

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 4TH August 2021

APPLICATION REF. NO: 21/00556/DC

STATUTORY DECISION DATE: 10 August 2021

WARD/PARISH: Park East

LOCATION: 12 - 18 Skinnergate

DESCRIPTION: Demolition of existing shops/warehouses at 13/18 Skinnergate and 2 Raby Terrace, erection of 6 no. three bed houses, 6 no. two bed three storey flats and 3 no. ground floor (Use Class E) units with 3 no. two storey flats over. Renovation of 12 Skinnergate and adjoining extension to provide 1 no. (Use Class E) unit to ground floor and 1 no. two storey flat over, including demolition of existing extensions, landscaping and other associated works

APPLICANT: Darlington Borough Council

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

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

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

APPLICATION AND SITE DESCRIPTION

1. The application site (comprising all of the existing buildings including the shops/warehouse spaces, rear service yard and former British and Foreign School building (No 2 Raby Terrace) is within the heart of the town centre and approximately 0.2 hectares. No 12 Skinnergate is a fire damaged property and remains in such condition. The site is predominantly occupied by buildings with little landscape or external space. There is a small service yard area to the rear of the properties along the Raby Terrace elevation. There is an existing electrical substation in the centre of the

Raby Terrace boundary which is currently an open walled sub-station in relatively poor state of repair.

2. There is a significant change in level across the site rising by approximately 1.8m from the Skinnergate elevation to the Raby Terrace boundary.
3. The site is bounded to the north by Punch Bowl Yard; to the east by existing units on Skinnergate; to the south by retail units on Skinnergate and British School Yard and Acadia Court, which are in residential use and to the west by terraced residential dwellings.
4. The site lies within the Town Centre Conservation Area and there are listed buildings immediately to the north and south of the site and on the opposite side of Skinnergate. The site is also within the immediate setting of the Quaker Burial Grounds which is connected to the Grade II* Meeting House.
5. The proposal involves the demolition of Nos 13/18 Skinnergate and No 2 Raby Terrace and the redevelopment of the site with the erection of six, three bed houses, six, two bed three storey flats and three ground floor (Use Class E) retail units with three, two storey flats above. Furthermore, the proposal includes the renovation of No 12 Skinnergate and adjoining extension to provide one (Use Class E) retail unit to the ground floor and one, two storey flat above, including demolition of existing extensions, landscaping and other associated works. There has been an allowance of parking provision for eleven cars which have been allocated as on street parking on Raby Terrace which will be facilitated by the removal of double yellow lines and re-working of the road layout by the council prior to the completion of the scheme. In addition to this, 2 fully accessible parking spaces have been provided.
6. Separate planning applications (reference number 21/00557/DCLB and 21/00859/DCLB) have been submitted for the proposed works and repairs to No 12 Skinnergate to facilitate the wider development which is pending consideration. Both applications are pending consideration.
7. The Design, Access and Heritage Statement which has been submitted in support of the planning application states that the proposed scheme has been the subject of a number of consultation sessions with the local community stakeholders including local residents and businesses on Skinnergate and Raby Terrace. There have been discussions with Historic England and the local planning authority prior to the formal submission of both planning applications which is in accordance with the Council's guidance contained within the adopted Statement of Community Involvement document.

MAIN PLANNING ISSUES

8. The main planning issues to be considered for this planning application are whether the proposed development is acceptable in the following terms:
 - a) Planning Policy

- b) Design, Layout and Impact on the Character and Appearance of the General Street Scene
- c) Impact on Designated and Non-Designated Heritage Assets
- d) Residential Amenity
- e) Noise
- f) Highway Safety and Parking Provision
- g) Ecology Matters
- h) Archaeology
- i) Contaminated Land
- j) Sustainability Matters

PLANNING POLICIES

9. The site is within the development limits as defined by the Proposals Map of the Local Plan 1997 and therefore the principle of the development can be supported by saved policy E2 of the Local Plan and CS1 of the Core Strategy. The other relevant Local Plan policies include those seeking to ensure that the proposed development

- Provides vehicular access and parking suitable for its use and location (CS2 of the Core Strategy 2011)
- Is within a sustainable location and accessible by various modes of transport, pedestrians and disabled persons (CS2 of the Core Strategy 2011)
- Protects the general amenity and health and safety of local community (CS16 of the Core Strategy 2011)
- Reflects or enhances Darlington's distinctive nature; creates a safe and secure environment; creates safe, attractive, functional and integrated outdoor spaces that complement the built form; and relates well to the Borough's green infrastructure network (CS2 of the Core Strategy 2011)
- Does not result in any net loss of existing biodiversity value by protecting and enhancing the priority habitats, biodiversity features and the geological network through the design of new development, including public and private spaces and landscaping (Policy CS5 of the Core Strategy 2011)
- Protects buildings, their settings and features of archaeological interest (CS14 of the Core Strategy 2011)
- Will be focused on areas of low flood risk (Flood Zone 1) and it should comply with national planning guidance and statutory environmental quality standards relating to risk from surface water runoff, groundwater and sewer flooding (Policy CS16 of the Core Strategy 2011)
- Protects, enhances and promotes the quality and integrity of Darlington's distinctive designated national or nationally significant built heritage and archaeology including buildings, their settings and features of historic and archaeological local importance in conservation areas. (CS14 of the Core Strategy)
- Protects the vitality and viability of Darlington town centre (Policy CS7 of the Core Strategy 2011)

- Protects the hierarchy of centres in the Borough (Policy CS9 of the Core Strategy 2011)
- Such as housing schemes are located in strategic locations such as the urban area (Policy CS10 of the Core Strategy 2011)
- Meets an identified housing need (Policy CS11 of the Core Strategy 2011)

Other relevant documents are:

- The National Planning Policy Framework 2021
- Tees Valley Guide (Design Guide & Specification Residential and Industrial Estates Development)
- Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
- Supplementary Planning Document – Design for New Development

