

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 7 February 2024

APPLICATION REF. NO: 22/00797/OUT

STATUTORY DECISION DATE: 14 February 2024

WARD/PARISH: Pierremont

LOCATION: Pierremont Methodist Church
Vancouver Street

DESCRIPTION: Outline application with matters reserved except access, appearance, layout and scale for the demolition of former chapel and the erection of 8 no. dwellings (Phase 1 Desk Top Study received 31 March 2023; and amended plans received 5th September 2023; Nutrient Calculator and Provisional Nutrient Certificate received 14 December 2023)

APPLICANT: Mr Hughes and Graham

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=summary&keyVal=RF7GV8FPM6S00>

APPLICATION AND SITE DESCRIPTION

1. The application site comprises the Pierremont Methodist Church building, now vacant, and its enclosed garden area to the rear. The site is located on the corner of Craig Street, Vancouver Street and Vine Street within a predominately residential area.
2. Outline planning permission is sought for the demolition of the Church building and the erection of eight, three bedroom dwellings on the site. The application includes details of the access and parking arrangements and the appearance, layout and scale of the

development, with only details of hard and soft landscaping reserved for future consideration as a Reserved Matters submission.

MAIN PLANNING ISSUES

3. The main considerations for this planning application are whether the development is acceptable in the following terms:
 - a) Planning Policy
 - b) Loss of Community Facilities
 - c) Non Designated Heritage Matters
 - d) Nutrient Neutrality
 - e) Highway Safety, Access and Parking Matters
 - f) Impact on the Character and Appearance of the Surrounding Area
 - g) Residential Amenity
 - h) Land Contamination
 - i) Ecology
 - j) Flood Risk and Drainage

PLANNING POLICIES

4. The relevant local development plan policies are:

Darlington Local Plan 2016 - 2036

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

H3: Development Limits

H4: Housing Mix

ENV1: Protecting, Enhancing & Promoting Darlington's Historic Environment

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

IN10: Supporting the Delivery of Community and Social Infrastructure

Other relevant documents

National Planning Policy Framework 2023

Supplementary Design Guide for New Development

RESULTS OF TECHNICAL CONSULTATION

5. The Council's Transport Policy Officer, Environmental Health Officer, Highways Engineer and Ecology Officer have raised no objections to the development.

6. Northern Gas Networks have raised no objections.
7. Northumbrian Water have raised no objections.

RESULTS OF PUBLICITY AND NOTIFICATION

8. Following the Council's notification and publicity exercises on the original planning application, 17 letters of objection and one letter of representation were received. The objections can be summarised as follows:

- *The parking provision are not sufficient for occupants, visitors etc.*
- *The development is totally out of character with the existing terraces in Vancouver Street*
- *Parking in the street is already at a premium due to hospital workers/visitors and customers at local shops/tanning salon and has increased substantially in recent years with Residents Parking introduced. Additional traffic is a concern.*
- *Concern over noise, road closures, light pollution, construction traffic during demolition and construction period*
- *Loss of natural daylight*
- *Totally incongruous to the area in terms of both scale and height*
- *Potential property devaluations*
- *Local schools and health care services are already overstretched.*
- *More congestion, pollution and dangers to pedestrians*
- *Loss of the Church Garden will impact on insects, bees.*
- *New dwellings do not reflect design of Church or existing dwellings.*
- *Loss of garden will impact on openness in the local area.*
- *Development could impact on access to existing back yards.*
- *Increase in noise pollution from cars driving down rear, cobbled lanes.*

9. The letter of representation stated:

- *Overall, we are positive about new houses being built but what is the expected timeframe for the project, can it be confirmed that permit street parking will not be affected by the building work and will the back lane between Vine Street and Craig Street be affected by access arrangements as the lane is used for various things by the community*

10. No further objections were received following the notification exercises carried out by the Council in April 2023 and September 2023 following the submission of a Phase 1 Desk Top Study and then amended plans.

PLANNING ISSUES/ANALYSIS

a) Planning Policy

11. 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).

12. The application site is located within the development limits for the urban area and therefore the principle of the development is acceptable subject to compliance with other national and local plan policies.

b) Loss of Community Facilities

13. Policy IN10 of the Local Plan states that the loss of any community facilities will only be permitted if it can be demonstrated that:

- a) there are sufficient other suitable alternative community facilities either within the neighbourhood or accessible nearby; or
- b) the community facility is no longer needed; or
- c) there is no management and funding resources existing or that could be generated within the local community that could secure and sustain a facility that meets identified local needs; or
- d) the community facility cannot be secured or sustained through the partial redevelopment of the site.

