



Planning Applications Committee Agenda

1.30 pm Wednesday, 6 May 2026

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 of the Minutes of the meeting of this Committee held on 11 March 2026 (Pages 5 - 6)
4. Introduction to Procedure by the Assistant Director, Law and Governance's Representative (Pages 7 - 8)
5. Applications for Planning Permission and Other Consents under the Town and Country Planning Act and Associated Legislation (Pages 9 - 10)
 - (a) Burtree Garden Village Phase 1, Burtree Lane, Darlington (Pages 11 - 28)
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 Appeals -

The Executive Director, Economy and Public Protection:

- (a) Ardent Land Limited has appealed against this Authority's decision to refuse permission for the Display of 1 No. internally illuminated free standing digital display unit (Amended description) at Meynell Retail Park, (Western Verge, facing Whessoe Road), Darlington, DL3 0YQ (25/01193/ADV).
- (b) Mrs Melanie Turner has appealed against this Authority's decision to refuse permission for Part demolition of existing house to facilitate change of use of agricultural land for tourist accommodation including the siting of 3 No. holiday lodges and 3 No. hot tub enclosures with car parking, associated landscaping and gravel pathways including the creation of secondary access. Conversion of store room to form kitchen/office and garage together with landscaping and associated works (part retrospective) at Hazelfield Cottage, Elstob Lane, Great Stainton, TS21 1HP (24/00926/FUL).
- (c) Mr Chris Welbourne has appealed against this Authority's decision to refuse permission for the Display of 1 No. freestanding internally illuminated LED advertising display unit at Car Park Adjacent To 28 West Auckland Road, Darlington, DL3 9EP (25/01374/ADV).

Recommended – That the reports be received.

9. Notification of Decision on Appeals – The Executive Director for Economy and Public Protection will report that the Inspectors appointed by the Secretary of State for the Environment have: -

- (a) Dismissed the appeal by Verity Cheyne on behalf of BT Group Plc against this authority's decision to refuse permission for Installation of 1 No. BT Street Hub incorporating 2 No. internally illuminated digital LCD advert screens at Footpath Opposite 38 Blackwellgate, Darlington (25/01101/FUL) (copy of Inspector's decision enclosed).
- (b) Dismissed the appeal by Verity Cheyne on behalf of BT Group Plc against this authority's decision to refuse permission for Display of 2 No. internally illuminated digital LCD display screens to BT Street Hub at Footpath Opposite 38 Blackwellgate, Darlington (25/01102/ADV) (copy of Inspector's decision enclosed).

Recommended – That the reports be received.

(Pages 29 - 34)

PART III

EXCLUSION OF THE PUBLIC AND PRESS

10. 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.

11. Complaints Received and Being Considered Under the Council's Approved Code of Practice as of 17 April 2026 (Exclusion Paragraph No. 7) –
Report of Executive Director, Economy and Public Protection
(Pages 35 - 48)

12. 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

13. Questions



Amy Wennington
Assistant Director Law and Governance

Tuesday, 28 April 2026

Town Hall
Darlington.

Membership

Councillors Ali, Allen, Anderson, Bartch, Beckett, Cossins, Durham, Haszeldine, Holroyd, Kane, Laing, Lawley, McCollom and Tostevin

If you need this information in a different language or format or you have any other queries on this agenda please contact James McAllister, Democratic Officer, Resources and Governance 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: james.mcallister@darlington.gov.uk or telephone 01325 403122

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PLANNING APPLICATIONS COMMITTEE

Wednesday, 11 March 2026

PRESENT – Councillors Haszeldine (Chair), Allen, Anderson, Beckett, Cossins, Holroyd, Kane, Laing, Lawley, Lee and McCollom

APOLOGIES – Councillors Ali and Tostevin

ABSENT – Councillors Bartch

OFFICERS IN ATTENDANCE – Lisa Hutchinson (Interim Head of Planning Development Management), Arthur Howson (Engineer (Traffic Management)), Andrew Errington (Lawyer (Planning)) and James McAllister (Democratic Officer)

PA63 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

PA64 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 11 FEBRUARY 2026

RESOLVED – That the Minutes of this Committee held on 11 February 2026 be approved as a correct record.

PA65 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) 51 BLACKWELL, DARLINGTON, DL3 8QT

RESOLVED – That this application be deferred to a later date of the Planning Applications Committee.

PA66 NOTIFICATION OF APPEALS

The Executive Director, Economy and Public Protection reported that :-

Miss Helen Dixon has appealed against this Authority's decision to refuse application submitted under Section 73 of the Town and Country Planning Act 1990 for the variation of Condition 6 (opening hours) attached to planning permission 23/01123/FUL dated 18 January 24 (Construction of a detached building in the rear garden for use as a Pilates reformer studio) to amend the opening hours to 6.00am to 8.00pm Monday to Friday; 7:00am to 2.00pm on a Saturday with no opening on a Sunday or Bank Holidays at 62 Baydale Road, Darlington, DL3 8JU (25/01027/FUL).

RESOLVED – That the report be received.

PA67 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.

PA68 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 27 FEBRUARY 2026 (EXCLUSION PARAGRAPH NO. 7)

Pursuant to Minute PA62/Feb/2026, the Executive Director, Economy and Public Protection submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 27 February 2026.

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 (to a maximum of **five** minutes);
- Members may question applicant/agent;
- Up to **three** objectors may speak (to a maximum of **five** minutes each);
- Members may question objectors;
- Up to **three** supporters may speak (to a maximum of **five** minutes each);
- Members may question supporters;
- Parish Council representative may speak (to a maximum of five minutes);
- Members may question Parish Council representative;
- Ward Councillor may speak (to a maximum of five minutes);
- 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 – 6 May 2026

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
Burtree Garden Village Phase 1	25/00332/RM1

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DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 6th May 2026

APPLICATION REF. NO:	25/00332/RM1
STATUTORY DECISION DATE:	13 May 2026
WARD/PARISH:	Harrowgate Hill
LOCATION:	Burtree Garden Village Phase 1, Burtree Lane, Darlington
DESCRIPTION:	Application for reserved matters approval relating to access (secondary), appearance, landscaping, layout, and scale for the erection of 130 No. dwellings (Use Class C3) and associated infrastructure, parking and landscaping relating to Cells L, M and O within Burtree Garden Village (Phase 1) (hybrid planning permission 22/01342/FULE dated 31 January 2025) (Amended Description)
APPLICANT:	Homes by Esh Ltd

RECOMMENDATION: GRANT RESERVED MATTERS PURSUANT 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=summary&keyVal=STTZ2NFP0M900>

APPLICATION AND SITE DESCRIPTION

1. The planning application site relates to Development Cells L, M and O within Phase 1 of the Burtree Garden Village development located between Rotary Way and Burtree Lane, to the north west of Darlington, for which planning permission was granted in January 2025, 22/01342/FULE.