RESULTS OF TECHNICAL CONSULTATION

10. The Council's Conservation Officer is supportive of the proposed development but has advised that further understanding of No 2 Raby Terrace (the former British and Foreign School) is required as the building is a non designated heritage asset which would be demolished as part of the proposed development.
11. Historic England are broadly supportive of the overall scheme but have commented that the demolition of No 2 Raby Terrace would be a loss to the significance of the conservation area. This harm has to be considered alongside the overall heritage benefits and wider public benefits of the scheme in accordance with the National Planning Policy Framework 2021. Historic England has advised when making that balanced judgement, the local planning authority is convinced that the significance of this building is well understood and options for conversion have been thoroughly considered
12. The Council for British Archaeology are the Amenity Body who have responded to the consultation on the planning application and they are broadly supportive of the proposed development but they are objecting to the demolition of No 2 Raby terrace as they consider there is insufficient justification and it would also be preferable for the building to be retained for environmental reasons.
13. The Council's Highways Engineer, Transport Policy Officer and Environmental Health Officer have not objected to the principle of the planning application, subject to the imposition of appropriate planning conditions
14. The Lead Local Flood Authority and Northumbrian Water have raised no objections to the proposed development subject to the imposition of planning conditions
15. The Durham County Council Archaeology Team have raised no objections to the proposed development subject to the imposition of planning conditions

RESULTS OF PUBLICITY AND NOTIFICATION

16. Three letters of objection have been received following the Council's notification and publicity exercises for the planning application. The comments that have been received can be summarised below:

- *We wish to raise our concerns regarding the demolition works. We are Skinnergate News at No 20 Skinnergate and we want to know how our health and safety is to be protected. Are we expected to trade with the noise, dust and disruption? This will highly likely be detrimental to our health and unpleasant for our customers. Has 20 Skinnergate been surveyed to ensure that it will survive such building work?*
- *I need to object to the plans owing to the fact there are proposals to have new commercial outlets built below the residential units which is unnecessary. There have always been empty retail units blighting Skinnergate and building new units simply to be left vacant will continue to be an eyesore on the street. Residential developments with false retail facade would be the way forward*
- *Nature of the design of the development, we feel it is too modern in its inception and not in keeping with the conservation area as we were informed.*
- *We were told that there would be single story dwellings for people over 50 years old, now they are multiple story which will only attract the wrong tenants.*
- *We were also informed that the 'Wildsmith's shop' was going to be converted as a walk through/small boutique type shops which would link up to smaller shops*

PLANNING ISSUES/ANALYSIS

a) Planning Policy

17. 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 (2019) supports the plan led system providing that planning decisions should be "genuinely plan-led" (NPPF para 15).

18. The planning application site lies within the development limits for the urban area as defined by the Borough of Darlington Local Plan. The town centre location is in a sustainable location and the principle of this proposed mixed development of housing and retail development accords with the local development plan (saved policy E2 of the Local Plan and CS1, CS7, CS9, CS10 and CS11 of the Core Strategy 2011).

19. Whilst the Council can currently demonstrate a deliverable 5 year supply of housing land, housing development on sites in suitable and sustainable locations are still required to ensure the annual average requirement can continue to be met and the Council can continue to demonstrate a deliverable 5 year supply of housing sites once the emerging Local Plan has been adopted.

b) Design, Layout and Impact on the Character and Appearance of the General Street Scene

20. The proposed use for the site is a mix of residential with four retail units at ground floor along Skinnergate to achieve and retain an active street frontage. The main residential

accommodation will be located behind the shops between Skinnergate and Raby Terrace and will provide terrace houses and flats with private external amenity spaces and a central public external area (forming a new 'Yard') centrally connecting all of the accommodation and providing a new linkage between the residential accommodation and Skinnergate.

21. The scale and massing of the proposed scheme is influenced by the surrounding environment. There is an undulation in roofscapes and heights with most two and three storey properties with steeply pitched roofs and varying floor heights. The scheme looks to reflect this mix by utilising different floor to floor heights with some units utilising the roof space along Skinnergate, the two storey terrace housing along Raby Terrace (reflecting the scale of the other residential properties along this street frontage) and three storey flats to the north of the site making best use of the daylight and merging with the other taller properties beyond along Punch Bowl Yard.
22. The buildings along the Skinnergate frontage follow historic design principles in both appearance, fenestration, scale, massing and materials while the new residential properties behind the Skinnergate elevation land along the Raby Terrace elevation are influenced by historic principles in terms of building scale, roof pitch and materials but in a contemporary and modern way to provide a clear delineation between new and old elements without competing or detracting from the historic assets.
23. Whilst details of the hard and soft landscaping for the scheme will need to be secured by a planning condition, there will be a need for some retaining walls and ramped paths/stepped external spaces. The change in level between Skinnergate and Raby Terrace provides an opportunity to create some interesting spaces within the new external yard with seating/terracing building into the scheme as well as accessible routes through the various paths linking the site to Raby Terrace, Punch Bowl Yard, Skinnergate and British School Yard.
24. There will be a mix of high-quality surface finishes in keeping with the Masterplan and regeneration for the whole of the Skinnergate area currently taking place along the street and within many of the existing Yards and Wynds. Planting could be introduced where possible and the introduction of some soft landscaping will significantly soften the space, add diversity as well as having an impact of the health and wellbeing of local residents.
25. The proposed development would accord with the general design principles set out in the Council's adopted Supplementary Planning Document – Design for New Development.
26. The Architectural Liaison Officer (ALO) from Durham Constabulary have provided some detailed comments on the proposed layout based on the principles of Crime Prevention through Environmental design (CPTED) which are intended to help create strong cohesive communities in line with the National Planning Policy Framework 2021. The comments relate to the location of cycle stands, bin stores, the height of boundary walls

and other means of enclosure on the site, the location of windows overlooking public areas, lighting and access arrangement through the site. It has been agreed with the Architectural Liaison Officer that the applicant will liaise further with the local planning authority and the ALO on these matters and this can be secured by a planning condition.

