

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 2nd July 2025

APPLICATION REF. NO:	24/01018/FUL
STATUTORY DECISION DATE:	9 th July 2025
WARD/PARISH:	Cockerton
LOCATION:	15 Prior Dene, Darlington DL3 9EW
DESCRIPTION:	Demolition of the existing detached garage and flat roof side extension to facilitate the erection of 1 no. self-build three bed dwelling with new boundary, associated parking provision and amenity space
APPLICANT:	Mr Nigel Massey

RECOMMENDATION: GRANT PLANNING PERMISSION SUBJECT TO PLANNING 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=SLJREWFPOM900>

APPLICATION AND SITE DESCRIPTION

1. No 15 Prior Dene is a semi-detached bungalow with a garden to the side, located at the northern end of Prior Dene. The property is next to a pedestrian access to Sugar Hill Park and allotments. There is a lane to the rear of the site which separates the properties on Prior Dene and West Auckland Road to the east.
2. Planning permission is being sought to erect a detached, three bed dwelling within the garden of No 15 Prior Dene. Two parking spaces would be created within the curtilage of the site, to the front of the proposed dwelling, accessed from Prior Dene.

3. Amended plans have been received to reposition the dwelling within the site so that there is no encroachment of the adjacent parkland owned by Darlington Borough Council and to amend the details of the external materials and boundary fencing.
4. A detached garage within the garden and a single storey extension to No 15 Prior Dene have both been demolished.

MAIN PLANNING ISSUES

5. The main planning issues to be considered here are whether the proposed development is considered to be acceptable in the following terms:
 - a) Planning Policy
 - b) Impact on the Character and Visual Appearance of the Local Area
 - c) Highway Safety and Parking Provision
 - d) Residential Amenity
 - e) Contaminated Land
 - f) Impact on Trees
 - g) Biodiversity Net Gain
 - h) Flood Risk and Drainage
 - i) Nutrient Neutrality

PLANNING POLICIES

6. The following policies within the Darlington Local Plan 2016 – 2036 are relevant:
 - a) SD1: Presumption in Favour of Sustainable Development
 - b) SH1: Settlement Hierarchy
 - c) DC1: Sustainable Design Principles and Climate Change
 - d) DC2: Flood Risk & Water Management
 - e) DC3: Health & Wellbeing
 - f) DC4: Safeguarding Amenity
 - g) H1: Housing Requirement H3: Development Limits
 - h) H4: Housing Mix
 - i) H8: Housing Intensification
 - j) ENV3: Local Landscape Character
 - k) ENV4: Green and Blue Infrastructure
 - l) ENV7: Biodiversity & Geodiversity & Development
 - m) ENV8: Assessing a Development's Impact on Biodiversity
 - n) IN1: Delivering a Sustainable Transport Network
 - o) IN2: Improving Access and Accessibility
 - p) IN4: Parking Provision including Electric Vehicle Charging
 - q) IN6: Utilities Infrastructure

RESULTS OF TECHNICAL CONSULTATION

7. The Council's Highways Engineer, Environmental Health Officer, Transport Planning Officer, Arboricultural Consultant and Ecology Officer have raised no objections.

8. Natural England have raised no objections.
9. Northern Gas Networks have raised no objections.

RESULTS OF PUBLICITY AND NOTIFICATION

10. Following the Council's notification and publicity exercises, eleven letters of objection from seven properties and two letters of support have been received. The objections can be summarised as follows:

- *There is no need for an additional dwelling in the street.*
- *Parking in the street is already a significant concern and will be worse.*
- *Prior Dene is very narrow and there are already issues for large delivery vehicles and emergency services accessing and turning in the street.*
- *Construction traffic will cause problems*
- *The design of the dwelling is not in keeping with its surroundings.*
- *Concerns over proposed parking provision, including visitor parking.*
- *Noise and disruption during the construction phase*
- *Damage to wildlife and the environment*
- *The dwelling will be visible from within Sugar Hill Park and will look out of place.*
- *This will set a precedent for other homeowners to add an extra home in their garden.*
- *The dwelling would be in front of a turning circle which is crucial for residents due to the narrowness of the street.*
- *The dwelling is not in keeping with the other properties in the cul de sac. There is already limited parking in the street.*
- *Trees have been removed sound this site and I fear more may be if it goes ahead.*
- *Another property in this already small street will overload the available parking particularly the turning area which is abused massively already by the developer, his agents and others making its use by residents for its intended purpose impossible for long periods.*
- *The proposed development will significantly impact the privacy of surrounding properties including my own. I have concerns that the proposed dwelling will overshadow my property leading to a noticeable reduction in natural light (No 77 West Auckland Road)*

