

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 29<sup>th</sup> September 2021**

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<b>APPLICATION REF. NO:</b>	21/00688/DC
<b>STATUTORY DECISION DATE:</b>	08.October 2021
<b>WARD/PARISH:</b>	Bank Top and Lascelles
<b>LOCATION:</b>	Darlington Station Gateway East
<b>DESCRIPTION:</b>	Demolition of existing buildings and erection of station building with concourse, multi-storey car park, transport interchange, public realm and highways works and alterations to boundary wall (Additional Bat Survey Report received 27 August 2021)
<b>APPLICANT:</b>	Darlington Borough Council

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**RECOMMENDATION: GRANT PERMISSION PURSUANT TO REGULATION 3 OF THE TOWN AND COUNTRY PLANNING REGULATIONS 1992, SUBJECT TO CONDITIONS**

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**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=Q82CFLPCLCD00>

**APPLICATION AND SITE DESCRIPTION**

1. Darlington Bank Top station is one of the Tees Valley's principal rail gateways and is strategically located on the East Coast Main Line. It is a regional transport hub that serves the Tees Valley and the wider catchment including South Durham and North Yorkshire.
2. This planning application has been submitted under Regulation 3 of the Town and Country Planning Regulations 1992 for the demolition of existing buildings and erection of station building with concourse, multi-storey car park, transport interchange, public realm and highways works and alterations to boundary wall and involves a significant opportunity to improve strategic transport infrastructure in the heart of the town

3. The site is situated to the east of the main Bank Top railway station. The proposed multi storey car park and station building lies predominantly on the existing surface car park accessed off Garbutt Square extending eastwards towards Neasham Road, whilst the new public square is to be located directly north bounded by the retaining wall to St. John's Place to the north and east and the railway tracks to the west. The scheme will also create a new enhanced station entrance and concourse as part of an overall station redevelopment masterplan. The existing Garbutt Square car park is owned by LNER. Darlington Borough Council own or are in negotiations with all other property and landowners, for the plots that make up the rest of the site. To the northern end of the site between St Johns Place, Albert Street and Garbutt Square are a mixture of residential, commercial and light industrial properties. The properties are in the process of being purchased by Darlington Borough Council, ready for demolition prior to the construction of the new transport interchange.
4. Darlington Station provides the town and region with good rail connectivity across the UK, attracting and enabling business, encouraging visitors and providing access to jobs and education. There is more potential connectivity in the future with both High Speed 2 (HS2) and Northern Powerhouse Rail (NPR) having Darlington in their service plans. Rail Industry studies identify that the East Coast Main Line (ECML) north of York is now at or very close to capacity with train operators struggling to deliver franchise commitments as a direct result. The infrastructure at Darlington station is one issue that exacerbates problems with capacity and resilience and risks to future rail service improvements.
5. The issues at Darlington station are related to the interaction between national and local services. Local east-west services on both the Bishop Line and the Tees Valley Line have to cross the East Coast Main Line (ECML). This crossing movement takes significant time and capacity from national services on the ECML. This results in issues relating to effective connections, issues with the potential for new national services and any ability to consider more frequent local services. The solution identified is a new station building on the east side of the ECML that could serve both national and local services without the need for crossing the ECML.
6. A new station building and new high-speed services in the future provides an opportunity to maximise these benefits for Darlington and the Tees Valley. A wider masterplan for the station area has been developed that with an aspiration for a rail gateway fit for the 21<sup>st</sup> Century that can accommodate future demands for national, regional and local passenger rail services as well as freight.
7. The surrounding area is predominately in residential use comprising traditional terraced dwellings and flats (Pembroke Court development) on Neasham Road and the roads which lead from it, and Appleby Close which is a modern housing development comprising a mix of dwelling houses and apartment buildings.

8. Bank Top railway station is a Grade II\*listed building and St. John's Church, which is directly north east of the site across Neasham Road, is grade II listed building. The northern end of the application site is outside but within the setting of the Parkgate Conservation Area.
9. The proposed Darlington Station Gateway Masterplan will make enhancements to the existing Bank Top Station, improvements to the railway lines and the creation of a modern Transport Hub and Multi Storey Car Park (MSCP). The development has been split into three sections:
  - a) Station Gateway West - Works outside of the station to pedestrianize the highway and
  - b) Bank Top Station enhancements. A planning application has been submitted for these works (reference number 21/00691/DC)
  - c) Refurbishment of the Bank Top station tracks and platforms and the erection of a new pedestrian link bridge from the station to the proposed new platform building. Applications have yet to be submitted for this phase of the overall development and discussions are ongoing between the Council, the applicants and Historic England
  - d) Station Gateway East – Erection of a 672 space Multi Storey Car Park, transport hub, station entrance and concourse
10. This planning Application is wholly concerned with the works to the Station Gateway East. Darlington Borough Council along with funding from Tees Valley Combined Authority (TVCA) are the clients for the works to the Station Gateway East. The redevelopment of the station is to meet the future demands for national and regional passenger rail travel as well as freight services.
11. The proposals have been part of extensive pre-application engagement with officers and other external partners such as Historic England and the applicant carried out a consultation exercise with local residents in accordance with the Council's adopted Statement of Community Involvement document which resulted in queries for eleven interested parties.

*Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017*

12. The proposed development has been the subject of a Screening Assessment (ref no 21/00014/SCR) in accordance with the Regulations 2017 and It is the opinion of the local planning authority that taking into account the characteristics of the development, its location, and the characteristics of the potential impacts, there are unlikely to be any significant impacts that would warrant the submission of an Environmental Impact Assessment.

**MAIN PLANNING ISSUES**

13. The main planning issues 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 Heritage Assets
- d) Residential Amenity
- e) Highways Safety, Parking Provision and Sustainable Transport
- f) Ecology, Trees and Landscaping
- g) Demolition and Construction Management Plan
- h) Noise
- i) Air Quality
- j) Flood Risk and Drainage
- k) Contaminated Land
- l) Archaeology

#### **PLANNING POLICIES**

14. 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 CS15 of the Core Strategy 2011)
- The development has regard to existing trees and incorporates trees into the proposed layout wherever possible (E12 of the Local Plan 1997)
- Includes hard and soft landscaping which has regard to its form, setting and design (policy E14 of the Local Plan 1997)
- 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, buildings and features that reflect Darlington's railway heritage. (CS14 of the Core Strategy
- Improves transport infrastructure and creates a sustainable transport network (CS19 of the Core Strategy 2011)
- Complies with statutory standards relating to contaminated land (Policy CS16 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**

