

PLANNING APPLICATIONS COMMITTEE

4th June 2008

PRESENT - Councillor Baldwin (in the Chair); Councillors M. Cartwright, Freitag, Hartley, L. Haszeldine, Johnson, Lee, D.A. Lyonette, Regan, Robson, Stenson and Walker. (13)

APOLOGIES – (0)

ABSENT – Councillor S.J. Jones. (1)

PA4. DECLARATION OF INTERESTS – In relation to Application Ref. Nos. 08/00278/ADV and 08/00280/FUL Councillor Freitag declared a prejudicial interest as he was the estate agent who had sold the applicant the property and left the meeting during consideration of that application only.

PA5. TIME OF MEETINGS – RESOLVED - That, for the remainder of the Municipal Year 2008/09, meetings of this Committee, as detailed in the Calendar approved at Minute C214/Apr/08 be held at 1.30pm.

PA6. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of this Committee held on 30th April and 15th May, 2008.

RESOLVED - That the Minutes be approved as a correct record.

PA7. PROCEDURE – The Borough Solicitor’s representative gave a short presentation which outlined the procedure to be followed during consideration of the applications for planning permission before this Committee.

RESOLVED – That the procedure be noted.

NOTE - APPLICATIONS FOR PLANNING PERMISSION – The following standard conditions are referred to in those Minutes granting permission or consent :-

Code No.	Conditions
A1	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) siting; (b) design and external appearance; (c) means of access; and (d) landscaping. Reason - To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.
A2	The development shall be commenced prior to the later of the following dates :- (i) five years from the date of the permission; or (ii) two years from the final approval of the reserved matters referred to in Condition (i) or, in the case of approval on

	<p>different dates, the final approval of the last such matters to be approved.</p> <p>Reason - To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.</p>
A3	<p>Implementation Limit (Three Years)</p> <p>The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.</p> <p>Reason - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.</p>
B4	<p>Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.</p> <p>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.</p>
B5	<p>The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted therewith and approved by the Local Planning Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason - To ensure the development is carried out in accordance with the planning permission.</p>
C5	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no enlargement, improvement or other alteration of the premises, 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.</p> <p>Reason - In order not to prejudice the amenities of the adjoining properties and in order that the Local Planning Authority is able to exercise control over future development of the site.</p>
D4	<p>The use hereby permitted shall not commence until details of the arrangements for storing of refuse or waste have been submitted to, and approved by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any approval given and shall be completed prior to any part of the accommodation hereby permitted being occupied.</p> <p>Reason - To safeguard the amenities of the area.</p>
D18	<p>Prior to the use hereby permitted commencing, a scheme shall be submitted to, and approved in writing by the Local Planning Authority for the effective control of fumes and odours from the premises. The scheme shall be implemented prior to the use commencing or within such extended period as may be agreed in writing by the Local Planning Authority.</p> <p>Reason - In the interests of the residential amenities of the area.</p>

D19	<p>The use hereby permitted shall not commence until full particulars and details of a scheme for the ventilation of the premises of an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard or dilution expected, 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 approval given.</p> <p>Reason - In order that the Local Planning Authority may be satisfied as to the arrangements for preventing loss of amenity to neighbouring premises due to fumes and smells.</p>
E1	<p>Details of landscaping shall be submitted to, and approved by, the Local Planning Authority prior to site clearance/demolition work commencing on site. Such landscaping shall be provided either within the first planting season after the completion of the development or any individual phase thereof or prior to the buildings being occupied and thereafter permanently maintained.</p> <p>Any trees or shrubs removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally approved and planted.</p> <p>Reason - To ensure a satisfactory appearance of the site and to improve the visual amenities of the locality.</p>
E2	<p>A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of such schemes, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be agreed in writing by, the Local Planning Authority, and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.</p> <p>Reason - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.</p>
E9	<p>None of the following activities shall be carried out under the canopy spread of any trees or within a minimum of five metres of the trunks whichever is the greater, except with the consent in writing of the Local Planning Authority :-</p> <ul style="list-style-type: none"> (i) the raising or lowering of levels in relation to the existing ground level; (ii) cutting of roots, digging of trenches, removal of soil; (iii) the construction of buildings, roads or the carrying out of other engineering operations; (iv) the lighting of fires; (v) driving vehicles over the area below the spread of the branches of the tree; and (vi) the storing of materials or equipment. <p>Reason - In the interests of the visual amenities of the area and to safeguard the well being of the tree(s) on the site.</p>
J2	<p>The site shall be investigated for landfill gas to the satisfaction of the Local Planning Authority and details of the test, results and measures</p>