11. The two letters of support can be summarised as follows:

- *Traffic for construction is only temporary.*
- *The off-street parking for the new build is good.*
- *Only concern is the potential of upstairs windows overlooking my property (on West Auckland Road). No further objections*

PLANNING ISSUES/ANALYSIS

a) Planning Policy

12. Planning law (S.38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (2024) supports the plan led system providing that planning decisions should be “genuinely plan-led” (NPPF para 15).
13. Policy H3 of the Local Plan 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 site is located within the development limits of the main urban area, and the proposal therefore accords with policy H3 and the distribution of development within SH1.
14. Policy H8 of the Local Plan states that a limited scale of backland garden development may be acceptable providing it does not have a significant adverse impact upon the following:
 - a) Rear garden land which contributes either individually or as part of a larger swathe of green space to amenity of residents or provides wildlife habitats.
 - b) The privacy of existing homes and gardens of neighbours or occupiers of the new development.
 - c) Vehicular access or car parking – both in terms of highway safety or visual, noise or light impact on neighbours.
 - d) Existing trees, shrubs and other wildlife habitats
15. Policy H4 of the Local Plan states that to increase housing options, the Council will encourage and support the delivery of custom and self-build housing. The applicant has confirmed that he has been involved in designing the property and would occupy the building once built. This would meet the definition of a self build development, and it is reflected in the description of the planning application. Furthermore, self build developments are exempt from having to achieve a 10% net gain in biodiversity. As a result, a planning condition (No 8) has been imposed to ensure that the development is a self build development.
16. This report will continue to consider the proposed development against Policy H8 of the Local Plan and all other material planning considerations.

b) Impact on the Character and Visual Appearance of the Local Area

17. The side garden of No 15 Prior Dene is an enclosed private, domestic garden which included a detached garage. The garden is separated from the adjacent open space by fencing, and it does not contribute either individually or as part of a larger swathe of green space to amenity of residents or provide wildlife habitats (policy H8).
18. Prior Dene is a small residential road leading to a pedestrian access into Sugar Hill Park. The existing dwellings are semi detached bungalows with small areas of amenity space to the front, some of which are enclosed whilst others are open to provide off street

parking. The external finishes for the bungalows are a mix of brickwork and pebble dash render. A white rendered finish has recently been applied to No 15 Prior Dene.

19. The proposed dwelling would comprise three bedrooms, a lounge and bathroom on the ground floor and a living/kitchen/dining space at the first-floor level leading out to an open, external balcony to the front. The front elevation of the new dwelling would be in line with the frontage of No 15 Prior Dene and its rear elevation would be slightly behind that of the adjacent property.
20. A patio area to the rear of the site would be over sailed by the first floor to create an amenity space similar in size to neighbouring properties. The external balcony would be behind a sloping roof matching that the existing dwellings which helps to set back the seating area and to provide some screening. The roof to the first floor consists of a short, pitched area with a low eaves level up to a flat roof. Rooflights are located within the sides and rear of the pitched area to provide nature daylight to the first floor living accommodation.
21. The lower level of the building would have a white rendered finish with colour coated steel cladding and vertical standing seams being applied to the upper sections of the external walls. The roof covering would be manmade slates.
22. The site would be enclosed by 1.8m high fencing to the rear and part of the shared boundary with No 15 Prior Dene, with the front of the site enclosed by 1m high fencing.
23. Policy DC1 of the Local Plan states that proposals should reflect the local environment and create an individual sense of place with distinctive character and that the detailed design responds positively to the local context, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detailing.
24. The policy also states that all development will be required to have regard to the design principles set out in the Darlington Design of New Development SPD. Under the provisions of the SPD, the application is within Character Zone 4 – Outer Suburbs where developments of between 1 and 2.5 storeys are considered to be acceptable. Detached buildings set within their own grounds are also considered to be an acceptable form of development within this Character Zone along with the inclusion of pitched, hipped and parapet roof designs. The Design SPD advises that render, cladding and slate roofs are acceptable forms of external finishes in this Zone.
25. The proposed dwelling is of a contemporary modern design, but it does include design features and materials which can be found in the local area, and which comply with the general design guidance contained within the Design SPD.
26. The roof and overall height of the proposed dwelling (approx. 6.8m) has been purposefully designed so that it is no higher than No 15 Prior Dene (approx. 7.4m) and the fact that it does not breach the clearly defined building line of the street, will further reduce its visual impact of the development and ensure that it sits comfortably within