15. The Council's Highways, Environmental Health Officer, Rights of Way Officer and Sustainable Transport Officer have raised no objections to the principle of the proposal subject to the imposition of planning conditions.
16. The Council's Conservation Officer is generally supportive of the overall proposals and has highlighted where the proposal will have an impact on the heritage assets and that the impacts will need to be weighed against the public benefits of the scheme.
17. Northern Gas Networks, Northumbrian Water, Northern PowerGrid, Durham County Council Archaeology Team, Local Lead Flood Authority have raised no objections to the principle of these proposals
18. Historic England are supportive, in principle, to these works which will facilitate the next phase of Darlington Station's development as a strategic transport interchange linking the town and region to the national railway network. Historic England welcome the applicant's ongoing dialogue with the Council and Historic England in progressing proposals for the new footbridge, but they remain concerned that this critical element of the scheme has been omitted from the scope of this application. They strongly encourage the Council to ensure that all necessary steps have been taken to mitigate harm through the careful and sensitive design of the new interventions, including the new footbridge element
19. Network Rail has advised that they are aware of this scheme and are engaged with the developer in the design and delivery of these proposals. They therefore have no observations to make in respect of this planning consultation other than confirming that separate applications will be submitted for the link bridge etc at the main railway station building.

20. The British Transport Police has confirmed that the Project Team for the scheme have been consulting both them and the Durham Constabulary Architectural Liaison Officer for some time that many of their primary concerns have been well addressed. CCTV in particular appears to be taking note of police recommended standards which is very encouraging to see. The BTP would wish to see toilets to be located within the station and for patrons use only; they prefer the rotunda design of the station building and careful consideration needs to be given to the number, location and design of any new planters and benches
21. The Architectural Liaison Officer from Durham Constabulary has also confirmed that many of the primary concerns have been addressed and the Police welcome that the scheme will be achieving the Park Mark award. The ALO has recommended that the principles of Secured by Design Commercial 2015 should be considered.
22. Darlington Association on Disability have been working alongside the Project Team on this scheme and they have no disability accesses issues at this time.

#### **RESULTS OF PUBLICITY AND NOTIFICATION**

23. Following an extensive publicity and notification process by the Local Planning Authority, five letters of objection from three households have been received and the comments can be summarised as follows:
  - *I do not want to see a huge carpark on my doorstep. This carpark does not need to be this overpowering*
  - *The fumes will be bad for my health and the noise will be terrible. Surely this is a breach of our human rights? To be exposed to such noise and pollution in our own homes. I won't be able to open my windows to have fresh air as there won't be any. Would you like to have building work and disruption on your doorstep for four years?*
  - *The Multi story carpark is too high and makes it the dominant feature on the eastern side*
  - *In this part of the plan the emphasis should be the new travel centre and passenger access and facilities which should be designed to be in keeping with the existing station buildings on the west side of the station.*
  - *The multi storey carpark will be in full view out of my bay window (St Johns Crescent) and all front windows. It will cast a shadow over my property and block our right to light and many others on Neasham Road. It would mean a loss of privacy overlooking us being such height.*
  - *I do not see the need for an increase from the existing 382 space carpark to the 850 car park spaces space from a 5 story multi carpark so close to residential houses*
  - *There will be an increase in noise and fumes from vehicle engine's noise from vehicle alarms reversing and revving dust from vehicle wheels, excessive artificial lighting, vermin, accumulated windblown rubbish, oil, fuel, hydraulic fluids, suspended fluids, grease, antifreeze hot engines also emit oil evaporations.*

- *At present there is a nice open view across to the station from my doorstep. It is hard to*
- *image a huge carpark in place and this gives me huge anxiety and worry over the impact upon my children's safety and wellbeing if the proposed plans go through*
- *It is going to create more traffic*

24. The Friends of the Stockton & Darlington Railway have objected to the planning application and have commented as follows:

- *The description of the Gateway East application is misleading in that the proposed transport interchange is only for cars and taxis. There has been no attempt to resolve the long standing problem of inadequate bus access to the station. Its location outside the Town Centre means that it is not a natural public transport hub and access will continue to rely on existing services with stops in three different locations; Park Lane, Parkgate and Neasham Road. With the creation of a 600 space multi-story car park, the proposals represent a continuation of 20<sup>th</sup> century planning for growing use of the private car. We accept that parking provision is essential for cars of passengers from areas without good bus services, but the Gateway will be unsustainable without a proper public transport interchange.*

## **PLANNING ISSUES/ANALYSIS**

### **a) Planning Policy**

25. Planning law (S.38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (2021) supports the plan led system providing that planning decisions should be "genuinely plan-led" (NPPF para 15).

26. 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

27. Policy CS19 of the Core Strategy states that the Council and its partners will work together to make the best use of and improving existing transport infrastructure within and connecting to the Borough having considered first solutions to transport problems that are based on better management and the provision and promotion of sustainable travel. For the rail based transport network this will be by providing new stopping facilities for rail services to the east of Bank Top Railway station and to integrate rail with all other transport modes.

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

28. The proposal includes an extension to the Bank Top Station on the eastern side of the railway tracks. The new extension will interface with proposed Network Rail led works including new platforms, track and line side infrastructure for southbound high-speed

and local Tees Valley services. The proposed Gateway East will consist of a new entrance to the north of the site through a rotunda designed entrance. The concourse will connect the entrance with proposed platforms to the south. The proposed concourse is shell and core only with a separate team undertaking the internal fit out. The concourse will also be connected by a new pedestrian link bridge over the railway lines to the existing station which is outside the scope of this planning application. Passengers will enter the station from the north into the Retail Hub including shops, cafés, ticketing office and seating. To the south of the concourse there is an Operation Hub which will include waiting rooms, WCs and staff facilities.

29. To maximise the parking numbers part of the station concourse has been integrated within the footprint of the Multi Storey Car Park (MSCP). The proposed MSCP provides a total 672 spaces accommodated over five floors (including ground floor) or ten split levels. The vehicle entrance/exit is located in the east elevation accessed off a realigned Garbutt Square. The environmental strategy for the car park is for the building to be naturally ventilated to negate the need for large mechanical ventilation. The design of the façades therefore requires suitable free areas to maximise natural ventilation. The design of the MSCP cladding features masonry to the ground floor and at the upper levels powder coated aluminium vertical fins wrap around the car park structure. The materials for the overall building would be a mix of railings, metal cladding, brick cladding, curtain walls and glazing to be both modern, environmentally sensitive and also sympathetic to the neighbouring Bank Top Station building. However, it is recommended that a planning condition is imposed to secure the precise details.
30. The Neasham Road gable elevation is recognised as one of the most visible parts of the building to the commuters and residents of Neasham Road. The design of the elevation has therefore been treated differently to the rest of the MSCP. Brickwork piers project out further than the rest of the elevation with a punched vertical window to the stairwell and full height masonry cladding with an inset panel to the centre have been incorporated into the design creates a canvas for signage for the scheme
31. The final part of the scheme is the creation of a new transport interchange for the station. As well as creating a new entrance on the eastern side of the station the transport hub will be linked by a new bus stop on Neasham Road and additional cycle storage. To the north of the station entrance will be a new drop off area for passengers and a short stay car park. The proposal will also include a high quality public square to the front of the station, including seating areas, raised planters and a plinth for some public art relating to the railway industry creating a new location for people to congregate in Darlington
32. Raised planters play an important role securing the entrance of the car park from attack by creating a natural vehicle barrier. To the areas where there are no raised planters the public square has security bollards which are spaced to allow good access for pedestrians but stop vehicles from approaching the entrance
33. To the north of the site is an existing retaining wall which dates back to when Parkgate was lowered below the railway line. The retaining wall separates St Johns Place from