14. The planning application states that the building ceased to function as a place of worship in 2011 when the congregation moved to the Well Methodist Church on North Road. The Well Methodist Church provides community services such as a coffee shop, a charity and second hand shop, playgroup and a community garden. Other Methodist Churches include Cockerton Church on The Green. The site has been on the market for sale since 2021.

15. It is evident that whilst the proposal will result in the loss of a community facility, the congregation that the building was used by have found and moved to alternative facilities and that the facility is no longer required for that community purpose. No evidence has been presented to the local planning authority which states otherwise or that other parties have expressed any interest in retaining the building for other community purposes. The proposal would comply with a) and b) of Policy IN10 of the Local Plan and therefore the loss of the building can be supported in policy terms.

c) Non Designated Heritage Matters

16. The application site is not within a Conservation Area and the Church is not a listed building. However, the building does have a degree of heritage significance which merits consideration in this planning decision, but which does not meet the criteria for being a designated heritage asset, such as being a listed building. As a result, the building would be considered a non designated heritage asset.

17. Policy ENV1 of the Local Plan states that proposals which would remove or harm the significance of a non-designated heritage asset will only be permitted where the benefits are considered to outweigh the harm. Proposals should seek to avoid harm to those features, including setting, which contribute to the significance of a non-

designated heritage asset, through measures such as good design. Policy ENV1 echoes the requirements of paragraph 209 of the National Planning Policy Framework 2023.

18. The building holds limited architectural interest. The Church building is a two storey brick built building with a hipped roof and projecting eaves. The rear elevation has been extended and altered with not particularly attractive flat roofed extensions and the windows are modern PVC replacements with no historic value. There are elements of ashlar detailing below first floor windows with stone headers and chamfered cills to the ground floor windows and the main double doors are timber, with glass panels above and a moulded stone door surround with a geometric fan piece. There are two stained glass windows in the west elevation. The Church is of a simple design and is a common example of 1930s public architecture, with evidence of subsequent adaptations and alterations.
19. With regard to its historic interest, the building was constructed for the purpose of being a Sunday School, and by 1945, it became registered for marriages and the School was refurbished into the Church by installing a communion rail, a Lincoln organ and stain glass windows. It was converted to a Church when it became apparent there would be no need for a separate Church and Sunday School in the Pierremont area. The Church holds some historical interest, with it being illustrative of the changing popularity in the Methodist Movement.
20. Overall, the church has limited architectural interest but some historical interest due to its connection with Methodism in Darlington and due to its age.
21. The proposal would result in the demolition of the building and in accordance with Policy ENV1 of the Local Plan and the National Planning Policy Framework 2023, the loss of the building must be balanced against the benefits of the proposed development. The use of the building as a Church has ceased and the Methodist Community in Darlington have found premises elsewhere resulting in the Methodist Community no longer having a purpose for the building. The proposed development for eight dwellings would result in a housing scheme, on a brownfield site in a highly sustainable location, which would create short term economic benefits during the construction phase and more long term economic benefits to the local shops etc. The development would also contribute, albeit on a limited scale, to the Council's housing supply and a building, which is currently vacant and could attract antisocial behaviour, would be removed and the site brought back into use.
22. It is considered that the benefits that would be derived from the development would outweigh the impact of losing this building, which is of heritage interest in historical terms only rather than in architectural terms as well. To offset the loss of the building, planning conditions have been imposed to ensure that a historic recording of the building takes place prior to its demolition and a report is then held in the Historic Environment Record.