the built form of the street. No 15 Prior Dene will provide a visual screen of the proposed dwelling as the site is approached from the south.

27. When viewed from the rear lane, the proposed 1.8m high fencing will provide some screening of the lower level of the property. The remainder of the dwelling would be visible, but it is slightly set behind the rear building line of No 15 Prior Dene, and its overall height is lower than its neighbouring property.
28. As the dwelling would be located at the end of the street, rather than being located more centrally within the street, its visual impact on the street would be minimised and it would not be an obvious or dominant addition to the street scene. Its location also provides an opportunity to design a dwelling that is more modern and contemporary than the existing dwellings. The dwelling will be viewable against the backdrop of and from inside Sugar Hill Park, especially when any trees are not in leaf, but it would not have an adverse impact on the outlook towards or from within the adjacent area of open space.
29. It is noted that the dwelling is of a modern design rather than seeking to replicate the existing properties. As stated, the dwelling include design features and material finishes that can be found within the street and it has been purposefully designed to minimise its visual appearance within the street in terms of its height and position within the site. The proposed development will have a distinctive character, but it will respond positively to the site context, provide natural surveillance over the adjacent open space and safeguard existing views due to its scale and location within the site.
30. The applicant has advised that the development will involve energy efficient measures. The build will mainly consist of a lightweight steel structure which will be highly insulated alongside underfloor heating. The flat section of the roof will be a living roof, and solar panels would be installed on the flat roof and the pitched roof to the front elevation. All lighting would be low voltage LED lighting. A planning condition (No 7) to secure these measures has been recommended.
31. The development does generally accord with the appropriate guidance contained within the Council's Design SPD which is a requirement of Policy DC1 of the Local Plan. The impact of the development on the street scene and local area is considered to be acceptable.

c) Highway Safety and Parking Provision

32. The site is to be accessed via the existing highway infrastructure of Prior Dene, which has both suitable vehicle and pedestrian access routes. The additional traffic generation associated with a single dwelling is not considered material to the safe or efficient operation of the existing highway network and is therefore acceptable in principle subject to suitable parking and vehicular access.
33. The existing footway will need to be lowered to provide a dropped crossing constructed to adoptable highway standards. The applicant will therefore need permission from the

Local Highway Authority, via an agreement under Section 184 of the Highways Act 1980 to obtain permission for works within the public highway. This would need to be done should planning permission be granted, with the maximum permitted access width being 5.5m for a domestic dwelling. A planning condition (No 9) has been recommended to secure the access arrangements.