Yarm Road to the north and tapers down on the eastern boundary to Neasham road. At its highest point the height difference retained by the wall is over 5 meters. The retaining structure is a hard constraint on the site where access can only be provided via Neasham Road on the east. There is a pedestrian stair built into the wall to provide access from Yarm Road, no vehicular access is possible.

34. It is proposed that part of the retaining wall to Neasham Road is to be demolished to create a safe junction into the site and to provide suitable visibility for vehicles exiting the site. Approximately 43m of retaining wall would be demolished and then stepped back to the existing stair access into the site. This option improves the visibility of the station entrance for pedestrians and vehicles approaching the site, as well as views of the existing listed Bank Top station. The removal of the retaining wall also allows for the creation of a new 3m wide footpath to access the station site.
35. To mitigate against the loss of the retaining wall, a new 18m dwarf wall will be constructed alongside the widened footpath to show the rough location of the original wall. The dwarf wall will be built from the same stone and copings as the demolished retaining wall (unless the existing stone is not found to be in good enough condition to retain). The dwarf wall visually represents the history of the retaining walls in this location. The wall also acts as a physical and visual separation between the footpath and the proposed station development.
36. The proposed development will be a significant alteration to the street scape along this section of Neasham Road. The proposed buildings and layout have been designed having considered the aim of the proposals, the shape of the site, the location of residential dwellings and its spatial relationships with the neighbouring heritage assets. The majority of the buildings that are to be replaced are not of any visual significance and do not make a value contribution to the street scene. The proposed development is however a high quality development which will be sympathetic to street scene in terms of scale, design and materials, the amenity of the street at lower level and will introduce a high quality public square to the area. The proposed development would accord with policy CS2 of the Core Strategy in this regard.

### **c) Impact on Heritage Assets**

37. 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.
38. 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).

39. 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).
40. 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 considered 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).
41. 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)
42. The application has been supported by a high level, detailed and extremely useful Heritage Assessment (HA) that fully complies with the requirement of paragraph 194 of the National Planning Policy Framework 2021. The site is located in a highly significant location, within the immediate setting of the Grade II\* Bank Top Station. Bank Top Station was constructed in 1887, designed by William Bell and engineer Thomas Harrison. The building is the third phase of development of the station building. It is highly ornate and has a feel of renaissance design. The station was design with a more public focus to the west of the site, where there is more architectural detail. The elevation along the eastern elevation of the building is more modest in design. This is however in part due to the phase 3 works retaining sections of the second phase of development under Thomas Prosser
43. Reference to the historic record and OS maps the site is associated with the historic sidings, shunting lines and engine shed with associated turntable. The site is also within the immediate setting of the Grade II Church of St John the Evangelist which was constructed in 1849 in the English style. The Church forms a significant landmark within the area. The site is also on the boundary of the Parkgate Conservation Area, of which Church of St John is within the boundary. The Parkgate area has historically been an

important arterial route directly linking to Yarm and Stockton. The Conservation Area forms a significant part of the development of Darlington.

44. Whilst the Council's Conservation Officer is in support of the overall project, he has advised that there are elements of the proposal which will cause harm the historical significance of the site. These elements are the loss some of the buildings within the site such as the Grey Horse Public House, which retain their historic form and plan form of the area; the loss of a small section of an existing sandstone wall and gate pillar which has been retained and located on Garbutt Square; the partial removal of the retaining wall on the Neasham Road/Yarm Road and Parkgate frontage which fronts the Parkgate Conservation Area.
45. The proposed works would impact the Grade II Church of St John the Evangelist. The works would directly impact the setting of the Church of which is considered to have exceptional significance. While there would be some harm to the setting, there would be some benefits in what is being considered and overall, the proposals have been considered to ensure the setting and views onto the church are protected. Indeed, whilst the loss of the existing buildings will alter the character of the area, such works will open the sight lines onto the II\* Station building from the Church and vice versa.
46. The size and height of the proposed MSCP has been justified by the operational requirements of the site and to mitigate for the loss of existing parking spaces as a result of the redevelopment scheme and the amendment to the entrance to the concourse to a rotunda design has been done to create a more appropriate entrance into the building, and to have better interaction and integration with the public square. Whilst this has resulted in a larger entrance building, the Council's Conservation Officer is in support of the curved design.
47. The materials for the proposed buildings and the public realm and lighting can all be secured by appropriate planning conditions.
48. Historic England are supportive, in principle, to these works which will facilitate the next phase of Darlington Station's development as a strategic transport interchange linking the town and region to the national railway network. The proposal for the Station Gateway East scheme is considered to be ambitious and forms part of a wider package of alteration and improvement works to the station, envisaged as part of a masterplan.
49. As stated above, the Council's Conservation Officer is broadly supportive of the overall proposals but there are elements which will harm the historic significance of the site and the setting of the heritage assets. 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 NPPF). Consideration also must 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. The extent of harm that has been identified is "less than substantial" 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

50. The public benefits that would be derived from the proposed development include:

- a) Darlington Station provides the town and region with good rail connectivity across the UK, attracting and business, visitors and providing access to jobs and education. This proposal will improve potential connectivity in the future with both High Speed 2 (HS2) and Northern Powerhouse Rail (NPR) having Darlington in their service plans.
- b) A new station building and new high-speed services in the future provides an opportunity to maximise benefits for Darlington and the Tees Valley.
- c) The new station entrance building will give improved access for all and connect via a new footbridge (albeit outside the remit of this application) into the east facade of the station building. This will enable, together with the improved access to the west side of the station, better access and connectivity to Darlington and the wider region which in turn will benefit Darlington economically and help to further promote the use and availability of sustainable means of transport.
- d) The cumulative effect of the Station Gateway East project will not only sustain and make provision for growing passenger numbers for the station and therefore directly benefit the Grade II\* listed building.
- e) The development will enable a more efficient use of the space for a transport interchange for both public transport via bus links throughout Darlington and beyond and cycle network
- f) The creation of the public square and the removal of existing buildings and retaining walls would open views of the listed Bank Top Station and Church of St John the Evangelist and improve connectivity between the two heritage assets
- g) The creation of the public square will bring visual, ecological and social benefits to the local area
- h) The removal of the existing parking from within the main vehicular approach to the North to the station, to the new multi storey car park will de clutter the approach to the station and enable improved public realm and appreciation of the Grade II\* listed building
- i) The proposed development would include green infrastructure such as electric charging points
- j) The overall effect of the proposal will be to create a more obvious, coherent, purposeful and welcoming entrance to this side of the station which will serve the building well for the 21st Century, thereby contributing to sustaining the long-term future of the Grade II\* listed building.