27. In general design terms, the proposed development is an excellent designed scheme which reflects the characteristics of the surrounding area and successfully mix historic and modern design principles. The Skinnergate frontage is a great improvement to the existing buildings and retains the active shopping frontage whilst the residential development is sympathetic to the design of the area but in a modern and contemporary manner which does not detract from the visual appearance of the street scene. The development would link well with the existing infrastructure and makes a valuable contribution towards the character of the local area and its sense of place. The development would accord with policy CS2 of the Core Strategy 2011.

c) Impact on Designated and Non-Designated Heritage Assets

28. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 asks that local planning authorities pay special attention to preserving or enhancing the character and appearance of conservation areas. Section 66 of the Act 1990 imposes a duty to treat a finding of harm to a listed building and its setting as a consideration to which the decision-maker must give considerable importance and weight when carrying out the balancing exercise and subsequent case law has stated that it is not open to the decision-maker merely to give the harm such weight as he thinks fit, in the exercise of his planning judgment..
29. In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness (para 197 of the National Planning Policy Framework 2021).
30. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199 of the National Planning Policy Framework 2021).
31. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (Para 200 of the National Planning Policy Framework 2021) and the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing

applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (Para 203 of the National Planning Policy Framework 2021).

32. Local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (para 206 of the National Planning Policy Framework 2021)
33. The application site is located in the centre of the Town Centre Conservation Area, fronting Skinnergate and Raby Terrace to the rear. As noted, the site includes the Grade II No.12 Skinnergate, non-designated No.2 Raby Terrace (Former Foreign and British School) and later 20th century buildings which are considered to have a negative impact to the Conservation Area.
34. The site is located with the immediate setting and adjoining to several other Listed assets which include, The Mechanics Institute (Grade II), Nos 78 and 79 Skinnergate (Grade II), No's 75, 75A, 76 and 76A Skinnergate (Grade II), No. 74 Skinnergate (Grade II) and No. 21 Skinnergate (Grade II). The site directly adjoins to No. 11 Skinnergate Grade (II) and No 20 Skinnergate (Grade II).
35. The site to the rear facing onto Raby Terrace is within the immediate setting of the Quaker Burial Grounds which is connected to the Grade II* Meeting House. The boundary wall of the Burial grounds is also Listed at Grade II. It is therefore evident that the site is of high significance with many Listed and non-designated assets within and around the site
36. No.12 Skinnergate is in a poor and deteriorating state of condition having suffered a major fire in 2018. The three storey building is understood to be of the mid-18th century with gauged brick flat arches on the first floor. To the rear of No.12 there is a linear extension which projects half the width of the plot. It is an interesting addition and while having seen historic alteration has retained several key features of note including fireplaces, doors, door surrounds and other elements to the first floor. The fire has caused substantial damage to the main building and also exposed elements of previous historic alteration. There are some surviving features including fireplaces, chimney breast, stacks and pots.
37. No.2 Raby Terrace is a non-designated heritage asset. The building is part of the former British and Foreign School and is present on the first edition OS maps. The building is understood to have been the first home of the School which was founded by the generosity of the Quakers. In Darlington the funding for the school came by way of the Pease Family and therefore holds a high level of significance to the area. The building as existing has seen historical alterations and additions but the core of the fabric and the historic plan form can still be clearly read.

38. Nos 14-18 Skinnergate, are buildings from approximately the 1970's being large monolith buildings which replaced the historic buildings in the later 20th century. These buildings have no value or and make no contribution to the area and they have a negative impact to the Conservation Area and setting of the Listed assets.

No.12 Skinnergate

39. This listed building is in a poor state of condition and continuing to deteriorate. As part of the proposed development, the building is to be repaired and reused including the rear extension which is considered to be a very positive public benefit which would be derived from the scheme. The proposals look to retain the buildings current layout and appearance but there does appear to be some changes to the chimney stacks. The stacks should be conserved and retained as these are important historic features and given the loss which has already been seen to the building, it is paramount that the remaining fabric is conserved and retained wherever possible. A separate and more detailed listed building application is to be submitted solely for No.12 Skinnergate which looks at the urgent repair and remedial works which are critical to the building and will likely expand upon the detail submitted as part of this planning application.
40. There is much greater detail needed for the works to No.12 Skinnergate given the works to the rear extension, the proposed new rear openings including the new shop frontage and the repairs which are vitally needed. As stated, the rear extension has seen substantive alteration, but it has also retained several key features and detail. It is vitally important that greater detail is provided to understanding how the historic fabric is going to be retained and the new elements added. These matters would be considered in more detail in the separate planning application yet to be submitted.
41. The Council's Conservation officer and Historic England welcome that the repair and re-use of the listed structure has been incorporated as part of the proposals and in policy terms and they also advise that this presents a considerable public benefit. They acknowledge the need for further details to be supplied in the separate listed building application for No 12 Skinnergate which has yet to be submitted.
42. The Council for British Archaeology also believe the conservation of No 12 Skinnergate will have a positive outcome for this heavily fire damaged building

New build development - Nos 14-18 Skinnergate

43. This existing building has a hugely negative impact to the Conservation Area and setting of the neighbouring Listed Buildings. The proposals are to demolish this building and erect new buildings which are more appropriate to the character of the area. The proposals are very positive as they see the removal of the poor quality building and development reinstated which reforms the historic pattern and form, for example, the line of development and open spaces works off following the former lost historic burgage plots for this area. The historic frontage along Skinnergate is also to be reinstated with a variation in the roof line.

44. Overall, the impact of this part of the proposed development is positive. However, precise details of the new shopfronts, joinery details, finishes and colour schemes and gates for the buildings will need to be provided and these items can be secured by planning conditions
45. The change of roof lines and pitches within the wider development is interesting and is sympathetic to the detail found on the immediate area. Overall the materials palette has been kept to a minimum which is positive and ensures there is not too much visual cluttering, but precise details of the materials would need to be secured by a planning condition. The general principles of the landscaping scheme have been well considered, providing some key planting areas.
46. The Council's Conservation Officer Historic England broadly welcome the scheme as it reflects the historic layout of back plots along Skinnergate and it relates to the character of this part of the conservation area.
47. The Council for British Archaeology believe that the demolition of these buildings and the redevelopment of the site will have a positive outcome for the character and appearance of the Town Centre Conservation Area

No.2 Raby Terrace (former British and Foreign School)