2. The application site is within the ownership of the Council. A report is to be taken to Cabinet in the near future recommending that the Council enters into a joint venture partnership with Homes by Esh to develop the land for residential purposes. The recommendation will include a proposal that the Council's Executive Director – Economy & Public Protection is to be on the Board of the Joint Venture Company; therefore, to avoid any perception of conflict of interest in decision making, this planning application is being presented to Planning Applications Committee for determination.
3. Application reference number 22/01342/FULE is a hybrid planning permission which is part detailed and part in outline. The detailed elements of that permission relate to the formation of the Burtree Garden Village Strategic Access Road from Rotary Way to Burtree Lane, internal links to future development and development cell access arrangements, parking, associated hard and soft landscaping, public open spaces, SUDS, drainage infrastructure (inclusive of pumping station) and Burtree Village Park (excluding school playing field), temporary construction and/or maintenance access and any other associated infrastructure. The outline element of the permission (with all matters reserved, excluding principal access to the development cells) relates to development of up to 750 dwellings (Use Class C3 (inclusive of up to 75 retirement/extra care dwellings C2 and/or C3)) and community facilities comprising a school (Class F1.a) and sports pitch provision (Class F2), Nursery (Class E) , public house (sui generis), retail/health care/office spaces (Class E), Community Hall (Class E and/or Class F2), local convenience retail/temporary sales office (Class E and/or F2), Business Incubator Units (Class E), community spaces, drainage, parking, SUDs and landscaping.
4. This submission is a reserved matters application which considers those matters relating to appearance, landscaping, layout, access and scale for the erection of 130 dwellings split within the development cells as follows:
 - a) Cell L – 48 dwellings
 - b) Cell M – 44 dwellings
 - c) Cell O – 38 dwellings
5. The three development cells are located within the southern section of the wider Garden Village allocation, and they would have access off the Burtree Garden Village Strategic Access Road (the spine road) which runs through the development linking Rotary Way to the south and Burtree Lane to the north. Cell O is the furthest north of the three cells, Cell M is located to the south and Cell L is positioned in the centre.
6. Following detailed discussions with the Council and their design consultants, the layout, house types and materials for the proposed development has been the subject of amendments.
7. A separate planning application will need to be submitted to discharge the planning conditions attached to hybrid planning permission 22/01342/FULE which are relevant and appropriate to the redevelopment of the development cells forming part of this

reserved matters application. Although the issues covered by some of the planning conditions are clearly interrelated to this proposal, the separate mechanism to agree the technical details subject of the other planning conditions is not for specific consideration as part of this reserved matters application. The need to discharge the planning conditions does not prevent the consideration and determination of the reserved matters submission.

8. A separate planning application (26/00165/NMA) to permit minor, non-material revisions to the hybrid planning permission 22/01342/FULE in order to facilitate the proposed layout has been approved.
9. A reserved matters application (25/00190/RM1) has been approved for the development of 122 dwellings within development cells E, G and P of Phase 1 of the Burtree Garden Village site. This development would be brought forward by Keepmoat Homes Limited, and the cells are located further to the north of this application site.

MAIN PLANNING ISSUES

10. This report will outline the planning policy position and background for the planning application. In terms of the main planning issues for consideration, they relate only to the reserved matters set out in condition 43) of the hybrid planning permission, (ref no: 22/01234FULE) under which the principle of the development of the site is established. These are:

- b) Access (secondary)
- c) Layout
- d) Scale
- e) Appearance
- f) Landscaping

11. Interrelated with the above issues is the following considerations.

- g) Residential Amenity
- h) Affordable Housing
- i) Flood Risk and Drainage

12. In the light of nutrient neutrality brought about by the designation of the Teesmouth and Cleveland Coast Special Protection Area, the following issue is also relevant.

- j) Nutrient Neutrality

PLANNING POLICIES

13. The following policies within the Darlington Local Plan 2016 – 2036 are relevant:

SD1: Presumption in Favour of Sustainable Development

SH1: Settlement Hierarchy
DC1: Sustainable Design Principles and Climate Change
DC2: Flood Risk & Water Management
DC3: Health & Wellbeing
DC4: Safeguarding Amenity
DC5: Skills & Training
H1: Housing Requirement
H2: Housing Allocations
H3: Development Limits
H4: Housing Mix
H5: Affordable Housing
H11: Greater Faverdale
ENV1: Protecting, Enhancing & 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
IN6: Utilities Infrastructure
IN8: Broadband Infrastructure
N10: Supporting the Delivery of Community and Social Infrastructure

14. Other relevant documents are:

Greater Faverdale Burtree Garden Village Design Code SPD (2022)
Design of New Development SPD (2011)
Planning Obligations SPD (2013)
First Homes Policy Position Statement (2022)
Burtree Garden Village Masterplan (v.P6 – April 2024)
Burtree Garden Village Design Vision Guide (Design Guide)

RESULTS OF TECHNICAL CONSULTATION

15. The Council's Ecology Officer, Highways Engineer, Public Rights of Way Officer, Environmental Health Officer, Flood and Drainage Engineer have raised no objections to the proposed development.
16. Whessoe Parish Council have raised no objections to the proposed development.
17. The Environment Agency, National Highways, Northumbrian Water and Northern Gas Networks have raised no objections to the proposed development.