34. The dwelling will require a minimum of two parking spaces to meet current Tees Valley Design Guide standards for a three bedroom residential dwelling. The submitted plans demonstrate that this is achievable with two spaces to the front of the dwelling, each space meeting the minimum space requirements.
35. All new residential properties which have a garage or dedicated marked out residential car parking space within its curtilage, should include an electrical socket suitable for charging electric vehicles (Policy IN4). The minimum requirement would be a single phase 13-amp socket, and this would be secured via a planning condition (No. 6).
36. To ensure intervisibility for safe access and egress, the front boundary fence/wall must not exceed 1.0m in height, this shall also apply to the side boundary 2.5m back from the highway to ensure that pedestrians using the footpath north of the site are visible to exiting drivers. The submitted plans show that the proposed means of enclosure would meet this requirement, and a planning condition has been recommended to ensure that any future walls, fences do not exceed the required height limit (No 12).
37. Provision is made for refuse storage within the site to ensure that bins are not stored within the public highway. The site will be accessible for kerbside collections service as the rest of the dwellings within Prior Dene.
38. The objections regarding parking and obstruction are noted, but these are existing issues which the applicant cannot reasonably be required to address or mitigate as part this planning application. As the proposal is for a single three bed dwelling, which fully meets current parking standards, there is no evidence to suggest that the proposal would have a detrimental impact on highway safety.
39. Traveling speeds within Prior Dene will be lower than most residential streets owing to it being approximately 100m long and the presence of on street parking. Anyone requiring access with large vehicle will be able to see from Prior Street if any parked cars are an obstruction before entering the street. An extended review of the most recent 20 years of recorded personal injury collision data shows that there are no recorded incidents, which reflects the low traveling speeds expected. As such there is no evidence of any fundamental road safety concerns.
40. There are no highway safety or parking objections to the proposed development.
41. Safe, secure and appropriate provision for cycle parking storage will be secured by a planning condition (No 5), having regard to standards set out in the Tees Valley Highway Design Guide or any successor (policy IN4).

Overall, the proposed development would accord with policies DC1, H8 IN2 and IN4 of the Local Plan in this regard.

d) Residential Amenity

42. The immediate neighbouring property is No 15 Prior Dene. There are properties on West Auckland Road to the east which are on the opposite side of the rear lane but there is no dwelling immediately opposite on Prior Dene (west)
43. As there are no dwellings directly opposite the site and the balcony would have screens on each end elevation, so that this feature will not raise any adverse amenity conditions for neighbouring dwellings. There would also be no direct overlooking from the ground floor bedroom window at the front of the new dwelling.
44. A 1.8m fence would become the shared boundary between the new dwelling and No 15 Prior Dene. Each property would have an entrance and a bathroom window in the elevations which would face each other, albeit within the fence line in between. This relationship is considered to be acceptable, and the new dwelling would not be overbearing when viewed from No 15 Prior Dene.
45. A window would be included within the north elevation overlooking the open space, which is clear glazed and would provide some natural surveillance over this area.
46. Sectional plans have been provided to show that there would be no direct views from the proposed roof lights from the living accommodation at first floor level. The purpose of the openings is to allow natural daylight to enter this level.
47. The only openings in the rear elevation are at ground floor level and these are two-bedroom windows and a door. These openings would be well screened from the rear lane and the properties on West Auckland Road by 1.8m high fencing. The separation distance between the new dwelling and the rear elevations of the properties directly to the rear on West Auckland Road is approximately 15m increasing to over 24m from properties such as No 77 West Auckland Road. The upper level of the dwelling does not contain any window openings, the boundary fencing will provide a screen to the ground floor windows and the overall height of the property has been kept as low as possible to ensure that the property will not be overbearing or result in any significant loss of privacy when viewed from the east.
48. Planning conditions (Nos 15 to 17) have been imposed in the interests of residential amenity. They secure obscure glazing in a bathroom window, secure control over the insertion of new openings and remove permitted development rights to extend the proposed dwelling.
49. Due to the small-scale nature of the planning application, consultees have not requested the imposition of a planning condition for a Construction Management Plan.

However, due to the nature of the comments that have been received, a condition (No 4) has been recommended.

50. The application site is adjacent to an electricity substation within the open space. Having looked at the plans and visiting the area, the Environmental Health Officer does not consider that noise from the substation requires further consideration in this instance. There are no bedroom windows (ground floor) on the façade opposite the substation and the windows that are present on this façade are on the first floor near the stairwell. In terms of the proposed external amenity/balcony space, the substation is enclosed with brick and noise from this structure was not apparent during the visit only distant road traffic noise. The future occupants of the development should not be adversely affected by these external noise sources.

