental Health Officer, six objections received, and the views of the Applicant's Agent and one Objector, whom the Committee heard).

Councillor Johnson moved that the Officers recommendation contained within the report be approved, which was duly seconded by Councillor C. L. B. Hughes.

Councillor Lee moved an Amendment, which was that consideration of the item be deferred in order to allow Members to hear from the Applicant's Property Management Company. The Amendment was seconded by Councillor Heslop, The Amendment was put to the meeting and fell.

The Substantive Motion was then put to the meeting, and fell.

RESOLVED – No decision was made, and therefore the item will be heard at the next meeting of the Planning Applications Committee.

PA60 24 GREENCROFT CLOSE, DARLINGTON, DL3 8HW

22/01025/FUL - Conversion of garage to form habitable rooms with first floor extension above with Juliet balcony to rear elevation, two rooflights to front roof slope and dormer extension to rear roof slope, erection of single story extension, dormer window and three roof lights to front elevation, two storey rear extension with Juliet balcony, conversion of attic into habitable space with dormer extension to rear roof slope and solar panels, decking to rear with glazed balustrade, changes to existing fenestration and associated works (description amended by plans received 22/12/2022 and 19/01/2023).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer and Senior Arborist, three letters of objection received, and the views of the Applicant's Agent and one Objector, whom the Committee heard).

RESOLVED – That Planning Permission be granted subject to the following conditions:

1. 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.

2. The development hereby permitted shall be constructed in accordance with the external materials/finishes as set out in the application, unless otherwise agreed, in writing, with the Local Planning Authority.

REASON - In the interests of maintaining the visual amenity of the development in accordance with the requirements of Policy DC1 of the Darlington Borough Local Plan 2016-2036.

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

Proposed Ground Floor Plan Drawing No. 3152/04 Rev B dated Dec 2022
Proposed Site Layout Plan Drawing No. 3152/04.1 Rev B dated Dec 2022
Proposed First Floor Plan Drawing No. 3152/05 Rev A dated Dec 2022
Proposed Second Floor Plan Drawing No. 3152/06 Rev A dated Dec 2022
Proposed Roof Plan Drawing No. 3152/06.1 Rev B dated Dec 2022
Proposed Elevations Drawing No. 3152/07 Rev C dated Dec 2022

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

4. None of the following activities shall be carried out under the canopy spread of any trees or within a minimum of five metres of the trunks whichever is the greater, except with the consent in writing of the Local Planning Authority: -

- (i) the raising or lowering of levels in relation to the existing ground level.
- (ii) cutting of roots, digging of trenches, removal of soil.
- (iii) the construction of buildings, roads or the carrying out of other engineering operations.
- (iv) the lighting of fires.
- (v) driving vehicles over the area below the spread of the branches of the tree; and
- (vi) the storing of materials or equipment.

REASON - In the interests of the visual amenities of the area and to safeguard the wellbeing of the tree(s) on the site.

5. Prior to the commencement of the development, a site-specific Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning Authority dispenses with any requirement[s] specifically and in writing:

- 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 demolition and 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”.
- c. Construction Traffic Routes, including parking areas.
- d. Details of contractor parking and compound, if necessary
- e. Pedestrian routes.

- f. Details of wheel washing, if necessary.
- g. Road maintenance, if necessary.
- h. 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 the amenity of the surrounding area.

PA61 BEAU VISAGE, 82 FULTHORPE AVENUE, DARLINGTON, DL3 9XT

22/00983/FUL - Change of use from beauty salon to tanning salon (Sui Generis) with replacement shop front (Retrospective Application) (amended plans received 11 November 2022).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highway Engineer, the Environmental Health Officer, ten letters of objection received (one of which was subsequently withdrawn), two further letters of objection subsequent to the removal of the external extraction system, and the views of the Applicant's Agent and Ward Councillor whom the Committee heard).

RESOLVED – That, subject to the satisfactory completion and signing of a 106 Agreement, Planning Permission be granted subject to the following conditions:

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans and documents, as detailed below:
 - a) Drawing Number 2062 – 22 – 101 Rev C Proposed Details.

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

3. The use hereby approved shall not operate outside the hours of 10:00 to 21:00 Monday to Friday; 10:00 to 18:00 Saturday and 10:00 to 16:00 Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

REASON - In the interests of the amenity of the surrounding area.

PA62 82 WIDDOWFIELD STREET

22/01086/FUL - Replacement of the ground floor bay window to the western elevation (erection of a single storey front extension to create a new bay window) together with the replacement of existing garage and associated works including rendering and the

replacement of windows/door (Retrospective Application) (as amended by plans received 28/11/2022).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highway Engineer, six letters of objection received, and the views of the Applicant's Agent whom the Committee heard).

RESOLVED – That Planning Permission be granted subject to the following conditions:

1. A3 - Implementation Limit (Three Years)
2. The development hereby permitted shall be constructed in accordance with the external materials/finishes as set out in the application, unless otherwise agreed, in writing, with the Local Planning Authority.

REASON - In the interests of maintaining the visual amenity of the development in accordance with the requirements of Policies DC1 and ENV1 of the Darlington Local Plan 2016-2036.

3. The development hereby permitted shall be carried out in accordance with the approved plan, as detailed below: -

(a) Drawing no. 22003 130 P02 – Proposed Elevations

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

PA63 NOTIFICATION OF DECISION ON APPEALS -

The Chief Executive reported that the Inspectors appointed by the Secretary of State for the Environment had: -

Dismissed the appeal by Mr Sean Taylor against this Authority's decision to refuse permission for the erection of a detached double garage to front of property at 21A Merrybent, Darlington DL2 2LB (22/00686/FUL).

Dismissed the appeal by Mrs Claire Greenall against this Authority's decision to refuse permission for the erection of 1.8m fence to side and rear of property at 43 Paton Way, Darlington, DL1 1LP (22/00456/FUL).

RESOLVED – That the report be received.

PA64 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS

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.

PA65 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 20 JANUARY 2023 (EXCLUSION PARAGRAPH NO. 7)

Pursuant to Minute PA54/Nov/2022, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 20 January 2023.

RESOLVED - That the report be noted.

When the time comes for the application to be considered, the Chair will use the following running order:

[This order may be varied at the Chair's discretion, depending on the nature/complexity of the application. The Chair will endeavour, however, to ensure that the opportunity to make representations are made in a fair and balanced way.]

- Chair introduces agenda item;
- Officer explains and advises Members regarding the proposal;
- Applicant or agent may speak;
- Members may question applicant/agent;
- Up to 3 objectors may speak
- Members may question objectors;
- Up to 3 supporters may speak
- Members may question supporters;
- Parish Council representative may speak;
- Members may question Parish Council representative;
- Ward Councillor may speak;
- Officer summarises key planning issues;
- Members may question officers;
- Objectors have right to reply;
- Agent/Applicant has right to reply;
- Officer makes final comments;
- Members will debate the application before moving on to a decision;
- Chair announces the decision.

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BOROUGH OF DARLINGTON

PLANNING APPLICATIONS COMMITTEE

Committee Date – 1 March 2023

SCHEDULE OF APPLICATIONS FOR CONSIDERATION

Background Papers used in compiling this Schedule:-

- 1) Letters and memoranda in reply to consultations.**
- 2) Letters of objection and representation from the public.**

Index of applications contained in this Schedule are as follows:-

Address/Site Location	Reference Number
23 Langdale Road	22/01228/Cu
Land at Teesside International Airport, Teesside Airport Road	22/01182/FUL

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DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 1 March 2023

APPLICATION REF. NO:	22/01228/CU
STATUTORY DECISION DATE:	03 February 2023
WARD/PARISH:	Bank Top and Lascelles
LOCATION:	23 Langdale Road
DESCRIPTION:	Change of Use from dwelling house (Use Class C3) to short term serviced accommodation (Sui Generis) (Retrospective Application)
APPLICANT:	Mrs Tina Crang

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background papers are available on the Darlington Borough Council website via the following link:

<https://publicaccess.darlington.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q82CFLFPLCD00>

Members will recall that no decision was made on this application at the Planning Applications Committee on 1 February 2023. This a replication of the previous Officer report to be considered by Members at this Meeting. However the recommended conditions have been revised to remove the standard implementation limit condition due to the planning application being a retrospective submission seeking permission to regularise the usage as short term serviced accommodation.

APPLICATION AND SITE DESCRIPTION

1. The property is a two bedroomed mid-terraced dwelling with a living room, dining room and kitchen on the ground floor and two bedrooms and bathroom on the first floor. The property has a rear yard and small enclosed amenity area to the front.

2. The supporting information with the application states that since April 2022, the property has been marketed and used as short term serviced accommodation. Bookings are taken by a Management Company (Toast Lettings) and the premises have been occupied by up to 4 people from between 3 nights to 3 months. It has been commonly occupied as a short term let for persons who prefer self-catering accommodation. There have been no internal or external alterations to the property. The occupation of the dwelling in this manner has resulted in a change of use of the property from a Class C3 dwelling to a “sui generis” use. Once the local planning authority were made aware of the operation, this planning application seeking to obtain retrospective planning permission has been submitted.

MAIN PLANNING ISSUES

3. The main issues for consideration are:
 - a) Impact on residential amenity
 - b) Highway safety
 - c) Nutrient Neutrality

PLANNING POLICIES

4. The site is within the development limits and therefore the proposed use is in compliance with the settlement hierarchy as set out in Policy SH1 and Policy E4, which states that tourist accommodation should be situated within the development limits. Other relevant planning policies in the determination of this application seek to ensure that:
 - New development protects the amenity of neighbouring users and must be acceptable in terms of noise and disturbance (DC4)
 - The proposal provides suitable and safe vehicular access and suitable servicing and parking arrangements (DC1 and IN4).

RESULTS OF TECHNICAL CONSULTATION

5. The Council’s Environmental Health Officer and Highways Engineer have raised no objections to the proposal.

RESULTS OF PUBLICITY AND NOTIFICATION

6. Following the Council’s notification and publicity exercises, the Council has received six objections from five households. The comments can be summarised as follows:
 - *There have been issues with noise, antisocial behaviour and crime*
 - *This is a residential area and allowing houses to be used in this way is not helping build strong communities*
 - *This is simply a cash cow with no respect for local residents*
 - *Leave this type of enterprise to hotels and B & Bs*
 - *The occupants don’t care about the area*
 - *You never know who is going to arrive next*
 - *Why were they allowed to operate without the relevant permissions before? We have had to endure the property being used for dubious comings and goings over the past year*

- *I strongly object*
- *I want to live in a safe area not somewhere where there are different unknown individuals coming and going daily/weekly*

PLANNING ISSUES/ANALYSIS

a) Impact on residential amenity

7. The property is within a residential area. Langdale Road primarily consists of terraced dwellings with some semi-detached dwellings directly opposite the planning application site.
8. It has to be acknowledged that the impact of the use on the amenities of neighbouring residents is to some extent governed by the management of the property and the willingness of the occupants to comply with the house rules. This compliance is in the interests of both the host and the occupiers as booking sites tend to be self-regulating in terms of the occupants who are allowed to stay based on their conduct in previous properties.
9. Bookings for the property are currently taken by Toast Lettings and the property is included on their website (along with photographs of the various rooms), which states the property is fully managed by the letting company. The website includes Booking Terms and Conditions and confirmation that all properties are to be used solely as short term lets occupied to the amount of people specified on the property details (in this case four). The letting company reserves the right to refuse admittance if these terms are not observed and deem the hire cancelled. Pets may be allowed within the advertised properties, but smoking is not permitted.
10. The Environmental Health Officer has raised no objections to the use. If planning permission is granted and anti-social events resulting in noise take place the Environmental Health Service can investigate using specific legislation.
11. Officers have contacted the Architectural Liaison Officer of Durham Constabulary who has advised that the Acting Neighbourhood Sergeant is not aware of any of the issues that have been raised by residents pertaining to the application site.
12. Once guests have checked into the property, they are free to come and go in the same way that a resident of a dwelling can. Whether a guest is using the accommodation to visit the area for leisure/holiday purposes or as accommodation when working in the area, the net effect of this is that the property will usually be empty for significant periods during the day while the guests are visiting local attractions or working, with the property being used as a base. This, again, is a very similar situation to that of a regular dwelling house where the residents go out to work during the day and/or for leisure on a weekend. The number of persons that would let the property would not be increased as a result of the use.
13. The property would remain in residential use albeit in a different form.