RESULTS OF PUBLICITY AND NOTIFICATION

18. There have been three publicity and notification exercises carried out by the Local Planning Authority following the submission of the planning application and the subsequent receipt of amended plans in November 2025 and February 2026.
19. One comment has been received which raised concerns over issues such as loss of greenspace, impact on public rights of way, traffic congestion, noise levels and infrastructure that were material planning considerations for the hybrid planning application rather than this reserved matters submission.
20. Homes England submitted a comment on the original submission concerned that the proposed development at that point did not accord with the requirements of the Greater Faverdale Burtree Garden Village Design Code SPD.
21. Following the submission of the amended plans in February 2026, Homes England has submitted a further comment acknowledging that design process had significantly progressed from the original submission in terms of compliance with the Design Code SPD. They have further commented on the boundary treatment proposals for Plots 1 to 4 and Plots 17 – 20 along with highlighting that the dwelling on Plot 68 appears to encroach an easement for overhead lines. These matters will be considered in detail within this report.

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 (2024) supports the plan led system providing that planning decisions should be “genuinely plan-led” (NPPF para 15).
23. Policy H1 of the Local Plan sets a minimum housing requirement of 492 net additional dwellings per annum over the plan period to 2036. The site and wider area (Site Ref: 185) is allocated in the Local Plan (Policies H2, E2 & H11) as a mixed-use urban extension. The wider allocation is identified to support a development of approximately 2,000 homes and approximately 70 hectares gross (49 hectares net) of employment land for E(g), B2 and B8 use classes. It is estimated 750 homes will be delivered during the plan period. The proposed development would contribute towards the achievement of the housing requirement as part of the 750 dwellings which have outline approval as part of hybrid planning permission 22/01342/FULE.
24. Policy H3 of the Local Plan seeks to achieve the locational strategy for new development in the Borough by establishing development limits within which development will be acceptable, subject to compliance with other relevant national and local policies. The

site is located within the development limits of the main urban area; therefore, the proposal accords with Policy H3. In summary, the principle of the proposed development on this area of land for residential purposes has been established by the hybrid planning permission.

Policy H11 & Burtree Garden Village Masterplan

25. Policy H11 of the Local Plan is the site-specific policy for the Greater Faverdale Site Allocation (more commonly known as Burtree Garden Village). The scheme will need to satisfactorily address the requirements and deliver the necessary infrastructure detailed within the policy and these matters will be discussed in more detail in this report, but it is noted that, as the scheme forms part of the 750 dwellings already given planning approval in application 22/01342/FULE, the proposal does not trigger the requirement built into Policy H11 for a review of all associated infrastructure. Additionally, as the proposed sites are identified for residential use, the scheme is in accordance with Policy H11 in that regard.
26. Policy H11 of the Local Plan also outlines that a comprehensive masterplan and infrastructure phasing plan that informs the mix of uses, layout, scale, design, provision of local and strategic infrastructure including social and community facilities and phasing of the proposed development, and which incorporates the key principles for the development as set out in the policy, shall be prepared prior to the submission of any planning application relating to this site.
27. The Burtree Garden Village Masterplan Document, which includes the application site, was agreed with the Council in 2024 as meeting the requirements of Policy H11 and was submitted to support the hybrid application 22/01342/FULE. The hybrid application has previously been considered as having adhered to the agreed Masterplan, and this Reserved Matters application is not considered to diverge significantly from the Masterplan or the hybrid application.
28. As set out in the agreed Masterplan, Cells L, M and O were established as some of the initial cells to come forward for delivery within the Garden Village as it was considered that towards the southern end of Phase 1, the extent of new infrastructure required to achieve sustainable connectivity was relatively limited and therefore occupations may commence relatively early in the infrastructure delivery period.

The Greater Faverdale Design Code SPD (the SPD) and the Burtree Garden Village Design Vision Guide (Design Guide)

29. Following discussions with the Council and their Design consultants, amendments have been made to the layout, house types and materials and whilst these considerations will be set out in more detail within this report, it is considered that the proposed development would now be in general accordance with the broad objectives and design principles set out in the Design Code SPD and Design Guide. The remainder of this report will assess the development against the appropriate local development plan policies.

b) Access (secondary)

30. The detailed part of planning approval 22/01342/FULE includes all the major access points and the internal spine road between Rotary Way and Burtree Lane, as well as other key internal highway infrastructure for Phase 1 of the Burtree Garden Village. Access to development cells L, M and O is provided via three access points off the western edge of the internal spine road. Cells L and M would be accessed off a primary road and Cell O from a secondary road within the development.
31. Each plot has been carefully designed to consider cycle and car parking, and the wider site plan has been designed to ensure appropriate visitor parking and way finding for cycle and pedestrian routes both within the site and the wider surrounding areas. A proportion of the dwellings will have garages (either inbuilt or detached) with space for cycle storage and the remaining plots will have secure cycle storage, which is easily accessible, within rear gardens. EV charging points will be provided to all new build dwellings.
32. There is a clear network of streets and footpaths with pedestrians and cyclists given priority. There are good cycle and pedestrian links being provided to the spine road and the wider Garden Village development cells to the north of the application site, including the proposed community facilities.
33. The Council's Highways Engineer has reviewed the amended plans and advised that they do not raise any highway safety, parking, or adoptability concerns. It is noted that matters relating to Travel Plans, cycle and vehicle parking etc would be considered in more detail under the separate discharge of planning condition process.
34. National Highways acknowledge the information submitted with this planning application reflects their considerations under the hybrid planning permission 22/01342/FULE and there are clauses within the Section 106 Agreement attached to that permission to secure financial contributions towards off site highway improvements. As a result, National Highways accept that no further operational assessments of the development's impact upon the Strategic Road Network (SRN) will be necessary for this Reserved Matters application.
35. A Public Right of Way (Footpath No. 5 in the Parish of Archdeacon Newton) crosses the site. This section is currently stopped up under Section 247 of 1990 Town & Country Planning Act in 2025 for building of Burtree Garden Village with the intention for the footpath to be replaced after construction with small diversions. The Council's Public Rights of Way Officer has raised no objections and an informative is included to set out the requirements that need to be met to ensure the development accords with the Countryside Act 1968.
36. Overall, there are no highway objections to the amended scheme, and the development would accord with the policies DC1, IN1, IN2, IN3 and IN4 of the Local Plan.

