

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 16 March 2022

APPLICATION REF. NO:	21/00869/FUL
STATUTORY DECISION DATE:	18 March 2022
WARD/PARISH:	Harrowgate Hill
LOCATION:	Land Off Bowman Street, Darlington
DESCRIPTION:	Erection of 4 no. three bed residential dwellings together with new access, car parking, boundary treatment, amenity space and associated works (amended plans received 11 January 2022 and 3 March 2022)
APPLICANT:	HGT Construction

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 planning application site is an area of vacant, private land enclosed by walls (north, east and west) and fencing (south and west). The site is bound to the north by No 91 Bowman Street (a single storey bungalow) and a lane which provides rear access for dwellings on Longfield Street and Lawson Street; to the east by two storey terraced dwelling in the opposite side of the Bowman Street; to the south by Harrowgate Hill Methodist Church and Church Hall and to the west by a Builders Yard.
2. There is a single storey Smithy/Workshop building within the site located to the rear of No 91 Bowman Street. The site has been cleared of trees and vegetation in the last few years and is now open and overgrown and the workshop building appears vacant.

3. The proposal involves the demolition of the workshop building and the redevelopment of the site for residential purposes comprising the erection of four terraced dwellings on the Bowman Street frontage with parking to the rear accessed off the lane. The rear of the site would be enclosed by a new fence, gates and wall alongside the lane and there would be a mix of hard and soft landscaping within the parking area. Each dwelling would have a small, enclosed front garden and a larger, enclosed garden to the rear. Each three bed dwelling is 2.5 storeys with one of the bedrooms within the roof space. Each dwelling would have rooflights and solar panels in the front facing roof slope and flat roofed dormer extensions to the rear.

MAIN PLANNING ISSUES

5. The main planning issues to be considered are whether the proposed development is acceptable in the following terms:
 - a) Planning Policy
 - b) Highway Safety and Parking Provision
 - c) Residential Amenity
 - d) Design, Layout and Impact on the Character and Appearance of the Local Area
 - e) Contaminated Land
 - f) Ecology
 - g) Climate Change
 - h) Flood Risk and Drainage.

PLANNING POLICIES

6. The site is located within the development limits of the main urban area as identified by the Policies Map for the Darlington Borough Local Plan (2016 – 2036) The proposal accords with policy H3 of the Plan which seeks to achieve the locational strategy for new development in the Borough by establishing development limits where development within will be acceptable subject to compliance with other relevant national and local policies. The relevant local development plan policies are listed below:

Darlington Borough Local Plan (2016 – 2038)

- SD1: Presumption in Favour of Sustainable Development
- SH1: Settlement Hierarchy
- DC1: Sustainable Design Principles and Climate Change
- DC2: Flood Risk & Water Management
- DC3: Health & Wellbeing
- DC4: Safeguarding Amenity
- H1: Housing Requirement
- H3: Development Limits
- H4: Housing Mix
- ENV3: Local Landscape Character
- ENV7: Biodiversity & Geodiversity & Development
- ENV8: Assessing a Development's Impact on Biodiversity
- IN1: Delivering a Sustainable Transport Network

- IN2: Improving Access and Accessibility
 - IN4: Parking Provision including Electric Vehicle Charging
 - IN6: Utilities Infrastructure
7. The National Planning Policy Framework (2021) and the Council's adopted Supplementary Planning Document Design of New Development (2011) are also relevant

RESULTS OF TECHNICAL CONSULTATION

8. The Council's Highways Engineer, Environmental Health Officer, Transport Policy Officer, Climate Change Officer and ecology consultant have raised no objections to the principle of the development.
9. Northern Powergrid and Northern Gas Networks have not objected to the planning application