14. As stated above, the property is advertised to let on an essentially 'entire household' basis. This means that only one booking is taken at any one time, which could be a family or a group of guests who are working in the area. The benefit of the business model is that this allows better control over the impacts of the change of use, and an element of ownership from the guests in terms of their conduct whilst on the property. The benefit is also that the property is not let out on a room basis or house share to individuals who would not be residing as a household, a scenario which may result in fewer shared trips and more comings and goings. This is more akin to a residential dwelling than if the property were let on an individual room basis, which takes the use more towards a small HMO (House in Multiple Occupation).
15. Planning permission has recently been granted for this type of use at Hirst Grove (ref no: 22/00673/CU) and Greenbank Road (ref no: 22/00857/CU). The permissions were granted subject to planning conditions which ensures that the property is being let as an entire household let; that a register of bookings is maintained and also that any planning permission is personal to be applicant. The granting of a personal planning permission means that in the event of the applicant no longer being the owner of the property, it would revert back to a single dwelling (Class C3) without the need to have to obtain further planning permission.
16. The applicant has agreed to the imposition of such conditions on any grant of planning permission.
17. Having taken onto account the information that has been submitted in support of the planning application, the comments received by the residents and the Council's Environmental Health Officer and the Architectural Liaison Officer, it is considered that with the imposition of the suggested planning conditions, the use of the premises as serviced accommodation for a household of four persons is acceptable in amenity terms. This is recommendation has been made, together with the ability of the Council's Environmental Health Team and the Police to investigate any incidents of antisocial behaviour in the future. The planning application would accord with Policy DC4 of the Local Plan in this regard.
18. It should also be noted that a potential fallback position is to use the property as a small HMO, which would not require planning permission, and would likely have much more significant impacts than a more intensively managed short let. A small HMO is a dwelling occupied by up to six unrelated individuals sharing basic facilities. This fallback position is an important material consideration to which weight can be attached in consideration of the application. Should the application be refused on the grounds of residential amenity or highway safety, the applicant would have a strong fallback position in that they could proceed with the change of use of the property from a single dwelling to a small HMO, over which the local planning authority would have less control regarding the management of bookings and associated impacts which the suggested conditions seek to achieve in the case of the current proposal.

b) Highway safety

19. Residents and occupiers of Langdale Road are reliant upon on-street parking on a first come first served basis, as is typical of terraced dwellings which do not have in curtilage parking. Based on the information submitted in support of the planning application and the fact that the number of bedrooms has not been increased, it would be hard to evidence that the proposed change of use would create additional parking demand over and above the extant use as a private dwelling. There are no highway safety or parking provision objections, and the planning application would comply with policies DC1 and IN4 of the Local Plan in this regard.

c) Nutrient Neutrality

20. Natural England together with the Department for Levelling Up, Housing and Communities (DLUCH) announced on 16th March 2022 that the administrative area of Darlington Borough Council is now located within the catchment area of the Teesmouth and Cleveland Coast Special Protection Area. Under the Habitats Regulations, those planning authorities falling within the catchment area must carefully consider the nutrients impacts of any projects, including new development proposals, on habitat sites and whether those impacts may have an adverse effect on the integrity of the site that requires mitigation.
21. This impacts on all planning applications, both existing and proposed, which relate to primarily all types of overnight accommodation, such as new dwellings, care homes, student accommodation, holiday accommodation etc. and impacts all developments for one dwelling upwards. It also affects other applications where development may impact upon water quality, including those seeking to discharge planning conditions relating to foul and surface water drainage for a range of development proposals.
22. The local planning authority has arrived at a view that this planning application would not be within scope for the following reason and can therefore be determined without the need for any further mitigation:
- a) Based on the information submitted, the limited size of the dwelling and the recommended conditions regarding bookings, the use would not create any more additional overnight accommodation within the property and therefore no more nutrient load than its previous use as a single residential dwelling.

THE PUBLIC SECTOR EQUALITY DUTY

23. In considering this application the Local Planning Authority has complied with Section 149 of the Equality Act 2010 which places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The existing access arrangements would not be altered as there are no external alterations being proposed. As the use is generally operating in a similar manner to a single dwelling, there is no requirement to expect the building be made accessible and once the use ceases, it would revert to a dwelling.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

24. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION AND RECOMMENDATION

25. The proposed change of use does not raise any significant highway safety or parking provision objections and subject to the use of the suggested planning conditions, the application is considered to be acceptable in amenity terms. The planning application would accord with policies DC1, DC4 and IN4 of the Local Plan, and it is therefore recommended:

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the approved plan(s) as detailed below:

a) Drawing Number 001 – Existing and Proposed Floor Plans

REASON: To ensure the development is carried out in accordance with the planning permission.

2. The property shall only be let as a single booking at any one time (also known as 'entire household let') with a maximum of four residents per booking, unless otherwise agreed in writing by the Local Planning Authority.

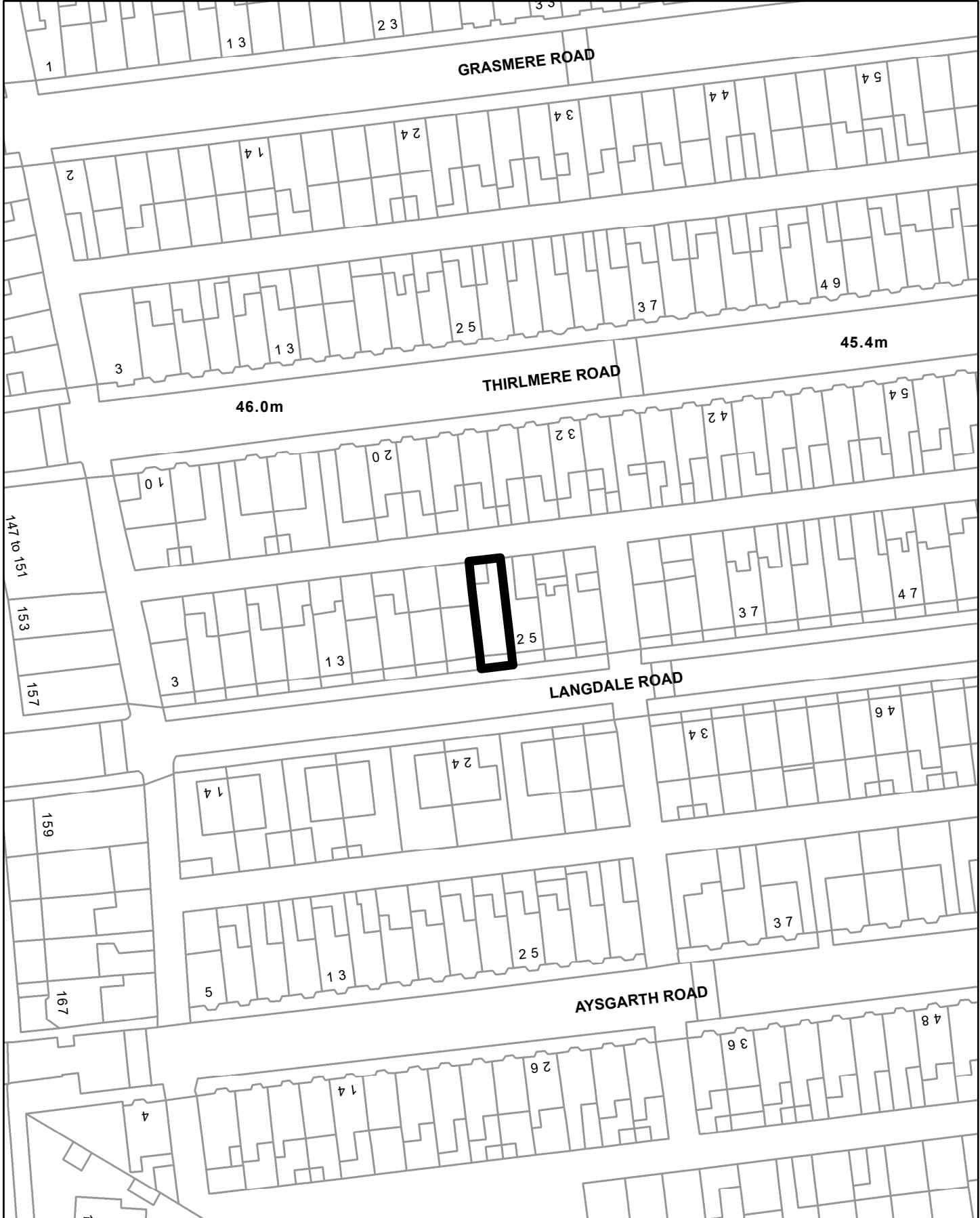
REASON – In the interests of residential amenity and highway safety.

3. The owners/operators of the accommodation shall maintain an up-to-date register of the details of all bookings made and shall make this information available at all reasonable times to the Local Planning Authority.

REASON - To allow records to be made available to assist in any monitoring of condition (3) of this planning permission.

4. This permission shall be personal to Petina Properties Limited only and shall not enure for the benefit of the land. In the event of Pertina Properties Limited no longer being the owner of the premises the use shall revert to the use as a single residential dwelling (Use Class C3)

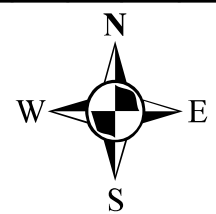
REASON - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over subsequent uses in the event of Pertina Properties Limited no longer owning the premises.



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Planning Ref No: 22/01228/CU

DARLINGTON BOROUGH COUNCIL



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DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 1 March 2023

APPLICATION REF. NO: 22/01182/FUL

STATUTORY DECISION DATE: 3 March 2023

WARD/PARISH: Sadberge And Middleton St George

LOCATION: Land at Teesside International Airport, Teesside Airport Road MIDDLETON ST GEORGE DARLINGTON

DESCRIPTION: Proposed aviation village incorporating 5 no. aircraft hangars for aircraft maintenance, repair, overhaul (MRO) and painting operations, 1 no. fixed base operation (FBO) building for business aviation, car parking with vehicular access, apron areas for aircraft dismantling, manoeuvring and parking, associated landscaping, security fencing, drainage and external lighting works (Geophysical Report, Landscape Masterplan and Strategy and Landscape & Visual Impact Assessment received 23 November 2022; External Lighting Report received 5 December 2022; amended plans and supporting information received 16 and 19 December 2022; archaeology report received 20 December 2022; amended Landscape Plan; amended Ecology Report and additional Justification Note received 25 January 2023; 7 February 2023 and 16 February 2023)

APPLICANT: Willis Aviation Village

RECOMMENDATION: GRANT PERMISSION SUBJECT TO A SECTION 106 AGREEMENT AND PLANNING CONDITIONS

Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background

papers are available on the Darlington Borough Council website via the following link:
<https://publicaccess.darlington.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q82CFLPLCD00>

APPLICATION AND SITE DESCRIPTION

1. The application site measures approximately 20ha of land located west of Teesside International Airport terminal area. The site is bound to the north by existing residential development; to the east by St George Way and Teesside International Airport terminal; to the south by Teesside International Airport runway; and to the west by an area of woodland and agricultural fields beyond which lies Middleton Hall Retirement Village. A Public Right of Way (Footpath No 8) runs down the western edge of the site.
2. This is a detailed planning application for a proposed development comprising the creation of an aviation village incorporating 5 no. aircraft hangars for aircraft maintenance, repair, overhaul (MRO) and painting operations, 1 no. fixed base operation (FBO) building for business aviation, car parking with vehicular access, apron areas for aircraft dismantling, manoeuvring and parking, associated landscaping, security fencing, drainage and external lighting works. The proposals comprise;
 - 1 no Wide body aircraft hangar bay for MRO (Maintenance, Repair and Overhaul) purposes;
 - 4 no Narrow body aircraft hangar bays, for MRO purposes, 1 of which will be equipped for aircraft painting operations with paint shop plant area
 - Fixed Base Operation (FBO) building for Business Aviation – the ‘Jet Centre’;
 - Screened apron area for aircraft dismantling;
 - Supporting car parking and vehicular access;
 - Supporting airfield apron and aircraft manoeuvring and parking areas; and
 - Associated landscaping, security fencing, drainage and external lighting

The Hangar Bays

3. The hangar bays will be used for typical base MRO activities and these will occur in most cases behind closed doors, in an enclosed environment. Occasionally (once per week), auxiliary aircraft power units will be required to be run for up to 30 minutes, with hangar bay doors open. Line maintenance activities will be carried out over the two-shift period, with cleaning and minor works carried out by the night shift. Aircraft painting operations will be carried out in an enclosed environment within the paint bays. These will be provided with full ventilation and abatement plant located externally to the bays; plant would operate before, during and after painting operations are undertaken.
4. A screened aircraft breaking area is provided to the south west of the site. This will consist of an 80m x 80m wide area of concrete, screened on three sides, with surface water drainage (and appropriate interceptors), together with a dedicated location for five 40yd skips for metal and parts. Skips are removed and replaced on an up to weekly basis

5. When fully operational, the narrow body hangar bays will typically employ 25 staff per bay per shift, and the wide body hangar bay will employ 50 staff per shift, so hence 150 core staff on shift, plus administrative, quality and management staff. Two full shifts will be worked, with a skeleton night shift

Fixed Base Operation

6. The FBO operation will provide passenger processing services for departing and arriving small private ownership jet aircraft, typically Gulfstream G650 or Global Express (up to 18 seats per aircraft). It is anticipated that demand might realistically drive up to 20 aircraft movements per day. Departing passengers will be screened, as will their baggage (to conform to DFT requirements), and UK Border Force will process departing and arriving passengers as required by legislation. Both domestic and international flights will be accommodated in the FBO facility. Passenger lounges and meeting areas will be provided, along with space for catering, drivers and crew operations. In addition, flight planning and office support space will be provided.
7. The FBO will employ around 10-15 staff on a non-shift pattern.

Access and Parking Arrangements

8. St Georges Way is the primary access road into the airport and will also be the main route to the Willis Aviation Village. The hangars would be accessed via an arm of an existing roundabout with a separate access off the internal road leading to the FBO, in close proximity to the main terminal building. The proposal involves the creation of 261 additional spaces for the MRO hangars and 33 car spaces for the FBO building. These provisions will include electric charging spaces and cycle parking provision

Aprons

9. An extension to the existing airport apron would be included within the development along with hardstanding areas around the buildings to create manoeuvring areas for aircraft, the parking spaces, access roads, footways and an aircraft tear down area.

