

PLANNING APPLICATIONS COMMITTEE

Wednesday, 5 March 2025

PRESENT – Councillors Haszeldine (Chair), Ali, Anderson, Bartch, Beckett, Cossins, Holroyd, Kane, Lawley, Lee, McCollom and Tostevin.

APOLOGIES – Councillors Allen and Laing.

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), Paul Dalton (Democratic and Elections Officer) and James McAllister (Elections Assistant).

PA46 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

PA47 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 4 DECEMBER 2024

RESOLVED – That the Minutes of this Committee held on 4 December 2024 be approved as a correct record.

PA48 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>
B4	<p>Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.</p> <p>REASON - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.</p>
PL	<p>The development hereby permitted shall be carried out in accordance with the approved plan(s) as detailed below,</p> <p>REASON: To ensure the development is carried out in accordance</p>

	with the planning permission.
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(1) PROPOSED NEW NWL WATER MAIN, KETTON LANE, DARLINGTON

Installation of below ground pipeline from Dyance Beck to Long Newton Service Reservoir and associated works, including temporary construction compounds and temporary bridge, pipe bridge, lagoons, pipe laydown areas, vehicular accesses and above ground ancillary structures (cross boundary application with Stockton Borough Council) (additional plan and long section drawings received 5th December 2024 and visibility splay drawing, response to National Highways objection received 18th December 2024 and additional information in response to objections received 21st January 2025).

(In making its decision, the Committee took into consideration the Planning Officer’s report (previously circulated), the views of the Council’s Highway Engineer, Transport Planning Officer, Public Rights of Way Officer, Environmental Health Officer, Ecologist, Arboricultural Officer and the Lead Local Flood Authority. The Committee also took into consideration the views of Durham County Council Archeology, the Council’s Conservation Consultant, Historic England, the Friends of the Stockton and Darlington Railway, National Highways, Network Rail, Teesside International Airport, Natural England, the Environment Agency, the Health and Safety Executive Land Use Planning Team, Northern Gas Network, Northern PowerGrid, Active Travel England, Durham County Council and Whessoe Parish Council.

Six letters of objection and one letter of representation were taken into consideration, alongside the views of the Applicant’s Agent, whom the Committee heard).

RESOLVED – That Planning Permission be granted subject to the developer entering into a Section 106 Agreement to secure a Biodiversity Net Gain (BNG) monitoring fee (to be completed within six months), and upon satisfactory completion and signing of that agreement, planning permission be granted subject to the following conditions:

- 1. A3 (3-year time limit)
- 2. The development hereby permitted shall be carried out in accordance with the approved plans as detailed below:
 - (a) Red Line Boundary Figure A.3, Sheets 1 – 4
 - (b) Proposed Development: Route Overview, Figure A.1
 - (c) Proposed Development: Detail, Sheet 1 of 3 Figure A.2
 - (d) Proposed Development: Detail, Sheet 2 of 3 Figure A.2
 - (e) Proposed Development: Detail, Sheet 3 of 3 Figure A.2
 - (f) A68 Strategic Crossing Plan and Profile, drawing number WN023-0165-STN-51-06-DR-C-0004 Rev. P01
 - (g) Tunnel General Arrangement, Sheet 1 of 2, drawing number WN023-0165-STN-51-06-DR-C-0005 Rev. P01
 - (h) Tunnel General Arrangement, Sheet 2 of 2, drawing number WN023-0165-STN-51-06-DR-C-0006 Rev. P01
 - (i) A167 Strategic Crossing, Plan and Long Section, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-1028 Rev. P01
 - (j) A68 Temporary Access, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-