RESULTS OF PUBLICITY AND NOTIFICATION

10. Following the Council's notification exercises on the original proposal, nine letters of objection were received. The comments related to the following matters:
- *Increase in traffic*
 - *Increase in parking problems*
 - *Increase in parking problems, noise, dust, rubbish during construction phase*
 - *Loss of natural light*
 - *Loss of privacy*
 - *Loss of view*
 - *Impact on wildlife*
 - *Loss of open space*
 - *Concerns over impact on boundary fencing with the Methodist Church*
 - *New houses will overlook nursery which operates from the Methodist Church*
11. Following the notification exercise on the amended plans, two objectors withdrew their comments but five residents have continued to object. Two of the original objectors did not withdraw previous comments or provide new ones. The five objections to the amended plans can be summarised as follows:
- *Loss of light, green space, wildlife to the area and property*
 - *The road safety and parking concerns*
 - *Increase in parking problems, noise, dust, rubbish during construction phase*
 - *Loss of natural light*
 - *Loss of privacy*
 - *Loss of View*
 - *Impact on health of residents due to loss of open space*
 - *Children play outside the Methodist Church and in the street*
 - *Increase in traffic*

- *Bowman Street is very busy at the moment, especially when Church and Community Centre are open. Concern over more parking problems*

12. Comments have also been made that the development would have an impact on property values and the site could be used for alternative uses. These are not material planning considerations and carry no weight in the determination of the planning application.

PLANNING ISSUES/ANALYSIS

a) Planning Policy

13. 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).
14. The NPPF states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance. The Council has a recently adopted Local Plan and so the housing requirement in strategic policy H1 (Housing Requirement) is used as the starting point for calculating the five year land supply. At the 1st April 2021 the Local Plan demonstrated a 5.3 year supply of housing land. Consequently, relevant policies for the supply of housing should be considered up to date and the tilted balance in para 11 of the NPPF (2021) is not engaged
15. Policy H1 of the Local Plan sets a minimum housing requirement of 492 net additional dwellings per annum over the plan period to 2036. The proposal would be a small scale windfall development which would contribute towards the achievement of this requirement
16. Policy H4 sets out requirements for accessible, adaptable and wheelchair user dwellings for new residential development to ensure homes provide quality living environments for residents both now and in the future. The developer has agreed that 45% of the proposed new dwellings (two) will meet building regulations category M4(2) adaptable and accessible dwelling standards and amended floor plans have been submitted. The proposed development would comply with policy H4 of the Local Plan.

b) Highway Safety and Parking Provision

17. This site is in a good location in relation to public transport, being within 400m of bus stops on North Road and Longfield Road which have regular bus services. Bowman

Street forms part of the advisory cycle network and provides access to the Harrowgate Hill cycle route to the town centre as well as northwards to Newton Aycliffe.

18. The site has direct pedestrian access via the existing footways located across the site frontage on Bowman Street which is considered a safe and appropriate means of pedestrian access for the four terraced dwellings. A footway is located to the northern side of the development which enables convenient access to the rear car park area as well as enabling a convenient route for presenting bins for kerb-side collection. The proposal is considered to be acceptable in terms of pedestrian safety and permeability.
19. The proposed vehicle access route is now via the scoria surface back lane which offers access to the rear of properties off both Longfield Road and Lawson Street. The site layout plan shows visibility splays of 2.4x21m. Given the context of the rear lane where daily vehicle movements are few and actual traveling speeds are expected to be below 20mph, it is considered that this minor relaxation of the appropriate standard (2.4x25m) is acceptable. Manual For Streets (MFS) guidance advises that a 4.1m wide road is sufficient to enable two-way movements of cars and the rear lane is therefore considered acceptable for such a minor intensification of use. Notwithstanding this, a planning condition has been agreed to secure the precise extent of the visibility splays.
20. Works for the construction of the new access onto the lane will require the prior approval and consent of the Highways Authority under a Section 184 Agreement which gives lawful consent to make a vehicular access to the public highway. The proposed layby area will help accommodate two-way vehicle movement at the vicinity of the site access. Minor accommodation works will be needed within the public highway, for example, a kerbline installed to retain the existing blocked surface and demarcate the boundary of the highway and a 25mm upstand kerb-face to enable vehicle overrun and turning movements.
21. The scale of the proposed development falls significantly below the threshold to require any formal transport statement or assessment. Based on TRICs data for similar locations it is predicted that the development would generate approximately 2-3no, two way trips in the AM/PM peak hour, or roughly one additional vehicle movement every 20-30 minutes. The concerns related to traffic and vehicle movements by objectors are noted, however these concerns are primarily related to the existing baseline scenario, and traffic generated by the neighbouring Church meetings. The Council's Highways Engineer does not consider that the minor increase in vehicle movements is likely to have any material impact upon road safety or traffic congestion and would not warrant a recommendation for refusal based on the National Planning Policy Framework 2021 guidance which requires a 'Severe impact' when considering the negligible traffic generation expected.
22. The inclusion of EV charging within the development is welcomed and is in accordance with policy IN4 of the Local Plan and can be secured via a planning condition.