c) Layout

37. The proposed development comprises a mix of 2, 3, 4 and 5 bed dwellings carefully dispersed throughout the development.
38. The developable extents of the individual development cells are constrained by the areas of greenspace, landscaping and the locations of SUDs that were approved under hybrid planning permission 22/01342/FULE along with the root protection areas of trees to be retained. One of the key amendments to the proposed layout has been the re-orientation of properties on Plots 69 to 80 within the Cell L to face west towards Dene Beck, an important green corridor within the site, thereby creating an outward facing perimeter block in this location. The layout ensures that wherever possible, the dwellings are orientated to face out onto the proposed spine road and areas of open space to provide a good streetscape to the entrance of the Garden Village and natural surveillance over greenspaces and public areas.
39. Homes England commented on the fencing approach to Plots 1 and 4 within Cell O which is an area identified as having dwellings front facing onto open space to the north. As stated, in paragraph 39 of this report, front facing dwellings have been achieved wherever possible, but regarding these Plots, it is not possible to orientate them to face north without adversely impacting upon the remainder of the layout and number of dwellings within Cell O. Furthermore, the dwellings would not benefit in terms of outlook as these Plots are screened to the north by a hawthorn hedge, which, as part of the proposed layout has an important role of screening the rear garden fencing that is being proposed. It is considered that the layout of Cell O is acceptable.
40. Overhead power lines cross the application site in an east – west direction. There is an easement which follows the route of the powerline between Cell O and Cell L that could restrict certain forms of built development from taking place in this location. The presence of the powerlines and the easement is recognised as a site constraint and has influenced the layout and the extent and location of the development cells within the Garden Village. Areas of greenspace, landscaping, sections of footpath, turning head and roads are primarily within this easement area and they can be safely constructed and delivered due to the methods of construction that would be adopted by the developer. The proposed dwelling on Plot 68 in Cell L does appear to slightly encroach the easement, as suggested by Homes England in their comments. The applicant has advised that the ultimate aim of the developers and landowners for the Burtree Garden Village is to ground the overhead cables which would either reduce or remove the easement and discussions with Northern Powergrid are underway. If this is achieved, it is envisaged that the powerlines will be grounded by the time the construction begins on Cell L and the development could be built as shown on the submitted plans. If this is not achieved or if there are any delays, the applicant has agreed to the imposition of a planning condition to amend the position of the dwelling on Plot 68 to ensure that there is no encroachment of the easement.

41. The amendments that have been made to the layout following discussions with the Council and their design consultants ensure that the layout promotes a high-quality design that responds appropriately to the character of the area and the objectives of the Garden Village, and the proposal would be in accordance with policies DC1 and ENV3 of the Local Plan.

d) Scale

42. Most of the proposed dwellings within the development are two storey properties but a three storey house type (Rosemary) has been introduced, which will feature on key elevations with Cells O and L, significantly enhancing the visual interest of the street scene. It is considered that the scale of the development is acceptable and in accordance with the policies DC1 and ENV3 of the Local Plan.

e) Appearance

43. Overall, there are 13 house types, and the streets have been designed to create active frontages facing onto public spaces.
44. The development has been amended to include properties on corner plots which perform the role of “corner turners”. These are typically dwellings with double frontages to enhance the visual appearance of the street and remove blank or “dead” frontages on important vistas and sections of the layout.
45. House type designs have been amended to include brick quoins, render feature panels, string courses and the consistent use of Georgian style windows. There is a good mix of roof designs on the dwellings to bring some visual interest and variety to the skyline and streetscape. The number of material finishes has been reduced to create a more harmonised palette whilst still providing sufficient variety to create characterful and visually interesting streetscapes.
46. Where frontage parking has been provided, landscaping has been provided within these areas where possible, to improve the visual appearance of this form of parking provision. Every dwelling would have a solar panel on the appropriate roof slope.
47. The amendments that have been made following discussions with the Council and their design consultants ensure that the development promotes a high-quality, cohesive design that responds appropriately to the character of the area and the objectives of the Garden Village, and in accordance with the policies DC1 and ENV3 of the Local Plan.

f) Landscaping

48. Hybrid planning application 22/01342/FULE includes extensive areas of landscaping around and between the various development cells that will be the subject of future reserved matters applications. The extents of the developable areas of cells L, M and O, the location of footpaths, roads and dwellings have been amended so that they do not

encroach onto the landscape areas approved under hybrid planning application 22/01342/FULE or the root protection areas of trees which are to be retained in the said landscaped areas and green spaces.

49. The landscape proposals included within this reserved matter submission are limited to ornamental tree planting and species rich grass within the public areas, hedging to front gardens and turf for private gardens to the front, rear and sides of the dwellings. The proposed landscaping complements the approved landscaping scheme surrounding the cells and reflects the objectives of the Garden Village Design Code SPD.
50. The dwellings have been orientated to face onto the public landscaped areas to create active frontages and to provide natural surveillance over them. The public areas of open space would be managed and maintained by a private management company in accordance with policy ENV5 of the Local Plan.
51. Amendments have been made to significantly improvement in the use of hedging across the site to divide parking spaces on key vistas and to screen less prominent or secondary elevations, improving both the visual and environmental quality of the scheme. Additionally, iron railings have been introduced on key frontages across the scheme, helping to separate public from private space, and to create a visually appealing streetscape.
52. The landscaping proposals within the development cells would compliment the wider scheme for the Garden Village approved under hybrid planning application 22/01342/FULE and would accord with policies DC1, ENV3, ENV4 and ENV5 of the Local Plan.
53. The ecological considerations for the development would be considered in more detail under the separate discharge of planning condition process. However, the Council's Ecology Officer has commented that the development does incorporate the correct minimum number of bird and bat features in the form of 17 swift boxes and 16 bat boxes.

g) Residential Amenity

54. The proposed layout would generally accord with the proximity distances set out in the Council's Design SPD to ensure an appropriate level of privacy for the future occupants of the dwellings. Dwellings are orientated and designed to provide good natural surveillance across open spaces and streets. In response to comments made by Homes England on the proposed means of enclosure for Plots 17 – 20, the rear gardens would be enclosed by 1.8m high fencing, and the rear elevation of the dwellings would overlook the large poplar trees and hawthorn hedging that are located to the rear.
55. The planning application has been supported by a noise assessment. The assessment considers the impacts of noise from road traffic on the proposed properties, and it is based on modelling and includes future road traffic noise levels (2035 future year traffic

flows (wider development and other committed development)) with the new link/access road in place. It is concluded that with certain mitigation (glazing and ventilation specification requirements) suitable internal noise levels will be achieved. In terms of external spaces, the upper guideline level of 55dB LAeq, 16hr will be achieved for all properties and in many cases the desirable level of 50dB LAeq, 16hr will be achieved (model assumes 1.8m high close boarded fence around gardens of Plots 112 and 113). The assessment also takes into account the acceptability of relying on openable windows for overheating (when sleeping) in accordance with Building Regulations Approved Document O and it is concluded that some facades will exceed AD-O criteria with openable windows, and an alternative ventilation strategy is proposed. It is detailed that an overheating assessment is also likely to be required to demonstrate compliance with Building Regulations.