- G04-411 Rev. P01
- (k) Stockton Road Temporary Access, drawing number SZ14-T51-PR1-AM2-002-DWG-CST-G04-1103 Rev. P04
 - (l) Beaumont Hill Temporary Access, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-1104 Rev. P01
 - (m) Beaumont Hill SR Strategic Connection Plan, drawing number WN023-0165-STN-51-02-DR-C-0001 Rev. P03
 - (n) Beaumont Hill SR Strategic Connection Plan and Pipeline Profile, Sheet 1 of 3, drawing number WN023-0165-STN-51-02-DR-C-0002 Rev. P02
 - (o) Beaumont Hill SR Strategic Connection Plan and Pipeline Profile, Sheet 2 of 3, drawing number WN023-0165-STN-51-02-DR-C-0003 Rev. P02
 - (p) Beaumont Hill SR Strategic Connection Plan and Pipeline Profile, Sheet 3 of 3, drawing number WN023-0165-STN-51-02-DR-C-0004 Rev. P02
 - (q) Phase 2 Site Compound Locations, Plan 1 of 3, drawing number WN023-0165_00_GIS_1030 Rev. P03
 - (r) Phase 2 Site Compound Locations, Plan 2 of 3, drawing number WN023-0165_00_GIS_1031 Rev. P03
 - (s) Phase 2 Site Compound Locations, Plan 3 of 3, drawing number WN023-0165_00_GIS_1032 Rev. P03
 - (t) Long Newton SR Strategic Connection Plan, drawing number WN023-0165-STN-51-03-DR-C-0001 Rev. P06
 - (u) Long Newton SR Strategic Connection, plan and pipeline profile sheet 1 of 4, drawing number WN023-0165-STN-51-03-DR-C-0004 Rev. P04
 - (v) Long Newton SR Strategic Connection, plan and pipeline profile sheet 2 of 4, drawing number WN023-0165-STN-51-03-DR-C-0005 Rev. P04
 - (w) Long Newton SR Strategic Connection, plan and pipeline profile sheet 3 of 4, drawing number WN023-0165-STN-51-03-DR-C-0006 Rev. P04
 - (x) Long Newton SR Strategic Connection, plan and pipeline profile sheet 4 of 4, drawing number WN023-0165-STN-51-03-DR-C-0007 Rev. P04
 - (y) Long Newton SR A66 Access Vehicle Tracking Assessment, drawing number WN023-0165-STN-51-03-DR-T-0002 Rev. P01
 - (z) A1(M) to Long Newton Service Reservoir Proposed Pipeline Route Key Plan, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1011 Rev. P03
 - (aa) Gainford Great Wood to A1(M) Proposed Pipeline Route Key Plan, drawing number WN023-0165-STN-ZZ-ZZ-DR-T-0001 Rev. P02
 - (bb) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 0m – 1000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1012 Rev. P02
 - (cc) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 1000m – 2000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1013 Rev. P02
 - (dd) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 2000m – 3000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1014 Rev. P02
 - (ee) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 3000m – 4000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1015 Rev. P02
 - (ff) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 4000m – 5000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-

- PIP-Y01-1016 Rev. P01
- (gg) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 5000m – 6000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1017 Rev. P01
 - (hh) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 6000m – 7000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1018 Rev. P01
 - (ii) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 7000m – 8000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1019 Rev. P01
 - (jj) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 8000m – 9000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1020 Rev. P01
 - (kk) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 9000m – 10000m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1022 Rev. P02
 - (ll) A1(M) to Long Newton Service Reservoir Proposed Plan and Long Section Chainage 10000m – 10754m, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-1022 Rev. P02
 - (mm) Gainford Great Wood to A1(M) Proposed Plan and Long Section Chainage 3000m – 4000m, drawing number WN023-0165-STN-51-04-DR-T-0002 Rev. P02
 - (nn) Gainford Great Wood to A1(M) Proposed Plan and Long Section Chainage 4000m – 5000m, drawing number WN023-0165-STN-51-05-DR-T-0005 Rev. P01
 - (oo) Gainford Great Wood to A1(M) Proposed Plan and Long Section Chainage 5000m – 6000m, drawing number WN023-0165-STN-51-05-DR-T-0006 Rev. P01
 - (pp) Gainford Great Wood to A1(M) Proposed Plan and Long Section Chainage 6000m – 7000m, drawing number WN023-0165-STN-51-05-DR-T-0007 Rev. P01
 - (qq) Gainford Great Wood to A1(M) Proposed Plan and Long Section Chainage 7000m – 8000m, drawing number WN023-0165-STN-51-05-DR-T-0008 Rev. P01
 - (rr) Gainford Great Wood to A1(M) Proposed Plan and Long Section Chainage 8000m – 9000m, drawing number WN023-0165-STN-51-06-DR-T-0005 Rev. P01
 - (ss) Gainford Great Wood to A1(M) Proposed Plan and Long Section Chainage 9000m – 9750m, drawing number WN023-0165-STN-51-06-DR-T-0005 Rev. P01
 - (tt) Gainford Great Wood to A1(M) Proposed Plan and Long Section Chainage 9750m – 10638m, drawing number WN023-0165-STN-51-06-DR-T-0006 Rev. P02
 - (uu) Preliminary Rout Plan (P25), drawing number WN023-0165/00/GIS/1028
 - (vv) River Skerne Strategic Crossing – General Arrangement, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-701 Rev. P02
 - (ww) River Skerne Strategic Crossing – Location Plan, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-700 Rev. P02
 - (xx) River Skerne Strategic Crossing – Proposed Temporary Access Route, drawing