23. A review of 5 year recorded Police accident history demonstrates that there has been just 1 recorded 'minor' personal injury collision (PIC) at the junction of Bowman Street/Longfield Road. As such there is no evidence base to suggest any inherent road safety concerns, or that the local highway network is unsuitable for the minor additional increase in vehicle movements associated with this proposal. There is no evidence available within the Highway Authority database of accidents, but this will be reviewed once the next period of recorded incidents is made available to the Highway Engineer however this is only able to highlight incidents where personal injury is recorded.
24. The Tees Valley Design Guide (TVDG) advises that dwellings of up to and including 3 bedrooms are required to have 2 parking spaces per unit. The provision of parking numbers across the site is therefore in accordance with TVDG recommendations with a total of 8 parking spaces or 2 per dwelling included within the scheme.
25. Parking for the four proposed terraced dwellings is in the form of a private car park with bay sizes of 5.0m x 2.5m, and this is deemed a suitable and appropriate arrangement given that the parking spaces are located within the context of a private car park and as such are not required to meet the larger MFS/TVDG standard of 6.0m x 3.0m when located next to public highway. It has been recommended that some provision is made for allocated disabled accessible spaces that should be located as close to practicable to the dwelling entrances and this can be secured by a planning condition.
26. The parking facilities must be made available prior to occupation of the first dwelling in order to prevent overspill parking and issues with residential amenity and this can be secured by a planning condition. It is not anticipated that there will be any impact upon existing residents who are reliant upon on-street parking, given that current Design Guide standards are demonstrated. It is however acknowledged that there may be some increased parking across the site frontage, given that it may be considered more convenient to park on Bowman Street rather than parking located to the rear. As existing residential parking is generally on the eastern side of Bowman Street, parking opposite may be problematic, and as such the Highway Authority would seek to implement further parking restrictions across the site frontage to mitigate this. This would require a public consultation exercise and is a process separate to Planning Approval process. The applicant will be required to cover the financial costs incurred by the Highway Authority where this is needed to mitigate the impact of the development.
27. The development includes shed for each property for cycle parking with a further 3 cycle racks in the courtyard area for occasional use by visitors. Each shed will be required to hold 3 bicycles to ensure that the development meets the standard as set out within DfT LTN1/20 and the visitor provision is welcomed but they should be covered bike racks to provide them with more security. The precise details of the cycle parking provision can be secured by a planning condition.
28. The Council's Highways Engineer and Transport Policy Officer have raised no objections to the planning application. Subject to the imposition of appropriate planning conditions, the proposed development is acceptable in highway safety and vehicle and

cycle parking terms and would accord with Policies DC1, DC3, IN1, IN2 and INV4 of the Local Plan in this regard.