51. Based on the information that has been submitted in support of the planning application, officers are convinced that the significance of the site and the surrounding heritage assets is well understood, and the development has been designed to reflect the assets whilst also needing to meet other operational requirements. The site has

been considered against 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 heritage assets that would be caused by the demolition of the development of the existing buildings, the sandstone wall on Garbutt Square and the retaining wall as well as the scale and layout of the proposed development. The overall development would 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.

52. Discussions are ongoing with the Council, Historic England and the appropriate stakeholders with regard to proposals for the listed Bank Top Station which includes the provision of a link bridge between the station and the proposed platform. Whilst the link bridge falls outside the remit of this application, the location of the link bridge has been taken into consideration for these proposals and the applicant and Agent for this application are aware of these ongoing discussions. Whilst Historic England are concerned that planning applications have not been submitted for this part of the overall redevelopment Masterplan, Officers consider that this does not prevent the local planning authority from determining this planning application based on the fact the discussions are ongoing, all parties are aware and continue to be involved in them.

**d) Residential Amenity**

53. There are residential dwellings on the opposite side of Neasham Road which are terraced dwellings with enclosed front gardens and Pembroke Court which is a three-storey apartment building located behind mature hedging. Appleby Mews is a modern development located to the south and south east of the application site. Appleby Mews comprises a mix of dwellings and four storey apartment buildings. The apartment buildings are located primarily on the edges of this development and on the boundary of the application site. The apartment buildings on the western edge overlook the existing car park with the Bank Top Station building beyond. The apartment building and two storey dwellings on the Garbutt Square have elevations and gardens which front onto commercial buildings, which would be demolished as part of the proposal.
54. The gable end of the proposed building facing onto Neasham Road and its junction with St John Crescent would be approximately 38m from the Pembroke Court development and the corner of the gable would be approximately 21m from No 23 Neasham Road which is positioned further forward than its neighbours. The separation distance between the new building and the existing dwellings and apartments on Appleby Mews which share a boundary with Garbutt Square is between 43 and 45 metres due to the staggered layout of these properties and there is a separation distance of 24m and 32m between the proposed building and the existing apartment buildings on the western boundary of Appleby Mews.

55. The site is quite constrained due to its shape, the presence of the heritage assets and the location of the residential properties. It is evident that the outlook from these dwellings will be impacted upon by the proposed development, but the separation distances will help to reduce its visual impact to a level which is acceptable in amenity terms and would not justify a reason to refuse the planning application. Existing trees on the boundary with Appleby News would provide some limited screening between the new development and the existing properties. The limited impact of the proposed development upon the existing dwellings also has to be balanced against other material planning considerations and the wider public benefits that would be derived from the proposed development.
56. It is evident that the applicant has been in discussions with the British Transport Police and Durham Constabulary with regard to security advice for the development when designing the proposed layout and building.
57. It is considered that, in terms of outlook and loss of privacy, the proposed development will not have a significantly adverse impact on the amenities of the existing dwellings in the area and the proposal would accord with policy CS16 in this regard.
58. This report will also consider other amenity matters such as noise, air quality and the need for a demolition and construction management plan.

**e) Highways Safety, Parking Provision and Sustainable Transport**

59. As stated, the proposal is for the erection of a 672 space Multi-story Car Park (MSCP) building including station concourse together with ancillary external infrastructure including an access (entry and exit) to the MSCP building via Garbutt Square from Neasham Road and a further access from Neasham Road on the northern side of the MSCP building to serve passenger pick-up and drop-off facilities as well as accommodation of bus replacement services during periods of disruption to scheduled train services. The car park includes 38 spaces for electric vehicle (EV) charging and cycle parking adjacent to the drop-off area. Disabled parking bays for 36 vehicles are provided on levels 00 and 01, 4 of which are for EV charging together with 4 disabled bays in the drop-off area. The transport interchange hub will provide:
- a) 20 Short stay parking spaces (including for accessible spaces)
  - b) 2 x Drop off areas including an overflow drop off area
  - c) 1 x Loading bay to service station concourse retail
  - d) 1 x New bus stop to north bound Neasham Road plus an existing bus stop to the south bound carriageway
  - e) Space for 4 x bus replacement service
  - f) 20 x Cycle Storage spaces
60. Darlington Borough Council commissioned SYSTRA to carry out a demand study to examine the number of parking spaces which are likely to be required at a new Multi Storey Car Park (MSCP) located adjacent to Darlington Railway Station. It is understood

that the new MSCP will replace most of the existing car parks around the station which currently comprises:

- a) Victoria Rd / Portico – 21 Spaces
- b) Parkgate Ramp – 40 Spaces
- c) Garbutt Square – 344 Spaces
- d) Station East Albert St – 43 Spaces
- e) Park Lane – 104 Spaces

61. This shows that there are currently approximately 552 spaces surrounding the station. In addition, 20 drop off / pick up spaces located to the north of the MSCP, it is understood that the following spaces will remain with MSCP in operation

- a) Victoria Rd / Portico – 4 Spaces (short stay / drop off)
- b) Parkgate Ramp – 0 Spaces
- c) Garbutt Square – 0 Spaces
- d) Station East Albert St – 0 Spaces
- e) Park Lane – 31 Spaces
- f) MSCP – 672 Spaces

62. The study shows that the current demand for car parking in the area is estimated to be in the order of 449 spaces (2020) with a prediction for this to grow to a demand of 778 spaces in 2050. Based on the calculations the demand would exceed capacity by 2047 based on a capacity of 717 spaces.

63. The site is in a sustainable location and accessible by bus, taxi, car, cycle and on foot.

64. The predicted vehicular trip generation has been set out within the application and from this data it is predicted that the proposed car park (based on 690 spaces used in this assessment) is likely to generate in the order of 139 trips (two-way) in the weekday AM peak, 60 trips (two-way) in the PM peak of 15:00-16:00. With 139 two-way trips in the Saturday peak period of 12:30-13:30 PM.