Landscaping, security fencing, drainage and Lighting

10. There is existing landscaping (trees/hedges/woodlands) on the north, east and western boundaries which provide some limited screening of the application site. The southern boundary meets the existing airfield and runway space. A landscaping scheme has been submitted to provide native hedge planting and tree planting to the west and north of the site. Planting to the south is not possible due to airfield regulations.
11. The site would be enclosed by CAA compliant fencing, 2.4m high with 3 strands of barbed wire above, all coloured green. Vehicle access will be controlled by barrier and gated entry if required. The drainage proposals will include detention basins, permeable surfacing and geocellular attenuation where required in order to restrict runoff to greenfield rates.
12. With regard to external lighting design, a scheme has been carried out in line with CAA guidelines and careful consideration given to the immediate and surrounding

environment, to minimise nuisance glare, overspill lighting, haze reduction and careful luminaire selection to negate zero upward light and reduce lighting pollution as best as practically possible.

ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

13. The Local Planning Authority has considered the proposal against the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is the opinion of the Local Planning Authority, that the proposal is development for which an Environmental Impact Assessment is not required as the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size, or location.

MAIN PLANNING ISSUES

14. The main issues to be considered here are whether the proposed development is acceptable in the following terms:

- a) Planning Policy
- b) Highway Safety and Parking Provision
- c) Sustainable Transport
- d) Impact on the Character and Visual Appearance of the Surrounding Area
- e) Impact on Public Right of Way
- f) Residential Amenity
- g) Lighting
- h) Trees, Landscaping and Ecology
- i) Drainage and Flood Risk
- j) Air Quality
- k) Land Contamination
- l) Archaeology
- m) Nutrient Neutrality
- n) Planning Obligations

PLANNING POLICIES

15. Along with the National Planning Policy Framework 2021, the relevant local development plan policies are as follows:

Darlington Local Plan 2016 – 2036

SD1: Presumption in Favour of Sustainable Development

DC1: Sustainable Design Principles and Climate Change

DC2: Flood Risk & Water Management DC3: Health & Wellbeing

DC4: Safeguarding Amenity

DC5: Skills & Training

H3: Development Limits

E1: Safeguarding Existing Employment Allocations

E2: Employment Allocations

E4: Economic Development in the Open Countryside

ENV1: Protecting, Enhancing and Promoting Darlington's Historic Environment
ENV3: Local Landscape Character
ENV4: Green & Blue Infrastructure
ENV5: Green Infrastructure Standards
ENV7: Biodiversity & Geodiversity & Development
ENV8: Assessing a Development's Impact on Biodiversity
IN1: Delivering a Sustainable Transport Network
IN2: Improving Access and Accessibility
IN3: Transport Assessments and Travel Plans
IN4: Parking Provision including Electric Vehicle Charging
IN5: Airport Safety
IN6: Utilities Infrastructure
IN8: Broadband Infrastructure

Tees Valley Minerals and Waste DPD

MWC4: Safeguarding of Minerals Resources from Sterilisation

Supplementary Planning Documents

Planning Obligations

RESULTS OF TECHNICAL CONSULTATION

16. The Council's Travel Planning Officer, Environmental Health Officer, Highways Engineer, Ecology Consultant, Public Rights of Way Officer, Transport Policy Officer have not objected to the principle of the proposed development.
17. Northumbrian Water, Northern Gas Networks, the Environment Agency, the Air Traffic Engineering Manager at Teesside International Airport, the Lead Local Flood Authority, Durham County Council Archaeology Team, National Highways have not objected to the principle of the proposed development.

RESULTS OF PUBLICITY AND NOTIFICATION

18. Following the submission of additional and amended plans throughout the determination process, a total of fifteen objections have been received from ten households. The comments can be summarised as follows:
 - *The buildings will dominate the airport and surrounding area*
 - *The buildings will be unsightly in a rural setting*
 - *Noise is a potential nuisance locally and for passengers*
 - *Lighting and light pollution will be a local nuisance*
 - *The development should be on the south side of the development*
 - *Night time noise will be a disturbance to residents*
 - *Buildings are too close to housing*
 - *Concerns over surface water protection and flood risk and drainage from the site*
 - *Inadequate landscaping between residents and site*
 - *Very tall lighting columns located near to housing*
 - *Fumes from the closer proximity of the aircraft*

- *There needs to be tight control over when auxiliary power units (APUs) are used*
- *Increase in dust*
- *Adverse impact on Public Right of Way*
- *Will the land to the north of the development site be open to general public.*
- *Adverse impact on existing views of Cleveland Hills, trees, woodlands from housing on The Crescent*
- *Residents will be disturbed by noise from car engines, general car noise, car doors slamming*
- *Adverse impact on air pollution*
- *Adverse impact on natural light entering the gardens and properties on The Crescent*
- *Adverse impact on local wildlife and ecology*
- *Increase in overall noise quantity which will impact on resident's lives*
- *The development will deter passengers from using the airport*
- *The land has always been used for agriculture and not grassland as stated in the application*
- *The airport should be developed for passengers rather than as an industrial estate*
- *The western hedge must be protected*
- *Unacceptable noise from construction traffic and moving aircraft will affect balance of the woods and hibernation*
- *The woods are roosting ground for birds and bat hibernation*
- *Increase in traffic from deliveries, staff parking leading to traffic congestion with flights*
- *The ecology report is limited to the grassland areas and does not extend to the woodland with no surveys of the wildlife in the woods*
- *The proposed structures are enormous, like an Amazon building*
- *The distance of 200m from the housing is grossly inadequate*
- *Any tree planting will take decades to provide either visual or practical protection*
- *The planting near to the houses will add to the shading of gardens caused by the buildings*
- *Increase in HGVs visiting the site*
- *The presence of a civil airport may present an increased risk to public safety and all airport activity should take place well away from private residents*
- *Light pollution remains a major issue. The lighting is in close proximity to our homes, which will be of a height that will shine into our bedrooms and result in the loss of dark sky*
- *The security fencing will be open rather than solid so there is no protection from road traffic noise*
- *Ecology report makes no mention of animals sightings associated with Robinsons Wood Plantation*
- *The land to the north slopes south to north hence the boggy patches that fill up in the corners at both east and west ends*
- *Justification for the development is not acceptable*

19. A comment has been received welcoming the development but highlighting the need for the potential of aircraft using their own engine power outside the proposed the hangers to be assessed as part of the noise assessment
20. Two letters of support have been received by a resident supporting the proposals due to job creation and that the development will put the Airport and Teesside in the limelight.
21. Middleton St George Paris Council have agreed to make no comment on the planning application

PLANNING ISSUES/ANALYSIS

a) Planning Policy

22. Planning law (S.38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (2021) supports the plan led system providing that planning decisions should be “genuinely plan-led” (NPPF para 15).
23. The application site is in the open countryside as it is not located within the development limits of any settlement or area identified through Policy H3 of the Local Plan and illustrated on the Policies Map.
24. The application site is located outside of Site 404 (Teesside International Airport North) which is identified as a safeguarded existing employment opportunity area for B2, E(g) and other airport related uses under the provision of Policy E1 of the Local Plan. Policy E1 states the site has 4.71 hectares of land (net) available for further employment development.
25. The application site is also located outside of Site 362 (Teesside International Airport South) which is allocated in Policy E2 of the Local Plan for new employment development with use classes B2, B8, E(g) and airport related uses being the suggested uses for the site. Policy E2 states the site has 27.51 hectares of land (net) available for development.
26. It is the intention of the Local Plan to prioritize the location of airport related development at Teesside Airport within sites 404 and sites 362 and therefore siting the development in the location being proposed is contrary to the local plan policies E1 and E2.
27. As part of the planning application, the local planning authority has been requested to consider the following material planning considerations in accordance with S.38(6) of the Planning and Compulsory Purchase Act 2004 which look to explain the need to locate the development in the proposed location and outline the economic benefits of the development,:

- a) Due to the movement of aircraft, the development needs to be located within close proximity to the operational airfield and the existing runway/taxiway infrastructure, to enable aircraft to land and access the new facilities;
- b) The occupier and operator of the proposed development, Willis Aviation, is currently located in Hangar 2 on the north side of the airfield. The applicant wishes to continue to occupy its premises on the north side, given the scale of recent capital investment made within the hangar and the easy access to the A66 and A67. The application site would enable Willis Aviation to operate efficiently between its existing and proposed new facilities at the Airport;
- c) Within the north side estate, there is insufficient space available within the existing safeguarded employment area to accommodate the proposed development, without significant infrastructure provision, relocation of other uses/tenants and reclamation works. The proposed location on the northside offers straightforward access to the existing apron network and runway, whilst providing road access to the facility that avoids travelling through the airport industrial estate. This is important for those accessing the new, high quality jet centre. This part of the airport estate is also within the Teesside Freeport, and Willis Aviation wish to be based within the Freeport. This project also facilitates the opportunity for additional aviation investment within the Freeport through the enhancement to the airfield infrastructure.
- d) Willis Aviation has invested at the Airport in 2020 and again during 2022 with development which involved the recruitment and safeguarding of 15 FTE staff and up to 45 new aviation related engineering FTEs. The proposed development is expected to create between 250 – 300 jobs working on a two shift basis over the course of the project being fully implemented.

28. The market conditions that underpin the project and will create the jobs can be summarised as:

- a) Regional aircraft maintenance facilities in the UK are limited and are at capacity. Much of the capacity in the UK closed and moved overseas, but the aviation industry and airlines are seeking to return their MRO business back to the UK – the cost differential of overseas markets are now only limited and there is strong market desire to service aircraft close to their operating base. The cost and environmental issues associated with distant travel purely for servicing purposes does not meet current corporate objectives.
- b) The pandemic has also introduced different dynamics into the aviation sector. For example, for some airlines, the investment priority for fleets over the coming decade will be to refurbish and maintain, as opposed to new aircraft. The need for more efficient and environmentally friendly aircraft will also mean that the priority for some airlines will be to replace areas of their fleets with new, modern aircraft – which will in turn lead to additional business in the re-sale/re-fit and also disassembly market. There is also a growing market for conversion of passenger planes to freighter aircraft.
- c) One of the four narrow body hangars will also have the capacity to paint and re-livery aircraft. There is an acute shortage of aircraft paint facilities in the UK, and

this project will increase the capacity for UK and European based airlines to invest in this within the UK – both for re-branding but also as part of overall fleet servicing routines to enhance environmental performance.

- d) The above will lead to an overall increase in the market size of the sector that Willis operates within, both for MRO, paint and for disassembly. This project will ensure that the UK and the Tees Valley – via this investment – will secure its market share of that business, largely from investment that would otherwise be made by airlines at European or USA facilities.
 - e) The project also includes a new Jet Centre/Fixed Based Operator facility at the Airport. The current facility requires significant upgrading/enhancement to meet market requirements and to retain and grow the number of private/corporate aircraft movements at TIA. This would create additional jobs in due course, with the existing Jet Centre staff retaining their jobs.
29. Having considered the operational requirements and economic benefits set out above, officers accept, on balance, that there are strong material planning considerations which allow officers to support the principle of the development in this location in accordance with S.38(6) of the Planning and Compulsory Purchase Act 2004
30. The development can continue to be considered against Policy E4 of the Local Plan as it would constitute economic development in the countryside. Policy E4 states that proposals for sustainable growth and expansion for all types of businesses located in the open countryside will be supported where new buildings are well designed and wherever possible are located physically well related to existing buildings and/or building groups and the character, scale and design of all proposed new buildings must be appropriate to the open countryside surroundings. The policy also states that proposals should be sensitive to their surroundings, provide satisfactory access and not have an unacceptable impact on the local road network, amenity and demonstrate they will directly and significantly contribute to the retention and development of local services, community facilities, infrastructure which make a location more sustainable.
31. Policy E4 of the Local Plan states that proposals must also not unacceptably affect amenity, not prejudice any viable agricultural operations on an active farm unit, and not prejudice any planned community use. Whilst the site has been used as agricultural land in the past, there is no plan to continue agricultural operations on this land which falls within the ownership of Teesside International Airport (the Applicant) who can ultimately determine the use of the land. As outlined above, the economic benefits of the development will have a greater beneficial impact on the local economy than the use of the site as agricultural fields. The site is also not considered to present high likelihood of BMV land, indeed it is shown as “other land primarily in non-agricultural use” on the Natural England Agricultural Land Classification Map for the North East Region. The proposals would therefore not prejudice any agricultural operations of an active farm unit and are therefore compliant with Policy E4.
32. Policy MWC4 of the Tees Valley Minerals & Waste DPD Core Strategy (2011) sets out the circumstances when non-mineral development will be permitted in minerals

safeguarding areas. This site is located in a gypsum (deep) safeguarding area along with much of the rest of the Borough. As stated above, the application proposal is directly linked to the existing operational airport and so could not be sited on an alternative site outside of the minerals safeguarding area as this extends across a wide area, Once again, it is important as part of the overall planning balance to take into consideration the clear economic benefits of the scheme through job creation and investment in the Tees Valley as set out above, when assessing the application against policy MWC4. It is considered that the significant economic benefits this scheme will bring outweighs the need for the mineral resource that can be found elsewhere across the borough and indeed the wider Tees Valley.