56. The assessment highlights that some plots facing the A68 and A1 will require alternative ventilation to protect from noise before the wider scheme is fully built out. However, it is considered the standard ventilation required as part of Building Regulations will be adequate for this. Once the wider site is built out these areas will be afforded more protection from these roads. The appropriate noise mitigation measures will be secured through the separate discharge of planning condition process.
57. The Council's Environmental Health Officer has advised that the site layout demonstrates good acoustic design with the dwellings screening rear garden areas from main roads in most cases. There is also some separation distance between the dwellings and Rotary Way as well as the new link/access road.
58. Matters relating to land contamination and construction impacts will be dealt with by the separate mechanism of the discharge of condition process.
59. The proposed development is considered to comply with policies DC1, DC3 and DC4 of the Local Plan.

h) Affordable Housing

60. A Viability Appraisal submitted in support of the hybrid planning application demonstrated that it was unviable to deliver affordable housing as part of Phase 1 of Burtree Garden Village due to the need to deliver significant infrastructure upfront. It was noted at that time that other opportunities would be explored by landowners and developers to ensure this shortfall can be addressed where possible. In this instance, the applicant is proposing that 16 units within this development will be delivered as affordable housing, equating to 12.3% of the 130 dwellings proposed.
61. Policy H4 of the Local Plan requires proposals to provide 45% of all new dwellings to meet building regulations category M4(2) adaptable and accessible dwelling standards and 9% to meet M4 (3 a or b) wheelchair user dwellings standard. At this time the Council will only be requesting the M4(3a), wheelchair adaptable standard. The application meets these requirements with 58 properties to be delivered at M4(2)

standard and 12 properties at M4(3) standard. This provision will assist in meeting the housing needs of older people and those with disabilities in the local area.

i) Flood Risk and Drainage

62. Whilst flood risk and drainage would be considered in further detail as part of the separate discharge of application process, the Lead Local Flood Authority, Environment Agency and Northumbrian Water have raised no objections, in principle, to the proposed development. The application would accord with policy DC2 of the Local Plan.

j) Nutrient Neutrality

63. Nutrient Neutrality has been addressed as part of hybrid planning application 22/01342/FULE with conditions and mitigation secured by a Section 106 agreement. There will be a need to ensure the obligations set out in the Section 106 agreement are adhered to and the necessary evidence is provided to evidence that agreed mitigation has been secured and is in place by the necessary point.

THE PUBLIC SECTOR EQUALITY DUTY

64. 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.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

65. 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

66. Following discussions with the Council and their design consultants, the proposed development has been amended and improved to accord with the design objectives and requirements of the Greater Faverdale Burtree Garden Village Design Code SPD, the Burtree Garden Village Masterplan and the Burtree Garden Village Design Vision Guide. There are no highway safety objections and amenities of the future occupants of the development would be appropriately safeguarded. Whilst there is no requirement for the development to include affordable units, the applicant is proposing that 16 units within this development will be delivered as affordable housing, equating to 12.3% of the 130 dwellings proposed. Matters relating to land contamination, drainage, ecology,

archaeology etc will be considered in detail as part of a separate discharge of condition process. However, this reserved matters submission accords with the appropriate local development plan policies.

GRANT APPROVAL SUBJECT TO THE FOLLOWING PLANNING CONDITIONS:

1. Unless otherwise confirmed in writing by the Local Planning Authority, the development hereby approved should be carried out in accordance with the following plans:
 - Drawing Number HBE2020-011-SL Rev AG – Site Layout (Means of Enclosure)
 - Drawing Number HBE2020-011-SL Rev AF – Site Layout
 - Drawing Number BEE PD 00 The Beech
 - Drawing Number CLO PD 00 The Clover M4 (1)
 - Drawing Number CLO 05 The Clover M4 (1)
 - Drawing Number DA PD 00 The Daisy
 - Drawing Number DA PD 05 The Daisy
 - Drawing Number FOX PD 00 The Foxglove M4 (1)
 - Drawing Number FOX PD 05 The Foxglove M4 (1)
 - Drawing Number HOL S 05 The Holly M4 (1)
 - Drawing Number HOL PD 00 The Holly M4 (1)
 - Drawing Number JA PD 00 The Jasmine M4 (1)
 - Drawing Number JA S 05 The Jasmine M4 (1)
 - Drawing Number MAG PD 00 The Magnolia
 - Drawing Number MAG PD 05 NDSS & M4(2) Compliance Ground Floor Plan
 - Drawing Number ORC PD 00 The Orchid
 - Drawing Number ORC PD 05 Rev A NDSS & M4(2) Compliance Ground Floor Plan
 - Drawing Number PAL PD 00 The Palm Tax Door
 - Drawing Number PAL PD 05 Rev B NDSS & M4(2) Compliance Ground Floor Plan
 - Drawing Number RED PD 05 NDSS & M4(3) Compliance Ground Floor Plan
 - Drawing Number RED-PD-10 NDSS & M4(3) Compliance First Floor Plan
 - Drawing Number RA-PD-00 The Rosemary M4(1)
 - Drawing Number RA-S-05 M4(1) Compliance Plan
 - Drawing Number SUN-PD-00 The Sunflower M4(1)
 - Drawing Number SUN-S-05 M4(1) Compliance Plan
 - Drawing Number WIL-PD-00 Rev B The Willow
 - Drawing Number WIL-PD-05 NDSS & M4(2) Compliance Ground Floor Plan
 - Drawing Number XX XX GA 3010 Rev P12 – Street Scene L Elevation
 - Drawing Number XX XX GA 3020 Rev P10 – Street Scene M Elevation
 - Drawing Number QD2392 03 01 Rev A Overall Engineering Layout
 - Drawing Number QD2392 04 01 Rev A External Levels Layout Cell O
 - Drawing Number QD2392 04 02 Rev A External Levels Layout Cell L
 - Drawing Number QD2392 04 03 Rev A External Levels Layout Cell M
 - Drawing Number QD2392 05 01 Rev A Longsections Cell O
 - Drawing Number QD2392 05 02 Rev A Longsections Cell L
 - Drawing Number QD2392 05 03 Rev A Longsections Cell M