51. The proposal would accord with policies DC3, DC4 and H8 of the Local Plan in this regard.

e) Contaminated Land

52. The application has been supported by a Land Contamination Screening Assessment form which details the site currently forms part of a domestic garden and was historically agricultural land with no known potentially contaminative uses. Photographs have also been provided. None of the buildings which have been demolished as part of the development are understood to contain asbestos and it is not intended to import any soil onto the site for use in garden/soft landscaped areas. Therefore, there are further comments to make with regard to land contamination based on the proposals and the scheme would accord with policy DC1 of the Local Plan in this regard.

f) Impact on Trees

53. There are no trees within the application site. Trees and vegetation which were located on Council owned land and alongside the northern boundary of the site have been previously removed by the applicant. The Council, as landowner, is aware of these works.

54. None of the trees are part of a preservation order and the site is not located within a conservation area and as such, the tree removals did not require approval from the local planning authority.

55. An Arboricultural Survey, Impact Assessment and Method Statement has been submitted in support of the planning application which recommends tree protection measures and that no service runs are located within the root protection areas of any retained trees. The findings and recommendations of the Assessment are sound, and a planning condition (no 14) has been imposed to ensure the development is carried out in accordance with it.

56. With regard to shading there may be an issue on a late afternoon / early evening for the front of the property in the Summer / Autumn months. The addition of the sky lights and the orientation of the dwelling should alleviate any lack of light due to the trees.

57. The proposed development would accord with policies H8 and ENV4 of the Local Plan in this regard.

g) Biodiversity Net Gain

58. A Bat Risk Assessment has been submitted in support of the planning application. The Assessment states that the site and buildings were negligible for bats. The Council's Ecology Officer is satisfied that the survey and report have been conducted using best practice guidelines and in line with legislation. As such, the recommendations set out in the report will be secured by a planning condition (No 11).

59. Enhancements in the form of integrated bird and bat boxes should be incorporated into the design of the property. A minimum of two integrated bat boxes located to the south / southwest of the property and two swift boxes located to the north / northeast are recommended. These should be installed at heights of no less than 3m and ideally to the eaves and/or gables to reduce the risk of predation from domestic pets. They should also be placed out of direct artificial lighting. These measures can be secured by a planning condition (No 11)

60. As the proposed development has been identified as a self build development, the proposal is exempt from the need to comply with the mandatory biodiversity net gain requirements.

61. The proposed development would accord with policies ENV7 and ENV8 of the Local Plan in this regard.

h) Flood Risk and Drainage

62. The application site is within Flood Zone 1 (Policy DC2 of the Local Plan) with a low flood risk and the updated Flood Maps from the Environment Agency do not show the site having any surface water problems. The planning application states that:

- The foul water and part surface water from the proposed dwelling will be linked to the existing on-site manhole via a 100mm diameter pipe.
- The forecourt of the proposed dwelling is to be gravelled to act as a soakaway to absorb some of surface water.
- The sedum roof overlay to the flat roof area will absorb and slow the run-off of rainwater.

i) Nutrient Neutrality

63. 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.

64. Regulation 63 of the Conservation of Habitats and Species Regulations (2017) requires Darlington Borough Council (as the Competent Authority) prior to giving permission for

any plan/project that is likely to have a significant effect on a European site (either alone or in combination with other plans/projects) to undertake an appropriate assessment of the implications of the plan/project for that site in view of that site's conservation objectives.

65. Regulation 75 of the Conservation of Habitats and Species Regulations (2017) also states that it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority.
66. The Local Planning Authority as the Competent Authority must consider and conclude whether the potential for likely significant effects to the Teesmouth and Cleveland Coast SPA/Ramsar designated features can be excluded for this planning application. If they cannot, the Local Planning Authority must make an Appropriate Assessment (AA) of the implications of the development for that site, in consideration of the affected sites conservation objectives.
67. The information required to enable the Local Planning Authority to undertake a Screening Assessment and where necessary Appropriate Assessment is provided by the applicant's submitted Nutrient Budget Calculator and Countersigned Provisional Nutrient Credit Certificate. This information is considered sufficient to enable the Local Planning Authority as the Competent Authority to fully consider the impacts of the development proposal on Teesmouth and Cleveland Coast SPA/Ramsar. The submitted 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.
68. The Natural England's Nutrient Budget Calculator tool for the River Tees catchment has been used to establish a nutrient budget for the proposal. Following consideration, the assumptions and inputs within this calculator are considered satisfactory and are an accurate reflection of the site and its location. This proposal for 1 dwelling would increase the total annual nitrogen load arising by 1.56kg per year.
69. As a nitrogen surplus would arise, the applicant has accepted that mitigation would be necessary in order to avoid likely significant effects. Informed by the Nutrient Budget Calculator Tool the applicant proposes to mitigate this nitrogen surplus by purchasing 1.56 credits from the Natural England Tees Catchment credit scheme which is equivalent to the surplus nitrogen of 1.56kg that needs to be mitigated.
66. The applicant has provided a countersigned provisional credit certificate obtained from Natural England 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 (No 3) has been recommended to ensure that the required and necessary mitigation is secured and in place. The Local Planning Authority as the Competent Authority considers this a form of mitigation in keeping with Natural England guidance.