23. The proposed development would therefore accord with Policy ENV1 of the Local Plan and the National Planning Policy Framework 2023 in this regard.

d) Nutrient Neutrality

24. The application site is located within the River Tees Catchment Area and is therefore subject to the guidance issued by Natural England on the 16th of March 2022 in respect of the unfavourable condition of the Teesmouth and Cleveland Coast Special Protection Area (SPA), Ramsar Site and associated Sites of Special Scientific Interest.
25. The information required to enable the local planning authority, as competent authority, to undertake a screening assessment and where necessary appropriate assessment is provided by the applicant's submitted nutrient budget calculator and Provisional Credit Certificate. This information is considered sufficient to fully consider the impacts of the development proposal on Teesmouth and Cleveland Coast SPA/Ramsar.
26. The nutrient budget calculator demonstrates that the proposals will increase the nitrogen arising from the development and consequently it cannot be ruled out at the screening stage that this development will not have a likely significant effect on the Teesmouth and Cleveland Coast SPA/Ramsar.
27. The applicant has used Natural England's Nutrient Budget Calculator tool for the River Tees catchment to establish a nutrient budget for the proposal. Following consideration, the assumptions and inputs used within this calculator are considered to be satisfactory and are an accurate reflection of the site and its location. This proposal for eight dwellings would increase the total annual nitrogen load arising by 12.5 kgs per year. As a nitrogen surplus would arise, the applicant has accepted that mitigation would be necessary to avoid likely significant effects. Informed by the Nutrient Budget Calculator Tool the applicant proposes to mitigate this nitrogen surplus by purchasing 12.5 credits from the Natural England Tees Catchment credit scheme which is equivalent to the surplus nitrogen of 12.5 kgs that needs to be mitigated.
28. A countersigned provisional credit certificate obtained from Natural England has been submitted which is sufficient evidence for this form of mitigation to be considered robust and achievable and appropriately located within the Tees catchment. A pre-occupation condition has been recommended to ensure that the required and necessary mitigation is secured and in place. This condition sets out that prior to the first occupation of the proposed dwellings the final signed credit certificate needs to be provided to the Local Planning Authority demonstrating that the credits have been purchased and the necessary mitigation secured and in place.
29. The local planning authority, as the competent authority, considers that the proposed mitigation measures would adequately mitigate the effects of the proposal and ensure the proposed development will not result in an increase in nitrogen reaching the Teesmouth and Cleveland Coast SPA.

30. In accordance with Regulation 63 of the Conservation of Habitats and Species Regulations (2017) Natural England have been consulted and they have raised no objection to the findings of the Appropriate Assessment subject to the imposition of the aforementioned planning condition.

e) Highway Safety, Access and Parking Matters

31. Typically, terraced dwellings do not have in curtilage parking and are instead reliant upon on-street parking. This is characteristic of the surrounding streets and the wider Denes area, however, in order to reduce additional on street parking demand, the proposed development includes a single in curtilage space for each dwelling, which is accessed via the rear lane.

32. Careful design of the boundary treatments and gates across the rear yard areas has been used to ensure adequate visibility for safe access and egress via the rear lane, with reduced height fencing adjacent to the highway and gates which open inwards with a clear width of 3.2m to enable turning manoeuvres as demonstrated on the swept path analysis drawings submitted in support of the planning application. A planning condition has been recommended that the means of enclosure shown on the submitted plans, cannot be replaced or repaired with any other forms of enclosure without the occupant first obtaining planning permission in the interests of retaining appropriate visibility onto the lane.

33. Furthermore, a further planning condition has been imposed to restrict permitted development rights for extensions and detached buildings within the curtilage of the dwellings to ensure that the yard areas can still be used for the purpose of parking a vehicle, even if a dwelling was to be extended.

34. The in-curtilage parking spaces also enable the provision of electric vehicle charging points for each dwelling within private land ensuring trailing cables will not be placed within the public highway (Policy IN4 of the Local Plan).

35. All the dwellings have three bedrooms, although Unit 8 includes an additional office/box room on the first floor (which could be converted to be further bedroom).

36. The Tees Valley Design Guide (TVDG) advises that three bed dwellings should generally have two car parking spaces per unit, whilst four bed dwellings should have three parking spaces. This would equate to the development needing a total provision of 17 spaces. In this instance, each dwelling would have a single in curtilage parking space in the rear yard and the remaining parking provision reliant on on-street parking.

37. However considerable scope for reduction to the normally advised standards may be acceptable where a site is demonstrated to be in a highly sustainable location or where other parking provision can be accommodated offsite.