- number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-023 Rev. P03
- (yy) East Coast Mainline Strategic Crossing – Drive Shaft (West Shaft) General Arrangement Plan and Section, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-803 Rev. P02
- (zz) East Coast Mainline Strategic Crossing – General Arrangement, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-800 Rev. P01
- (aaa) East Coast Mainline Strategic Crossing – Plan and Long Section, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-802 Rev. P01
- (bbb) East Coast Mainline Strategic Crossing – Reception Shaft (East Shaft) General Arrangement Plan and Section, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-804 Rev. P02
- (ccc) Tees Valley Railway Strategic Crossing – Drive Shaft (East Shaft) General Arrangement Plan and Section, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-603 Rev. P02
- (ddd) Tees Valley Railway Strategic Crossing – General Arrangement, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-600 Rev. P01
- (eee) Tees Valley Railway Strategic Crossing – Plan and Long Section, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-602 Rev. P01
- (fff) Tees Valley Railway Strategic Crossing – Reception Shaft (West Shaft) General Arrangement Plan and Section, drawing number SZ14-T15A-PR1-AM2-002-DWG-CST-G04-604 Rev. P02
- (ggg) Typical Pipe Trench Details, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-001 Rev. P03
- (hhh) Typical Stank Details, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-004 Rev. P02
- (iii) Typical Haul Road, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-005 Rev. P02
- (jjj) Typical Thrust Block – Bends, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-006 Rev. P02
- (kkk) Typical Thrust Block, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-007 Rev. P02
- (lll) Typical Lagoon Plan and Section, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-008 Rev. P02
- (mmm) Proposed Typical Elevations of Temporary Cabins, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-009 Rev. P02
- (nnn) Typical Air Valve Detail, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-010 Rev. P01
- (ooo) Typical Washout Detail, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-011 Rev. P01
- (ppp) Typical Line Valve Detail, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-012 Rev. P01
- (qqq) Typical Arrangement of Kiosk Type A Plan and Elevations, drawing number WN023-0165-STN-XX-XX-DR-T-0001 Rev. P02
- (rrr) Typical Arrangement of MCC Kiosk Type B Plan and Elevations, drawing number WN023-0165-STN-XX-XX-DR-T-0002 Rev. P02
- (sss) Standard Details Typical Ditch and Stream Crossing, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-016 Rev. P01
- (ttt) Typical Cathodic Protection Anode Ground Bed Details, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-017 Rev. P01

- (uuu) Typical Cathodic Protection Installation Details, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-018 Rev. P01
- (vvv) Typical Main Compound and Logistical Area, drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-020 Rev. P02
- (www) Typical Tunnelling Compound Layout (Launch and Reception Compounds), drawing number SZ14-T15A-PR1-AM2-002-DWG-PIP-Y01-021 Rev. P01

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

3. Prior to any development taking place a phasing plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

REASON – To ensure the development is carried out in accordance with the approved documents and to allow for the development to be carried out in phases.

4. Prior to the commencement of any part of the development or any works of demolition within a particular phase as identified under Condition 3, a Construction Environmental Management Plan (CEMP) for that phase which is in general accordance with the Framework Construction Environmental Management Plan submitted with the application shall be submitted to and to approved in writing by the Local Planning Authority. The CEMP shall include the following, unless the Local Planning Authority dispenses with any requirement(s) specifically and in writing:
 - (a) Details of the dust control measures to be put in place during the construction phase of the development taking into account the guidance contained within the Institute of Air Quality Management “Guidance on the assessment of dust from demolition and construction” January 2024. This shall be incorporated into a Dust Management Plan.
 - (b) Methods for controlling noise and vibration during the construction phase and shall take account of the guidance contained within BS5228 “Code of practice for noise and vibration control on construction and open sites”. This shall be incorporated into a Construction Noise and Vibration Management Plan (including a specific section relating to the proposed tunnelling works) and shall include information on the temporary noise barrier to be installed (design, height, location(s)), as well as the site compounds.
 - (c) Details of measures to prevent and manage pollution and to prevent mud and other such material migrating onto the highway.
 - (d) Designation, layout and design of construction access and egress points
 - (e) Details for the provision of directional signage (on and off site)
 - (f) Details of contractors’ compounds and parking, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure and their removal upon completion of the construction phase of development
 - (g) Details of provision for all site operatives for the loading and unloading of plant, machinery and materials
 - (h) Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period

- (i) Details of delivery arrangements including details of construction hours, number of construction workers, methodology of vehicle movements between the compound and various site accesses, details of operation of banksmen, measures to minimise traffic generation (particularly at peak hours), and measures to control timings and routings of deliveries and construction traffic (including abnormal loads);
 - (j) Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (k) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works including a Site Waste Management Plan
 - (l) Public rights of way management plan
 - (m) Measures for liaison with the local community and procedures to deal with any complaints received
- Thereafter the approved Construction Environmental Management Plan for each phase shall be adhered to throughout the construction phase and the approved measures shall be retained for the duration of the construction works in each phase.

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

5. Prior to development commencing within a specific phase as identified under Condition 3 a detailed method statement describing any proposed watercourse/field drain crossings and reinstatement within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON – To ensure suitable crossings are in place that do not result in damage to watercourses.

6. No construction activities (with the exception of tunnelling works), including the use of plant and machinery (including generators), as well as deliveries to and from the site, shall take place outside the hours of 07.00 – 18.00 Monday to Friday, 07.00 – 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 interest of residential amenity.