	<p>required to render the development safe shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development.</p> <p>Where measures are required, they shall be installed prior to the development being occupied or such other time as may be required by the Local Planning Authority.</p> <p>Reason - The site lies within 250 metres of a former landfill site and the Local Planning Authority wishes to ensure that the site can be developed and occupied with adequate regard for environmental and public safety.</p>
AD1	<p>Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>
AD2	<p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>
AD3	<p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>
AD4	<p>No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>
AD5	<p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>

PA8. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

06/00214/FUL - Darlington Football Stadium, Neasham Road, Darlington. Application to amend capacity restrictions in relation to football events (Draft Condition 3) and the removal of Condition 8 (Section 278 Requirement), by letter of application dated 8th May, 2008 including new planning obligation regarding Section 73 of the Town and Country Planning Act to permit ancillary uses at Football Stadium and revised capacity constraints and off site highway works at Darlington Football Stadium, Neasham Road, Darlington.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated)).

RESOLVED - That the application to amend capacity restrictions in relation to football events (condition (c)) and the removal of condition (h) (Section 278 Agreement)) of Planning Reference No. 06/00214/ful as set out in letter of application dated 8th May, 2008 including new planning obligation be granted.

08/00287/FUL - 10 Dale Road, Sadberge, Darlington. Reconstruction of existing bungalow to incorporate ground and first floor extension and conservatory to rear.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), seven letters of objection and the objections of Sadberge Parish Council which had been received).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Implementation in accordance with approved plan).

08/00275/FUL - 1 Blackwell Lane, Darlington. Conversion of existing offices to residential use, forming 4 No. apartments and 5 No. houses with off street car parking provision (as amended by plans received on 20th May, 2008).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), twelve letters of objection and a letter of support from Campaign to Protect Rural England which had been received and the views of Mr. Lavender, the applicant's agent, whom Members heard).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Details of Materials (Samples).
- (c) J2 – Contamination.
- (d) Notwithstanding the details shown on the approved plans, details of the proposed windows shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - In the interests of the visual appearance of the development and the Stanhope Road/Grange Road Conservation Area.
- (e) Notwithstanding the details shown on the approved plans, details of a secure cycle parking area shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - To ensure that adequate cycle parking is provided.
- (f) E1 - Submission and Implementation.
- (g) Prior to the commencement of the development of the development, details of the sightlines at the point of access to the public highway shall be submitted to, and approved by, the Local Planning Authority. The details shall include the widening of the footpath at the north west corner on the frontage of the site to 2 metres, dropped

crossing and tactile paving. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - To ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety on the adjacent highway.

- (h) Notwithstanding the requirements of condition (g) there shall not be erected or planted or placed on the land affected by sightlines, anything which will obstruct the visibility at any height greater than 0.6 metres above the surface of the 08/00275/FUL highway.

Reason - In the interests of highway safety.

- (i) Notwithstanding the details shown on the approved plans, details of the wall on the eastern boundary shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - In the interests of the visual amenity of the area.

- (j) B5 - Detailed Drawings (Implementation in accordance with approved plan).