33. Whilst the principle of the proposed development would not comply with the local development plan insofar as the development is located outside the employment areas listed for the Airport, other material planning considerations have been identified which, on balance, would outweigh, the impact of the scheme being a departure from the local plan and allows officers to support the principle of the development and recommend approval in accordance with S.38(6) of the Planning and Compulsory Purchase Act 2004

b) Highway Safety and Parking Provision

Impact on Local Highway Network

34. The site is to be accessed directly via St Georges Way, which is suitably sized in terms of link and junction capacity, to accommodate high volumes of daily traffic movements. It also offers convenient access to the nearby strategic highway network including the A67 and links to the A66 eastbound, westbound, and more directly northwards via Mill Lane.
35. Following discussions with the Local Highway Authority, the planning application has been amended so that the access arrangements involve a single point of access for the MRO site via an additional western access stub from the existing roundabout and an additional priority junction access which solely serves the smaller FBO site. Whilst the proposed access to the FBO site is not directly adjacent to the public highway, it is under the control and ownership of the Airport site, and given that it is located along the main entrance road to the Airport Terminal, it will be expected to meet the accepted design standards required for highway adoption to ensure that it is both safe and suitably robust to serve the development.
36. The Transport Assessment submitted in support of the planning application offers written assurance that the current cycle infrastructure will be maintained and that the proposed development will link to the existing network with crossing points to accommodate cyclists in a safe manner. Additional detailed design work will be required for both points of access prior to commencement of the development, to ensure that pedestrian and cycle movements are suitably accommodated. Any proposed central refuge islands will need to be suitably sized to accommodate both cyclists and pedestrians safely, with dropped crossings tactile paving as appropriate for shared or and segregated sections of the route. A minimum depth of 2.5m will be required for

central islands in order to safely accommodate cyclists, however DfT Guidance LtN 1/20 now advises that at grade priority crossings should now be used where appropriate.

37. The new junction and fourth arm of the roundabout will need to accommodate the existing segregated footway and cycleway, which is the primary pedestrian and cycling route into the airport. Dropped crossings, tactile paving, and appropriate signage with a splitter island will be provided to accommodate cycles safely where appropriate. The roundabout access stub and cycleway/footway crossing point should be offered for highway adoption under a Section 278/38 agreement as the footway/cycleway must be secured as public highway. This is likely to require a short extension of the route on the northern radii of the access and any gates should be set back sufficiently far into the private road in order to enable a car to stop should they be closed without blocking the pedestrian/cycle crossing on the splitter island. Such matters of detail can be secured by a suitably worded planning condition and approved as part of highway Technical Approval (Section 38/278).
38. To avoid staff travelling during congestion periods on the road network, shift periods will not coincide with the road network peaks periods and are proposed as being:
- 06:00hrs to 14:00hrs; and
 - 14:00hrs to 22:00hrs
39. The proposed development is only likely to generate a significant number of trips during the hand over period, which does not occur in either the highway AM or PM peak hours. As such it is accepted that the traffic generated can be accommodated on the highway network without mitigation and does not demonstrate a 'severe impact'. This is based on the information provided in the Assessment relating to the shift patterns and the Council's Highways Engineer has agreed with National Highways (see comments below) that a planning condition to secure the shift patterns should be attached to any approval.
40. A review of the latest 5-year period of recorded Police accident statistics is included within the TA. Whilst there are a limited number of recorded 'minor' personal injury collisions along the A67, this is not considered unusual on a strategic 'A' classified road and does not show any repeat pattern of incident that would indicate there are inherent road safety or design issues which would need to be addressed. Furthermore, it is not considered that the expected traffic generation of the development would create any additional road safety concerns.
41. Whilst minor amendments and full technical details are required as part of the roundabout access and cycleway crossing technical approval, the site generally demonstrates good pedestrian and cycleway links internally through the site to building entrances. With regard to vehicle movements within the site, no swept paths analysis has been submitted as part of the application, and as such the internal layout may be subject to change until such a time as it is suitably demonstrated that large vehicle can access the site. Vehicle tracking should be submitted to demonstrate that a 16.5m long

articulated vehicle is able to safely access and egress the site without overrunning footways traffic island or highway verge etc. The internal layout does feature numerous sharp bends of 90 degrees where over widening of the carriageway has been used. Whilst this does not meet adoptable criteria, this approach is accepted in principle, subject to satisfactory swept path analysis, given the internal access roads will remain under private ownership. Street lighting would also be provided internally in the interests of safe and attractive access.

42. Final details are needed of the precise form of the cycleway crossing, however in this instance the cycleway does not extend fully into the site to connect with the FBO building but terminates approximately 10m inside the site access. This is not considered a major problem, as a dropped crossing and tactile paving could be provided to discharge cyclists onto the carriageway internally, where vehicle movements will be considerably lower than at the MRO site. A footway does however give direct connectivity to the MRO building entrance giving safe and attractive pedestrian access. The internal layout must be sufficient to accommodate the largest vehicles expected to enter the site including servicing vehicles. Swept path analysis would be secured by a planning condition to demonstrate this.
43. Two car parks will be provided within the proposed development. These are a 261-space car park for the MRO operations, with a layout designed to accommodate operations; and 33 car parking spaces for the FBO building. This is inclusive of a 10% provision of EV charging spaces. It is recommended that EV charging spaces are made to the format of accessible spaces to ensure that persons with mobility impairment are able to access charging facilities, where access is likely to be needed on either side of a vehicle in order to access charging plugs.
44. A car parking accumulation exercise has been undertaken in order to demonstrate that the proposed level of provision is sufficient for the needs of the occupier. When considering the main car park for the MRO site, there is an expectation that demand could be for up to 320 people, (excluding FBO staff). When applying the forecast modal split of 78%, this theoretically results in a short-term surge demand for 250 car parking spaces over the 30- minute hand-over period where there is an inevitable short overlap of staff at shift change times. The Council's Highways Engineer is therefore satisfied that sufficient parking provision has been demonstrated to meet the anticipated needs of the occupier. It is also noted that any overspill parking within the airport site itself is not something under the control of the Highways Authority. Overspill parking on the public highway; primarily St Georges Way, is not expected given that adequate car parking provision is demonstrated within the site. The Highways Authority do however have enforcement powers given that the road is extensively covered by double yellow lines to prohibit parking.

Impact on Strategic Highway Network

45. The Transport Assessment submitted in support of the planning application also considers the impact of the development on the Strategic Road Network at A66/A67

Morton Palms junction and the Long Newton Interchange (junction of the A66/Mill Lane/Darlington Road). The Assessment has been reviewed by National Highways.

46. National Highways have considered how well the site is served by the local road network, bus and train travel, walking and cycling. It has been noted that the development is expected to operate 7 days per week, 52 weeks per year and operations will be primarily conducted over two shifts, with a skeleton night shift. To avoid staff travelling during congestion periods on the road network, shift periods will not coincide with the road network peak periods. National Highways have considered the proposed staffing levels, the proposed trip generation and parking provision and they have concluded that the proposed development will not significantly impact on the operations of the A66 Morton Palms Roundabout and the A66 Long Newton Junctions during the peak hours but planning conditions need to be attached to any approval to secure the submission of a Travel Plan and to control shift times in order to avoid the peak periods on the Strategic Road Network.
47. Overall, it is considered that, subject to the imposition of appropriate planning conditions, the proposed development would not have an adverse impact on the strategic and local road network, and it is acceptable in general highway safety and parking provision terms. The development would accord with policies DC1 and E4, IN2, IN3 and IN4 of the Local Plan in this regard.

c) Sustainable Transport

48. The proposed development is within 400m of a bus stop, located at the Terminal Building which meets one of the criteria of Policy IN2 of the Local Plan. However, the site is not fully compliant with the Policy as this bus stop is currently served by the Number 12 service which is an hourly service and only provided at peak times, not suitable for shift working.
49. In such circumstances, a public transport contribution would normally be sought to improve this existing service to a half hourly service, which would equate to an annual contribution of £150k annually for 5 years.
50. The applicant accepts the principle that public transport connections should and could be improved to the site, but they consider that there are opportunities to better integrate any improvements within the wider sustainable transport strategy for the Airport. The applicant has presented an alternative proposition to the contribution which involves the production of an overarching sustainable transport strategy for the Airport which considers how public transport can be used to improve the accessibility to both the north and south side of the Airport. The strategy would create opportunities for more people to use the services proposed, increasing the potential uptake, and making the services more viable in the long term.
51. Officers have accepted the alternative proposition which does acknowledge the need to improve public transport connections as required by Policy IN2 of the Local Plan but in a more holistic, Airport wide approach. Planning conditions have been agreed which state

that a Public Transport Strategy must be submitted to the local planning authority within 12 months of the commencement of the development and the recommendations contained therein are implemented prior to the first occupation of any building. In addition, and to give the Council some security that improvements to public transport will be delivered through the development, the normal planning obligation payments will be made by the applicant if the recommendations of the Strategy are not implemented prior to the first occupation of any building. This would be secured as part of a Section 106 Agreement which will also permit any other developments coming forward within the five year period contributing towards the contribution.

52. The applicant has agreed to make a sustainable transport contribution which will be based on £200 per car parking space. This contribution will be used to enhance the walking and cycling routes in the vicinity of the development. In particular to try to improve access from Dinsdale Railway Station to the development and also to improve the walking and cycling route between the airport and Stockton as part of the Stockton and Darlington Railway walking and cycling route. This would be secured as part of the Section 106 Agreement.
53. The cycle parking provision guidance has been considered by the applicant. However, in the case of the proposed development, the size of the hanger buildings are disproportionate to the number of staff within each building and therefore application of the floorspace ratio within the guidance would lead to an over-provision. It is however acknowledged that an increase in good quality cycle parking provision would assist promote cycling for staff and visitors. Cycle parking provision on site would be to a level considered to represent an appropriate number of spaces to cater for the immediate demand, but also encourage further use. This equates to four cycle spaces and two motorcycle spaces for the hangars and two cycle spaces and a motorcycle space for the FBO building. The usage of cycle parking on site will however be continuously monitored and further provision made should demand arise.
54. Furthermore, in order to encourage the use of sustainable modes of transport for the staff etc, a separate travel plan, including the payment of the appropriate monitoring, personalised travel advice fee and implementation bond would be submitted on the Modeshift portal for administrative and approval consideration in accordance with the Council's Travel Plan Guidance note and policy IN3 of the Local Plan. The Travel Plan would be secured by a planning condition and the Section 106 Agreement.
55. It is acknowledged the development site does not fully comply with policy IN2, but it does currently benefit from an existing hourly service. The applicant fully agrees that public transport links need to be improved, which is the overall objective of policy IN2 but an alternative holistic proposition, with an acceptable fallback position, has been agreed and can be secured by a mix of planning conditions and clauses within a legal agreement. The applicant has agreed to the sustainable transport contribution towards improving walking and cycling in the local area, which would then be augmented by a

Travel Plan. This position, on balance, is considered to be an appropriate and proportionate response by the applicant.

d) Impact on the Character and Visual Appearance of the Surrounding Area

56. The hangar buildings are arranged in a linear north south orientation with the largest hangar located on the southern end of the development. The buildings are laid in a reverse L shape. Parking spaces are located immediately to the north and west of the buildings. The hardstanding areas and extension to the existing apron are to the east and south, along with an aircraft tear down area located to the south of the hangars in close proximity to the runway.
57. The three hangars and paint shop would be 56m wide; 175m in total length with an overall height of 18.5m under a row of dual pitched roofs.
58. The larger hanger would measure 105m wide; 85m long with an overall height of 27.3m under a dual pitched roof. It is acknowledged that the hangar buildings are large and tall structures, but the dimensions are influenced by the clearances that are required for aircraft tail movement and overhead cranes or workshop operations. The design of the buildings is high quality but representative of their function with construction materials being a mix of external profiled metal cladding on the walls and roof.
59. The FBO building is located adjacent to the main terminal building and would measure 13m wide; 30m long with an overall height of 8.5m with a flat roof. This is a two storey building with a lounge; security search area and office space on the ground floor and a further lounge and office space on the first floor. The building is a high quality, modern designed structure constructed from flat metal cladding, glazed curtain walling with an external balcony on the airside.
60. Both buildings would be constructed from a simple palette of materials and be sympathetically designed to reflect the local site context and surroundings.
61. The scale, layout and orientation of the buildings has been influenced by operational and internal usage and aircraft, staff and vehicle movements. Security fencing (2.4m high mesh fencing, coloured green with barbed wire above) will be provided to the landside of the site. This will provide security for the site as required by airfield regulations.
62. The “tear down” area which is located at the most southern part of the application site and adjacent to the runway and apron area, would be screened on three sides with mesh fencing.
63. Policy DC1 requires non-residential buildings of 1,000 sqm floorspace or more to meet BREEAM 'Very Good' standard. The Design and Access Statement submitted in support of the planning application states that this requirement will be met, and this can be secured via an appropriate planning condition.