67. In accordance with Regulation 63 of the Conservation of Habitats and Species Regulations (2017) Natural England have been consulted on the planning application and they have raised no objections.

THE PUBLIC SECTOR EQUALITY DUTY

68. 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. A planning condition (No 10) has been imposed to ensure that the dwelling meets building regulations category M4(2) adaptable and accessible dwelling standards in accordance with policy H4 of the Local Plan.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

69. 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

70. The application site is within development limits and therefore the principle of the proposal can be supported in general planning policy terms subject to compliance with all other appropriate national and local development plan policies.
71. The proposed dwelling has purposefully been designed in a modern and contemporary manner whilst incorporating some design features that can be found elsewhere in the area. It is considered that whilst the visual appearance of the dwelling contrasts with the traditionally designed bungalows in the street, its location at the head of the street along with its scale and position within the site help it to assimilate within the street without having a dominant and overbearing impact.
72. The development will include measures to make the dwelling energy efficient and resilient against climate change.
73. There are no highway safety objections and the appropriate off street parking provisions have been met. There are no residential amenity concerns as the dwelling has been designed to ensure that there are no significant privacy impacts.

74. Whilst there is no requirement for the scheme to achieve a 10% net gain in biodiversity as this is a self build development, but ecological enhancements would still be included within the built fabric of the dwelling.
75. The development will be nutrient neutral as the applicant has participated in obtaining nutrient credits from Natural England to mitigate the impact of the proposal on Teesmouth and Cleveland Coast Special Protection Area (SPA), Ramsar Site and associated Sites of Special Scientific Interest.
76. It is considered that, on balance, the proposed development would comply with the appropriate policies within the local development plan.

GRANT PERMISSION SUBJECT TO THE FOLLOWING PLANNING CONDITIONS

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plan, as detailed below:
 - a) Drawing Number 3172/04.2 Rev A Boundary Fencing Proposed
 - b) Drawing Number 3172/07 Rev B Elevations Proposed
 - c) Drawing Number 3172/08 Rev C Elevations Proposed
 - d) Drawing Number 3172/04 Rev A Ground Floor Plan Proposed
 - e) Drawing Number 3172/05 Rev A First Floor Plan Proposed
 - f) Drawing Number 3172/06 Rev A Roof Plan Proposed
 - g) Drawing Number 3172/09 Section Proposed
 - h) Drawing Number 3172/04.1 Block Plan Proposed

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

3. Prior to the first occupation of the dwelling 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

4. Prior to any demolition works and/or 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. Details of Hours of Construction
- d. Details of Hours of Deliveries
- e. Construction Traffic Routes, including parking areas for staff and visitors, if required
- f. Details of construction traffic access point into the site
- g. Details of site compound
- h. Details of wheel washing.
- i. Road Maintenance.
- j. 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

- 5. No building shall be constructed above damp proof course until precise details of a safe cycle storage area have been submitted to and approved in writing, by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – In the interests of encouraging the use of sustainable modes of transport in accordance with policy IN4 of the Darlington Local Plan 2016 - 2036

- 6. No building shall be constructed above damp proof course until precise details of a n Electric Charging Vehicle socket have been submitted to and approved in writing, by the Local Planning Authority. The minimum requirement would be a single phase 13 amp socket. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – In the interests of encouraging the use of sustainable modes of transport in accordance with policy IN4 of the Darlington Local Plan 2016 - 2036

- 7. No building shall be constructed above damp proof course until precise details of measures to reduce the need for energy consumption and make the development energy efficient have been submitted to and approved in writing, by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – In the interests of achieving a development with suitable sustainable design principles which are resilient to climate change.