7. No development within a specific phase as identified under Condition 3 shall take place until details of the working corridor within the application site for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

8. No development within a specific phase as identified under Condition 3 shall take place until details of any temporary works in that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

9. No construction work shall take place, nor shall any site cabins, materials or machinery be brought on site within a specific phase as defined by Condition 3 until all trees and hedges to be retained within that phase are protected in accordance with the details contained within the approved Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan Report relating to that phase.

REASON – In the interests of the visual amenity of the area.

10. No development shall take place within a specific phase as identified under Condition 3 until an asbestos specialist has been consulted and provided an assessment report relating to risks and to any required mitigation or remediation measures associated with asbestos identified in soils close to the Tees Valley Railway crossing. The report and any scheme of mitigation/remediation is to be submitted to the Local Planning Authority for approval in writing.

REASON - To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risk to receptors, in accordance with Darlington Local Plan Policy DC1.

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

REASON – To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risk to receptors, in accordance with Darlington Local Plan Policy DC1.

12. Prior to its installation, details of any external lighting proposed as part of any phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall not be installed otherwise than in complete accordance with the approved details.

REASON – In the interests of visual and residential amenity.

13. Prior to the commencement of development within a specific phase as identified under Condition 3, a Construction Traffic Management Plan (CTMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved CTMP shall be implemented prior to the commencement of and for the entire duration of construction activities within the phase to which it relates.

REASON – In the interest of highway safety.

14. No development shall take place within a specific phase as identified under Condition 3 until a Written Scheme of Investigation setting out a phased programme of archaeological evaluation in accordance with 'Standards for All Archaeological Work in County Durham and Darlington' for that phase 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, in sufficient time to inform the production of an Archaeological Management Plan.

REASON – To safeguard any archaeological interest in the site, and to comply with Part 16 of the National Planning Policy Framework, 2024. This is required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

15. No development shall take place within a specific phase as identified under Condition 3 until an Archaeological Management Plan (AMP), in accordance with 'Standards for All Archaeological Work in County Durham and Darlington' for that phase has been submitted to and approved in writing by the Local Planning Authority. The AMP will set out the strategy for the preservation, investigation, and recording of heritage assets in the development area, including the provision made for analysis, publication and dissemination of results, and archive deposition. The development will then be carried out in accordance with the AMP.

REASON – To safeguard any archaeological interest in the site, and to comply with Part 16 of the National Planning Policy Framework, 2024. This is required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

16. No part of an individual phase of the development shall be brought into beneficial use until the post investigation processes have been completed in accordance with the approved Archaeological Management Plan, and confirmed in writing to, and approved by, the Local Planning Authority.

REASON – To comply with Paragraph 218 of the National Planning Policy Framework, 2024, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

17. No development shall take place within a specific phase as identified under Condition 3 until a working method statement to cover all construction work within and/or adjacent to all waterbodies within that phase has been submitted to and agreed in writing by the Local Planning Authority. The method statement shall cover the following requirements:

- Timing and duration of works
- Methods used for all in-channel, bankside, and floodplain works, including a detailed fish rescue plan for relevant sites which specifies

- pump sizes and screen size
- Machinery (location and storage of plan, materials and fuel, access routes, access to banks etc)
- Protection of areas of ecological sensitivity and importance
- Site supervision
- Bunding of potential pollutants
- A pollution prevention plan
- A silt management plan

Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

REASON – The ensure that the construction phase of the proposed development does not adversely affecting water dependent species and habitats within the Skerne and associated tributaries or impact the hydro-morphology of the watercourse.

18. No development shall take place within a specific phase as identified under Condition 3 until a plan detailing the protection of otter and water vole, and their associated habitat, within that phase has been submitted to and approved in writing by the Local Planning Authority. The plan must consider the whole duration of the development, from the construction phase through to development completion. Any change to operational responsibilities, including management, shall be submitted to and approved in writing by the Local Planning Authority. The species protection plan shall be carried out in accordance with a timetable for implementation as approved. The elements outlined in the 'Ecological Protection Measures' section of the submitted framework Construction Environment Management Plan (CEMP) should be provided as part of the completed CEMP and adhered to in full, including:

- A pollution prevention plan, including emergency spill procedure
- An erosion prevention and sediment management plan
- A drainage plan
- Mammal and amphibian pre-works checks prior to vegetation clearance
- Provision/details of an Ecological Clerk of Works (ECoW) on site during works
- Provision/details of toolbox talks for operatives relating to protected species and habitats
- An ecologically sensitive flume design based on CIRIA guidance
- A robust INNS (Invasive Non-Native Species) management plan, to include measures addressing signal crayfish *Pacifastacus leniusculus* and crayfish plague, and those species listed as present within the Ecology chapter of the ES
- Reinstatement of riverbanks to original slope where relevant

REASON – In order to protect the ecological value of the site in accordance with Darlington Local Plan Policy ENV7.

19. No development shall take place within a specific phase as identified under Condition 3 until a Landscape and Ecology Maintenance and Management Plan (LEMP) for that phase is submitted to and approved in writing by the Local Planning Authority. The

LEMP should also set out details for the restoration of each phase of development. Thereafter the development shall be carried out in accordance with the approved LEMP.