48. This building is considered to be a non-designated asset. The existing building has a connection and is within close proximity to the Quaker burial ground and has strong ties to the Quaker movement the Pease family. Architecturally, the building has a lesser quality, but it is evident that the building has high significance historically, socially and on its Empirical evidence.
49. The proposals would see the loss of the building and the erection of terraced properties fronting onto Raby Terrace.
50. Historic England have stated that the loss of No.2 Raby Terrace would be a loss to the significance of the conservation area and the local planning authority must be convinced that the significance of this building is well understood and options for conversion have been thoroughly considered.
51. The Council for British Archaeology considers that there is insufficient justification for the demolition of this non-designated heritage asset, the beneficial impacts of the scheme would arguably be improved by its retention and reuse and the CBA believe strongly that the embodied carbon in standing buildings should be considered amongst the criteria for demolishing as opposed to reusing buildings as part of the imperative for sustainability in the built environment. Reaching 2050 targets to be carbon neutral depends on big changes to current norms, which should include revised approaches to reusing buildings preferentially to demolition and rebuild options. Especially when considering undesigned heritage assets

52. In order to establish the possibility of retaining No 2 Raby Terrace an extensive options appraisal exercise was carried out to review potential options for the creative re-use of the building both for residential and commercial use. There was a strong view among that A1/A3, or small office/business use was not acceptable on this site except for along the main Skinnergate elevation. This is also demonstrated in the council business plan model which is a drive to reduce retail units within the town centre and increase housing in order to utilise the brown field high quality sites for the delivery of exemplar residential schemes while also fulfilling the housing targets.
53. The building itself has for several years been an unoccupied site and has little of its original historic features and several later editions which hinder the interpretation of its original form and fabric. The retention of the building would have a negative impact upon the proposed scheme, in terms of bringing forward a local authority affordable housing scheme in a highly sustainable location which overall is a high quality aspirational architectural benchmark for the delivery of town centre residential schemes and which is intrinsic to the regeneration strategy for the area. However, the applicant has acknowledged that there is a strong argument for some permanent interpretation and storytelling feature about the building in this location which could actually serve to tell a stronger community message than the current building serves to do.
54. The role that the building played (of which this building was a small part) in the historic and community history for Darlington, its Quaker roots and for the development of national education (and the slavery abolition movement) within England and the British Isles during the 19th Century is still recognised as being significant and it has been suggested that some interpretation be included within the proposed scheme to tell that story which is currently undervalued or unknown by many visiting the town. Part of the proposals for the scheme is to open-up the end of the British School Yard to provide a new linkage through to Raby Terrace and to provide a new intimate public plaza to the end of this space. It is suggested that some interpretation in the form of public art or plaque be introduced to provide an opportunity for story-telling and historic interpretation to ensure this story is not lost (which the building itself currently does little to provide). This would form a part of the local history trail for the area and have strong connectivity with the Quaker burial ground adjacent, the mechanics institute and the Quaker Meeting House buildings on Skinnergate.
55. Whilst Historic England's and the CBAs comments on the loss of No 2 Raby Terrace are noted the application, the Local Planning Authority need to be clear in applying the correct test in considering them, i.e. it is not an untilted balance – the harm to the heritage assets must be accorded considerable importance and weight and there needs to be a clear and convincing justification for any harm.
56. The loss of No.2 Raby Terrace would be a loss to the significance of the conservation area but set against the other elements of the scheme the net heritage benefit is still positive. The loss of this non-designated heritage asset would be harmful to the significance of the conservation area. This harm has to be considered alongside the

overall heritage benefits and wider public benefits of the scheme arising from it in line with paragraph 200 of the National Planning Policy Framework 2021. Consideration also has to be given to the duty of preserving the character and appearance of the conservation area and the setting of listed buildings as set out in the Act 1990.

57. The loss of the building would be considered to cause “less than substantial harm” to the significance of the surrounding heritage assets and where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para 202 of the National Planning Policy Framework 2021)
58. The repair and re-use of No 12 Skinnergate, which is a listed building is an obvious and significant heritage benefit, particularly where done in a way that retains as much heritage detail as possible to ensure its longevity as a valued asset both architecturally and communally which is what the proposal aims to achieve. Other public benefits include:
- The redevelopment of the existing modern retail units to create an improved street frontage on Skinnergate. This will improve the setting of the adjoining listed buildings as well as the character and appearance of a prominent and popular street scene within the Town Centre Conservation Area.
 - The provision of a high quality affordable housing scheme within a sustainable location and which can set a benchmark for the delivery of future residential schemes in and around the town centre
 - A scheme which will incorporate measures in aid of climate change
 - The provision of small-scale retail outlets to encourage occupation by local independent business to enhance the retail and commercial offer within Skinnergate
 - The creation/reinstatement of thoroughfare from Skinnergate to Raby Terrace.
 - The creation of a scheme which follows the former lost historic burgage plots for this area
 - The introduction of some form of artwork or plaque to inform people of the story of No 2 Raby Terrace which is not currently publicly evident
 - Improvements to the south boundary of Punch Bowl Yard making this a more pleasant environment to move through. The proposal has the potential to be a catalyst for future redevelopment of Punch Bowl Yard.
 - A highly improved frontage onto Raby Terrace, which increase natural surveillance of this area
 - The opening up of views to the rear of Skinnergate from Raby Terrace providing a better understanding of the historic plot layout and roofscape.
59. It has been agreed that an historic recording of No 2 Raby Terrace is carried out prior to its demolition for the purposes of historical understanding. This would be a Level 3 recording which is an analytical record and will comprise an introductory description followed by a systematic account of the building’s origins, development and use. The record will include an account of the evidence on which the analysis has been based,

allowing the validity of the record to be re-examined in detail. It will also include all drawn and photographic records that may be required to illustrate the building's appearance and structure and to support an historical analysis. Copies of any report would then be sent to the local Historic Environment Record and to the appropriate Local Studies Library This would be in accordance with guidance contained within the Historic England document "Understanding Historic Buildings - A Guide to Good Recording Practice"

60. Based on the information that has been submitted in support of the planning application, officers are convinced that the significance of No 2 Raby Terrace is well understood and will continue to be so through the Level 3 Recording process and some form of interpretation board or artwork and that the option for retaining and converting the building have been thoroughly considered in accordance with the requirements of Planning (Listed Buildings and Conservation Areas) Act 1990 (secs 66 and 72). Furthermore, it is considered that, in accordance with the requirements of the National Planning Policy Framework 2021 (para 202) that there are significant social, economic and heritage public benefit benefits which would be derived from the proposed development that would outweigh the less than substantial harm to the conservation area that would be caused by the demolition of the non-designated heritage asset, No 2 Raby Terrace. The overall development would also accord with the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework 2021 and policy CS14 of the Core Strategy 2011.