64. The planning application has been supported by a detailed Landscape and Visual Impact Assessment which provides an evaluation of the visual impact of the development on the surrounding area. The Assessment acknowledges that the land use and character of the application site will alter as a direct result of the proposed development, but the majority of the landscape effects are considered to be Minor Adverse to None due to the site being relatively contained by mature trees and shrub boundary vegetation. The Assessment considers a wide variety of long, middle and near distant views and concludes that the most sensitive receptors would be the local Public Right of Way, adjoining residents and users of existing roads surrounding the site. However, such effects will be mitigated where possible in terms of the area to be developed to the north and the orientation of the built form. Whilst it will take time for new planting to establish in the open space to the north of the development, the visual impact of the development when viewed from the north will decrease over time.
65. The Assessment concludes that although there will be localised visual and landscape effects, the sensitively considered and designed layout, strategic landscape infrastructure, areas of retained and enhanced open space and enhancement of existing vegetation, along with new internal development planting will help to visually integrate the development into the existing context of the airport and the surrounding landscape. On balance, the site is well contained within the wider landscape and visual effects are localised, with the proposed development positioned alongside the existing airport. The impact upon the wider views into the site would be considered more acceptable as the distance of those views affected on sensitive locations would have the benefit of the effect being diminished by the distance from the site. In conclusion, in landscape terms there are no overriding landscape or visual effects that should prevent the development of the site as proposed. Having considered the site context and the supporting information, Officers would agree with the findings and conclusions of the Assessment.
66. A planning condition has been recommended by the Council's Environmental Health Team to ensure that no stockpiles of waste from dismantling aircraft is stored anywhere onsite other than within the designated aircraft "tear down" area which is located to the south of the main development area in the interests of the visual amenity of the site.
67. Policy IN8 of the Local Plan states that employment sites of more than 0.5 hectares must ensure that broadband connectivity and ducts are provided for the development. The Planning Statement submitted in support of the planning application states that the development will achieve this objective and a planning condition can be imposed.
68. In line with policy IN5 and appendix D of the Local Plan (Civil Aviation Authority Safeguarding) the application site is located in an area which would require consultation with the operator of the airport. The Air Traffic Engineering Manager has not objected to the planning application provided that conditions are imposed to secure the submission of an Instrument Flight Procedures assessment to avoid the placement of structures which could endanger the safe movement of aircraft and the operation of

the Airport; to ensure the relocation of radar equipment and the submission of a glint and glare assessment for any solar panel installations.

69. Overall, whilst the proposed development will inevitably change the visual appearance and character of the area and landscape, it is considered that the design, scale and choice of materials are acceptable in this site context of the existing Airport and it would not have a long term adverse impact on the character and appearance of the area due to existing and proposed landscaping features. The development would accord with policies DC1, E4 and ENV3 of the Local Plan in this regard.

e) Impact on Public Right of Way

70. The revised noise assessment adequately considers the impact of the proposed development upon the users of the Public Footpath, and whilst it is acknowledged there will be a temporary increase in noise at certain times, this can't be helped given the close proximity of the airport to the Footpath.
71. The Public Rights of Way Officer has no objections to the screening and fencing that will be erected alongside the Footpath. The Officer also has no objections to the revised landscaping scheme to the north of the main development area. The path along the northern boundary linking Public Footpath 8 with St Georges Way is welcomed, even though it will not be a PROW. The area must be maintained into the future by the applicant, particularly the hedges either side of this link path so that they do not become neglected and too overgrown for use. There is quite a narrow pinch point at the eastern end of this path that will be particularly vulnerable.
72. The Officer has highlighted that the northern section of the Footpath is likely to become a popular circular walk thanks to the formalised link path to St Georges Way, and works to signage and duckboards will be required. Also, the new S&DR walking and cycling route will be passing very close to the airport, (the original line goes through airport land). Improvements to these elements could be achieved via the aforementioned Sustainable Transport planning obligation. The scheme would accord with policy IN2 of the Local Plan in this regard.

f) Residential Amenity

Outlook

73. The nearest dwellings are those on The Crescent to the north of the application site. These are detached dwellings with south facing rear elevations and gardens facing across the application site, which is currently open fields. The rear gardens are stepped with the dwellings positioned on the higher ground level and the shared boundary with the site is fencing with a mature hedge, approximately 2m high, on the application site side. The application site is clearly visible from the higher ground level and from the dwellings themselves.
74. The field is used by walkers who wish to reach St Georges Way from the Public Footpath and vice versa.

75. The land directly between the dwellings and the built form would be open space comprising a mix of neutral grassland and wildflower lowland meadow. A belt of native trees and scrub planting would be planted within this northern section of the application site and the position of this tree belt has been amended so that it not directly planted on the shared boundary line, which was requested by local residents and also to provide a barrier between people continuing to use the walking route and the ecological enhancements secured as part of the development. It is acknowledged that this landscaping will take time to be established, but once it has, the expectation is that, in the long term, the landscaping will form a visual barrier between the dwellings and the hangar buildings.
76. Further planting would take place around the car parking areas in order to mitigate their visual impact when viewed from the dwellings to the north. The external lighting (see further comments below) would not have an adverse impact in terms of sky glow or light spill.
77. Notwithstanding the above, the most northern elevation of the hangar building would be approximately 240m from the rear garden boundaries of the dwellings on The Crescent. The end elevation of the hangar would be 56m wide with an overall height of 18.5m. This elevation would also be seen against the backdrop of the larger hangar which is 105m wide and 27.3m high but approximately 416m from the gardens of the dwellings on The Crescent.
78. It is clear that the proposed buildings and the associated landscaping will greatly alter the outlook from the dwellings on The Crescent, which currently enjoy views across open fields. However, it is considered that the landscaping, once established, will reduce the visual impact of the built development and the landscaping, itself will be managed to ensure that it is acceptable in amenity terms. The distance between rear gardens and the buildings is sufficient to ensure that the buildings, which are of a large form and scale, will not have such an adverse visual impact to result in conditions prejudicial to the amenities of the occupants, when using their gardens and rooms which have direct views across the application site. The layout of the development and the orientation of the buildings has been influenced by the location of the dwellings to try and mitigate their visual impact as much as possible.
79. The development would not result in any loss of privacy issues between the proposed buildings and the dwellings on The Crescent due to the proximity distances between them and proposed landscaping scheme for the land to the north. The land between the dwellings and development is currently accessible to the public and this would be retained and therefore the impacts of this route remain as they currently do.
80. The proposed FBO building which is located adjacent to the main terminal building will not be highly visible from the neighbouring dwellings and would not have any general amenity impacts.

Noise

81. The application has been supported by a planning noise assessment which has undertaken a baseline noise assessment by measuring the existing noise levels at the nearest noise sensitive receptors and then looked at the noise impacts of different aspects of the development including the proposed paint shop, maintenance activities, the aircraft tear down area, auxiliary power units (APU) and plant noise. The Assessment was reviewed by the Council's Environmental Health Officer. The baseline noise assessment has identified that at the nearest noise sensitive receptor at 'The Crescent' existing noise levels are low during both the day and night-time periods for being relatively close to an airport runway.
82. Noise from the proposed paint shop has been assessed by making assumptions on the level on noise inside the hanger building while painting is taking place with the hanger doors closed. The Council's Environmental Health Officer is satisfied that the inputs into the noise model are realistic and would agree with the conclusion that noise from the paint spray booths will not be an issue at the nearest noise sensitive receptor.
83. Similarly, maintenance activities within other hangers have been assessed by making assumptions about the noise level while maintenance activities are taking place, again the assumptions made on noise levels for input into the noise model are realistic and the Environmental Health Officer would agree with the conclusions of the report that noise from maintenance activities undertaken within the hangers with the doors closed, during the day period will not be an issue at the nearest noise sensitive receptor.
84. It has not been possible to assess plant noise accurately as part of the application as the exact specification and location of the proposed plant is not yet known. However, based on the information submitted with the report which sets out the noise criteria which any plant should comply with in order to ensure that noise from it is not an issue at the nearest noise receptor, a planning condition has been recommended to ensure that plant noise is not an issue during the day-time or night-time at the nearest noise sensitive receptor.
85. Following the need for further information of the aircraft tear down area and noise from auxiliary power units (APUs) the noise assessment was revised and considered again, by the Council's Environmental Health Officer.
86. The revised assessment has made clear that the proposed screens around the aircraft tear down area will be mesh fencing and not a solid screen. The mesh fencing will be acoustically transparent and will not provide any reduction in noise from this area. In response to comments raised by the Council's Environmental Officer, the revised assessment has modelled the potential noise implications from activities in this area at the bungalow at 'High Meadows', to the west, as well as homes to the north on 'The Crescent'. This modelling has shown that the vast majority of activities in this area will be inaudible at the residential receptors and that the very high noise levels which would be required in order to be heard (such as dropping material from height) during the dismantling of aircraft are unlikely to last very long.

87. The use of Auxiliary Power Units (APUs) for aircraft on the proposed apron extension is discussed within the revised report. The Environmental Health Officer had raised concerns that the use of APUs on the northern edge of the proposed apron extension, outside the northern most narrow body hanger, could create noise issues for the dwellings on 'The Crescent'. The results of the revised noise model with an APU in this location show an increase in noise levels at the rear of dwellings on 'The Crescent' and at the nearby St George Hotel. Although the report goes on to provide some context for the increase over a 16hr daytime period based on the APU being operated for half an hour in a day, the positioning of APUs is one area which requires further controls via the use of a planning condition which requires the use of APUs to be restricted to the area further south (outside the wide body hanger) or to inside one of the narrowbody hangers (door can be open for ventilation). It will be required that aircraft access the narrow body hangers using their own power to get relatively close to the wide body hanger at the south of the proposed run of hangers. They will then switch off their own engines and be tugged in and out of the hangers by ground vehicles. This is in line with what the operators are proposing and has been outlined in the noise management plan. The revised models in the noise assessment have also modelled noise from an APU operating for half an hour inside the northern most hanger while the door is open and then a hypothetical scenario where APUs are being operated on planes inside all the proposed hangers simultaneously. The results of this modelling show that being operated inside a building does make a big difference to the noise levels experienced at the nearest noise sensitive receptor and there is no need to place further restrictions on the use of APUs inside the hangers during the day-time period.
88. The revised assessment has also addressed concerns around noise levels likely to be experienced by users of the nearby Public Rights of Way. Users of a public footpath are not usually defined as noise sensitive receptors and that any increase in noise levels as a result of the development should be seen in the context of the existing permitted activities at the airport and this has been accepted by the Council's Environmental Health Officer and Public Rights of Way Officer
89. Overall, the revisions to the noise assessment have addressed concerns raised by the Council's Environmental Health Officer and the proposed development is considered to be acceptable in terms of noise impact, subject to the imposition of conditions which have been agreed with the applicant, to secure the following:
- Within the day-time period all aircraft maintenance activities within the MRO hangers are undertaken with the doors closed whenever possible.
 - During the night-time period the doors to the MRO hangers shall be kept closed at all times except when being used to access the building.
 - Controls over the operating times of the paint spray booth in Hangar 4
 - No maintenance activities which produce a noise audible beyond the site boundary taking place during the night-time period
 - No tear-down activities or dismantling of aircraft taking place outside of the designated 'tear-down' area and any such activities within the designated area shall not take place outside agreed hours.

- No aircraft mounted APUs shall be operated on stationary aircraft any further north in the proposed development than the position shown in the noise assessment unless the aircraft is inside a hanger building.
- The submission of details of any fixed external plant, equipment or machinery associated with the development, along with a noise impact assessment
- No engine testing being permitted within the red-line boundary associated with the application. Engine tests will still be permitted elsewhere on the airport site with the permission of air-traffic control in accordance with current operating procedures for the airport.

90. The nearest internal road within the development site would be approximately 170m from the shared boundaries of the dwellings on The Crescent. The road would be enclosed by open style fencing and be partially screened by scrub planting and trees. Any increase in noise from vehicle traffic was not investigated as part of the noise assessment. Vehicle traffic noise would have limited impact on the residents to the north and was scoped out of being included in the noise assessment in agreement with the Environmental Health Officer.

91. It is considered that the proposed development, subject to the imposition of appropriate planning conditions, would not have an adverse impact on the nearest residential dwellings in terms of outlook, loss of privacy or noise and the development would accord with policies E4, DC3 and DC4 of the Local Plan in this regard

g) Lighting

92. The lighting strategy for the site is a mix of freestanding lighting columns (20m high) within the parking areas and around the internal road and wall mounted lighting on the buildings. As stated, the road is approximately 170m from the gardens of the properties in The Crescent and the nearest building is 240m away.

93. The application has been supported by an External Lighting Report which sets out how the proposed lighting scheme will meet industry standards for lighting in car parks, airport aprons and roads. Light from the application site will be visible from properties on The Crescent and there will be an increase in 'sky glow' around the airport site as a result of the development. However, the Council's Environmental Health Officer has advised that it would be very unlikely that the proposed lighting scheme would create levels of light intrusion at nearby properties capable of being classed as a Statutory Nuisance. It also needs to be borne in mind that lighting from airports is specifically exempted from the Statutory Nuisance regime, so the planning process represents the only chance to effectively impose controls or mitigate against the impacts of the proposed lights.

94. The application proposes to operate the site 24hrs. but there are likely to be times at night when all work is taking place inside the hangers and no activities requiring illumination are happening on the apron extension area. For this reason, a condition has been recommended to limit the amount of disturbance from the proposed artificial lighting scheme. This condition is proposed in accordance with the 'Light Pollution'

section of guidance published in the National Planning Practice Guidance. The proposed condition is limited to apply to the aircraft apron extension which is the largest of the proposed external areas to be lit and the proposed lighting masts in this area are the highest so lights in this area will be likely to be the most intrusive.