38. The site is conveniently located to the public transport network, with there being multiple bus services available within 400m of the site, which meets the criteria set out with Policy IN2 of the Local Plan. The site is also surrounded by safe walking routes and local amenities, such as local shops, school, college, hospital, doctors, pharmacy and it is relatively close to Darlington Town Centre. The site is close to various cycle routes, and it is welcomed to see that cycle storage has been considered for the development. A planning condition has been imposed to ensure that the cycle storage is in line with the most recent cycle guidance issued (Cycle Infrastructure Design - Local Transport Note 1/20 July 2020) which states that for long stay requirement for residential cycle parking should be 1 space per bedroom.
39. It is clear from the above that the site is in a highly sustainable location, with excellent links to public transport, where alternative modes of transport are available which help reduce reliance upon private car ownership and it has close walking distances to bus stops and amenities.
40. Notwithstanding the sustainable location of the development, additional on-street car parking can be accommodated across the site frontage on Vancouver Street and on the side elevations on both Craig Street and Vine Street. This offers the potential to accommodate an additional nine vehicles based on a requirement of 6m of length for an on-street space. It would therefore be difficult to justify refusal on a shortfall of parking, where on street provision is available, or to evidence that existing residents would face an unacceptable residential amenity impact through displacement of existing parking usage, where on street parking is located directly next to the development frontage. Existing parking restrictions in the form of double yellow lines are located at key junction locations to prohibit parking at dangerous locations which would otherwise obstruct safe levels of visibility needed for pedestrians to cross or driver visibility at junctions.
41. A further consideration is that the parking demands associated with the previous use of the site and building can be compared and offset from the proposal. The existing former Church building, most recently used as a community facility, would have generated vehicle movements and parking demand when in use. Based on an approximate floor area of 240m this would equate to a requirement of 24 spaces, given the Tees Valley Design Guide standard or 1 space per 10sqm of public floor area for use as a community centre. As a result, the parking demand for the proposed development is less than the previous usage.
42. The provision of a single in-curtilage space per dwelling offers reasonable mitigation for parking demand and is a reasonable compromise demonstrating 50% of the normal recommended provision. This acknowledges the nature of terraced streets, such as those in this area, which are unlikely to fully meet parking demand and that the site is in a sustainable location with viable alternative modes of travel.
43. A review of the most recent 5-year period of Police incidents shows that there have been no recorded personal injury collisions within the immediate vicinity of the site.

Whilst there are a small number of 'minor' injury collisions on Craig Steet, there is nothing to suggest that there would be an adverse impact from a minor development of eight dwellings, especially when offset from the previous use.

44. Whilst the details contained within the submitted Construction Management Plan are generally acceptable from a highway safety perspective, the site is fully bounded by public highway and a such all accesses required for construction will be via the adjacent highways. In the interests of monitoring any potential risk of damage to the adjacent footways and rear lane, a pre-commencement planning condition to secure that survey is undertaken jointly by the applicant and a representative of the Councils Highway team (Section 59) is recommended. The applicant/developer is thereafter responsible for and liable for any damage incurred during the construction phase.
45. Having considered the parking provision, local amenities and public transport links to the surrounding area and the on and offsite parking measures included within the development proposal, the proposal is considered to be acceptable, whilst not fully compatible with policy IN4 of the Local Plan.

f) Impact on the Character and Appearance of the Surrounding Area

46. The surrounding area comprises primarily terraced, two storey, housing with rear yards and on street parking. The proposed development consists of a terrace of dwellings with amenity/yard areas to the rear which will provide one parking space. Each dwelling is two storey with a second floor of accommodation within the roof space. The dwellings would be constructed from brick with slate roof tiles, but the precise details of the materials will need to be secured by a planning condition.
47. Each dwelling has a ground floor bay window adjacent to the front entrance with brick cills and headers above and below each opening. Chimneys are arranged on each party wall and there is a small area of defensible space to the front of each property.
48. The development would generally accord with the guidance contained within the Council's adopted Supplementary Planning Document on Design for New Development in terms of design, scale, form and layout which is reflective of the existing dwellings in the local area.
49. Whilst the site would be redeveloped for residential purposes and would result in the loss of the open, garden area, the garden is a private area and the addition of further housing would not be out of keeping with the character of the area. The loss of the garden would change but not adversely harm the visual appearance of the street scene and the are other public open spaces in the locality of the site that can be enjoyed by residents.
50. The proposed development would accord with Policy DC1 of the Local Plan in this regard.