c) Residential Amenity

29. The site is within a residential street with terraced dwellings on the opposite side of Bowman Street which would currently have views across an open site. It is acknowledged that the proposed development will have an impact on these dwellings in terms of outlook and overlooking and therefore a balanced judgement has to be made as to whether the impacts are significant enough to outweigh other material planning considerations and recommend refusal on such grounds.
30. The separation distance between the new and existing dwellings on Bowman Street would not comply with the guidance contained within the Council's Supplementary Planning Document – Design for New Development. The Design SPD states that an acceptable separation distance between two storey developments is 21m. The proposed dwellings would be positioned approximately 14.7m from the existing dwellings. However, it is not uncommon to find such a spatial relationship within traditional street patterns and it is important to assess this proposed spatial relationship within the context of the wider street scene. The proposed dwellings would be set in from the edge of the site by approximately 1.2m which gives the development an increased separation distance when compared to the relationships between existing dwellings at Nos 91 to 95 Bowman Street and the dwellings opposite, which are located further to the north of the application site. It is acknowledged that No 91 Bowman Street is a bungalow, but it also has habitable windows in the front elevation. Resiting the dwellings further back into the site to fully accord with the 21m proximity distance would result in a development which does not reflect the characteristics of the street scene and would significantly alter the external appearance of the development and possibly reduce the number of dwellings being proposed. An example of a new development which has been built where the street context had to be considered against fully complying with the proximity distances can be found in a housing scheme (Primary Close) on the corner of Bowman Street and Thompson Street West which has worked well. This is located at the southern end of Bowman Street.
31. It is considered that, on balance, the spatial relationship between the existing and proposed dwellings on Bowman Street still achieves an acceptable level of amenity for both existing and future occupants.
32. In terms of outlook from the dwellings on the opposite side of Bowman Street, it is fully acknowledged that the views from these dwellings will change from an open site to a row of dwellings. Sectional plans submitted in support of the application show that the new dwellings would be a similar height to the dwellings opposite. The planning system is not necessarily intended to protect an outlook that a resident may enjoy at a particular point in time but to maintain an outlook that meets acceptable standards of amenity. The proposed development would improve the visual appearance of the application site and would maintain an acceptable standard of amenity when viewed from across the street.

33. The proposed dwellings include a dormer extension within the rear roof space. The rear elevation of the dwelling houses would look across the car parking of the site and various outbuildings and garages within the long gardens to the rear of the dwellings on Longfield Road and Lawson Street. The neighbouring dwellings within these streets would not be directly overlooked and are of sufficient distance to have no amenity issues arising from this development.
34. The window openings in the end elevations of the terrace, at roofspace level, are both land windows and therefore not habitable openings.
35. No 91 Bowman Street is directly to the north of the application site. It is a bungalow with a modest rear garden. Whilst the proposed terrace of dwellings will have a visual impact on the property and rear garden of this property due to the scale and location of the new dwellings, this would be counterbalanced against the demolition of the Smithy building which is located on the west boundary of the No 91 Bowman Street. There are no adverse overlooking concerns in relation to this dwelling.
36. The south facing gable of the terrace would not have an unacceptable visual impact when viewed from the parking area to the front of the Methodist Church Hall and there would only be medium range oblique views across the Hall building and any associated outdoor areas.
37. The Environmental Health Officer had raised concerns about noise from air circulation fans at the Methodist Church Hall adjacent to the development impacting on the proposed houses and the future occupants. Following a site and a meeting with the church wardens, they have provided reassurances that these air circulation fans are very rarely (if ever) used. The developers have also now submitted a noise assessment which has looked at how potential noise sources from nearby road traffic and the Church Hall extraction system could impact on the development. The report has concluded that standard double glazed windows and trickle vents will be sufficient to protect the residents of the proposed homes from intrusive noise. The Environmental Health Officer would agree with this conclusion and is satisfied that the application can be recommended for approval without further conditions being attached relating to noise.
38. Planning conditions have been recommended for the submission of a Construction Management Plan and to control the hours of construction.
39. It is considered that the whilst the proposed development will have some impact on the amenities of the dwellings on the opposite side of Bowman Street, the extent of impact would not be so adverse to recommend refusal of the planning application. The application would follow the general principles set out in policy DC4 of the Local Plan.

d) Design, Layout and Impact on the Character and Appearance of the Local Area

40. The neighbouring dwellings are primarily two storey terraced dwellings with enclosed amenity areas to the front and private gardens to the rear. Under the provisions of the Council's adopted Design SPD, the site would be located within Character Zone 4 (Outer Suburbs) and new developments between one and 2.5 storeys would generally be permitted in this Zone.
41. The proposed terraced dwellings are 2.5 storeys with a bedroom within the roof space. A sectional plan submitted in support of the planning application shows that the overall height of the proposed dwellings would be very similar in height to the existing properties on the opposite side of the Bowman Street.
42. The properties would have an amenity area to the front enclosed by a low brick wall. They would be constructed from red facing brick with render at first floor level. Grey roof tiles, anthracite UPVC windows and composite doors complete the palette of materials.
43. The rear gardens would be enclosed by walls with railings above and a new means of enclosure (fence/gates and wall/railings) would run alongside the lane.
44. It is considered that the proposed development is well designed and responds positively to the street scene, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detailing. The proposed development is of high quality design which would redevelop a piece of land of low landscape quality in the urban area, which will strengthen local character and distinctiveness, having regard to the Council's Design SPD. Overall, the proposed layout and dwellings would accord with the general principles set out in policies DC1, DC3 and ENV3 of the Local Plan in this regard.