08/00143/FUL - Former Thorntree House, Middleton Lane, Middleton St George. Erection of detached dwelling (as amended by plans received on 15th May, 2008, amended description).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), 20 letters of objection, the objections of a Ward Councillor and Middleton St. George Parish Council and one letter of support which had been received and the views of Ms. Brough, the applicant, whom Members heard).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (c) E2 - Landscaping (Submission).
- (d) Prior to the commencement of the development a detailed survey of trees to be affected by the development shall be carried out. The survey shall include the identification of measures to protect existing trees in order to protect them from damage by compaction, severance and material spillage, in accordance with BS5837: 2005, and shall be submitted to, and approved in writing by, the Local Planning Authority. No demolition or site clearance shall be commenced until the agreed measures are in place and have been inspected by the Council's Arboricultural Officer. The approved measures shall remain in place throughout the carrying out of this planning permission. Notwithstanding the approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees :-
- (i) The raising or lowering of levels in relation to the existing ground levels;
 - (ii) Cutting of roots, digging of trenches or removal of soil;
 - (iii) Erection of temporary buildings, roads or carrying out of any engineering operations;
 - (iv) Lighting of fires; and
 - (v) Driving of vehicles or storage of materials and equipment.
- Reason** - In the interests of the visual amenities of the area and to safeguard the well being of trees on, and adjacent to the site.
- (e) Prior to the commencement of the development hereby approved, the following details shall be submitted to, and approved in writing by, the Local Planning Authority.
- (i) Joinery details (including doors and windows);
 - (ii) Cills and Lintels;
 - (iii) Roof covering;

- (iv) Quoin stones;
- (v) Roof eaves and verge;
- (vi) Ridges and chimneys;
- (vii) Rainwater Goods;
- (viii) External render; and
- (ix) Boundary Treatment.

The development shall not be carried out otherwise than in full accordance with the approved details.

Reason - In the interests of the visual amenities of the locality and to preserve the character and appearance of the Middleton One Row Conservation Area.

- (f) Prior to the commencement of the development, or within such extended period as may be agreed, in writing, by the Local Planning Authority, details of the external colour finish of the windows and doors shall be submitted to, and approved in writing by, the Local Planning Authority. The windows and doors shall be finished in accordance with the details as approved and maintained as such thereafter.

Reason - In the interests of the visual amenities of the locality and to preserve the character and appearance of the Middleton One Row Conservation Area.

- (g) The windows and doors approved under condition (e) shall be permanently retained and not altered or removed unless previously agreed, in writing, by the Local Planning Authority.

Reason - To safeguard the character and appearance of the buildings and in the interests of visual amenity.

- (h) C5 - Restriction of Permitted Development Rights (Residential).

- (i) Prior to the commencement of the development hereby approved details of the surface materials for the driveway, which shall consist of a bound material, shall be 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 and shall be maintained as such thereafter.

Reason - In the interests of highway safety.

- (j) All doors and windows shall be recessed from the front face of brickwork to from face of joinery framing in accordance with details to be submitted to, and agreed in writing by, the Local Planning Authority.

Reason - In order to ensure a satisfactory appearance to the development in the interests of visual amenity.

08/00143/FUL - Former Thorntree House, Middleton Lane, Middleton St George. Erection of detached dwelling (as amended by plans received on 15th May, 2008, amended description).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), 20 letters of objection, the objections of a Ward Councillor and Middleton St. George Parish Council and one letter of support which had been received and the views of Ms. Brough, the applicant, whom Members heard).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (c) E2 - Landscaping (Submission).
- (d) Prior to the commencement of the development a detailed survey of trees to be affected by the development shall be carried out. The survey shall include the identification of measures to protect existing trees in order to protect them from damage by compaction,

severance and material spillage, in accordance with BS5837: 2005, and shall be submitted to, and approved in writing by, the Local Planning Authority. No demolition or site clearance shall be commenced until the agreed measures are in place and have been inspected by the Council's Arboricultural Officer. The approved measures shall remain in place throughout the carrying out of this planning permission. Notwithstanding the approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees :-

- (i) The raising or lowering of levels in relation to the existing ground levels;
- (ii) Cutting of roots, digging of trenches or removal of soil;
- (iii) Erection of temporary buildings, roads or carrying out of any engineering operations;
- (iv) Lighting of fires; and
- (v) Driving of vehicles or storage of materials and equipment.

Reason - In the interests of the visual amenities of the area and to safeguard the well being of trees on, and adjacent to the site.