51. The following standards from the Building Regulations Approved Document M: Volume 1 (Access to and use of dwellings) have been applied which ensures not just full compliance, but exceedance of the housing mix requirements set by policy H4 of the Local Plan.

- a) 3 dwellings are compliant with M4(1) Category 1 Visitable dwellings.
- b) 4 dwellings are compliant with M4(2) Category 2 Accessible and adaptable dwellings.
- c) 1 dwelling is compliant with M(3) Category 3 Wheelchair user dwellings.

52. The hard and soft landscaping for the development will be submitted as a Reserved Matter application for future consideration.

g) Residential Amenity

53. The proposed terrace is slightly taller than the existing dwellings opposite in order to facilitate additional accommodation in the roof space and it is acknowledged that the separation distance between the habitable windows of existing and proposed dwellings would not comply with the guidance (21m proximity distance) set out in the Design SPD. It is acknowledged that the development will have an impact on the existing dwellings in terms of overlooking and privacy, especially those that are currently facing onto the garden of the application site. Therefore, a balanced judgement has to be made as to whether the impacts are significant enough to recommend a refusal of planning permission on such grounds.

54. It is not uncommon to find within the traditional, terraced areas of the Borough, proximity distances between dwellings that do not fully comply with current guidance. The proposed development follows the characteristics, proximity distances and built form of the existing streetscape and local area, and it would not be possible to redevelop the site to fully accord with the guidance. It is considered that, on balance, the spatial relationship between the existing and proposed dwellings still achieves an acceptable level of amenity for both existing and future occupants and the relationship ensures that the development is reflective of the local area in visual terms.

55. In terms of outlook from the dwellings on the opposite side of Vancouver Street, it is fully acknowledged that the views from these dwellings will change from a partially open site to a row of dwellings. Sectional plans submitted in support of the application show that the new dwellings would be a slightly taller than 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 maintain an acceptable standard of amenity when viewed from across the street.

56. The dwellings to the north and south would face onto blank gable walls and whilst the rear yards of the dwellings to the west would be overlooked by the development, these areas are already overlooked by their existing neighbouring dwellings. It is also

considered that the new terrace of dwellings would not be overbearing when viewed from the neighbouring dwellings and their amenity areas.

57. The Construction Management Plan submitted in support of the planning application details measures to minimise disturbance, including noise and dust, during the demolition and construction phase of the development. Measures include, but not limited to, the use of water sprays to dampen down dust and it has been confirmed that any 24 hour remote security monitoring equipment would be battery operated removing the need to use a generator on site. The Council's Environmental Health Officer considers that the mitigation measures within the Plan are acceptable, and the Plan would be secured by a planning condition, along with a further condition to control the hours of demolition, construction and deliveries.
58. It is considered that, on balance, the development would be acceptable in terms of its impact on the amenities of the existing dwellings (policy DC3 and DC4 of the Local Plan)

h) Land Contamination

59. A Phase 1 Desk Study Report has submitted in support of the planning application which considers the historical use of the site and surrounding area and potential contamination risks on the development based on the proposed highly sensitive end use i.e., residential use.
60. The Phase 1 Report includes a review of historical maps, details of a site walkover and derives a conceptual ground hazard model based on source-pathway-receptor linkages. Earliest maps showed the site to be undeveloped farmland and by 1915 the site forms the Methodist Church and is surrounded by residential properties for around 100m.
61. The Phase 1 Report identifies sources of potential contamination associated with the building on the site itself (boiler house/room) and from possible made ground as well as the proposed demolition. Intrusive investigation works are recommended including chemical analysis of samples and ground gas monitoring (only if made ground is present over 1m). The Council's Environmental Health Officer has raised no objections to the application but has recommended land contamination conditions are attached to any planning approval. The development would, subject to the planning conditions, be compliant with Policy DC1 of the Local Plan in this regard.

i) Ecology

62. The planning application has been supported by a Preliminary Ecological Assessment. The Assessment concludes that there are no important habitats present on site and the existing building has limited potential roost features. Surveys revealed no bat roosts and there was a low number of bats present around the site. No other protected or additional species were found due to the size and nature of the development and there is unlikely to be any significant impact on local wildlife. The Assessment includes a method statement for the demolition of the Church building and recommends that bat and bird boxes are included within the new builds and all demolition works should take

place outside of bird breeding season unless surveys for the presence of birds are carried out by qualified ecologists.