REASON – In the interests of the visual amenity of the area and to comply with the requirements of Local Plan Policies DC1, ENV7 and ENV8.

20. Prior to development commencing within a specific phase as identified under Condition 3 full engineering details of any new site accesses to be formed serving that phase, together with details for the removal and restoration of these access points following completion of the construction phase of the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be completed in accordance with the approved details.

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

21. Prior to the set-up of any specific site compounds, site laydown areas, lagoons or watercourse crossings, details of those specific compounds, pipe laydown areas, lagoons and watercourse crossings, shall be submitted to any approved in writing by the Local Planning Authority. Thereafter the works shall be completed in accordance with the approved details and the identified mitigation measures shall remain in place for the duration of the construction phase of the development.

REASON – In the interest of protecting the amenity of neighbouring site occupiers and users from the impacts of the construction phases of the development.

22. Prior to the erection of any ancillary structures including kiosks to house electrical monitoring and control equipment, telemetry and cathodic protection requirements, details of the precise number and location of these structures, including their external appearance and materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details as approved.

REASON – In the interests of visual amenity.

23. The development hereby approved shall be carried out in accordance with the measures set out in Section 5 'Soil Management' of the 'Tees and Central Strategic Transfer Mains – Phase 2 Agricultural Land Classification and Soil Management Plan' dated June 2024 and prepared by Mott McDonald.

REASON – To comply with Part 15 of the National Planning Policy Framework, 2024.

24. The development shall not commence until a 30-year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the Local Planning Authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- (a) Description and evaluation of the features to be managed;

- (b) Ecological trends and constraints on site that may influence management;
- (c) Aims, objectives and targets for management, links with local and national species and habitat action plans;
- (d) Description of the management operations necessary to achieving aims and objectives;
- (e) Description for management actions;
- (f) Preparation of a works schedule, including annual works schedule
- (g) Details of the monitoring needed to measure the effectiveness of management;
- (h) Details of the timetable for each element of the monitoring programme;
- (i) Details of the persons responsible for the implementation and monitoring;
- (j) Mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
- (k) Reporting on year 1, 2, 5, 10, 15, 20, 25 and 30, with biodiversity reconciliation calculations at each stage.

REASON – To enhance biodiversity in accordance with Darlington Local Plan Policy ENV8 and the National Planning Policy Framework, 2024.

25. The development hereby approved shall be carried out in accordance with the submitted flood risk assessment (Tees and Central Pipeline Strategic Transfer Mains – Phase 2: Flood Risk Assessment, dated October 2024, prepared by Mott McDonald) and the mitigation measures specified therein. These mitigation measures shall be fully implemented prior to the beneficial use of the pipeline and subsequently in accordance with the scheme's timing/phasing arrangements, and shall be retained and maintained for the lifetime of the development.

REASON – To reduce the risk of flooding elsewhere and to comply with Darlington Local Plan Policies DC2 and DC3.

26. No development within a specific phase as identified under Condition 3 shall take place until details of any stanks including their positions within that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

REASON – In order to prevent flooding elsewhere by reducing the ability of water to migrate along the pipe trench.

27. The applicant shall enter into a deed of consent with National Gas prior to any permanent changes being made to the easement for the high-pressure gas pipeline which runs through the site and meet the requirements as set out in the National Gas consultation response dated 4th February 2025.

REASON – To safeguard the high-pressure gas pipeline that runs through the site.

NOTE: Should the 106 Agreement not be completed within the prescribed period without written consent of the Council to extend this time, the minded to approve status of the permission shall be considered 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.

(2) HURWORTH FISHERIES, 12 TO 14 CHURCH ROW, HURWORTH, DARLINGTON

Conversion of fish shop takeaway (Sui Generis) (12 Church Row) to a deli outlet and cafe/restaurant with storage to first floor, including removal of existing rear balcony, erection of part two storey, part single storey side and rear extension incorporating a raised terrace area at rear for outdoor dining, together with replacement shop front, re-alignment of first floor front window and other associated works. Change of use of adjoining dwelling (14 Church Row) to associated storage and installation of new matching shop-front style window (Amended description) (Amended plan reducing the number of covers to 32 received 27th January 2025).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer, Ecology Officer, Environmental Health Officer and the Environment Agency, sixteen individual objections received from residents, and two objectors, whom the Committee heard. It was also noted that no comment was received from Hurworth Parish Council).

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

1. A3 (Standard 3-year time limit)
2. PL (Accordance with Plan)

1001-18 Proposed plans
1001-19 Site Location Plan

3. B4 (External Materials)
4. Notwithstanding any details referred to in the submitted plans, prior to the insertion of windows, detailed plans showing the constructional details and materials of all window frames to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross-sectional detailing, including means of opening, and external reveal. The window frames shall be installed in accordance with the approved detailed plans and thereafter be so maintained.