- Drawing Number HBE2020-011-VIS Rev A Visibility Splays
- Drawing Number HBE2020-011-S38 Rev B Section 38 Coloured Plan
- Drawing Number HBE2020-011-ED Enclosure Details
- Drawing Number HBE2020-011-HRCP Rev B Householder Refuse Collection Points
- Drawing Number HBE2020-011-PV Rev B PV Location Plan
- Drawing Number HBE2020-011-RPP Rev B Road Phasing Plan
- Drawing Number HBE2020-011-EV Rev E Electric Vehicle Charger Layout
- Drawing Number HBE2020-011-MVP Rev E Movement Plan
- Drawing Number HBE2020-011-SST Rev B Safe Routes to School
- Drawing Number HBE2020-011-BBL Rev G Bat and Bird Box Location
- Drawing Number HBE2020-011-POS Rev F POS/MC Plan
- Drawing Number HBE2020-011-MF Rev M Materials Finish Layout
- Drawing Number 415.065301.00001-ARB-D-001 Rev A Tree Protection Plan
- Drawing Number 415.065301.00001-ARB-D-001 Rev A Tree Protection Plan
- Drawing Number DRL-GD-001 Rev B Single Garage Design
- Drawing Number DRL-GD-002 Rev E Double Garage Design
- Drawing Number DRL-GD-004 Rev F Twin Garage Design
- Drawing Number EH-SCL-001 Standard Compound Detail
- Drawing Number BGV-RAW-001 Rev B Site Location
- Drawing Number ELD PD 05 NDSS & M4(2) Compliance Ground Floor Plan
- Drawing Number ELD PD 10 NDSS & M4(2) Compliance First Floor Plan
- Drawing Number MAG PD 10 NDSS & M4(2) Compliance First Floor Plan
- Drawing Number MAG PD 05 NDSS & M4(2) Compliance Ground Floor Plan
- Drawing Number RED PD 05 NDSS & M4(3) Compliance Ground Floor Plan
- Drawing Number RED PD 10 NDSS & M4(3) Compliance First Floor Plan
- Drawing Number WIL PD 10 Rev B NDSS & M4(2) Compliance First Floor Plan
- Drawing Number WIL PD 05 NDSS & M4(2) Compliance Ground Floor Plan
- Drawing Number LD11006-001 Rev H Landscape Strategy
- Drawing Number LD11006-002 Rev G Detailed Planting Plan Sheet 1 of 2
- Drawing Number LD11006-002 Rev F Detailed Planting Plan Sheet 2 of 2
- Drawing Number NT15003-128 Rev H Detailed Landscape PROW Plan
- Drawing Entitled Material Finish 1
- Drawing Entitled Material Finish 2
- Drawing Entitled Material Finish 3
- Drawing Entitled Material Finish 4
- Drawing Entitled Parking Schedule

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

2. Notwithstanding the details shown on the approved plans and in the event of overhead powerlines not being grounded, no dwelling shall be constructed on Plot 68 until the precise details of dwelling, including house type, materials and position within the Plot have been submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in complete accordance with the

approved details. For the avoidance of doubt, if the overhead powerlines are grounded, the dwelling on Plot 68 shall continue to be built in complete accordance with the approved plans listed in Condition 1.

REASON – The dwelling on Plot 68 is currently shown in a location encroaching the easement of the existing overhead electricity lines and there may be a requirement to amend the position and house type on Plot 68 in the event the powerlines are not being placed underground.