63. The Council's Ecology Officer has advised that the findings of the Assessment are acceptable, and the surveys have been carried out in accordance with appropriate guidelines. It is agreed that there is no requirement for any further surveys provided that the recommendations outlined in the Report are secured via appropriate planning conditions. However, whilst there is a negligible risk to bats, if work does not commence on site until after May 2024, a further update survey will be required to ensure that conditions on site have not changed and that bats have not moved into the building.

64. Under Policy ENV 7 and Policy ENV 8 of the Local Plan, biodiversity must be enhanced where possible. As such, the new buildings should contain bat features such as bat bricks, swift bricks; and where gardens are provided there should be provision for hedgehog highways to enable dispersal of hedgehogs. A condition has been imposed to secure the submission of a plan for the locations of these as requested by the Council's Ecology Officer.

j) Flood Risk and Drainage

65. The application site is within Flood Zone 1 with a low flood risk. Foul and surface water would be disposed of by the existing mains sewers. Northumbrian Water have requested the imposition of a planning condition to secure the submission of a scheme for the disposal of foul and surface water. The development would accord with Policy DC2 of the Local Plan in this regard.

THE PUBLIC SECTOR EQUALITY DUTY

66. 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. The development would be constructed to meet Part M of the Building Regulations.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

67. 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

68. This outline planning application includes information on the access, appearance, layout and scale of the proposed development with only details of hard and soft landscaping remaining for future submission.

69. The planning application site is in a highly sustainable location within the development limits of the urban area. The proposal involves the loss of a vacant building which would be classed as a non designated heritage asset for historical rather than architectural reasons and also a community facility. The proposal has been considered against the criteria set out in policies ENV1 and IN10 of the Local Plan and the National Planning Policy Framework 2023 and there are benefits derived from the scheme to support and justify the loss of the building. The proposal has been amended to provide some off street parking provision for the scheme and whilst on street parking is also being relied upon, the site is in located in close proximity to bus stops, the cycle network and local amenities. The proposal is considered to be acceptable in amenity terms with the built form replicating the existing street scape and proximity distances between dwellings in this location. The design of the terrace of dwellings is sympathetic with the character and appearance of the surrounding area. The development is acceptable in terms of land contamination, drainage and flood risk and ecology subject to the imposition of appropriate planning conditions.
70. The applicant has purchased the required number of nutrient credits to mitigate the impact of the development on the Teesmouth and Cleveland Coast SPA. Appropriate planning conditions have been imposed with the agreement of Natural England.

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. The approval of the Local Planning Authority shall be obtained with respect to the following reserved matters prior to the commencement of the development: -

a) Landscaping

Application for approval of reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
REASON - To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- a) Drawing Number L021098 012 REV E – Proposed Site Layout Plan
- b) Drawing Number L021098 014 REV B – Proposed Elevations and Cross Section
- c) Drawing Number L021098 017 REV B – Swept Path Analysis
- d) Drawing Number L021098 013 – Proposed Floor Plans
- e) Drawing Number L021098 010 – Site Location Plan and Block Plan

REASON: For the avoidance of doubt

3. The application(s) made pursuant to condition 1 shall not propose more than eight dwellings.

REASON: For the avoidance of doubt

4. The development shall be begun two years from the final approval of the reserved matters referred to in condition (1) or, in the case of approval on different dates the final approval of the last such matter to be approved.

REASON - To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.

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

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

6. Prior to the commencement of the development, a detailed scheme for the disposal of foul and surface water from the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

REASON: To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2023

7. Prior to the commencement of the development, including any demolition works and site clearance, a methodology for a Historic England-style Level 2 building record of the Church building shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To comply with Policy ENV1 of the Darlington Local Plan and the National Planning Policy Framework 2023 because the building is a non-designated heritage asset.

8. No building shall be constructed above damp proof level until precise details of the external materials to be used in the carrying out of this permission have been submitted to, and approved by, the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approved details.

REASON - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

9. No development shall be constructed above damp proof course until precise details of secure cycle parking have been submitted to, and approved in writing by the Local Planning Authority. The cycle parking shall meet current guidance contained (Cycle Infrastructure Design - Local Transport Note 1/20 July 2020) and shall be implemented in accordance with the agreed details prior to the occupation of the dwellings and shall be retained as such thereafter.

REASON – To encourage the use of sustainable modes of transport to and from the development.