d) Residential Amenity

61. The spatial relationship between the proposed dwellings within the development and with the existing dwellings in the immediate vicinity are acceptable and will not result in any adverse amenity conditions for the occupants in terms of loss of privacy and outlook. The proposed development would accord policy CS16 of the Core Strategy 2011.

e) Noise

62. A noise impact assessment has been submitted in support of the planning application which has looked at how noise in the local area will potentially impact on the future residents and what mitigation measures are required in the proposed dwellings in order to ensure a suitable acoustic environment for future residents.
63. Measurements were taken of noise from Road Traffic Levels on Raby terrace to the rear of the development and a correction of 2dB was added to the result to correct for 'normal' traffic conditions. As the report was compiled during the 'lockdown' with restrictions imposed on the night-time economy it was agreed that instead of taking noise measurements in this unusually quiet period data should be used from a similar street in the centre of Durham measured on a summer weekend in 2019 which was affected by noise in the night-time economy. This data was then used to model the impact of noise on the proposed development and what mitigation would be required in order to create a good acoustic environment for future residents.

64. The modelling has shown that windows on the façades of buildings fronting onto Skinnergate, the courtyard area, Punch Bowl Yard and Raby Terrace will all require enhanced glazing specifications and an alternative means of ventilation to allow future residents to ventilate their rooms without having to open a window and be exposed to the prevailing noise levels. The report has not set a detailed specification for glazing and ventilation, but it has set the minimum design standards which must be met and shown that such levels can be achievable. The modelling has shown that the noise levels in outdoor amenity areas which are proposed as part of the development will be <55dB LAeq, 16rh. Given the location of the development in the town centre this is deemed to be acceptable for dwellings in such a location. The Council's Environmental Health Officer has recommended the imposition of a planning condition to minimise noise disturbance from external noise sources into the proposed dwellings.
65. The report has also suggested some design criteria for the construction of separating floors between those properties with a commercial element on the ground floor and a residential element on the floor above. This scenario is not something which is adequately covered in the Building Control Regulations and without proper consideration of the impact of sound moving from one part of the building to another it can be source of noise complaints to Environmental Health. The development must be built in a way which ensures noise insulation between these two elements of the building is sufficient and the Environmental Health Officer has recommended the imposition of an appropriate planning condition
66. Furthermore, in order to protect the amenities of the occupants of this development from noise, odours in the future, a planning condition has been recommended which results in the retail units remaining in Class E usage. The planning condition would not prevent the units being used for other purposes, but a planning application would be required to do so. This is considered important as changes have recently made to the planning process by Central Government which enables more buildings to be changed to other uses without the need for full planning permission.
67. It is considered that with the use of appropriate planning conditions, the scheme would accord with policy CS16 of the Core Strategy 2011.

f) Highway Safety and Parking Provision

68. The traffic generation for this development is expected to be lower than other average housing private housing developments given the town centre location. It is expected that traffic generation will be an additional 4-5 two-way trips in the AM/PM peak hours, which equate to one additional vehicle movement every 12-15 minutes. As such it is accepted that no formal Transport Statement or Assessment is needed to support the planning application, and that the vehicle movements can be accommodated on the local highway network without requiring off-site mitigation. It is also noted that the current retail floor area is to be reduced significantly with a loss of 1865 square meters internal floor space, with much smaller retail units replacing the existing, as such it is likely that vehicle movements associated with retail use are reduced.

69. A review of the past five year period of Police accident statistics demonstrates that there have been two recorded Personal Injury Collisions (PICS) recorded within the vicinity of the site. The first located on the junction of Duke Street & Raby Terrace which was a 'Serious' incident and was located approximately 90m from the site and the second, a 'minor' incident which was located at Powlett Street approximately 80m from the site entrance. Given that there are not a significant number of accidents, or any repeat pattern of accident, there is no reason to conclude that a proposal with very minimal increased traffic generation would have any material impact on highway safety.
70. The application site is located within a highly sustainable location having excellent access to local town centre shops and amenities, public transport links, bus and rail connectivity and pedestrian links.
71. The proposed layout provides two parking spaces within the site both of which are to be allocated to disabled parking and this approach to prioritize parking for disabled accessible spaces within the site is welcomed as anyone with mobility impairment would be impacted inequitably should parking not be provided. It is envisaged that these parking spaces would be for the residents and visitors for this development only.
72. A comment has been raised by the Council's Highways Engineer about the proposed access arrangements for these spaces next to the boundary wall of Punch Bowl Yard and the need to reduce its height to improve visibility. It is the intention to remove this area of wall to provide good visibility and this would be carried out by a Party Wall agreement. A Party Wall Surveyor will be appointed by Darlington Borough Council to move forward with the Party Wall negotiations when/if Planning Consent is secured
73. Additional offsite parking could be created by making use of the existing block paved layby running across the site on Raby Terrace. This area is currently covered by restrictions which prohibit parking in the interest of providing access to the existing parking and service areas of the site. This could be converted to a permit/residents parking area and is likely to yield an additional spaces subject to detailed design and consultation. The Tees Valley (Design Guide & Specification Residential and Industrial Estates Development) advises that generally parking provision for social housing should be one space per unit, however in a town centre location, parking may be reduced provided alternative sustainable travel options are available.
74. Whilst the overall car parking provision is low, as stated, this development is in a highly sustainable location with access to amenities and other transport links. This form of residential development in the town centre is a scheme where the occupants may not be as reliant on private car ownership and offers occupants the opportunity to live close to the town centre and its amenities and attractions. In this location alternative means of travel are available and the level of parking can be acceptable.
75. Pedestrian permeability is provided through the site from Skinnergate to Raby Terrace, with gradients of 1:21 or flatter which makes the development accessible for persons with mobility impairment. It is anticipated that public open space and paths within the

site will remain private and may be gated on an evening, it is expected that it could be used as a public thoroughfare, as it provides a convenient link from Skinnergate to Raby Terrace.