REASON - To ensure a satisfactory appearance to the development, in the interests of visual amenity.

5. The number of covers within the rear dining area, including the rear terrace, as set out on Drawing Number 1001-18, shall not exceed 32 at any time without the prior written approval of the Local Planning Authority.

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

6. The areas shown on Drawing Number 1001-18 as 'storage' to the first floor of No. 12

Church Row and to the ground and first floor of No. 14 Church Row, shall be used for storage associated with the use of the premises as a deli / café / restaurant and shall at no time be accessed by customers / patrons without the prior written approval of the Local Planning Authority.

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

7. 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, without the prior written permission of the Local Planning Authority.

REASON – In the interests of amenity.

8. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. the parking of contractors' site operatives and visitor's vehicles;
2. areas for storage of plant and materials used in constructing the development clear of the highway;
3. details of site working hours;
4. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
5. Measures to ensure safety of the public including pedestrian routes/site fencing.

REASON – In the interests of amenity and public safety.

9. Once details of any new plant to be installed as part of the development are known and in any event prior to installation, an assessment needs to be carried out and submitted to the Local Planning Authority to show that the rating level (L_{Ar},T_r) of any external plant, equipment or machinery associated with the development (whether operating individually or simultaneously) shall not exceed the daytime and night-time background sound level (L_{A90,T}) at noise sensitive receptors. The assessment must be carried out by a suitably qualified acoustic consultant/engineer (appointed by the applicant) and be in accordance with BS4142: – 'Method for rating and assessing industrial and commercial sound'. The noise sensitive receptors and background sound levels to be used in the BS4142 assessment shall be agreed in advance with the Local Planning Authority.

Any mitigation measures shown to be necessary following the assessment shall be implemented prior to the plant, equipment or machinery first becoming operational and thereafter shall be retained and maintained for the life of the development.

REASON – In the interests of amenity.

10. Prior to commencement of the use hereby approved, details of the ventilation and fume extraction system to be installed, which is suitable for the proposed development including a full technical specification by a suitably qualified technical person, specifying the position of ventilation, fume or flue outlet points and details of the odour abatement system shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the ventilation and fume extraction system(s) associated with the use shall not be carried out otherwise than in accordance with the approval given and shall be completed prior to any part of the use hereby permitted being occupied. The ventilation and extraction system shall be operated and maintained in accordance with the manufacturers recommendations including the frequency of replacement of any filters.

REASON – In the interests of amenity.

11. Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-1 and designed in accordance with BS EN 1825-2 or other effective means of grease removal.

REASON – In the interests of amenity.

12. Operating hours for the premises [including deliveries] shall be restricted to 8am-10.30pm Monday to Saturday and Sunday 9am-4pm. The rear patio area must be closed to the public by 9pm Monday to Saturday and 4pm Sunday.

REASON – In the interests of residential amenity.

13. Prior to the occupation of the development, details of refuse storage shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the agreed details and retained as such thereafter.

REASON – In the interests of amenity and highway safety.

14. Prior to the use of the external terrace hereby approved, details of screening to the eastern side of the external terrace, to protect the amenity of nearby occupiers, shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be in place prior to the first use of the external terrace and shall be retained as such permanently thereafter.

REASON – In the interests of residential amenity.

15. The development shall not be carried out otherwise than in complete accordance with the recommendations and methods set out within the Arboricultural Impact Assessment and Method Statement (Arbux, September 2024) unless otherwise approved in writing by the Local Planning Authority.

REASON – To ensure adequate protection to existing trees.

16. The development shall not be carried out otherwise than in accordance with the mitigation, compensation and enhancement measures set out in the submitted Ecological Impact Assessment (Dendra Consulting, October 2024) unless otherwise agreed in writing by the Local Planning Authority.

REASON - To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, Policies ENV7 and ENV8 of the Darlington Local Plan 2016-2036.

17. The development shall be carried out in accordance with the recommendations set out within the submitted Flood Risk Assessment (RAB, October 2024) unless otherwise agreed in writing by the Local Planning Authority.

REASON – To secure adequate flood protection measures for the proposed use.

18. Prior to the first use of the property, details of a scheme for the storage of customers cycles shall be submitted to and approved by the LPA and thereafter implemented and be maintained in perpetuity.

REASON - To ensure that adequate provision is made for cyclists who visit the premises .

(3) GARAGE BLOCK ADJOINING, 31 PENDOWER STREET

Demolition of existing garages and erection of 8 No. garages, replacement/remedial works to retaining wall, provision of fencing, gate and stepped access to rear, resurface road to front together with associated works (Amended Flood Risk Assessment and Additional Ecological Assessment received 12 September 2024; Ecology Assessment and Biodiversity Metric Calculator received 6th January 2025).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer, Environmental Health Officer, Arboricultural Consultant and Ecology Officer, the views of Northern Gas Networks and, following the submission of a revised Flood Risk Assessment, the Environment Agency, and five letters of objection received, with one of those objections coming from a household not within the vicinity of the application site).