10. Prior to the first occupation of any building hereby permitted, a Statement shall have been submitted to and approved by the local planning authority detailing the measures necessary for providing broadband connectivity including ducts to each premises within the development hereby approved, unless otherwise agreed in writing by the local planning authority. The approved infrastructure shall be laid out in accordance with the agreed details at the same time as other services during the construction process and be available for use on the first occupation of each building unless otherwise agreed in writing by the local planning authority.

REASON- To ensure that the development is provided with high quality broadband services enhancing its attractiveness, in accordance with Policy IN8 of the Local Plan

11. Prior to the development being occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation/Building Recording strategy shall be deposited at the County Durham Historic Environment Record.

REASON: To comply with Policy ENV1 of the Darlington Local Plan and the National Planning Policy Framework 2023 because the building is a non-designated heritage asset and therefore the developer is required to record and advance understanding of the significance of the heritage asset to be lost through demolition, and to make this information as widely accessible to the public as possible.

12. CL2 - Phase 2 Site Investigation Strategy
13. CL3 – Phase 2 Investigation Works
14. CL4 - Phase 3 Remediation and Verification Strategy
15. CL5 - Construction/Remediation works.
16. CL6 - Phase 4 Verification and Completion Report
17. The development hereby approved shall not be carried out other than in complete accordance with the submitted Construction Management Plan by Wardman Brown unless otherwise agreed in advance with the Local Planning Authority.

REASON – In the interests of residential amenity and highway safety

18. 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

19. Notwithstanding the Construction Management Plan and condition 17), prior to commencement of the development, the Developer shall enter into an agreement under Section 59 of The Highways Act 1980 with Darlington Borough Council, as the Highway Authority, to safeguard the Public Highway from damage caused by any construction activities or construction traffic serving the development hereby approved. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr Steve Pryke 01325 406663) to discuss this matter.

REASON: In the interest of highway safety

20. The electric vehicle charging points (minimum requirement of a single phase 13 amp socket) shown on the approved plans, shall be installed prior to the occupation of the dwellings and maintained as such thereafter.

REASON - To accord with Policy IN4 of the Local Plan.

21. The boundary fencing to the rear of the dwellings hereby approved shall be erected in complete accordance with the approved plans prior to first occupation of any dwelling and shall be maintained in accordance with the details as approved for the lifetime of the development. The fencing shall not be replaced or altered without the prior consent of the Local Planning Authority, to whom a planning application must be made.

REASON: In the interests of highway safety and visibility onto the rear lane

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no enlargement, improvement or other alteration of the dwellings, including any additional structures/building within the curtilage of the site, shall be carried out without the prior consent of the Local Planning Authority, to whom a planning application must be made.

REASON – In order to ensure the provision of adequate off-street parking accommodation for each dwelling.

23. The development hereby approved shall comprise a minimum of 45% of all new dwellings meeting building regulations category M4(2) adaptable and accessible dwelling standards and a minimum of 9% meeting M4 (3 a or b) wheelchair user dwellings standard as detailed in the submitted “Planning Statement incl Heritage Impact Assessment” produced by ELG Planning dated 2022.

REASON – To ensure the development complies with policy H4 of the Darlington Local Plan 2016 – 2036

24. The development hereby approved shall not be carried out otherwise than in complete accordance with the recommendations set out in the document entitled “Preliminary Ecological Appraisal “Low Impact” Ecological Impact Assessment” produced by All About Ecology and dated August 2022. However, should work on the site not commence by the end of May 2024, a further update survey for bats shall be carried out to investigate whether conditions onsite have changed. If new surveys are necessary, an updated survey report shall be submitted to the Local Planning Authority and the development shall not be carried out otherwise than in complete accordance with the updated survey.

REASON: In order to secure ecological enhancements for the development

25. No development shall be constructed above damp proof course, until precise details of ecological enhancements such as, but not limited to bat bricks, swift bricks have been submitted to and approved in writing by the Local Planning Authority. The details shall include the design, location and number of such features, together with a commitment to being installed under the instruction of an appropriately qualified ecological consultant. The development shall not be carried out otherwise than in complete accordance with the agreed details which shall be installed prior to the first occupation of the dwellings hereby approved.

REASON: In order to secure ecological enhancements for the development

INFORMATIVES

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.