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To: Mr Dominic Waugh
Fairhurst
1 Arngrove Court
Barrack Road
Newcastle Upon Tyne
NE4 6DB

Ref: 21/00691/DC

NOTICE OF GRANT OF PLANNING PERMISSION

Your application received 9 June 2021 on behalf of Mr Dave Winstanley Darlington Borough Council, Town Hall, Feethams, Darlington, DL1 5QT

For Demolition of Hogan's Public House, 97 Pensbury Street, 137-139 Victoria Road, 1 Waverley Terrace and 1-4 Park Lane together with highway and ancillary infrastructure works including creation of bus stops and lay-bys, new highway access and turning facility at rear of Pensbury Street, partial demolition of boundary wall to facilitate new vehicular access to existing car park, turning facility to Waverley Terrace and associated public realm landscaping works (amended landscape masterplan and cross section, additional appendices to design and access statement and further supporting information received 11 August 2021) at Land West Of Darlington Railway Station, DARLINGTON, ,

Is hereby **granted** planning permission under Regulation 3 of the Town & Country Planning General Regulations 1992, subject to the following conditions:-

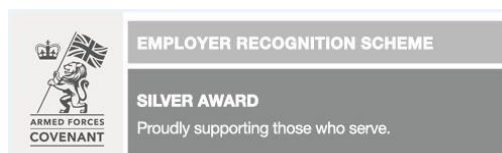
- 1 The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.

REASON - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plan(s) as detailed below:
 - a) Amended landscape masterplan, drawing number 137397/8002 Rev C
 - b) Amended landscape cross sections, drawing number 137397/8003 Rev A
 - c) Darlington West Proposed Engineering Layout, drawing number SGWSCP-FHT-ZO-SL-DR-C-00201 Rev. PO2

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

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- 3 Within 6 months of the demolition of Hogan's Public House and 137 - 139 Victoria Road, a scheme for the treatment of the exposed gables, which may include public art proposals, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the gables shall be treated in accordance with the approved details.

REASON - In the interest of visual amenity.

- 4 Prior to the removal of the scoria blocks, a method for their lifting and re-use shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details as approved.

REASON - In the interest of visual amenity.

- 5 Prior to the construction of the turning head to the rear of Pensbury Street, engineering details of the retaining structure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details as approved.

REASON - In the interest of visual amenity.

- 6 Prior to the commencement of the development, or at a time agreed in writing by the Local Planning Authority, a site-specific Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning Authority dispenses with any requirements 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 than in complete accordance with the approved plan.

REASON - In the interests of highway safety and residential amenity

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- 7 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 interest of residential amenity

- 8 The development hereby approved shall not be commenced on site until a scheme for the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The scheme shall include, but not be restricted to providing the following details:
- a) Detailed design of the surface water management system
 - b) A build program and timetable for the provision of the critical surface water drainage infrastructure
 - c) A management plan detailing how surface water runoff from the site will be managed during the construction phase
 - d) Details of adoption responsibilities

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

- 9 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and Drainage Strategy Rev1 dated 08th June 2021 and the following mitigation measures detailed within the FRA:

Discharge to existing Northumbrian Water surface water sewer restricted to 11 l/s
176.5m³ of storage provided

The mitigation measures shall be fully implemented prior to first occupation of the development hereby permitted and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed in writing by the Local Planning Authority.

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

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- 10 The development hereby approved shall not be brought into use until:
- a) Requisite elements of the approved surface water management scheme for the development, or any phase of the development, are in place and fully operational to serve said building
 - b) A management and maintenance plan of the approved surface water drainage scheme has been submitted and approved in writing by the Local Planning Authority. This should include the funding arrangements and cover the lifetime of the development.

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

- 11 No development shall take place until the applicant has secured the implementation of the programme of archaeological work in accordance with a written scheme of investigation, which has been approved in writing by the Local Planning Authority as follows:

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

REASON - To comply with paragraphs 197 and 199 of the NPPF because the building is a non-designated heritage asset.

- 12 The development shall not be occupied until the post investigation assessment has been completed in accordance with the written scheme of investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

REASON - To comply with paragraph 199 of the NPPF which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

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- 13 Prior to the commencement of the development, fully detailed highway design information should be submitted for approval. Precise details of all works within the public highways and works intended for adoption by the Highways Authority shall be submitted to and approved in writing by the Local Planning Authority. Details should include phasing of work, material specifications, surface finishes, tie-in details, construction standards/pavement makeup, level/gradient information for all pavements and roads and precise details of signing and lining works. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON - In the interest of highway safety

- 14 Prior to the commencement of development, or other such timescale as maybe agreed in writing by the Local Planning Authority, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include a management plan for the scheme and upon approval of such scheme, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be agreed with the Local Planning Authority. 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 5 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.

INFORMATIVES:

The developer is required to submit detailed drawings of the proposed highway works to be approved in writing by the Local Planning Authority and to enter into a Section 38/278 Agreement before commencement of works on the site. Contact must be made with the Assistant Director - Highways, Design and Projects (contact Mr S Pryke 01325 406663) to discuss the matter.


An appropriate street lighting scheme and design to cover the new highways and any proposed amendments to the existing lighting should be submitted and approved in writing by the Local Planning Authority. Contact must be made with the Assistant Direction - Highways, Design and Projects (contact Mr M Clarkson 01325 406652) to discuss the matter.

The applicant is advised to contact the Assistant Director - Highways, Design and Projects (contact Mr Chris Easby 01325 406707) to discuss the amended 30mph limit and introduction of Traffic Regulation Orders in connection with a 20mph zone.

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

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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 the development. Contact must be made with the Assistant Director - Highways, Design and Projects (contact Mr Steve Pryke 01325 406663) to discuss this matter.

Signed: Date: 22 October 2021
signed on behalf of
the Head of Planning, Development and Environmental Health

In arriving at this decision the Local Planning Authority has had full regard to the National Planning Policy Framework (paragraph 38).

Details of your rights of appeal against this decision and any relevant notes are attached.
PLEASE ENSURE THAT YOU HAVE ALL NECESSARY CONSENTS BEFORE COMMENCING THE DEVELOPMENT, INCLUDING ANY NECESSARY APPROVAL UNDER THE BUILDING REGULATIONS, 2010 (as amended)

THIS IS AN IMPORTANT DOCUMENT AND TOGETHER WITH ANY ACCOMPANYING PLANS, SHOULD BE PLACED WITH THE DEEDS.