RESOLVED – That Planning Permission be granted subject to the developer entering into a Section 106 Agreement to secure £2500 as a Biodiversity Net Gain contribution to be used by the Council towards improvements on land elsewhere in the Borough, and that upon satisfactory completion and signing of the 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, as detailed below:
 - a) Drawing Number 01 006 Vehicle Tracking

- b) Drawing Number 01 002 Block Plans
- c) Drawing Number 01 004 Proposed Plans
- d) Drawing Number 01 005 Site Section

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

- 3. Prior to the commencement of the development a Structural Survey and Report carried out by a suitably qualified person shall be submitted to and approved in writing by the Local Planning Authority. The Survey shall relate to the retaining wall and include design and calculations for new retaining walls or remedial measures to the existing retaining wall as required by the proposed garage structure. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – In order to secure a satisfactory form of development.

- 4. No building shall be constructed above damp proof course level until precise details of all external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – In the interests of the visual appearance of the development and the street scene.

- 5. Prior to first occupation of the development hereby approved, precise details of a dropped pavement crossing along the frontage of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details. The agreed scheme shall be constructed as part of a Section 184 Agreement issued by the Local Highways Authority and be fully implemented prior to the first occupation of the development.

REASON – In order to provide appropriate pedestrian and vehicular access in the interests of highway safety.

- 6. The garages hereby approved shall be used only for the parking of vehicles and for residential storage purposes and not for any business or commercial purposes.

REASON – In the interests of safeguarding the amenities of nearby residential properties.

- 7. No construction or demolition 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 interests of the amenity of the local area.

- 8. No garage doors within the development hereby permitted shall open outward over

the public highway.

REASON – In the interests of pedestrian and highway safety.

9. The development, including demolition works, hereby approved shall not be carried out otherwise than in complete accordance with the Recommendations and Mitigation set out in Chapter 6.0 of the submitted document entitled “Ecological Impact Assessment for Former garage block Pendower Street Darlington DL3 6ND” produced by Dendra Consulting and dated December 2024.

REASON – In the interest of biodiversity and to secure ecological enhancements in accordance with policies ENV7 and ENV8 of the Darlington Local Plan 2016 -2036.

10. The 2m wildlife zone shown on the approved plans shall be retained for the lifetime of the development and shall be without structures, hardstanding, footpaths, fences or formal landscaping.

REASON – In the interest of the visual appearance of the area and to protect wildlife within the watercourse.

11. The development hereby approved shall not be carried out otherwise than in complete accordance with the Mitigation Methods and Recommendations set out in Chapters 4.0 and 6.0 of the submitted document entitled “Pendower Street, Darlington Flood Risk Assessment” Version 2.0 dated 14 August 2024 and produced by RAB Consultants

REASON – In order to ensure that the development will not increase flood risk elsewhere.

12. The development hereby approved shall not be carried out otherwise than in complete accordance with the documents entitled “Arboricultural Impact Assessment for Trees on Land at Pendower Street, Darlington” produced by AI About Trees and dated September 2023.

REASON – In the interests of the visual appearance of the site.

13. The development hereby approved shall not be carried out otherwise than in complete accordance with the documents entitled “Arboricultural Method Statement for Trees on Land at Pendower Street, Darlington” produced by All About Trees and dated September 2023.

REASON – In the interests of the visual appearance of the site.

NOTE: Should the 106 Agreement not be completed within the 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.

(4) LAND TO THE EAST OF NEASHAM ROAD

Change of use of land to Gypsy/Traveller site including erection of 2 no. utility buildings, siting of 2 no. mobile homes, 2 no. touring pitches with car parking, access road and associated works (amended Nutrient Calculator received 8th December 2023 and Provisional Nutrient Certificate received 18 January 2024; biodiversity net gain information and utility block details received 1 June 2024; Biodiversity Management Plan received 12 July 2024; amended site layout plan received 15 August 2024; amended Preliminary Ecology Assessment received 29 October 2024; Biodiversity Management and Monitoring Plan received 15 January 2025).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer, Ecology Officer, Transport Planning Manager and Environmental Health Officer, the views of Northern PowerGrid, the Environment Agency and Natural England, and six letters of objection received).

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

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
 - a) Drawing Number 01 Existing Site Plan Site Location Plan
 - b) Drawing Number 04 Utility Block Plans and Elevations
 - c) Drawing Number 20.009-AMS-XX-XX-DR-A-XXXX Rev P1.3 Site Plan

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

3. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.

REASON - To restrict occupation of the site to Gypsies and Travellers in view of the limited supply of available sites within the Borough, which does not justify general residential occupation.

4. No more than two mobile homes and two touring caravans shall be stationed on the land at any time.

REASON - To ensure the site design takes account of the needs of residents and provides an appropriate pitch layout and adequate facilities for parking, storage, and play, as required by Policy H 9 of the Darlington Local Plan 2016 - 2036 and to limit the scale of development in the countryside, consistent with policy SH 1 of the Darlington Local Plan 2016 - 2026.