76. The retail units would be serviced via Skinnergate, within the existing restrictions which prohibit vehicular access past Duke Street bollard during the hours of 10am-5pm in the interests of maintaining a safe pedestrian environment within the town centre. This arrangement is currently used by many commercial properties, on Skinnergate and within the pedestrianized area of the town centre, where many businesses do not benefit for servicing/loading bays located to the rear.
77. Provision is made for bin storage for the both retail units and residential flats/dwelling houses. It is therefore accepted that collection can be made from the public highway and that bins will not be stored within the public highway but within designated storage areas.
78. The footway fronting the site across Raby Terrace is currently broken up by wide vehicle access points which will be redundant should the site be redeveloped. No substantive detail is provided at this stage with regard to offsite highway works. However, these vehicle access points will need to be reinstated as a properly constructed footway with a full height kerb and suitable dropped crossing facilities across the frontage to provide an acceptable disabled access route. A dropped crossing should also be provided across Raby Terrace to enable wider connectivity to existing pedestrian infrastructure which is considered essential for a safe means of pedestrian access and should be completed prior to occupation of the site.
79. More detailed design work will be required to create additional parking within the existing block paved layby on Raby Terrace. This will require the Highway Authority to undertake a consultation exercise with local residents and businesses regarding proposed changes to Traffic Regulation Orders (TROs) which is a separate process to Planning Approval.
80. A Construction Management Plan would be required to ensure appropriate consideration is made for matters related to highway safety and free flow of traffic and this can be secured by the imposition of a planning condition.

g) Ecology Matters

81. A bat risk assessment of the buildings on Skinnergate, including No 2 Raby Terrace and adjoining former Argos retail unit has been submitted in support of the planning application. Whilst there are no historic records of roosting bats at the Skinnergate site, several potential access points to typical roost features were identified and a daylight survey was constrained by lack of access to the interiors of the buildings. No bat activity was recorded at the site during a dawn return survey at the end of the bat survey season, but a single common pipistrelle was recorded close by before the start of the survey. The location of the site close to suitable foraging habitat, and presence of several potential access points for bats into the buildings rendered it a medium risk for

use by roosting bats for which further surveys were required. The interiors of the buildings needed to be searched for evidence of bat occupation and at least 1 additional bat activity survey was required to inform an impact assessment and mitigation strategy.

82. Additional surveys were carried out in May and June 2020. No bat activity was recorded during either dawn survey, but foraging common pipistrelles were noted in the south west corner of the site, and occasional commuting bats overflowed the site. No bats emerged from or returned to roost in the buildings and the site is considered to be a low risk for such use.
83. Mitigation is not required in respect of bats at the proposed development, which is considered likely to have a neutral impact upon the conservation status of the local bat population, but a strategy is presented to ensure individual bats are not harmed. In order to enhance biodiversity, a Bat Survey Report (June 2020) recommends a single Schwegler 1FR bat tube should be installed at the apex of the gable of the houses in the south west corner of the site, overlooking the cemetery. This recommendation can be secured by a planning condition.
84. The proposed development would accord with policy CS15 of the Core Strategy 2011.

h) Archaeology Matters

85. The application site is within the historic core of Darlington and may contain remains relating to the earliest development of the town. Subsequent activity across this site, in the form of various buildings, is likely to have truncated any archaeological remains of these earlier phases of activity, but there is still potential for some remains to have survived between the various foundations. As a result, the Durham County Council Archaeology Team has advised that a watching brief should be carried out during the site preparation and construction phases of the project, to allow any remains encountered to be recorded which can be secured by planning conditions.

i) Contaminated Land

86. A Contaminated Land desktop study and site walkover Phase 1 report has been submitted in support of the planning application. This has identified that the site has a long history of commercial uses in the centre of town and it is very much likely that some contamination of the underlying ground will have resulted from these former uses. It would also not be unexpected to encounter relatively deep areas of made ground beneath the surface, or even relic foundations beneath parts of the site.
87. Currently the site is occupied by several different buildings which will be demolished as part of the application and are preventing access to the underlying ground conditions for a more thorough site investigation. A site investigation, and possibly then remediation, will be required as part of any approval of this application. The desk top study has stated that this site investigation should include ground gas monitoring comprising of at least 6 rounds of ground gas readings over a 3 month period.

88. Although there are no landfills in the immediate vicinity there is a strong likelihood of significant depths of made ground being encountered which may produce ground gas.
89. The Council's Environmental Health Officer has recommended appropriate planning conditions in relation to land contamination. The proposed development would accord with policy CS16 of the Core Strategy 2011.

j) Flood Risk and Drainage

90. A Flood Risk Assessment has been submitted with the planning application which confirms that the site is within Flood Zone 1 and concludes that the risk to the proposed retail and residential development is low from all forms of flooding as categorised in the National Planning Policy Framework and the Technical Guidance and the proposed uses of land are appropriate in this Flood Zone
91. Sufficient information has been submitted in support of the planning application to satisfy the Local Lead Flood Authority (LLFA) that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. However, a detailed design for the management of surface water runoff from the proposed development is required but this information can be secured by condition.
92. Northumbrian Water have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted Drainage Strategy. In this document it states the foul and surface water flows shall discharge to the combined sewer at manhole 7402, the surface water flows shall be restricted to a maximum of 5l/sec. This can be secured by a planning condition.
93. The proposed development would accord with policy CS16 of the Core Strategy 2011.

k) Sustainability Matters

94. There are a range of options available that are primarily concerned with reducing carbon emissions such as solar water heaters; photovoltaic panels; low carbon boilers underfloor heating and air source heat pumps. The principles that will underpin the environmental design of this development is that the building fabric acts as a moderator of the external climate and the heating, ventilation and lighting installations deal with the reduced demands of the moderated internal climate. The design philosophy will consider a well insulated building fabric; incorporating a window design to admit and distribute daylight effectively, without admitting unwanted solar heat during the summer; cooling by refrigeration equipment will only be provided where necessary and the use of flexible, controllable and energy efficient engineering systems to provide final environmental control.
95. Further to this the developer will throughout the building design, construction and delivery process take on board the Darlington Borough Council Climate Change Strategy principles outlined in their report: 'A carbon neutral Darlington Borough Council, Climate Change Strategy July 2020'.