e) Contaminated Land

45. The application has been submitted with a Phase 1 desk top study and site walkover which has identified, through a search of the available historical maps, the site's former use as a Smithy and possible contamination with PAH, TPH, asbestos and other contaminants. The majority of the site is currently overgrown with vegetation although there are obvious deposits of waste materials amongst this. The Council's Environmental Officer would agree with the conclusions of the report that a full site investigation is needed to determine whether the underlying ground conditions are suitable for the proposed residential end use. The site investigation should be designed around the proposed site layout submitted with the application and appropriate planning conditions can be imposed. The proposed development would accord with policy DC 1 of the Local Plan in this regard

f) Ecology

46. The site is private land and not an area of public open space. The site has previously contained trees, but they have now been removed leaving an open site with areas of overgrown vegetation. As the trees were not covered by a tree preservation order and the site is not in a conservation area, no formal consent from the local planning authority would have been required for the tree removal works

47. Due to the location of the site, the surrounding site context (surrounded by built development) and the nature of the existing building on the site (single storey, single skin construction), the Council's Ecology consultant has advised that the risk of roosting bats is not significant enough for the Local Planning Authority to request a bat risk assessment. It is also recommended that bird nest boxes are incorporated into the new dwellings/site to assist in meeting the National Planning Policy Framework 2021 requirements for biodiversity net gains which can be secured by a planning condition
48. Nesting birds may be an issue and the applicant would need to be made aware of this and take appropriate steps to avoid any impacts and this can be done via an Informative.
49. It is considered that, subject to the imposition of appropriate planning conditions, the proposed development would comply with policies EN7 and EN8 of the Local Plan in this regard.

g) Climate Change

50. The Design and Access Statement advises that the dwellings will be airtight and very well-insulated, including the window frames. Each dwelling will have cycle parking provision, including visitor provision. Although there are no directly southern facing roof planes, the Bowman Street elevation is slightly angled towards the south. As a result, the roof plane of the front elevation will be used to house, or at least have provisions for Solar PV panels. There would also be EV charging points within the parking area.
51. The Council's Climate Change Officer has advised that the design of the development has taken climate change/sustainability into consideration. The proposed development would follow the general principles of policies DC1 and IN 4 of the Local Plan.

h) Flood Risk and Drainage.

52. The application site is within Flood Zone 1 and so there is a low risk of flooding. The Design and Access Statement submitted in support of the planning application states that foul water would be sent directly into the mains sewerage system which would be located during the detailed design stages. The scheme would follow the SUDS drainage strategy, outlined below:
- 1) store rainwater for later use
 - 2) use infiltration techniques, such as porous surfaces in non-clay areas
 - 3) attenuate rainwater in ponds or open water features for gradual release
 - 4) attenuate rainwater by storing in tanks or sealed water features for gradual release
 - 5) discharge rainwater direct to a watercourse
 - 6) discharge rainwater to a surface water sewer/drain
 - 7) discharge rainwater to the combined sewer

53. If any flooding issues were to arise during further investigation the developer would look to maximise point (1) before skipping (2) (3) and attempting to locate point (4) before jumping to (6) and (7). This strategy has been chosen to avoid adding to any potential flood risk.