95. Subject to this condition, the proposal is considered to be acceptable in terms of light pollution in both general and residential amenity terms and would accord with policies DC1, DC3 and DC4 of the Local Plan in this regard.

h) Trees, Landscaping and Ecology

96. Tree coverage within the application site is limited to groups of low level scrub within the airport perimeter fencing interspersed with larger Poplar and Willow trees, and a line of young trees alongside the main access road, St Georges Way. A large woodland block is located to the west of the site, known as Robinsons Plantation. None of the trees within, on the edge of or in close proximity of the application site are covered by a preservation order.
97. There would be limited tree removal within the site to facilitate the development and the creation of access roads. This removal would primarily take place within the south section of the site, where the buildings would be positioned and consist of removing dense scrubs of blackthorn, hawthorn bushes, willows which are category C specimens and five individual trees which are a mix of category C and B trees. There are no category A trees within the application site. The planning application has been supported by an acceptable tree protection plan which can be secured via the use of a planning condition.
98. The existing trees and landscaping to be removed are generally of low quality with most being large groups of small tree and scrub cover or occasional Willow and Poplar trees of limited longevity. The arboricultural loss is considered to be minor and the landscape impact is limited.
99. An extensive landscaping scheme has been submitted as part of the proposal which involves the retention of the existing trees along the St Georges Way boundary, the planting of additional hedging and trees around the parking and hardstanding areas, SUDs basins, along with extensive scrub and tree planting on the lans between the development site and the dwellings to the north on The Crescent. The position of the tree planting has been relocated further away from the shared boundary to retain an existing mown grass pathway and to ensure the landscaping features do not present any future amenity issues for the residents. A maintenance and management plan for the landscaping scheme, including the land to the north of the main development would form part of a Section 106 Agreement.
100. Under the provision of the National Planning Policy Framework 2021 and policy ENV8 of the Local Plan development proposals are required to provide net gains in biodiversity and demonstrate achievement of this using the Defra Biodiversity Metric. The applicant's ecologist has been working alongside the Council's ecology consultant

and the planning application has been supported by an ecological report with biodiversity metrics, landscape strategy and masterplan.

101. The application site consists of a mix of arable land, grassland and scrub habitat. Arable land between the proposed hangars and the dwellings on The Crescent would not be developed, along with retained buffers to the mature woodland to the western boundary, which is connected to other green corridors, towards the perimeter of the development area. The nearest locally designated wildlife site is The Whinnies which is just over 1km away. The condition of the habitat types within the development site are considered to be primarily in moderate condition.
102. The ecology report lists a number of notable species which exist near to the application site. The proposal is not expected to have an adverse impact on bats due to the small impact size of the site on suitable habitat features. No reptiles were recorded on or near the site and are not expected to be within 1km of the site. Nesting birds would be expected to be within the vicinity of the site and the presence of badgers are likely but not considered to be at negative risk from the proposal as no setts were identified on site and there are no local records for the site or within 2km of the site.
103. Records show that Great Crested Newt populations can be found at Goosepool Beck Farm and Goosepool Pond which are 975m and 745m from the application site and separated by the railway line, trunk road and developed land. Whilst there is a record of positive sightings within the airport land ownership, there are over 1.5km to the east and pose negligible risk at such a distance.
104. The biodiversity mitigation for the site has been addressed through a landscaping strategy which has been revised following discussions between the ecologists acting on behalf of the local authority and the applicant. This includes a site wide approach to include the southern area of the site by creating habitats in and around the development footprint as well as the northern area, which will see the creation of predominantly grassland habitat, with hedgerows and a scrub tree boundary. This area is also proposed as a suitable receptor site for the creation of an area or Lowland Meadow, measuring approximately 1 hectare in area.
105. The Lowland Meadow habitat is classed as a very high distinctive habitat, which will be complimented by additional species rich grassland along with scrub planting to the west, north and south, protecting invertebrate communities from prevailing winds.
106. As stated, no Great Crested Newt populations would be affected by the development. Although there are no records for bats on or within 500m of the site, the habitats present nearby, such as field boundary hedgerows, scrub, rail corridor and extensive semi-natural grassland, would all provide the necessary invertebrate abundance and connectivity needed for foraging bats, along with likely roost opportunities within the mature woodland block of Robinson's plantation, which is located nearby to the west. The ecology report recommends a mitigation strategy to ensure that habitats, especially to the west of the site but also to the north, are protected from additional light

pollution which would remove the need for further surveys by managing the risk of negative impact upon a protected species, as no animals are expected to be impacted within the main grassland habitat of the site. New scrub belts bordering the northern boundary of the development site would mitigate any loss of connectivity through existing scrub clearance.

107. There should be no impact on badgers due to the lack of the presence of setts but the ecology report recommends that during the construction phase, any pits/holes are covered overnight or wooden ramps are provided to ensure any badgers are not trapped on site.
108. Although no Dingy Skipper butterflies were observed on site, there was potential for some on site habitats to support a small population. A further survey would need to be carried out, and if their absence is confirmed, no further action would be needed. However, if the presence is confirmed, they would be netted and translocated to a nearby Dingy Skipper site, the closest being The Whinnies, and then returned and released to a newly created habitat to the south of the main development area.
109. Prior to works on site, the grassland would be managed with a very short sward length of less than 100mm from March to August to minimise the use of the site by nesting birds. Further surveys are not recommended as much of the proposed site is either in intensive arable production or is under regular short cut grass management already, due to airport health and safety management measures already employed.
110. The ecology report includes a Defra Biodiversity Metric which shows that the landscape proposals for the site will result in a biodiversity net gain in accordance with local and national planning policy and it includes a draft Management and Monitoring Plan.
111. The Council's ecology consultant has advised that the Draft Biodiversity Management and Monitoring Plan (BMMP) provides a series of options to create lowland Meadow and other neutral grassland alongside scrub habitats on site and the production of the final, agreed BMMP and its delivery should be secured via the Section 106 Agreement. This should be prior to development with work commencing on habitat creation at the earliest opportunity (first planting/sowing season). The BMMP will include details of habitat creation, long term management, target habitat descriptions and target dates as per the metric, monitoring and review periods.
112. The proposed dingy skipper methodology is generally sound and the surveys, if the species is present, production of an agreed translocation, management and monitoring plan for dingy skipper can be secured via the S106 legal agreement.
113. The ecology report included a bat risk assessment of the surrounding trees, including the adjacent woodland with no risk identified and a sensitive lighting scheme is proposed to further reduce any impacts on this area, which can be secured by a planning condition.

114. Overall, the proposed landscaping scheme has been amended to mitigate for the minimal tree and scrub loss which would occur to facilitate the development, to minimise and contribute towards the visual impact of the development; to achieve biodiversity net gain and it has been repositioned off the northern boundary to reduce its visual impact and potential amenity concerns for the dwellings on The Crescent whilst maintaining accessibility to the adjacent PROW.

115. The proposal would accord with policies DC1, ENV3, ENV4, ENV7 and ENV8 of the Local Plan and the National Planning Policy Framework 2021 in this regard.

i) Drainage and Flood Risk

116. The planning application has been supported by a Flood Risk Assessment and additional drainage information, The Environment Agency's Flood Map for Planning indicates that the entire application site lies within Flood Zone 1, indicating a low probability of flooding from fluvial and tidal sources, which accords with the requirements of policy DC2 of the Local Plan. The EA's Flood Risk from Surface Water maps indicates that the majority of the application site is at a very low risk of surface water flooding. There are localised areas of high, medium, and low risk surface water flooding within the application site as well as a surface water flow route shown in the north. These localised flooding areas and flow routes align with topographic low spots and shallow valleys within the application site boundary.

117. The development has generally been located away from any localised flooding and lies outside the surface water flow route shown to the north to ensure that there will be no impact on existing overland flows, or flood risk to the development itself. There are however some areas of flooding in the south east of the application site where apron area is proposed. The flooding in this area is localised and coincides with existing local depressions. As part of the development, ground levels in this area will likely be reprofiled therefore removing this local depression, and as a result no flooding would occur post development.

118. As part of the development proposals, part of the existing ordinary watercourse on the application site will be removed to accommodate the proposed apron. On the basis that the watercourse only accommodates runoff from the site, and that a surface water drainage network will be incorporated to drain the hardstanding areas of the site, the FRA advises this is not considered to have a negative impact on flood risk to the site or surrounding area. Prior to detailed design, a full survey of the existing watercourse will be undertaken to confirm that the ditch only accommodates flows from the site, but should the survey reveal that there are off site flows to the ditch, then measures will be taken to ensure that these flows are maintained. Where the ordinary watercourse is to remain, an 8m offset has been provided to allow access from maintenance.

119. The risk of flooding from sewers, groundwater and artificial sources has also been assessed and is considered to be low. It is proposed that runoff from the application site will be restricted to the greenfield rate for all scenarios, up to and including the 1 in 100

year plus 45% climate change event. Surface water runoff from the site will discharge to an ordinary watercourse located approximately 1 km to the south west which is a tributary of the River Tees. The ordinary watercourse and the proposed conveyance route lie within Teesside Airport land, with land naturally falling towards this watercourse.

120. In order to restrict runoff to the greenfield rate, it is proposed that attenuation will be provided through detention basins, permeable surfacing and geocellular attenuation where required. In most areas, the provision of permeable surfacing, filter drains and the detention basins provide sufficient mitigation against the potential for pollutants. For runoff from the apron areas, a hard engineered solution in the form of a SPEL ESR Stormceptor will be required to ensure that sufficient treatment of runoff is provided.
121. The on site drainage network and SuDS will be privately managed and maintained, ensuring they remain fit for purpose and function appropriately for the lifetime of the development. Based on topography, it is anticipated that foul flows will require pumping to Northumbrian Waters combined network to the north east of the site.
122. The FRA has been reviewed by the Environment Agency, Northumbrian Water and the Lead Local Flood Authority and there are no objections to the principle of the drainage strategy but conditions need to be imposed to secure a detailed scheme for the disposal of foul drainage and a management and maintenance scheme for the sustainable surface water drainage scheme.
123. The development would accord with policy DC2 of the Local Plan in this regard.

j) Air Quality

124. The application has been supported by an Air Quality Assessment which has assessed the impact of the development on local air quality using data on the predicted increase in traffic flows associated with the development and data on the existing air quality within the area. The assessment has used the IAQM guidance, 'Planning for Air Quality' and although the change in traffic flows as a result of the development is above 500 AADT the proposals do qualify for assessment using the 'Simple Assessment' procedure set out in the guidance. The Council's Environmental Health Officer has considered the Assessment and would agree with the conclusions of the report that during the operational phase of the proposed development the effect on local air quality will be not significant given the distance to receptors and good baseline air quality. The application would accord with Policies DC3 and DC4 of the Local Plan in this regard

k) Land Contamination

125. The application has been supported by a Phase 1 desk-top report and site walk over report. Having reviewed the report, the Council's Environmental Health Officer would agree with the conclusion which emphasises that the site is unlikely to be significantly contaminated and if contamination is proven then it is likely to be localised only. The report has identified likely areas of made ground in the south eastern corner of the

main field as well as a large mounded section in the airfield section. These areas will need to be targeted as part of a subsequent site investigation.

126. The report sets out the proposals for a site investigation which will be required which should include the sampling and analysis plan for the site investigation. Based on officer's experience of ground conditions in the local area, ground gas is not expected to be an issue at the development and if trial pitting results support it, there would be no objections if ground gas monitoring was not done as part of a site investigation.
127. The planning application has been supported by an Unexploded Ordnance Desk Study and Risk Assessment (UXO). This is a comprehensive Risk Assessment of UXO at the site based on the available historic records. The report has concluded that there are no significant sources of UXO hazards identified at the site but given the military history of the site the possibility of encountering such devices cannot be discounted. It has assessed the risk posed as low and recommended that an UXO awareness briefing is given to all staff on site involved in excavations. The Council's Environmental Health Officer would agree with this conclusion. This briefing should form part of the Health & Safety induction of site staff involved in building works and will be covered by H&S legislation. To ensure this happens an informative note to the application has been added.
128. The Environmental Health Officer has recommended that should the application be approved; the standard contaminated land conditions are imposed. In such circumstances, the development would accord with policy DC1 of the Local Plan in this regard

l) Archaeology

129. The application site measures c.18.5ha and comprises three fields, a large arable one and two scrub areas to the south which have previously been used for airfield activities. There is limited evidence for pre-World War II activity in the area other than that related to agriculture. However, there has been no systematic survey and as such the potential for earlier remains cannot be ruled out. This potential is raised by the identification of an undated T-shaped ditch to the east. A programme of geophysical survey is being undertaken of the arable field. Should this identify and potential archaeological features, there may be a need for further work (e.g. trial trenching, watching brief) to record the remains in advance of and/or during development in line with National Planning Policy Framework (NPPF) guidelines. Whilst securing trial trenching and testing via a planning conditions carries an element of risk for the applicant, a staged programme of archaeological fieldwork has been agreed with the Durham County Council Archaeology Team through planning conditions allowing the scope to be developed or be terminated, as appropriate, following the results of each stage. The planning application would comply with ENV1 of the Local Plan in this regard.

m) Nutrient Neutrality

130. Natural England together with the Department for Levelling Up, Housing and Communities (DLUCH) announced on 16th March 2022 that the administrative area of

Darlington Borough Council is now located within the catchment area of the Teesmouth and Cleveland Coast Special Protection Area. Under the Habitats Regulations, those planning authorities falling within the catchment area must carefully consider the nutrients impacts of any projects, including new development proposals, on habitat sites and whether those impacts may have an adverse effect on the integrity of the site that requires mitigation. This impacts on all planning applications, both existing and proposed, which relate to primarily all types of overnight accommodation, such as new dwellings, care homes, student accommodation, holiday accommodation etc. and impacts all developments for one dwelling upwards. It also affects other applications where development may impact upon water quality, including those seeking to discharge planning conditions relating to foul and surface water drainage for a range of development proposals.