65. The Transport Assessment has been submitted in support of the planning application which reviews the impact of the proposed development on the wider highway network. Fully classified peak hour turning counts were undertaken at five junctions near to the application site. Additional automatic traffic count (ATC) data was also obtained from Darlington Borough Council at three count locations. This data was used to consider a 'Covid virus' sensitivity factor for the traffic count data, where it was known that traffic flows were below historic levels. It is considered that the proposal will have no material impact on highway safety and the personal injury collision (PICs) accident assessment has concluded that there are no specific areas of concern which would necessitate intervention or improvement as a result of the current application proposals being implemented

66. Operational assessments of the following junctions were carried in order to assess capacity, queuing and delay levels at the opening and design year levels; Yarm Road / Neasham Road / B6280 mini roundabout; John Williams Boulevard / Yarm Road signalised junction; A167 / Parkgate / Stonebridge signalised junction; Hundens Lane / B6280 / Ridsdale Street signalised junction; Neasham Road / Garbutt Square priority junction.
67. This assessment has only identified operational difficulties at the mini roundabout junction of Yarm Road / Neasham Road / B6280 Parkgate. From the results provided it can be seen that in the 2021 base scenarios, it is predicted that the Neasham Road arm (Arm 3) of this junction operates over its practical capacity of 0.85 RFC in each scenario. All other arms of the junction are predicted to operate within capacity. The assessment of scenarios exceeding capacity, results in an exponential increase in RFC and queuing, which is not necessarily commensurate with the actual number of vehicles being added to the approach flows. The assessment indicates that 4 additional vehicles (gross) in the AM peak, 21 vehicles in the afternoon peak and 31 in the Saturday peak are generated as a result of the development proposals. However, no net allowance has been made for the traffic that could access the existing car parks at the moment which would broadly reduce the values given by 69.9%. It is therefore concluded that the cumulative residual impact of the development is not 'severe' and therefore should not be prevented on transport grounds as it is unlikely to have any discernible impact on the operational safety of the local highway network.
68. Offsite highway works are required to facilitate access into the new development. Early discussions with the Highways Authority have informed the final design and the majority of issues raised during early discussions have now been incorporated or addressed within subsequent design work. A new junction to a passenger pick up drop off area has been proposed and its location would be approximately 55m from the exit of Neasham Road/Yarm Road roundabout and it is felt that given the magnitude of traffic that could be expected to enter the car park during peak hours, versus the opposing flow on Neasham Road inbound traffic that this would be acceptable. There is an existing retaining wall that separates Neasham Road from St Johns Place which could restrict visibility to the north therefore as part of the proposals this is being cut back to improve visibility from the junction. An upgraded signalised crossing has been provided on Neasham Road with relocated bus stop facilities to provide bus connectivity to the site.
69. Non-motorised users are catered for in principle with widened footways and shared footway/cycleway facilities into the site, although final designs of these features will need a review at detailed design stage with drop crossings and tactile paving provided across junctions and joining into the surrounding infrastructure and appropriate signage. All off-site highway works will be subject to further design work as part of Technical approval for Section 38/278 works, however this is separate to Planning approval

70. There is an existing junction off Neasham Road to serve a surface level car park at the end of Garbutt Square and it is felt that intensification of use of this section of currently adopted highway would not have a severe impact given that the current industrial buildings and operations will cease as part of the proposals, hence it would solely serve the car park and any Network Rail access provision.
71. The proposals require stopping up of the current highway and additional areas to be offered for adoption as part of the Section 38 process in order to secure adequate visibility slays from side road junctions etc within the development area. This would be dealt with as a separate process to Planning Approval. Garbutt Square would be stopped up as this would solely serve access to the MSCP and Network Rail access and would therefore no longer be required for a highways purpose. A review of the parking restrictions in the local area would need to be carried out and this would be secured by a suitably worded condition.
72. The Council's Highways Engineer and Sustainable Transport Officer have raised no objections to the proposed development subject to the imposition of appropriate planning conditions. The proposed development would meet the requirements of policy CS2 of the Core Strategy 2011 in this regard.

**f) Ecology, Trees and Landscaping**

73. An ecological survey submitted in support of the planning application found the habitats within the site to be dominated by hard standing with small areas of amenity grassland, ornamental planting, tall ruderal, scrub and scattered trees. Limited foraging opportunities are presented by the scattered trees and scrub habitats throughout site. The railway network to the west of the proposed development area is considered to provide commuting opportunities for local populations of bats. Buildings within the site were considered to be of up to moderate suitability for roosting bats and further surveys were recommended to determine if roosts are present which have the potential to be affected by the proposals.
74. With regard to birds, the trees, scrub, and buildings within the site boundary offer foraging and nesting opportunities for the local bird community. Scrub habitats to the west of Garbutt Square car park are considered to be particularly suitable. Scattered trees are generally isolated and exposed, or else immature, and therefore opportunities presented by these features are limited.
75. The habitats within the proposed development area are considered unsuitable for BAP (biodiversity action plan) species such as butterflies due to a lack of open grassland habitats or key food plants *and it* is considered that there is limited potential for BAP species such as hedgehog to be present intermittently within the site boundary.
76. The submitted Preliminary Ecological Appraisal & Bat Roost Assessment includes appropriate mitigation and compensation measures, such as the inclusion of bat and bird boxes within the development, tree protection measures, appropriate timings for site clearance, which can be secured by a planning condition.

77. Further bat surveys were carried out in site (August 2021) and the findings revealed that all trees within the site are of negligible suitability for roosting bats; no bats were found to be roosting within any of the buildings during the surveys but they remain potentially suitable for low numbers of bats to use on an intermittent basis at certain times of the year and limited numbers of common pipistrelle, soprano pipistrelle, and noctule were recorded commuting throughout the site. Some commuting of bats across the site was recorded, particularly to and from the railway line to the west, and along Neasham Road to the east but very little foraging activity was recorded during the surveys. The Council's Ecology consultant confirmed that the findings of the latest survey is sound, and the survey includes very good mitigation and compensation measures such as the timings for construction; use of appropriate lighting schemes and these can be secured by a planning condition.
78. A tree survey submitted with the planning application reveals 3 groups and 14 individual trees. Of the surveyed trees, 1 group is category 'B', 1 is category 'C' and the third could not be categorised. Of the trees, 8 are category 'B' and 6 are category 'C'. None of the trees are covered by a tree preservation order. Five of the category B trees would be removed to facilitate the development along with the category C trees but overall, the amount of soft landscaping across the site would be greatly increased.
79. The trees which are on the eastern boundary of the site with the existing residential development on Appleby Mews would be retained.
80. To the north of the site where the new transport interchange and public square are located extensive areas of greening would occur to soften the effect of the new paving and around the drop off area there will be lawns to which the paths will criss-cross, connecting as users walk towards Central Park Enterprise Zone. To the public square, beside the entrance areas of ground level and raised beds will be filled with extensive planting. The new planting will create a biodiverse environment for station users to stop and enjoy on their way to the station. To the west of the site a new green will be created between the realigned Garbutt Square and the MSCP. The green will mostly be seeded with grass seed but will also include shrub planting around the SUDs detention basin. Where some trees will be lost to make way for the new MSCP and concourse they will be replaced with new trees to transport interchange, public square or green beside Garbutt Square. Overall the scheme is increasing the area of public greening and promoting biodiversity with a range of different environments.
81. Planning conditions to ensure that the development would be carried out in accordance with the submitted Tree Survey and the for submission of a landscaping scheme have been recommended.
82. Overall, the proposed development would accord with policies E12, E14 of the Local Plan 1997 and CS2 and CS15 of the Core Strategy 2011 in this regard.