THE PUBLIC SECTOR EQUALITY DUTY

96. 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. Whilst the precise details of the hard and soft landscaping for the site would be secured by a planning condition, permeability is provided through the site from Skinnergate to Raby Terrace, with gradients of 1:21 or flatter which makes the development accessible for persons with mobility impairment. The dropped kerbs on the Raby Terrace frontage would be reinstated as footway which will also improve access for persons with mobility impairment. The new dwellings and retail units would meet the requirements of Part M of the Building Regulations and therefore it is considered that the scheme would accord with policy CS2 of the Core Strategy 2011.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

97. 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. These matters have been considered in paragraph 26.

CONCLUSION AND RECOMMENDATION

98. The application site is in a highly sustainable town centre location within the development limits of the urban area. The principle of this mixed use development would be in accordance with the local development plan. The proposed development would not have a negative impact on the street scene, in general design terms, nor upon residential and general amenity of the area, highway safety, ecology, flood risk or the archaeological history of the area. The Council's Conservation Officer, Historic England and the Council for British Archaeology (an Amenity Body) are broadly supportive of the overall scheme but they have all commented that the demolition of No 2 Raby Terrace will harm the significance of the Town Centre Conservation Area and the retention of the building should be considered and any identified harm has to be considered alongside the overall heritage benefits and wider public benefits of the scheme in accordance with the National Planning Policy Framework 2021. When making that balanced judgement, the local planning authority must be convinced that the significance of this building is well understood and options for conversion have been thoroughly considered. Officers are satisfied that the conversion and retention of the building has been considered by the developers in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and officers accept the reasons for its demolition rather than its retention and that a Level 3 Recording and interpretation board or artwork will preserve the history of the building. Officers are mindful of and have fully considered the considerable importance and weight which must be afforded the heritage assets in making a decision; however, in the opinion of officers, the harm caused to the Conservation Area by the loss of the No 2 Raby Terrace

is overcome by the significant economic, social, heritage and public benefits, as set out in this Report, which would be derived from the proposed development. The proposed development would accord with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, along with the considerations set out within the National Planning Policy Framework 2021 and policy CS14 of the Core Strategy 2011.

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
 - a) Drawing Number Z0-XX-DR-A-040001 P2 3D Views
 - b) Drawing Number Z0-XX-DR-A-040002 P2 3D Views
 - c) Drawing Number Z0-XX-DR-A-040003 P2 3D Views
 - d) Drawing Number Z0-XX-DR-A-040004 P2 3D Views
 - e) Drawing Number Z0-XX-DR-A-040005 P2 3D Views
 - f) Drawing Number Z0-XX-DR-A-040006 P2 3D Views
 - g) Drawing Number Z0-XX-DR-A-040007 P2 3D Views
 - h) Drawing Number Z0-XX-DR-A-040008 P2 3D Views
 - i) Drawing Number Z0-XX-DR-A-041001 P1 Photorealistic 3D View 01
 - j) Drawing Number Z0-XX-DR-A-041002 P1 Photorealistic 3D View 02
 - k) Drawing Number Z0-XX-DR-A-041003 P1 Photorealistic 3D View 03
 - l) Drawing Number Z0-XX-DR-A-910003 S1 P2 Site Plan – Proposed
 - m) Drawing Number Z0-00-DR-A-910001 S1 P2 Site Location Plan
 - n) Drawing Number Z0-XX-DR-A-030002 S1 P2 General Arrangement Sections
 - o) Drawing Number Z0-XX-DR-A-030001 S1 P2 General Arrangement Sections
 - p) Drawing Number Z0-XX-DR-A-020102 S1 P2 General Arrangement Elevations
 - q) Drawing Number Z0-XX-DR-A-020101 S1 P2 General Arrangement Elevations
 - r) Drawing Number Z0-02-DR-A-010100 S1 P2 General Arrangement Plan - Second Floor
 - s) Drawing Number Z0-01-DR-A-010100 S1 P2 General Arrangement Plan - First Floor
 - t) Drawing Number Z0-00-DR-A-010100 S1 P2 General Arrangement Plan -Ground Floor
 - u) Drawing Number 08313-BGP-00-ZZ-DR-C-52-00137 PO1 Contributing Impermeable Areas
 - v) Drawing Number 08313-BGP-00-ZZ-DR-C-52-00135 PO1 Flow Control Manhole Detail S5
 - w) Drawing Number 8313-BGP-00-ZZ-DR-C-52-00134 PO1 Attenuation Details
 - x) Drawing Number 08313-BGP-00-ZZ-DR-C-52-00133 PO1 Manhole Schedule

- y) Drawing Number 08313-BGP-00-ZZ-DR-C-52-00132 PO1 Drainage Details
- z) Drawing Number 08313-BGP-00-ZZ-DR-C-52-00131 PO1 Drainage Details
- aa) Drawing Number 08313-BGP-00-ZZ-DR-C-52-00130 PO1 Proposed Drainage Strategy
- bb) Drawing Number Z0-XX-DR-A-911003 S1 P1 Party Walls -Additional Surveys Required
- cc) Drawing Number Z0-XX-DR-A-911002 S1 P1 Party Wall Types
- dd) Drawing Number Z0-XX-DR-A-911001 S1 P1 - Site Demolitions and Party Walls

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

3. No development shall commence on site until the Crime Prevention through Environmental design (CPTED) principles set out in the response from the Durham Constabulary Crime Prevention Unit have been given full consideration by the developer. Precise details of measures that can be implemented within the approved development shall be 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.

REASON: In order to achieve a satisfactory form of development in the interests of the general amenity of the area.

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

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

5. Prior to the commencement of the development, including any demolition works, a Demolition Management Plan and a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Plans shall include a method statement detailing the process of securing No 12 Skinnergate (Grade II listed building) and the dismantling of the adjoining buildings; a dust action plan, the proposed hours of demolition and construction and deliveries, vehicle and pedestrian routes, road maintenance and signage, site parking, and material storage areas. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: In the interests of highway and pedestrian safety; the general amenity of the area and to protect the heritage asset during the demolition and construction phase of the development

6. Notwithstanding condition 5 there shall be no use of mechanical tools for the demolition works around or directly adjoining No 12 Skinnergate (Grade II listed building)

REASON: To protect the heritage asset during the demolition phase of the development

7. Prior to the commencement of the development, precise details of works within the public highway on Raby Terrace shall be submitted to and approved in writing by the Local Planning Authority. The details include footway works, dropped kerbs, tactile paving, and road markings and signage associated with residents parking. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: In the interests of highway safety

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

- a) Detailed design of the surface water management system;
- b) A build program and timetable for the provision of the critical surface water drainage infrastructure;
- c) A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- d) Details of adoption responsibilities.