- (e) Prior to the commencement of the development hereby approved, the following details shall be submitted to, and approved in writing by, the Local Planning Authority.

- (i) Joinery details (including doors and windows);
- (ii) Cills and Lintels;
- (iii) Roof covering;
- (iv) Quoin stones;
- (v) Roof eaves and verge;
- (vi) Ridges and chimneys;
- (vii) Rainwater Goods;
- (viii) External render; and
- (ix) Boundary Treatment.

The development shall not be carried out otherwise than in full accordance with the approved details.

Reason - In the interests of the visual amenities of the locality and to preserve the character and appearance of the Middleton One Row Conservation Area.

- (f) Prior to the commencement of the development, or within such extended period as may be agreed, in writing, by the Local Planning Authority, details of the external colour finish of the windows and doors shall be submitted to, and approved in writing by, the Local Planning Authority. The windows and doors shall be finished in accordance with the details as approved and maintained as such thereafter.

Reason - In the interests of the visual amenities of the locality and to preserve the character and appearance of the Middleton One Row Conservation Area.

- (g) The windows and doors approved under condition (e) shall be permanently retained and not altered or removed unless previously agreed, in writing, by the Local Planning Authority.

Reason - To safeguard the character and appearance of the buildings and in the interests of visual amenity.

- (h) C5 - Restriction of Permitted Development Rights (Residential).

- (i) Prior to the commencement of the development hereby approved details of the surface materials for the driveway, which shall consist of a bound material, shall be 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 and shall be maintained as such thereafter.

Reason - In the interests of highway safety.

- (j) All doors and windows shall be recessed from the front face of brickwork to from face of joinery framing in accordance with details to be submitted to, and agreed in writing

by, the Local Planning Authority.

Reason - In order to ensure a satisfactory appearance to the development in the interests of visual amenity.

08/00310/FUL - Unit 7, Banks House, Banks Road, Darlington. Erection of 2 No. chimneys (retrospective).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), one letter of objection and the comments of Environmental Health which had been received).

RESOLVED - That planning permission be granted subject to the following condition :-

A3 - Implementation Limit (Three Years).

08/00105/FUL - Middleton Riding Stables, Plantation Cottage, Sadberge Road, Middleton St George. Erection of lean-to walkway to front of indoor arena, lighting to outdoor arena, erection of stable/barn and horse exerciser (retrospective) (amended site location plan received on 13th May, 2008).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and one letter of comment which had been received).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) Notwithstanding anything shown in the application, precise details of the external materials to be used in the construction of the barn/stable building hereby approved, shall be submitted to, and approved by, the Local Planning Authority, prior to any work commencing on this building. The building shall not be erected otherwise than in accordance with the approved details.
Reason – In the interests Implementation in accordance with approved plan).
- (c) The floodlighting hereby permitted shall only be made operational between the hours of 08:00 and 21:00.
Reason - To minimise the effects on the adjoining bungalow to the south and the appearance of the locality.
- (d) The floodlights shall be directed and, if necessary, screened so that no light falls into the curtilage of the adjoining bungalow, known as "Joan's Palm".
Reason – To minimise any adverse effect upon the occupants of the neighbouring property

08/00281/FUL - 2 Neasham Road, Middleton St George, Darlington. Erection of detached house.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), one letter of support, the objections of Low Dinsdale Parish Council and the comments of the Highways Officer, Northumbrian Water, CE Electria and Northern Gas Network which had been received).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (d) C5 - Restriction of Permitted Development Rights (Residential).
- (e) Notwithstanding the submitted plans, development shall not commence until details of all boundary treatments have been submitted to, and approved by, the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason - In the interests of the amenity of the development and of the area.

08/00268/FUL - Cleveland Bridge Social And Athletic Club, Neasham Road, Darlington. Erection of conservatory and toilets extension to west and erection of snooker room and meeting room extension to south.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), one letter of objection and the comments of Environmental Health which had been received).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (d) J2 - Contamination.
- (e) No live entertainment or use of amplification equipment shall be permitted in the conservatory unless evidence is provided to the reasonable satisfaction of the Local Planning Authority, to demonstrate that the rooms to be used are adequately attenuated to prevent nuisance to local residents and the written confirmation of the Local Planning Authority has first been obtained.