### **g) Demolition and Construction Management Plan**

83. A detailed demolition and construction management plan has not been submitted with the development. The application is extensive and will involve the demolition of existing buildings and the build phase of the construction is likely to last for over a year. There is also likely to be piling associated with the foundations of the new car park, something which Environmental Health has received numerous complaints about in the recent past, but on other occasions alternative piling techniques have eliminated complaints entirely. The applicants need to give careful consideration as to how the impacts of their activities on surrounding residents will be minimised during the construction phase. These include, but are not limited to issues around noise, dust, vibration and disruption caused by parking from contractors' vehicles and deliveries to the site. A planning condition would need to be imposed to cover the submission of appropriate Plans

### **h) Noise**

84. The application has been supported by a Noise Impact Assessment There is no set methodology for assessing noise from a multi-storey carpark and the impact assessment has made use of two separate methodologies. The first assessment has looked at the noise using a BS:4142 assessment which is normally associated with industrial developments, but the assessment has been made by classifying the entirety of the car park as a single entity and then modelling the impact of the noise from it at the nearest noise sensitive receptor. The second assessment has looked at noise from the car park according to the standards set out in BS:8233 and makes an assessment as to whether these will be exceeded at the nearest noise sensitive receptor.
85. The BS:4142 assessment has concluded that during the morning 'peak' traffic flow there will likely be a marginal exceedance of 2dB above the existing background noise level. This is not a significant result. There are a number of caveats to this result, such as the model not taking account of other increases in noise in the surrounding area including traffic on the approach to the car park and no penalties have been included in the BS:4142 assessment as the existing noise environment already includes noise from the existing car park. However, the assessment does make the point that following the construction of the car park the nearest noise sensitive receptor will be shielding by the building from railway noise and the noise from the tannoy announcements.
86. The BS:82333 assessment concludes that the car park will not cause internal noise levels within bedrooms to exceed the BS:8233 daytime and night time internal limit of 35 dB LAeq, 16hr and 30 dB LAeq, 8hr respectively at any noise sensitive receptor. This has been clarified with the authors of the report The report has looked at two different scenarios as part of the assessment, one with a 1.8m high noise barrier along the rear of properties on Appleby Close, the other the other with a slight realignment of the existing entrance to the car park along Garbutt Square. The assessment has shown that there is only a 1dB difference between the two scenarios, indicating that there is nothing to be gained by erecting a noise barrier in this location to protect the 1st floor bedrooms from increased road traffic noise.

87. The final part of the noise assessment has looked at how the noise from mechanical ventilation plant could impact on the nearest existing noise sensitive receptors. The report makes clear that the final specifications and noise levels of the proposed mechanical plant are not known, but suggests that in order to ensure they do not create an issue, the rating level of any external plant should be limited to 5 dB below the LA90, T background noise level when assessed in accordance with BS:4142. To ensure that this happens, the Council's Environmental Health Officer has recommended a planning condition.
88. Overall, the Council's Environmental Health Officer is satisfied that the noise assessment has shown that the development can take place without creating a significant adverse impact on existing receptors and the proposal would accord with Policy CS16 in this regard.

#### **i) Air Quality**

89. The application has been supported by an Air Quality Impact Assessment. The impact assessment has used data available from nearby diffusion tubes and computer modelling software to predict what the impact of the development will be on air quality standards at nearby receptors. The assessment has made use of the IAQM and EPUK Guidance on Air Quality and planning. It has concluded that the impact of the development on local air quality would be low and no mitigation measures are proposed to offset any impacts on air quality. The Council's Environmental Health Officer would agree with this finding and the proposal would accord with Policy CS16 in this regard.
90. The numbers of proposed electric charging points in the completed car park in relation to the provision of 'normal' car parking spaces is in excess of the ratio of two charging points per fifty new parking spaces which is proposed as the criteria in the draft Local Plan. Obviously, throughout the useful life of the car park it would be expected that more electric vehicles would make use of it and the provision for electric charging points may have to be increased over time.

#### **j) Flood Risk and Drainage**

91. The planning application boundary is located entirely within Flood Zone 1 in accordance with the Environment Agency flood maps. This means that the site is at low risk from flooding which accords with policy CS16 of the Core Strategy 2011. It is proposed that surface water and foul flows will be discharged into NWL sewers surrounding the site. Attenuation storage including open a SuDS basin, permeable paving and attenuation crate storage will be provided to allow a restriction to surface water rates. The Flood Risk Assessment submitted in support of the planning application concludes that the proposed development is appropriate for the site and there will be no increase in flood risk to the site or surrounding area as a result of the development. Northumbrian Water and the Lead Local Flood Authority have no objections to the principle of the development and have recommended the imposition of planning conditions.

### **k) Contaminated Land**

92. The application has been supported by a Phase 1 Desk Top Assessment which has compiled the results from several previous site investigations in the surrounding area and an Envirocheck Report which includes historical Ordnance Survey mapping. The report is essentially in three separate parts and includes a written assessment of the historical land uses and likely contamination. plans of the proposed development area and the Envirocheck report and historical maps.
93. The report was written before the final layout of the proposed redevelopment at the station was drawn up, but the Council's Environmental Health Officer has confirmed that it is a good assessment of the historic land uses and likely contamination. It fulfils the requirement of a Phase 1 Desk Top Study for the entirety of the site.
94. A Phase 2 Site Investigation Interpretative Report has also been submitted and this report interprets the results of a site investigation report (March 2021). That report was commissioned to address the expected issues in the earlier Desk Top Study. The report makes clear that it was not possible to access all of the site as part of the investigation. The eastern most section of the site in particular around Neasham Road was impossible to access because of existing buildings. The report states that these areas will be targeted for further site investigations following the demolition of the existing buildings. One of the buildings in this area is the former petrol service station on Neasham Road which is known to have underground fuel storage tanks.
95. Overall, the Council's Environmental Health Officer is satisfied with the submitted reports and the conclusions which have been drawn from them. However, further site investigation is needed in the areas which have so far been inaccessible, as well as remediation and verification of the issues uncovered in the reports to date and this would need to be secured by planning conditions. The proposed development would accord with policy CS16 in this regard.