REASON: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS16 and the National Planning Policy Framework 2021

9. CL2 - Phase 2 Site Investigation Strategy
10. CL3 - Phase 2 Investigation Works
11. CL4 - Phase 3 Remediation and Verification Strategy
12. CL5 - Construction/Remediation works
13. CL6 - Phase 4 Verification and Completion Report
14. No buildings shall be built above damp proof course level, until full joinery details for all shop fronts (Scale 1:10 – 1:20) and all windows and doors (internal and external) (Scale 1:10 – 1:20) 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 significance of the street scene and Town Centre Conservation Area

15. No buildings shall be built above damp proof course level, until precise details of all materials to be used throughout the approved development (including samples where required) have been submitted to and approved in writing by the Local Planning Authority. The details shall include, but not be restricted to the materials and finishes for all dormer extensions; details of all means of enclosure; all brick types, brick bones, coursing and banding details, mortar and plaster mixes; roof tiles; rainwater goods; treatments of all dormers and bay windows; window materials designs and colour schemes; and details of render (including finishes and colour). 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 significance of the street scene and Town Centre Conservation Area

16. No buildings shall be built above damp proof course level, until a scheme for all hard and soft landscaping, including planting schemes and floor levels for the site 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 to ensure safe, convenient and attractive access for pedestrians and disabled persons.

17. No buildings shall be built above damp proof course level, until a scheme of proposals for reducing carbon emissions has been submitted to and approved in writing by the Local Planning Authority. The scheme shall consider measures such as solar water heaters; photovoltaic panels; low carbon boilers underfloor heating and air source heat pumps and the development shall not be carried out otherwise than in complete accordance with the approved details
REASON: To achieve a satisfactory form of development in the interests of climate change.

18. The development shall not be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.
REASON: To comply with Paragraph 205 of the National Planning Policy Framework 2021, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

19. Prior to the occupation of the development, precise details of a scheme to provide an historic interpretation of No 2 Raby Terrace shall be submitted to and approved in

writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: To provide a record of the non-designated heritage asset

20. Prior to the occupation of the dwellings hereby approved, details of the glazing and ventilation strategy to meet the requirements of Table 1 in the Apex Acoustics Report 8886.1A submitted with the application shall be provided to and agreed in writing with the Local Planning Authority. The agreed specification for glazing and ventilation shall be fitted into the dwellings hereby approved prior to their occupation and shall be retained and maintained thereafter for the lifetime of development

REASON: In the interest of protecting the amenities of the future occupants of the development
21. Prior to the occupation of the any dwellings with a commercial element on the ground floor and a residential element to the floor above hereby approved, details of the specification of the floor construction between the two elements shall be submitted to and agreed in writing with the Local Planning Authority. The specification must satisfy the requirements of Table 11 of the Apex Acoustics Report 8886.1A submitted with the application, suggested construction methods are also provided in this report. The agreed specification for flooring shall be fitted into the dwellings hereby approved prior to their occupation and shall be retained and maintained thereafter for the lifetime of development

REASON: In the interest of protecting the amenities of the future occupants of the development
22. Prior to the occupation of the development, precise details of secure cycle parking and storage details shall be submitted and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details and the parking and storage arrangements shall be retained and maintained thereafter for the lifetime of development

REASON: In the interests of promoting sustainable modes of transport
23. A Level 3 Recording (in accordance with guidance contained within the Historic England document "Understanding Historic Buildings - A Guide to Good Recording Practice") shall be carried for No 2 Raby Terrace prior to the demolition of the building. Copies of the Recording shall be deposited at the County Durham Historic Environment Record, and archiving required as part of the mitigation strategy shall be deposited at an agreed repository. This may include full analysis and final publication.

REASON: To comply with paragraph 205 of National Planning Policy Framework 2019 to ensure that the developer records and advances understanding of the significance of the heritage asset to be lost (wholly or in part) in a manner proportionate to its importance and the impact, and to make this evidence (and any archive generated) publicly accessible

24. Prior to the commencement of the development precise details showing the removal of the existing vehicular access on Raby Terrace, and the reinstatement of footways shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway and pedestrian safety

25. The development shall not be carried out otherwise than in complete accordance with the approved Flood Risk Assessment (FRA) & Drainage Philosophy dated 28th April 2021 and the following mitigation measures detailed within the FRA

- a) Discharge to NW combined sewer restricted to 5 l/s
- b) 60m³ of storage provided

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

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

26. The buildings hereby approved shall not be brought into use until: -

- a) Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building;
- b) A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development.

REASON: To reduce flood risk and ensure satisfactory long term maintenance is in place for the lifetime of the development.

27. Development shall be implemented in line with the drainage scheme contained within the approved Flood Risk Assessment (FRA) & Drainage Philosophy dated 28th April 2021. The drainage scheme shall ensure that foul and surface water flows discharge to the combined sewer at manhole 7402. The surface water discharge rate shall not exceed the available capacity of 5 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

REASON: To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2021

28. The development shall not be carried out otherwise than in complete accordance with the mitigation and compensation measures set out in the document entitled "Bat Survey Report: St Mary's Association Club, former Argos building and adjoining

structures, Skinnergate, Darlington” produced by Barrett Environmental Limited dated June 2020 unless otherwise agreed in writing by the Local Planning Authority
REASON: In the interest of biodiversity enhancement.

29. The commercial units shown on the approved plans, shall be used for retail purposes (Class E) purposes only as set out within the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or re-enacting that Order) and for no other purpose or purposes whatsoever, including other purposes within Class E without express planning consent of the local planning authority
REASON: To ensure that the local planning authority retains control over the future uses of the units in the interests of safeguarding the amenities of the area and the occupants of the residential development

INFORMATIVES

Street Naming

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

Residents Parking

The applicant is advised that amendments will be required to the Residents Parking Scheme Order and contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr Chris Easby 01325 406707) to discuss this matter.