Reason - To ensure that the proposed development does not prejudice the amenities of the locality due to noise disturbance.

- (f) There shall be no internal alterations at any time without the prior written consent of the Local Planning Authority to allow for any openings between the consent held and the proposed conservatory.

Reason - To ensure that the proposed development does not prejudice the amenities of the locality due to noise disturbance.

08/00280/FUL - 1 Eskdale Street, Darlington. Conversion of existing first floor offices to form four No. residential apartments (amended plans received on 28th April, 2008).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and four letters of objection which had been received).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years)
- (b) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (c) B4 - Details of Materials (Samples).
- (d) Notwithstanding the details shown on the approved plans, details of secure cycle storage and parking area on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The

cycle store and details shall be provided in accordance with the approved details prior to the first occupation of the flats and shall not be altered or removed without first obtaining the express written consent of the Local Planning Authority.

Reason - To ensure that cycle provision is provided on the site in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- (e) The windows formed in the rear elevation facing across the back lane onto the rear elevations in Napier Street (as indicated by the amended elevation drawing 10A received by the Local Planning Authority on 28th April, 2008) and the single window on the front elevation facing onto Eskdale Street as indicated in the submitted elevation drawing, 08, shall be obscure glazed, hinged to open inward, and shall not be replaced or repaired other than with obscure glazing.

Reason - In order to maintain the residential amenity of neighbouring dwellings by the prevention of overlooking in accordance with the requirements of saved Policy H11 (Design and Layout of New Housing Development) of the Borough of Darlington Local Plan.

08/00340/FUL - 28 Teesway, Neasham, Darlington. Construction of dropped curb to allow vehicular access from highway.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), one letter of objection and the comments of Neasham Parish Council which had been received).

RESOLVED - That planning permission be granted subject to the following condition :-

A3 - Implementation Limit (Three Years).

07/01161/OUT - Wilton House Nursing Home, Wilton Close, Darlington. Erection of 1 No. detached residential dwelling incorporating integral double garage and car parking (Outline) (Additional information and amended plans received on 1st February, 2008 and 17th April, 2008, amended description and amended design and access statement 17th April, 2008).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the objections of four neighbouring properties and the comments of the Highways Officer, the Building Control Officer, the Tree and Landscape Officer, Northumbrian Water and CE Electric UK which had been received).

RESOLVED – That planning permission be granted subject to the following conditions :-

- (a) A1 - Outline (Reserved Matters).
- (b) A2 - Outline (Implementation Time).
- (c) B4 - Details of Materials (Samples).
- (d) C5 - Restriction of Permitted Development Rights (Residential).
- (e) Notwithstanding the submitted plans, no development shall commence on site until details of an acceptable inclusive link to the existing footway network have been submitted to and approved by the Local Planning Authority. Thereafter, these works shall be carried out in accordance with the approved details

Reason - In the interests of highway safety and in accordance with Policy T13 (New Development – Standards) of the Borough of Darlington Local Plan.

- (f) Notwithstanding the submitted plans, no development shall commence on site until details of visibility splays of 2.4 metres x 25 metres to the north and to the south at the

proposed access point have been submitted to, and approved by, the Local Planning Authority. Thereafter, these works shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety and in accordance with Policy T13 (New Development – Standards) of the Borough of Darlington Local Plan.

- (g) Notwithstanding the submitted plans, no development shall commence on site until details of an indicate revised parking layout to Wilton House Nursing Home have been submitted to, and approved by, the Local Planning Authority. Thereafter, these works shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety and in accordance with Policy T13 (New Development – Standards) of the Borough of Darlington Local Plan.

- (h) Prior to the commencement of development, a survey shall be carried out to establish the presence of any protected species on the site. A copy of this survey (together with any action plan to deal with any protected species found) shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter, these works shall be carried out in accordance with the approved details.