54. The strategy would follow the requirements set out in policies DC2 and DC3 of the Local Plan

THE PUBLIC SECTOR EQUALITY DUTY

55. 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. Two of the dwellings would meet category 2 requirements (accessible and adaptable dwellings) of Building Regulations Approved Document M: Volume 1 (Access to and use of dwellings) in accordance with local development plan policy and a planning condition has been imposed to secure appropriate parking provision for people with mobility issues.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

CONCLUSION AND RECOMMENDATION

57. The application site is within the development limits for the urban area and the proposals would redevelop a vacant site for residential purposes. The design and layout of the development is acceptable in highway safety, parking provision and street scene terms. The dwellings would be constructed to mitigate climate change and the overall development includes the provision of EV charging points and cycle parking provision. The internal layout of two of the dwellings has been amended to meet building regulations category M4(2) adaptable and accessible dwelling standards in compliance with local development plan policy. There will be an impact on the existing residential dwellings on the opposite side of Bowman Street in terms of outlook and overlooking and these impacts have been considered alongside other material planning considerations such as the impact of the development on the existing streetscape and street patterns and the amenity impacts are not considered adverse and sufficient to outweigh the benefits of this proposal. Overall, it is considered that the proposed development will accord with the general principles of the local development plan

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:

1. Drawing Number 001 C Ground and First Floor Block Plans Inc Images
2. Drawing Number 002 A Loft Floor and Roof Plan
3. Drawing Number 9 – 1 Existing and Proposed Site Plans, Site Location and Boundaries
4. Drawing Number 21 -1 Proposed Elevations
5. Drawing Number 90 -1 Site Section Across Bowman Street
6. Drawing Number 100 – 1 3D Imagery

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

3. Prior to the commencement of the development, a site-specific Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan[s] 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 residential amenity and highway safety

4. CL2 - Phase 2 Site Investigation Strategy
5. CL3 – Phase 2 Investigation Works
6. CL4 - Phase 3 Remediation and Verification Strategy

7. CL5 - Construction/Remediation works
8. CL6 - Phase 4 Verification and Completion Report
9. Notwithstanding the details shown on the approved plans, a landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of such schemes, 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.
10. Notwithstanding the details shown on the approved plans, precise details of the car parking arrangements for the development, including the provision of disabled parking spaces, 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 and the car parking spaces shall be fully implemented and available to use prior to the first occupation of the development
REASON: In the interests of providing adequate parking for people with mobility issues
11. Notwithstanding the details shown on the approved plans, precise details of the visibility splays at the vehicle access point onto the service lane shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include the means of enclosure and sliding gate on the boundary with the service lane and across the access point. The development shall not be carried out otherwise than in complete accordance with the approved plans
REASON: In the interests of highway safety
12. Notwithstanding the details shown on the approved plans, the approved development shall incorporate four bird boxes into the site layout or design of the dwellings. The details of the bird boxes shall be submitted to and approved in writing, by the Local Planning Authority prior to the commencement of the development and they shall be remain in place during the lifetime of the development
REASON: In the interests of the enhancing the ecological nature of the development and application site.
13. Prior to the commencement of the development, precise details of secure, covered, cycle parking provision for use by the occupants and visitors shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details which shall be fully implemented and available for use prior to the first occupation of the development. The agreed details shall remain in place for the lifetime of the development

REASON: In the interest of encouraging the use of sustainable modes of transport

14. The development hereby approved shall not be carried out otherwise than in complete accordance with the materials palette contained within Page 9 of the document entitled "Design and Access Statement. Land to the rear of Harrowgate Hill Methodist Church. Darlington" Version 2 dated December 2021 and produced by Phoenix Design Man

REASON: In the interests of the visual appearance of the development and the street scene

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 residential amenity

16. The EV charging points shown on the approved plans shall be a minimum of a single phase 13 amp socket

REASON: To ensure that the proposed development accords with Policy IN4 of the Darlington Borough Local Plan (2016 – 2036)

INFORMATIVES

Section 184 Crossing

The applicant is advised that works are required within the public highway, to construct a new vehicle crossing; contact must be made with the Assistant Director: Highways, Design and Projects (contact Mrs Lisa Woods 01325 406702) to arrange for the works to be carried out or to obtain agreement under the Highways Act 1980 to execute the works.

Street naming and numbering

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.

Section 59

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

Additional Parking Restrictions

The applicant is advised that a scheme to implement 'No Parking' restrictions across the site frontage (Bowman Street) is considered necessary. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr Chris Easby 01325 406707) to discuss this matter.

Nesting Birds

Any works, including demolition works and site clearance, should be carried out outside of bird nesting season. No work should be done to the existing building and site prior to an inspection for any nesting birds.