### **l) Archaeology**

96. The area includes some buildings and structures which appear to date to the mid nineteenth century, and the layout of the area still preserves the layout at that time. Accordingly, the Durham County Council Archaeology Team has recommended that a building recording of the still extant historic buildings should be carried out prior to demolition, as well as some recording of the character of the area via street scenes, to capture how this part of the town is/was. This can be secured by appropriate planning conditions.

### **THE PUBLIC SECTOR EQUALITY DUTY**

97. 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. Darlington Association on Disability has confirmed that they have been working alongside the Project Team on this scheme and

they have no disability accesses issues at this time. The proposals would accord with policy CS2 of the Core Strategy 2011 in this regard.

### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

98. 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. The British Transport Police and the Durham Constabulary are stakeholders that have worked together with the Project Team to consider all aspects of security and antisocial behaviour prevention.

### **CONCLUSION AND RECOMMENDATION**

99. Tees Valley Combined Authority, in partnership with the Darlington Borough Council, Network Rail and LNER, has planned a comprehensive improvement project at Darlington Bank Top Station and the Council is leading on the development of land immediately to the east and west of the existing station (the Neasham Road side and the Victoria Road side). The project will deliver the biggest transformation of the station area in decades providing modern, pedestrian-friendly travel interchanges for the town and the wider region.

100. This proposal involves the creation and integration of travel interchanges and a new multi-storey car park, which will promote sustainable travel through priority enhancements for pedestrians and cyclists, create a gateway approach and public realm that reflect the economic ambitions of Darlington and the wider Tees Valley region linking Central Park and the town centre with the Station more effectively through an improved environment to create more visitors and business to Darlington and paving the way for improved train services at Darlington as a key east coast mainline station that improves regional and national connectivity. The Council's development, alongside improvements to the existing station building by Network Rail and LNER is planned to be completed by 2025, in time for the 200th anniversary of the birth of the modern railway.

101. The overall objectives of the proposal are fully acknowledged and recognised. The application site is in a highly sustainable location within the development limits of the urban area. Information has been provided in support of the planning application which explains need for the proposed development and justifies the extent of the car parking provision for the new multi storey car park. There are no highway safety or sustainable transport objections to the principle of the development and planning conditions have been recommended to further consider matters relating to drainage, archaeology, ecology and landscaping. The proposed development will have an impact on the outlook of the residential dwellings in the area but the proposed buildings have been located to minimise such impacts as much as possible whilst fulfilling the operational requirements of the project and taking into account other physical constraints of the site and the neighbouring heritage assets. The scheme is a proposal with well-designed

buildings and the addition of a public square is highly welcomed in both visual and social terms. Overall, the proposal would accord with the appropriate local development plan policies on such matters.

102. The Council's Conservation Officer and Historic England are broadly supportive of the overall scheme and have been involved in the pre-application discussions with officers on the proposals. Such discussions will continue in relation to the proposal for the Bank Top station building, which includes a link bridge to the platform included within this proposal. The areas of the scheme which will have an impact upon the heritage assets have been identified and the 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 the buildings and the site is well understood. Officers are satisfied that the proposal 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 submitted reasoning and justifications for the project. 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 less than substantial harm caused to the heritage assets 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

**PURSUANT TO REGULATION 3 OF THE TOWN AND COUNTRY PLANNING REGULATIONS 1992,  
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) SGMSCP-NAP-Z1-ZZ-DR-A-00001 P2 - Location Plan
  - b) SGMSCP-NAP-Z1-00-DR-A-00010 P5 – Site Plan
  - c) SGMSCP-NAP-Z0-XX-DR-A-90001 P6 – Landscape General Arrangement
  - d) SGMSCP-NAP-Z1-00-DR-A-01000 P11 – Level 00-01
  - e) SGMSCP-NAP-Z1-02-DR-A-01002 P9 - Level 02-03
  - f) SGMSCP-NAP-Z1-04-DR-A-01004 P9 - Level 04-05
  - g) SGMSCP-NAP-Z1-06-DR-A-01006 P9 - Level 06-07
  - h) SGMSCP-NAP-Z1-08-DR-A-01008 P9 - Level 08-09
  - i) SGMSCP-NAP-Z1-XX-DR-A-02000 P5 - East Elevation
  - j) SGMSCP-NAP-Z1-XX-DR-A-02001 P5 - North East Elevation
  - k) SGMSCP-NAP-Z1-XX-DR-A-02002 P5 - North West Elevation
  - l) SGMSCP-NAP-Z1-XX-DR-A-02003 P5 - South East Elevation

- m) SGMSCP-NAP-Z1-XX-DR-A-02004 P5 - West Elevation
- n) SGMSCP-NAP-Z1-XX-DR-A-02005 P5 - South Elevation
- o) SGMSCP-NAP-Z1-XX-DR-A-03000 P15 - GA Sections Block A
- p) SGMSCP-NAP-Z1-XX-DR-A-03001 P14- GA Sections Block B
- q) SGMSCP-NAP-Z1-XX-DR-A-03002 P6 - GA Sections Station
- r) SGMSCP-NAP-Z0-XX-DR-A-00020 P4 - Site Sections
- s) SGMSCP-FHT-Z0-SL-DR-C-00001 P5 - Proposed Drainage Layout
- t) SGMSCP-FHT-Z0-SL-DR-C-00101 P3 - S278 Works General Arrangement
- u) SGMSCP-FHT-Z0-SL-DR-H-00002 P4 - Non Motorised User Plans
- v) SGMSCP-FHT-Z0-SL-DR-H-00005 P4 - Areas of highway to be Stopped
- w) SGMSCP-FHT-Z0-SL-DR-H-00007 P4 - Proposed Access Arrangements
- x) SGMSCP-FHT-Z0-SL-DR-H-00008 P4 - Garbutt Sq. Swept Path
- y) SGMSCP-FHT-Z0-SL-DR-H-00009 P3 - Access Swept Path
- z) SGMSCP-FHT-Z0-SL-DR-H-00010 P3 - Access Arrangements Swept Path
- aa) SGMSCP-FHT-Z0-SL-DR-H-00011 P3 - Garbutt Sq. Swept Path
- bb) SGMSCP-FHT-Z0-SL-DR-H-00012 P3 - Stopping Up Plan

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

3. No building shall be constructed above damp proof course until precise details of the materials to be used throughout the development (buildings and public realm) hereby approved 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

4. No building shall be constructed above damp proof course until precise details of a lighting scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed otherwise than in complete accordance with the approved details

REASON: In the interests of the visual appearance of the development and the wider street scene, residential amenity and to protect biodiversity.