131. As the proposed development does not include any overnight stay accommodation, the scheme would fall outside the scope of the nutrient neutrality

n) Planning Obligations

132. Where a relevant determination is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

133. The agreed Heads of Terms proposes the following:

- a) Sustainable Transport contribution based on £200 per parking space (approx. £58,800) to enhance walking and cycling routes in the proximity of the site, such as the Public Right of Way, access to the Dinsdale Railway Station and the Stockton and Darlington Railway walking and cycling route
- b) A Travel Plan including a monitoring fee; a personalised Travel Advice fee and a Travel Plan Implementation bond
- c) The payment of a contribution of £150,000 per year for five years to extend an existing bus service if the Airport operator does not implement the recommendations of a Public Transport Strategy for the wider Airport site prior to the first occupation of the development. The Strategy has to be submitted to and agreed by the local planning authority within 12 months of commencement and implemented prior to first occupation
- d) The submission of a Biodiversity Management and Monitoring Plan, including a Dinghy Skipper Management Plan

THE PUBLIC SECTOR EQUALITY DUTY

134. In considering this application the Local Planning Authority has complied with Section 149 of the Equality Act 2010 which places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination

and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The proposed development would be accessible for all persons and including appropriate levels of parking spaces for people with mobility issues in accordance with policy IN2 of the Local Plan.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

135. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION AND RECOMMENDATION

136. The proposed development is located outside of the employment areas for Teesside Airport which are identified in the Darlington Local Plan 2016 – 2036. However, operational requirements have been presented as part of the planning application to justify the siting of the development within the Airport site and there are clear and strong economic benefits that would be derived from the development which are all material planning considerations to enable the proposal to be considered in accordance with S.38(6) of the Planning and Compulsory Purchase Act 2004. The loss of the site as agricultural land has also been considered but this would not outweigh the economic benefits and operational requirements of the proposed development which have been identified

137. Appropriate planning conditions have been recommended to ensure the operations which take place within and outside the proposed buildings do not adversely impact the neighbouring dwellings in terms of noise and whilst the development will undoubtedly change the character and visual appearance of the site and immediate area, the scale, layout and design of the development is acceptable in amenity terms.

138. The proposed development accords with national and local development plan policy in terms of meeting biodiversity net gain on site.

139. The development is acceptable in general highway safety and parking provision terms and it will not have an adverse impact on the adjacent Public Right of Way. The development is not fully compliant with policy IN2 of the Local Plan as it is not located within 400m of a bus stop served by a regular daytime service (at least every 30 minutes). However, it is served by an existing hourly service and officers have negotiated a position with the applicant, whereby a financial contribution will need to be made to extend and improve the existing service if an airport wide public transport strategy is not submitted and operational within agreed timescales.

140. The development does not raise any issues with regard to air quality, land contamination, flood risk or archaeology. The development is therefore recommended

for approval, subject to the completion of a Section 106 Agreement and planning conditions as set out below

THE DIRECTOR OF ECONOMIC GROWTH BE AUTHORISED TO NEGOTIATE AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 WITHIN SIX MONTHS TO SECURE PLANNING OBLIGATIONS THAT ARE APPROPRIATE FOR THE DEVELOPMENT COVERING:

- A Sustainable Transport contribution to improve walking and cycling provision
- A Travel Plan
- The payment of a contribution of £150,000 per year for five years to extend an existing bus service if the Airport operator does not implement the recommendations of a Sustainable Transport Strategy for the wider Airport site prior to the first occupation of the development.
- The submission of a Biodiversity Management and Monitoring Plan, including a dinghy skipper translocation, management and monitoring plan

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

SHOULD THE 106 AGREEMENT NOT BE 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 ON THE GROUNDS THAT THE APPLICATION HAS FAILED TO PROVIDE ADEQUATE MITIGATION MEASURES TO PROVIDE A SATISFACTORY FORM OF DEVELOPMENT IN ACCORDANCE WITH THE REQUIREMENTS OF DARLINGTON LOCAL PLAN 2016-2036, WITHOUT ANY FURTHER REFERENCE TO THE PLANNING COMMITTEE.

1. A3 - Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans and documents, as detailed below:
 - a) Drawing Number JBA 22/307-SK02 Rev G – Landscape Masterplan
 - b) Drawing Number 1501-GTA-26-00-GA-A-0001 Rev P11 – Proposed MRO/FBO GA Plan
 - c) Drawing Number 1501-GTA-26-00-GA-A-0002 Rev P02 – Proposed MRO GA Plan
 - d) Drawing Number 1501-GTA-26-00-GA-A-0003 Rev P02 – Proposed WH GA Plan
 - e) Drawing Number 1501-GTA-26-00-GA-A-0004 Rev P02 – Proposed NH & Paintshop GA Plan
 - f) Drawing Number 1501-GTA-26-RF-GA-A-0001 Rev P03 – Roof Plan
 - g) Drawing Number 1501-GTA-3Z-00-LP-A-0003 Rev P02 – Site Plan
 - h) Drawing Number 1501-GTA-ZZ-00-LP-A-0001 Rev 05 – Red Line Plan
 - i) Drawing Number 1501-GTA-26-XX-GA-A-1001 Rev P04 – Proposed FBO Plans

- j) Drawing Number 1501-GTA-26-XX-SE-A-0001 Rev P04 – Proposed MRO Elevations
- k) Drawing Number 1501-GTA-26-XX-SE-A-0002 Rev P01 – Proposed MRO Site Elevations
- l) Drawing Number 1501-GTA-26-XX-SE-A-1001 Rev P02 – Proposed FBO Elevations

REASON – To ensure the development is carried out in accordance with the planning permission

- 3. Within 12 months of the commencement of the development a Public Transport Strategy, addressing how public transport can be used to improve the accessibility the Airport in accordance with Policy IN2 of the Darlington Local Plan 2016 - 2036, shall be submitted to the Local Planning Authority for its written approval.

REASON: To improve sustainable transport connectivity for Teesside International Airport

- 4. Prior to the first occupation of any building hereby permitted, the recommendations of the Public Transport Strategy approved under condition 3 shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

REASON: To improve sustainable transport connectivity for Teesside International Airport

- 5. Prior to the commencement of the development a vehicle swept path analysis shall be submitted to and approved in writing by the Local Planning Authority. The analysis shall 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 and the development shall not be carried out otherwise than in complete accordance with the approved details

REASON: In the interests of highway safety

- 6. Prior to the first occupation of the site, full and precise details of vehicles access (Roundabout arm and Priority Junction) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include carriageway alignment/geometry and details of connectivity to the existing footway/cycleway on St Georges Way, crossing points, signage and tactile paving in accordance with DfT Guidance Note LtN 1/20 or as otherwise agreed with the Highways Authority. The development shall not be carried out otherwise than in complete accordance with the agreed scheme which shall be constructed prior to first occupation of the site unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of highway safety and in order to promote the use of public and sustainable modes of transport

7. Prior to the commencement of the development, a site-specific Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning Authority dispenses with any requirement[s] specifically and in writing:
 - 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 demolition and 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".
 - 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 the amenity of the area and highway safety

8. The electric vehicle charging points shown on the approved plans shall be a minimum of a single phase 13 amp socket. The charging points shall be in place prior to the first occupation of the development and shall remain during the lifetime of the development

REASON: To comply with policy IN4 of the Darlington Local Plan 2016 - 2036

9. Prior to the first occupation of the development hereby approved, a Travel Plan (TP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority and National Highways. The Travel Plan shall be added to the ModeshiftStars Community / Modeshift Stars Business site and the Travel Plan shall be continued in accordance with the details contained therein, including attaining Bronze Standard with 12 months of the commencement of the use unless otherwise agreed in writing by the Local Planning Authority

REASON: To ensure that the A66 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, and in the interests of road safety and to reduce single occupancy car travel and to encourage and promote sustainable transport

10. Within the day-time period (07:00 – 23:00) all aircraft maintenance activities within the MRO hangers shall be undertaken with the doors closed whenever possible.

REASON: In the interest of the amenity of the surrounding area

11. During the night-time period (23:00 – 07:00) the doors to the MRO hangers shall be kept closed at all times except when being used to access the building.

REASON: In the interest of the amenity of the surrounding area

12. The paint spray booth inside Narrow Body Hanger 4 shall not be used outside of the times 07:00-23:00 for the spraying of aircraft

REASON: In the interest of the amenity of the surrounding area

13. No maintenance activities which produce a noise audible beyond the site boundary shall be undertaken during the night-time period (23:00 -07:00).

REASON: In the interest of the amenity of the surrounding area

14. No tear-down activities or dismantling of aircraft shall take place outside of the designated 'tear-down' area and any such activities within the designated area shall not take place outside the hours of 08:00-1800 Monday to Friday.

REASON: In the interest of the amenity of the surrounding area

15. No aircraft mounted APUs shall be operated on stationary aircraft any further north in the proposed development than the position shown in figure 5.1 & 5.2 of the Anderson Acoustics noise assessment (dated December 2022) submitted with the application unless the aircraft is inside a hanger building.

REASON: In the interest of the amenity of the surrounding area

16. Prior to the installation of any fixed external plant, equipment or machinery associated with the development hereby approved, a noise impact assessment shall be carried out by a suitably qualified acoustic consultant/engineer (appointed by the applicant) to assess the noise rating level in accordance with BS4142: – 'Method for rating and assessing industrial and commercial sound.' The rating level (L_A,Tr), as defined in BS4142, from external plant, machinery or equipment associated with the development (whether operating individually or when all plant is operating simultaneously) shall not exceed the day-time and night-time criteria set out in the table in paragraph 5.5 of the Anderson Acoustics noise assessment (dated December 2022) when assessed at dwellings on 'The Crescent'. If deemed necessary by the Local Planning Authority appropriate noise mitigation measures shall be implemented prior to the plant, equipment or machinery first becoming operational and thereafter shall be retained,

operated and maintained in accordance with the approval for the lifetime of the development.

REASON: In the interest of the amenity of the surrounding area

17. No engine testing is permitted within the red-line boundary associated shown on Drawing Number 1501-GTA-ZZ-00-LP-A-0001 Rev P05. Engine tests will still be permitted elsewhere on the airport site with the permission of air-traffic control in accordance with current operating procedures for the airport.

REASON: In the interest of the amenity of the surrounding area

18. No construction activities, including the use of plant and machinery, as well as deliveries to and from the site, shall take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-14.00 Saturday with no activities on Sunday or Bank/Public Holidays without the prior written permission of the Local Planning Authority.

REASON: In the interests of the amenity of the area

19. No stockpiles of waste from the dismantling of aircraft shall be stored anywhere onsite other than within the designated aircraft 'tear down' area.

REASON: In the interests of the visual appearance of the site and the wider surrounding area

20. Prior to the commencement of the development and any site investigation works or at a time agreed in writing by the Local Planning Authority a Phase 2 Site Investigation Strategy (Sampling and Analysis Plan) shall be designed and documented by a "suitably competent person(s)" in accordance with published technical guidance (e.g. BS10175 and CLR11) and be submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing. The Phase 2 Site Investigation Strategy (Sampling and Analysis Plan) shall be sufficient to fully and effectively characterise and evaluate the nature and extent of any potential contamination sources, hazards and impacts. No alterations to the agreed Phase 2 Site Investigation Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection.

- ~~21.~~ Prior to the commencement of the development or at a time agreed in writing by the Local Planning Authority a Phase 2 Site Investigation works shall be conducted, supervised and documented by a "suitably competent person(s)" and carried out in accordance with the approved Phase 2 Site Investigation Strategy (Sampling and Analysis

Plan). A Phase 2 Site Investigation and Risk Assessment Report prepared by a "suitably competent person(s)", in accordance with published technical guidance (e.g. BS10175 and CLR11) and shall be submitted to and agreed in writing with the Local Planning Authority unless the Local Planning Authority dispenses with the requirement specifically and in writing.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

22. Prior to the commencement of the development or at a time agreed in writing by the Local Planning Authority a Phase 3 Remediation and Verification Strategy shall be prepared by a "suitably competent person(s)" to address all human health and environmental risks associated with contamination identified in the Phase 2 Site Investigation and Risk Assessment. The Remediation and Verification Strategy which shall include an options appraisal and ensure that the site is suitable for its new use and shall be submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing. No alterations to the Remediation and Verification Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority. The Phase 3 Remediation and Verification works shall be conducted, supervised and documented by a "suitably competent person(s)" and in accordance with the approved Phase 3 Remediation and Verification Strategy.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

23. Any contamination not considered in the Phase 3 Remediation and Verification Strategy but identified during subsequent construction/remediation works shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

24. A Phase 4 Verification and Completion Report shall be compiled and reported by a "suitably competent person(s)", documenting the purpose, objectives, investigation and risk assessment findings, remediation methodologies and validation results obtained to demonstrate the completeness and effectiveness of all approved remediation works conducted. The Phase 4 Verification and Completion Report and shall be submitted and

agreed in writing with the Local Planning Authority within 2-months of completion of the development unless the Local Planning Authority dispenses with the requirement specifically and in writing. The development site or agreed phase of development site, shall not be occupied until all of the approved investigation, risk assessment, remediation and verification requirements relevant to the site (or part thereof) have been completed, reported and approved in writing by the Local Planning Authority.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

25. The development shall not be carried out otherwise than in complete accordance with the document entitled "Teesside International Airport, Willis Aviation Village, External Lighting Report" produced by LY MEP Building Services Consultants Limited dated October 2022 unless otherwise agreed in writing by the Local Planning Authority

REASON: In the interests of the visual appearance of the development and the surrounding area

26. Notwithstanding condition 25, external lighting associated with the proposed extended external aircraft apron must be switched off when there are no activities taking place in this area which require illumination.