8. The dwelling hereby approved shall be constructed as a self build and custom dwelling within the definitions of self build and custom house building in the 2015 Self Build and Custom Housebuilding Act (as amended by the 2016 Housing and Planning Act):
 - a) The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling.
 - b) The Council shall be notified, in writing, of the persons who intend to take up first occupation of the dwelling at least two months prior to the first occupation.

REASON – To ensure that the development complies with the self build and custom house building definition required to achieve an exemption from mandatory net gain in biodiversity requirements set out in local and national development plans.

9. Prior to the first occupation of the dwelling, a lawful means of vehicular access must be submitted to and approved in writing by the Local Planning Authority in conjunction with the Local Highway Authority under Section 184 of The Highways Act 1980. The development must be carried out in accordance with the approved details which shall be implemented in full prior to the first occupation of the dwelling.

REASON: To provide for adequate and satisfactory provision of access for vehicles in the interest of safety and the general amenity of the development.

10. The dwelling hereby approved shall be constructed to meet Building Regulation M4 (2) (Accessible and Adaptable Dwellings) as a minimum.

REASON – To ensure that new dwellings provide quality living environments for residents both now and in the future in accordance with policy H4 of the Darlington Local Plan 2016 - 2036

11. The development shall not be carried out otherwise than in accordance with the Conclusions and Recommendations set out in the submitted document entitled “Bat Risk Assessment – 15 Prior Dene, Darlington, County Durham DL3 9EW” dated September 2024 and produced by ECOSURV. The enhancement shall be a minimum of two integrated bat boxes located to the south / southwest of the property and two swift boxes located to the north / northeast. These should be installed at heights of no less than 3m and ideally to the eaves and/or gables to reduce the risk of predation from domestic pets. They should also be placed out of direct artificial lighting.

REASON: In order to secure ecological enhancements to the development site and local area in accordance with policies ENV7 and ENV8 of the Darlington Local Plan 2016 - 2036

12. The boundary fencing shown on the approved plans shall be erected prior to the first occupation of the dwelling hereby approved. The 1m high fencing shall not be replaced by fencing or any other means of enclosure higher than 1m without planning permission first being obtained by the Local Planning Authority.

REASON: In the interests of residential amenity

13. The in-curtilage parking spaces shown on the approved plans shall be fully implemented and available for use prior to the first occupation of the dwelling. Thereafter, the spaces must be maintained clear of any obstruction and retained for their intended purpose at all times during the lifetime of the development.

REASON: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

14. The development shall not be carried out otherwise than in complete accordance with the submitted document entitled "Arboricultural Survey, Arboricultural Impact Assessment; Arboricultural Method Statement" dated September 2024 and produced by Elliott Consultancy Limited

REASON – In the interests of the visual appearance of the development and local area

15. No additional flank windows or other glazed openings shall be formed at ground or first floor level of any of the walls of the dwelling hereby approved without the prior written consent of the Local Planning Authority.

REASON - To protect the amenities of the neighbouring residential property against increased overlooking with resultant loss of privacy.

16. The bathroom window formed in the south (right side) elevation of the building shall be obscure glazed and shall not be repaired or replaced other than with obscured glazing.

REASON - To prevent overlooking of the nearby property.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A - F of Part 1, Schedule 2 of the Order shall be carried out on the dwellinghouse hereby permitted.

REASON – In the interests of the visual appearance of the development and to safeguard the amenities of the neighbouring dwellings.

18. Notwithstanding the details shown on the approved plans, the building shall include a suitable level entrance to ensure the building can be entered and/or occupied by persons with mobility issues.

REASON – In order to comply with policy IN2 of the Darlington Local Plan 2016 – 2036

INFORMATIVES

Section 184 Crossover

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 via email) highwaysstreetlightingdefects@darlington.gov.uk to arrange for the works to be carried out or to obtain agreement under the Highways Act 1980 to execute the works.