5. Prior to the commencement of the development, precise details of the mobile homes shall be submitted to and approved, in writing by the Local Planning Authority. The details shall include the size, colour and design of the mobile homes and the development shall not be carried out otherwise than in complete accordance with the agreed details.

REASON – In the interests of the visual appearance of the site and the surrounding area.

6. No utility block shall be constructed above damp proof course until precise details of the external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – In the interests of the visual appearance of the development and surrounding area.

7. Notwithstanding the details submitted within the planning application, a landscaping scheme comprising modified grassland, the planting of species rich native hedgerow with trees and at least eight urban trees shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of the scheme, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be agreed in writing by, the Local Planning Authority, 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 30 years to the satisfaction of the Local Planning Authority.

REASON - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.

8. Prior to the commencement of the development, precise details of the means of enclosure for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the agreed details which shall be installed prior to the first occupation of the site.

REASON – In the interests of the visual appearance of the site and surrounding area.

9. Prior to the first occupation of the development hereby approved, a Final Nutrient Credit Certificate, signed by Natural England and the applicant, shall be submitted to the Local Planning Authority.

REASON - To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017.

10. Prior to the first occupation of the development, precise details of a Wastewater Treatment System required to produce 7.9mg/l of total nitrogen shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details and the

approved wastewater treatment system shall be installed prior to the first occupation of the development and shall remain in place for the lifetime of the development.

REASON - To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017.

11. Prior to commencement of the development, precise details of visibility splays of 4.5x215m from the site access shall be submitted to and approved in writing by the Local Planning Authority. The details shall include means of enclosure at the access point and hedgerow removal works and the development shall not be carried out otherwise than in complete accordance with the approved details. Works to provide the required visibility must be completed prior to occupation of the site and maintained throughout the life of the development.

REASON - In the interests of highway safety.

12. Prior to the commencement of the development, precise details of a scheme for the disposal of surface water and foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details which shall be installed prior to the first occupation of the development.

REASON – In order to reduce flood risk and in the interests of the amenity of the area.

13. In order to ensure that no loose material is pulled onto the adjacent carriageway (Neasham Road), the first 12m of the drive within the site shall be constructed in a sealed material (not loose gravel or similar).

REASON - In the interests of highway safety.

14. Where gates are to be installed, they shall be set back 12m from the edge of the adjacent carriageway (Neasham Road) in order to allow vehicles to pull off the main carriageway. Any gates shall be set back a sufficient distance from the edge of carriageway to provide a factor of safety as this access adjoins a 60mph road.

REASON - In the interests of highway safety.

15. Prior to the first occupation of the development, precise details of a bin store shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the agreed details and the bin store shall be in place prior to the first occupation of the development and shall remain in place for the lifetime of the development.

REASON - In the interests of the amenity of the site and local area.

16. 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.

17. 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.

18. 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.

19. The development hereby approved shall not be carried out otherwise than in complete accordance with all of the Recommendations, Mitigation, Compensation and Enhancement measures set out in Chapter 6 of the submitted document entitled "Preliminary Ecological Appraisal Land off Neasham Road Darlington DL2 1QH" dated October 2024 and produced by ECOSERV.

REASON – In the interest of biodiversity and ecological nature of the site and surrounding area in accordance with the National Planning Policy Framework 2024 and policies ENV7 and ENV8 of the Darlington Local Plan 2016 – 2036.

20. The development hereby approved shall not be carried out otherwise than in complete accordance with the submitted document entitled “Biodiversity Management and Monitoring Plan (BMMP) Land off Neasham Road Darlington DL2 1QH” dated October 2024 and produced by ECOSERV. The approved HMMP shall be strictly adhered to and implemented in full for a duration of at least 30 years.

REASON - To enhance biodiversity in accordance with the National Planning Policy Framework 2024 and policies ENV7 and ENV8 of the Darlington Local Plan 2016 – 2036.

21. There shall be no external storage of any non-domestic materials on site.

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

22. The site shall be used for residential use only and not for any commercial or business use including the storage of business vehicles.

REASON - In the interests of minimising the impact on the visual amenity of the area.

PA49 NOTIFICATION OF APPEALS

The Chief Executive reported that:

Mr Mike Bailey had appealed against this Authority’s decision to refuse permission for the erection of 1 no. three bed dwelling with a detached garage/store, hard standing, landscaping and provision of a new vehicular access with entrance gates and wall at Land At Mole End, Neasham Road, Hurworth, Darlington, DL2 2AZ (24/00132/FUL).

RESOLVED – That the report be received.

PA50 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.

PA51 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 21ST FEBRUARY 2025 (EXCLUSION PARAGRAPH NO. 7)

Pursuant to Minute PA45/Dec/2024, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 21st February 2025.

RESOLVED - That the report be noted.