REASON: In the interests of the amenity of the local area

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

REASON: To prevent the increased risk of flooding from any sources and to protect the local water environment in accordance with the National Planning Policy Framework 2021

28. No construction, excluding any demolition and ground preparation works shall commence on site until a further Instrument Flight Procedures (IFP) assessment has been carried out to prove that there is no impact on the IFP's, or mitigation has been agreed with the Airport Authority and submitted to and approved in writing by the Local Planning Authority.

REASON: To avoid structures on the application site endangering the safe movement of aircraft and the operation of Teesside International Airport.

29. No construction, excluding any demolition and ground preparation works shall commence on site until the Terma Radar and VHFTx sites have been relocated as agreed with Teesside International Airport.

REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Teesside International Airport through interference with communication, navigational aids and surveillance equipment

30. No solar panels shall be installed until a glint and glare assessment has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Teesside International Airport through interference with communication, navigation and surveillance equipment or glint and glare issues.

31. No building shall be occupied within any part of the site until a Highways Operational Management Plan (HOMP) covering any Use Class E, B2 and B8 operations has been submitted to and approved in writing by the Local Planning Authority in liaison with the Local Highway Authority and National Highways. The HOMP shall include but not be limited to the shift change times associated with the development. The shift change times for occupiers within the development will need to be off-set by at least one hour from morning and afternoon peak hour traffic.

REASON: To ensure that the A66 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.

32. No development shall commence until a Written Scheme of Investigation setting out a phased programme of archaeological work in accordance with 'Standards for All Archaeological Work in County Durham And Darlington' has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

REASON: To safeguard any archaeological interest in the site

33. No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

REASON: To safeguard any archaeological interest in the site

34. 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.
- 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.

REASON: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Policy DC2 of the Darlington Local Plan 2016 – 2036 and the National Planning Policy Framework 2021

35. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy dated 13th October 2022.

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

36. The development hereby permitted shall be constructed to BREEAM 'Very Good' standard or better as set out in the Design and Access Statement dated October 2022 submitted with the application.

REASON – To comply with the requirements of Local Plan Policy DC1

37. Prior to the first occupation of any building hereby permitted, a Statement shall be submitted to and approved by the local planning authority detailing the measures necessary for providing broadband connectivity including ducts to each premises within the development hereby approved, unless otherwise agreed in writing by the local planning authority. The approved infrastructure shall be laid out in accordance with the agreed details at the same time as other services during the construction process and be available for use on the first occupation of each building unless otherwise agreed in writing by the local planning authority.

REASON- To ensure that the development is provided with high quality broadband services enhancing its attractiveness, in accordance with Policy IN8 of the Local Plan.

38. The development shall not be carried out otherwise than in complete accordance with the mitigation measures and tree protection plan contained within the document entitled "Arboricultural Survey Arboricultural Impact Assessment Arboricultural Method

Statement Tree Protection Plan” produced by Elliott Consultancy Limited dated October 2022

REASON: In the interests of the visual appearance of the development and the surrounding area

39. The development shall not be carried out otherwise than in complete accordance with the recommendation set out within the approved document entitled “Report ID INCA 2022 – 50. Preliminary Ecological Assessment & Biodiversity Metrics” produced by Philip Roxby & Ian Bond dated December 2022 (received by the Council on 16th February 2023) and the Landscape Strategy (Report JBA LS 02 Ver 1”, including the need to ensure habitats to the west and north of the site are protected from additional light pollution through an appropriate mitigation strategy, unless otherwise agreed in writing by the Local Planning Authority

REASON: To ensure the proposed development meets the biodiversity net gain requirements set out in the National Planning Policy Framework 2021 and policy ENV8 of the Darlington Local Plan

40. The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which may be 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.

REASON - In the interests of the visual amenities of the area.

41. The cycle parking provision hereby approved shall be in place prior to the first occupation of the development and shall remain in situ during the lifetime of the development

REASON: To encourage the use of sustainable modes of transport

INFORMATIVES

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant must be aware of the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in AOA Advice Note 4, ‘Cranes and Other Construction Issues’ (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/> and CAA CAP1096 Guidance to crane users on aviation lighting and notification (caa.co.uk))

Sustainable Drainage Scheme

At detailed design stage the applicant must consider detailed guidance within the CIRIA SuDS manual and to achieve a successful SuDS scheme it should deliver multiple benefits including water quantity, water quality, amenity and biodiversity.

Environmental Permit for Spraying and Environment Agency Waste Permit

The proposed aircraft tear-down area will incorporate five skips which may fall under the definition of a waste activity which would require a permit from the Environment Agency (EA) to operate. The applicant is encouraged to make enquires with the Environment Agency to ensure that the necessary permit is in place prior to the commencement of any operations.

The paint spraying activities are likely to require an environment permit from the Council's Environmental Health Team under process guidance note 6/40 'Coating and recoating of aircraft and aircraft components'. The applicant is encouraged to contact Environmental Health to discuss the implications of their plans further

UXO Hazards

The Zetica UXO Risk Assessment submitted with the application has identified a low risk of UXO being present on site. In line with section 8.2.1 of that report all staff involved in excavations during the constitution of the application shall receive a UXO Awareness Briefing prior to starting work on site

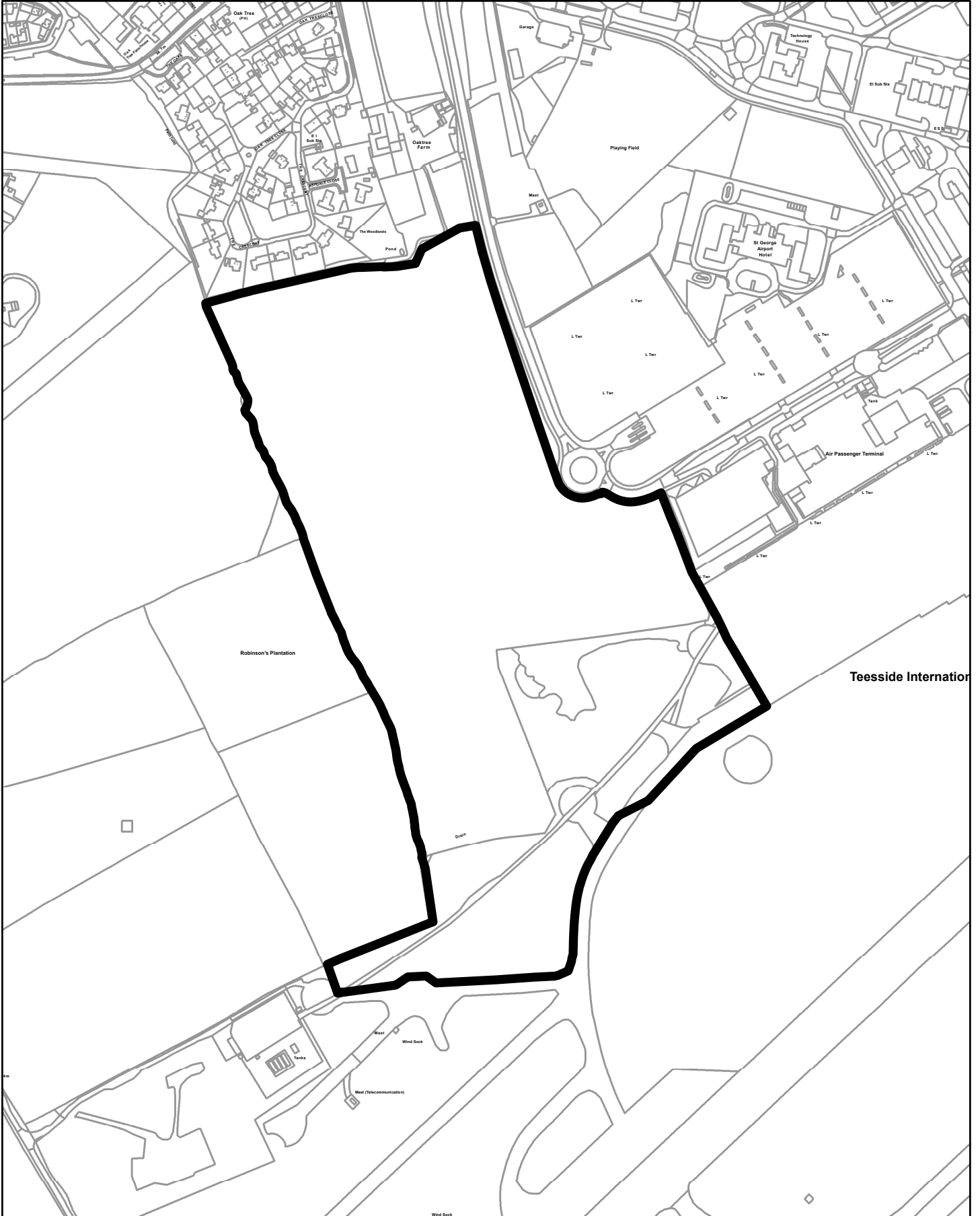
Highways

The Developer is required to submit detailed drawings of the proposed off-site highway works and enter into a Section 278/38 agreement before commencement of the works on site. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr Steve Pryke 01325 406663) to discuss this matter.

An appropriate street lighting scheme and design to cover the new internal highways and where appropriate proposed amendments to the existing arrangements (Section 278). Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr. M. Clarkson 01325 406652) to discuss this matter.

Prior to the commencement of the development the applicant is advised that contact be made with the Assistant Director: Highways, Design and Projects (contact Mrs. P. McGuckin 01325 406651) to discuss naming and numbering of the development.

The Developer is required to enter into an agreement under Section 59 of The Highways Act 1980 prior to commencement of the works on site. Where Darlington Borough Council, acting as the Highway Authority, wish to safeguard The Public Highway from damage caused by any Construction Traffic serving your development. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr Steve Pryke 01325 406663) to discuss this matter

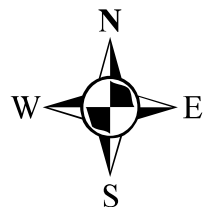


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Planning Ref No: 22/01182/FUL

DARLINGTON BOROUGH COUNCIL

Page 65



SCALE 1:5000

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Appeal Decision

Site visit made on 10 January 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2023

Appeal Ref: APP/N1350/D/22/3309810

12 Redworth Road, Darlington, Durham, DL3 0BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Connor Gowling against the decision of Darlington Borough Council.
 - The application Ref 22/00716/FUL, dated 21 June 2022, was refused by notice dated 19 August 2022.
 - The development proposed is erection of a 2 metre fence on a side garden replacing an existing fence.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form contains some arguments in support of the proposal. These are not acts of development in themselves and I have therefore removed them from the banner heading above. Nevertheless, I have taken the points raised into account in my reasoning below.
3. I saw at my site visit that the fence has been constructed. However, I have determined the appeal on the basis of the submitted drawings.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site is located on a corner plot fronting Redworth Road within a residential area. The grass verges and front gardens creates a spacious, open character which has a landscape quality, owing to the greenery of the front gardens and the grass verges. While boundary treatments vary in design, comprising hedging, brick walls and timber fences, the generally low height results in an overall conformity that contributes positively to the character and appearance of the area.
6. The height of the tallest section of the development is disputed. However, irrespective of the precise measurements, the development is noticeably taller than other boundary treatments in the area immediate to the site. The appellant indicates that the fence has been erected in the same position as a previous fence. Notwithstanding this, the height of the development in this

prominent corner plot location is a discordant addition that does not relate positively to the character and appearance of the area. Moreover, the presence of an alternative fence in the same location does not affect my findings.

7. I observed that the fence in its entirety has been stained dark brown. While this offers some visual continuity within the street scene, owing to the height and length in the tallest section the development is prominent, draws the eye and stands out as being incongruous. In addition, it creates a sense of enclosure in an area that is otherwise open in character.
8. A number of photos of other boundary treatments are before me, however these do not appear to be directly comparable as they are mostly not in corner locations. While the boundary treatment on the corner plot opposite the appeal site is taller than the generally low height boundary treatments in the area, the appeal development is taller still and solid in appearance, being constructed of vertical feather edge boards in its tallest section. Overall, these other examples are neutral matters in the determination of this appeal.
9. For the reasons given above, the development is harmful to the character and appearance of the area, in conflict with Policy DC1 of the Darlington Local Plan 2016-2036 (2022). This policy, amongst other things, requires good design, that reflects the local environment and responds positively to the local context.

Other Matters

10. The development has secured the safety and privacy of the appellant's family and property. In particular, it has been explained how children were unable to safely and confidently play in the outside spaces before the fence was erected. In refusing to permit the fence, such security measures may not be available, so there could be interference with the appellant's Human Rights as set out in Article 8 of the Human Rights Act 1998.
11. However, the operation and protection of public interests through the implementation of planning policy, is in accordance with the law and necessary in a democratic society. In this case, it has not been shown that the fence is the only option available to achieve the appellant's desired aims and it is indicated by the appellant that there are other, albeit smaller, private garden spaces at the property. Therefore, I conclude that the potential interference is proportionate in this case.
12. Children also share a protected characteristic covered by the Public Sector Equality Duty set out in the Equality Act 2010 and I have also had due regard to the three aims of that Act, including removing or minimising disadvantages that may be suffered by this group. However, for the same reasons, the weight that I attach to this matter is limited in this case and does not outweigh the harm that I have identified.
13. The Council have not found the proposal to be harmful to the living conditions of neighbouring occupiers and I have no reason to disagree. Even so, policy compliance on this matter is a neutral factor. While I acknowledge that the appellant has expressed frustrations with the planning application process, this has not affected my consideration of the planning merits of the case.

Conclusion

14. My above findings bring the development into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR

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