Reason - To ensure that any protected species are not harmed by the development.

- (i) E9 - Tree Protection (During Development).

(2) Change of Use Granted

08/00353/CU - 31-33 Gladstone Street, Darlington. Change of use of ground floor to takeaway and part of first floor to food preparation.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and one letter of objection which had been received).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) D4 - Refuse Storage (Details to be Submitted).
- (c) D18 - Control of Fumes.
- (d) D19 - Ventilation Equipment (Details Required).
- (e) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (f) Prior to any ventilation/extraction equipment being first used, it shall be tested for noise in the presence of the Council's Environmental Health officers. Should the equipment generate a noise issue the appropriate mitigation measures shall be put in place to the satisfaction of the Local Authority, before the use of the premises is commenced.

Reason - To ensure the equipment operates without the unacceptable creation of noise.

(3) Darlington Borough Council Granted

08/00331/DC - Mowden Junior School, Conyers Avenue, Darlington. Erection of single storey extension.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated)).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B4A - Materials to Match.
- (c) B5 - Detailed Drawings (Implementation in accordance with approved plan).

08/00376/DC - High Row, Darlington. Change of use to allow for the placing of market stalls in all appropriate places of the pedestrianised town centre.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated).

RESOLVED - That planning permission be granted subject to Regulation 3 of the Town and Country Planning General Regulations 1992 and subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B5 - Detailed Drawings (Implementation in accordance with approved plan).

PA9. APPLICATION FOR PLANNING CONSENT - GRANTED

08/00278/ADV - 1 Eskdale Street, Darlington. Display of externally illuminated fascia and hoarding signs to front and side.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and two letters of objection which had been received).

RESOLVED - That planning advertisement consent be granted subject to the following conditions :-

- (a) AD1 to AD5 – Advertisements.
- (b) The advertisements shall only be illuminated whilst the premises to which they relate are open for business.

Reason - In order to protect the residential amenity of the area in accordance with the requirements of saved Policy E39 (Advertisements in Built-Up areas) of the Borough of Darlington Local Plan.

PA10. NOTIFICATION OF APPEALS – The Director of Development and Environment reported that :-

- (a) Mr. Hosan, Exotic Food Store has appealed against this Authority's decision to refuse planning permission for erection of ground floor extension to existing retail shop. Change of use of first floor to residential flat. Change of use of adjoining house ground floor to shop at 120 Gladstone Street and 3 Thornton Street, Darlington (Reference No. 07/00863/CU);
- (b) Mr. Crighton Mather has appealed against this Authority's decision to refuse planning permission for subdivision of existing dwelling to form 2 No. self contained flats at 85 Corporate Road, Darlington (Reference No. 07/00983/FUL);
- (c) Mrs. Hilda Jackson has appealed against this Authority's decision to refuse planning permission for erection of residential dwelling with association access at 16 Church Lane, Middleton St. George, Darlington (Reference No. 07/00153/FUL);

- (d) Mr. Paul Abbott has appealed against this Authority's decision to refuse planning permission for change of use from car showroom to mixed A1, A3 and A5 use, replacement canopy, washbay and footpaths at Philip Wilks Limited, Haughton Road Service Station, Haughton road, Darlington (Reference No. 07/011190/CU); and
- (e) Mr. Frank Maguire has appealed against this Authority's decision to refuse planning permission for erection of 6 No. Town Houses in outline at 26 Abbey Road, Darlington (Reference No. 07/01012/OUT).

RESOLVED - That the reports be received.

PA11. NOTIFICATION OF DECISIONS ON APPEALS - Director of Development and Environment reported that the Inspectors appointed by the Secretary of State for the Environment have allowed the appeal by Mr. Paul Ambler against this authority's decision to refuse planning permission for installation of 4 No. Air conditioning units (retrospective) (Ref. No. 07/00548/FUL).

RESOLVED - That the report be received.

PA12. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 7 of Part I of Schedule 12A to the Act.

PA13. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA117/Apr/08, the Director of Development and Environment submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 27th May, 2008.

RESOLVED - That the report be received.