INFORMATIVES

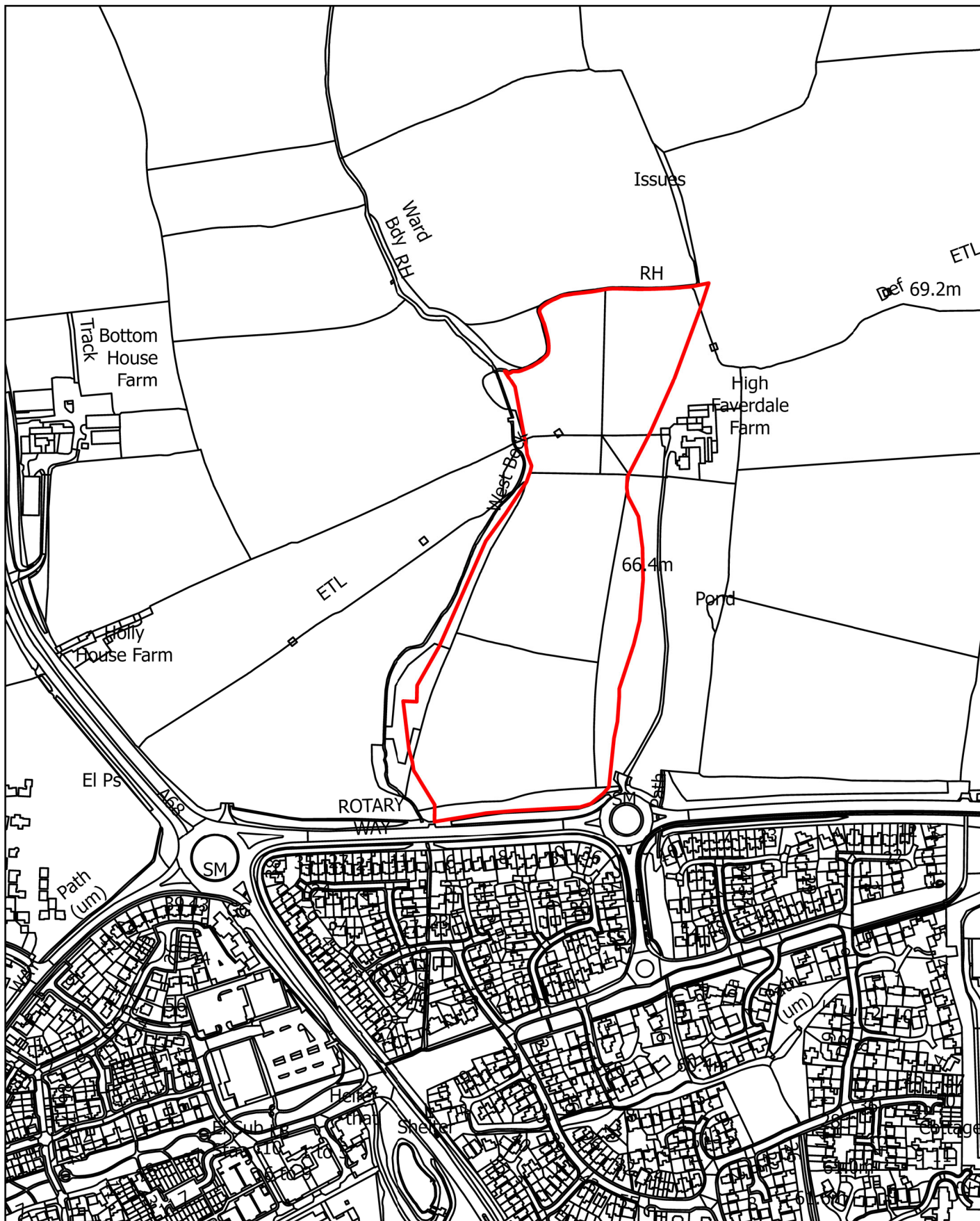
Public Rights of Way

In order to ensure that the development is compliant with the Countryside Act 1968, public footpath signposts will need to be installed at all locations where the public footpath leaves a road throughout the whole development. Several signposts will be required at various locations as described below using Ordnance Survey Grid Reference locations:

- NZ 27147 17364 – footpath heading off footway - pointing northeast
- NZ 27166 17400 - south of the Cell CH access road – pointing southwest
- NZ 27167 17430 - north of the Cell CH access road – pointing north
- NZ 27151 17623 – east of spine road – pointing southwards
- NZ 27126 17715 – where the public footpath heads south west off the footway, running between Cell O to the north and the SUDS basin to the south – pointing southwest

A timber waymark post must also be installed by the south west corner of Cell O where the public footpath meets a crushed stone footway from the south. This should denote the public footpath heading north and north east from this location.

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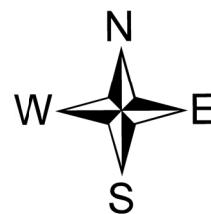


Planning Ref: 25/00332/RM1

Address
Burtree Garden Village Phase 1



DARLINGTON
Borough Council
Page 27



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DARLINGTON BOROUGH COUNCIL

APPEAL AGAINST REFUSAL FOR PLANNING PERMISSION

APPLICATION REF. NOS:	25/01101/FUL & 25/01102/ADV
APPEAL REF. NOS	Appeal Ref Nos: 6003715 & 6003716
LOCATION:	Footpath opposite 38 Blackwellgate, Darlington DL1 5HW
DESCRIPTION:	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
APPLICANT:	BT Group Plc

PLANNING OFFICER: ANDREW HARKER

BRIEF SUMMARY:

1. Advertisement consent and planning permission were both refused for the installation of a BT Street Hub Unit with advertisement panels on either side. The Hub was located within the public footpath opposite No 38 Blackwellgate.

KEY POINTS TO NOTE:

2. The Hub would be located within the Town Centre Conservation Area and within the setting of neighbouring listed buildings.

REASON(S) FOR REFUSAL:

3. Planning application reference number 25/01101/FUL was refused on the grounds that the Hub would have an adverse impact on the general character of the local environment and would result in additional street clutter. It was also considered that the Hub would have an adverse impact on the Town Centre Conservation Area and the setting of No 32 Blackwellgate, which is a Grade II listed building and no public benefits had been identified that would outweigh that harm caused to the heritage assets.
4. Advertisement consent reference number 25/01102/ADV was refused as the display panels within the Hub would harm the character and amenity of the streetscape and would harm the Conservation Area and setting of the neighbouring listed building (No 32 Blackwellgate)

APPEAL DISMISSED:

5. The Planning Inspector found that the proposals would be harmful to the character and appearance of the area, and cause harm to the significance of the Town Centre Conservation Area. The Inspector also considered that the Hub and advertisement panels would fail to preserve the setting of listed buildings. Having had regard to the scale and nature of the proposed hub relative to the significance of the Conservation Area as a whole, the harm was identified as being “less than substantial” and the Planning Inspector concluded that the public benefits of the proposal would not outweigh the harm to the significance of the designated heritage assets, and the considerable importance and weight that this carried. On that basis, both planning appeals were dismissed.



Appeal Decisions

Site visit made on 31 March 2026

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20th April 2026

Appeal A Ref: 6003715

Footpath opposite 38 Blackwellgate, Darlington DL1 5HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Verity Cheyne on behalf of BT Group Plc against the decision of Darlington Borough Council.
 - The application Ref is 25/01101/FUL
 - The development proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
-

Appeal B Ref: 6003716

Footpath opposite 38 Blackwellgate, Darlington DL1 5HW

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Verity Cheyne on behalf of BT Group Plc against the decision of Darlington Borough Council.
 - The application Ref is 25/01102/ADV
 - The advertisement proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
-

Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals are for related proposals at the same site. I have considered each appeal on its individual merits, however, as they raise similar issues, I have combined both decisions into a single decision letter.
4. In relation to Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) ('the Regulations') stipulate that control may be exercised only in the interests of amenity and public safety. Therefore, whilst the development plan policies referred to on the decision notice are not determinative, I have taken them into account where relevant.

Main Issues

5. The main issue in Appeal A is the effect of the proposal upon the character and appearance of the area including the significance of Darlington Town Centre Conservation Area and the setting of listed buildings.