5. Prior to the demolition of the stone retaining wall on Neasham Road/Parkgate, precise details of the design and materials to be used in the replacement means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: In the interests of the visual appearance of the development

6. No building shall be constructed above damp proof course until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The details shall include a management plan for the scheme and upon approval of such scheme, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be agreed in writing by, the Local

Planning Authority, and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.  
REASON - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.

7. No building shall be constructed above damp proof course until fully detailed highway design information has been submitted to and approved in writing by the Local Planning Authority. The information shall include the precise details of all works within the public highways and works intended for adoption by the Highways Authority. Details should include phasing of works, material specifications, surface finishes, tie-in details, construction standards/pavement makeup. Details should also include level/gradient information of all pavements and roads. Precise details of signing and lining works. The development shall not be carried out otherwise than in complete accordance with the approved details  
REASON: In the interests of highway safety.
8. No building shall be constructed above damp proof course until vehicle swept path analysis has been undertaken to support the movement framework for emergency vehicles, refuse vehicles and buses, for the internal network and, where appropriate, in respect of the off-site highway proposals, details of which shall be submitted to and approved by the Local Planning Authority  
REASON: In the interests of highway safety.
9. A Road Safety Audit shall be carried out for all of the highways and the scope of the Audit shall be agreed in writing with the Local Planning Authority. The development shall not be carried out unless in complete accordance with the approved Audit  
REASON: In the interests of highway safety.
10. No building shall be constructed above damp proof course until precise details of the cycle storage building have been approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include the number of cycles, the location and design of the building, the type of cycle stan, security measures and the future maintenance of the building. The cycle stand shall be in place prior to the occupation of the building and retained thereafter. The development shall not be carried out otherwise than in complete accordance with the approved details  
REASON: In the interests of promoting sustainable modes of transport
11. 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 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.
12. No building shall be constructed above damp proof course until precise details of the bin stores have been approved have been submitted to and approved in writing by the

Local Planning Authority. The details shall include the number, the location and design of the stores. The bin stores shall be in place prior to the occupation of the building and retained thereafter. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: In the interests of the general amenity of the development

13. Prior to the installation of any fixed mechanical ventilation system associated with the development hereby approved the details shall be submitted to and agreed in writing with the Local Planning Authority. The ventilation system thereby agreed, shall achieve noise levels in excess of 5dB below the background noise level (LA90, T) when assessed in accordance with BS:4142. The agreed ventilation system shall thereafter be retained and maintained throughout the lifetime of the development

REASON: In the interest of safeguarding the amenities of the neighbouring properties.

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

- a. Dust Assessment Report which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the demolition and construction phases of the development. The Dust Assessment Report shall take account of the guidance contained within the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014.
- b. Methods for controlling noise and vibration during the demolition and construction phase and shall take account of the guidance contained within BS5228 "Code of Practice for noise and vibration control on construction and open sites".
- c. Construction Traffic Routes, including parking areas for staff and visitors.
- d. Details of wheel washing.
- e. Road Maintenance.
- f. Warning signage.

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

REASON: In the interests of highway safety and residential amenity

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

REASON: In the interests of highway safety and residential amenity

16. If piled foundations are incorporated into the development hereby approved, details of the piling method including justification for its choice, means of monitoring vibration, and groundwater risk assessment if necessary, in accordance with recognised guidance, shall be submitted and agreed in writing by the Local Planning Authority prior to works starting on site. The development shall not be carried out otherwise than in accordance with the approved details.

REASON: In the interests of the amenity of the area

17. No development shall take place until the applicant has secured the implementation of the programme of archaeological work in accordance with a written scheme of investigation, which has been approved in writing by the local planning authority as follows:

- a) Methodologies for a Historic England-style Level 2 building record prior to any conversion works or stripping out of fixtures and fittings.
- b) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the approved strategy.
- c) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- d) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.  
REASON To comply with National Planning Policy Framework 2021 as the buildings are non-designated heritage assets

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 NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

19. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Proposed Drainage Layout" dated "25/01/2021". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 6101 and upstream of 6204 and ensure that surface water flows discharge to the combined sewer at manholes 6101 and slightly upstream of manhole 6204. The surface water discharge rate at each connection point shall be restricted to 2.5l/sec. 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

20. 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) Lead Flood Authority Validation Checklist
- b) Detailed design of the surface water management system.
- c) A build program and timetable for the provision of the critical surface water drainage infrastructure.
- d) A management plan detailing how surface water runoff from the site will be managed during the construction phase.
- e) 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

21. The development hereby permitted shall only be carried out in complete accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy dated 4th June 2021 and the following mitigation measures detailed within the FRA

- a. Discharge to NWL combined sewers restricted to 5l/s
- b. 708m<sup>3</sup> 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.

22. The building 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) 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 are in place for the lifetime of the development

23. CL3 – Phase 2 Site Investigation Works
24. CL4 - Phase 3 Remediation and Verification Strategy
25. CL5 - Construction/Remediation works
26. CL6 – Implementation of Phase 3 Remediation Strategy and Phase 4 Verification and Completion Report
27. The development shall not be carried out otherwise than in complete accordance with the Tree Protection Plan and Arboricultural Method Statement contained within the document entitled “BS5837 Tree Survey – Darlington MSCP” dated December 2020 and produced by Eco North unless otherwise agreed in writing by the Local Planning Authority  
REASON: In the interests of the visual appearance of the development
28. The development shall not be carried out otherwise than in complete accordance with the Mitigation and Compensation Strategy contained within the submitted document entitled “Preliminary Ecological Appraisal & Bat Roost Assessment Darlington MSCP” dated June 2021 and produced by Eco North unless otherwise agreed in writing by the Local Planning Authority  
REASON: In the interests of biodiversity and habitats
29. The development shall not be carried out otherwise than in complete accordance with the Mitigation and Compensation Strategy contained within the submitted document entitled “Bat Survey Report Darlington Multi Story Car Park” dated August 2021 and produced by Eco North unless otherwise agreed in writing by the Local Planning Authority  
REASON: In the interests of biodiversity and habitats

## **INFORMATIVES**

### **Highways**

The Developer is required to submit detailed drawings of the proposed off-site highway works to be approved in writing by the Local Planning Authority and enter into a Section 278/38 Agreement

Prior to commencement of the works on site. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr Steve Pryke 01325 406663) to discuss this matter.

An appropriate street lighting scheme and design to cover the new highways and any proposed amendments to the existing lighting should be submitted and approved in writing by the Local

Planning Authority. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr M. Clarkson 01325 406652) to discuss this matter.

The applicant is advised that contact be made with the Assistant Director: Highways, Design and Engineering (contact Mr. C. Easby 01325 406707) to discuss the introduction of Traffic regulation Orders in connection to revised parking restrictions and bus stop areas.

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