6. The main issue in Appeal B is the effect of the proposed advertisement upon the amenity of the area.

Reasons

Character, appearance and amenity

7. The appeal site is located with Darlington Town Centre Conservation Area ('DTCCA'), a designation which includes much of the centre of the town. The significance of the DTCCA, insofar as it relates to these appeals, is derived from the historic street layout and the number of historic buildings which are evidential of development of the town centre over time.
8. A junction is formed in the vicinity of the appeal site by Blackwellgate, Skinnergate, Grange Road and Coniscliffe Road which means that a small island of pedestrian realm is created in the resultant space. The area is open in nature but well defined by historic landmark buildings at street corners and effectively forms an informal square. The public realm includes mature street trees, cycle racks, bus stops and flagpoles, as well as external seating areas, however the area has a pleasant character and provides deeper views into the DTCCA along these historic streets.
9. 32 Blackwellgate is a three-storey building located at the eastern end of the pedestrian area and forms a bookend to more modern buildings which comprise Blackwellgate as it moves towards the Market Square, at the heart of the DTCCA. No 32 is unusual in this respect as it is noticeably smaller than in its neighbour, but nevertheless its distinctive corner shopfront and bay windows, along with its whitewashed gable and red pantile roof gives it a sense of status in the street. It anchors Blackwellgate as historic evidence of the route, despite the presence of later buildings. This evidential value, along with its understated traditional architecture and proportions form the significance of the LB insofar as it relates to these appeals.
10. The location of No 32 as the backdrop for the area of public realm, means that its setting is relatively large, particularly as it is prominent in longer views along both Blackwellgate and Houndgate.
11. The proposal also lies within the setting of Blackwellgate Post Office and Nos 34 and 36 Blackwellgate which are further Grade II listed buildings. Blackwellgate Post Office is a substantial three-storey building with a stucco frontage. Nos 35 and 36 is a smaller building of brick construction and with a timber shopfront at ground floor level. Both buildings derive significance from their evidential group value as part of the historic street layout and historic architecture, however neither has a visual status in the street comparable to that of No 32. The Council has not alleged any harm to the significance of these designated heritage assets, nevertheless, as I have a duty in this regard, I have taken them into account also in reaching my decision.
12. The proposed hub would be located within the central area of public realm, close to public seating, planters, cycle parking, a bin, large lampposts and a bus shelter with a digital advertisement. Despite the existing street furniture, the immediate area is a well-considered piece of public realm which accommodates pedestrian movements and links with external seating at a neighbouring café. Overall, the space does not feel cluttered and the open, but well-defined, character of this junction, which partly

results from the character and number of historic buildings around it, is readily apparent.

13. While there is some interplay between modern and historic forms in this part of the DTCCA, the proposal, at over 2 metres in height, and particularly the illuminated advertisement, would appear as a large and overtly modern and prominent feature when viewed in the context of nearby historic buildings and most notably, No 32. It would be particularly harmful in views along Blackwellgate towards the Market Square, where it would be seen directly in the foreground of No 32.
14. I acknowledge the existing digital advertisement incorporated into the bus shelter, and that the proposal would be located in close proximity to it. However, rather than justify the proposal, the provision of a further illuminated digital advertisement hub would lead to a proliferation of such features in a small area, which would together detract from the significance of this building and the character of the area.
15. Moreover, the proposed hub would introduce a further modern piece of street furniture to the space and particularly when viewed alongside the bus shelter, which is another large structure, would lead this area of public realm to have an unacceptable level of visual clutter. The removal of an existing telephone kiosk at the edge of the space would not wholly mitigate this due to its comparatively peripheral location in comparison to that of the proposed hub.
16. I conclude that the proposals would be harmful to the character and appearance of the area, and cause harm to the significance of the DTCCA. They would also fail to preserve the setting of listed buildings. Having regard to the scale and nature of the proposed hub relative to the significance of the DTCCA as a whole, the harm would be less than substantial.
17. In reaching this conclusion I have had regard to the appeal decisions put before me. I have been provided with little information in relation to these cases, however all relate to cases elsewhere in the country and none appear to be directly comparable to the particular characteristics and significance of the area and heritage assets that I have identified. They do not, therefore, led me to a conclusion other than as I have set out above. I also conclude that the proposed advertisement would harm amenity.
18. I have found that the proposals would result in less than substantial harm to the character and appearance of the DTCCA, and listed buildings. Both Darlington Local Plan ('DLP') Policy ENV1 and the National Planning Policy Framework ('the Framework') require any less than substantial harm to heritage assets to be weighed against the public benefits of the proposal.
19. Paragraph 212 of the Framework indicates that great weight should be given to the conservation of designated heritage assets. The more important the asset, the greater the weight should be. Harm to the significance of a designated heritage asset should also require a clear and convincing justification. The Framework also requires that such harm be weighed against any public benefits of the proposal.
20. Paragraph 119 of the Framework indicates that an advanced, high quality and reliable communication infrastructure is essential for economic growth and social wellbeing. The Framework also seeks to support the expansion of electronic communications networks. The proposed hub would incorporate a range of services including online access, phone calls and the ability to house air quality and

traffic sensors. It would also form part of a wider network of apparatus providing efficient, reliable and free-to-use public services. There is also potential for the proposed screens to be made available to the Council for public service messaging.

21. These are all public benefits which count in favour of Appeal A. However, there is no evidence before me which would indicate that a less harmful site for the proposal could not be found which would deliver the same public benefits. I am also aware that there are other structures within the area that may provide some of the stated benefits.
22. It is stated that the proposed hub would facilitate the removal of an existing telephone kiosk located close to 42 Blackwellgate. However, this is located at the very periphery of the junction area and does not form a prominent feature. Despite its age and condition, it is not especially harmful to the character of the DTCCA, and has little, if any, effect on the settings of the identified listed buildings. Therefore, its removal, while a benefit of the proposal, is one to which I afford only minor weight.
23. Taken together, the public benefits of the proposal would not outweigh the harm to the significance of the designated heritage asset that I have found, and the considerable importance and weight that this carries. The proposal would therefore conflict with DLP Policies DC1 and ENV1. Together, and among other factors, these policies require all development to reflect and respond positively to the local context and preserve the significance of designated heritage assets unless in the case of less than substantial harm, that such harm is outweighed by the public benefits of the proposal.

Conclusion

24. In respect of Appeal A, the proposal would conflict with the development plan as a whole, and there are no material considerations which would outweigh this conflict. In the case of Appeal B, the proposal would harm amenity and in doing so, it would conflict with the policies mentioned above.
25. For the reasons given, and having regard to all matters raised, I therefore conclude that both Appeal A and Appeal B should be dismissed.

C Harding

INSPECTOR

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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