

PLANNING APPLICATIONS COMMITTEE

30th July, 2008

PRESENT - Councillor Regan (in the Chair); Councillors M. Cartwright, Hartley, L. Haszeldine, Johnson, Lee, D.A. Lyonette, Stenson and Walker. (9)

APOLOGIES – Councillors Baldwin, Freitag and Robson. (3)

ABSENT – Councillor S.J. Jones. (1)

OFFICERS – Roy Merrett, Development Manager, Dave Coates, Principal Planning Officer, Neil Cookson, Solicitor, Harry Alderton, Highways Engineer and Karen Graves, Democratic Support Officer.

PA21. DECLARATION OF INTERESTS – In relation to Application Ref. No. 08/00541/FUL Councillor Lyonette declared a personal and prejudicial interest as he knew an employee of the applicant and left the meeting during consideration of that application only.

PA22. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 2nd July, 2008.

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

PA23. 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
A3	Implementation Limit (Three Years) 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.
B5	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. Reason - To ensure the development is carried out in accordance with the planning permission.

PA24. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Refused

08/00354/FUL - Mown Meadows, 64 Middleton Lane, Middleton St. George, Darlington.
Erection of 2 No. detached dwellinghouses.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), thirty-one letters of objection to the original scheme, nine letters of objection to the amended scheme, the objections of Middleton St. George Parish Council, the objections of both Ward Councillors and one letter of support which had been received and the views of Mr. S. Hesmondhalgh, the applicant's agent, and Mr. Sheen and Mr. Robb, objectors, whom Members heard).

RESOLVED - That planning permission be refused for the following reasons:-

The previous applications in 2006 and 2007 established the natural development boundary of 64 Middleton lane. The proposal would result in the sub-division of the site that will preclude any possibility of affordable housing being delivered on the established cartilage of 64 Middleton Lane. Sub-dividing the cartilage into two sites enables the development to avoid the threshold for providing affordable housing that had been previously established by the granting of Planning Permission Ref. No. 07/00235/FUL in an area defined as being in acute affordable housing need and does not present the most efficient use of thus planning unit.

08/00445/FUL - Day Nursery, West View, 4 Middleton Lane, Middleton St. George, Darlington. Variation of condition (d) of planning permission reference number 07/00537/CU dated 30th August, 2007. (The number of children within the site at any one time shall not exceed the upper limit of 38 without the prior written permission of the Local Planning Authority) to permit an upper limit of 60 children.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), four letters of objection, the objections of the Council's Highways Officer and Middleton St. George Parish Council which had been received and the views of Ms. Hull and Mr. Hume, objectors, whom Members heard).

RESOLVED - That planning permission be refused for the following reasons :-

- (a) The additional traffic that would be generated by the proposed addition to the number of children and staff would be likely to increase the conflict of traffic movements close to an existing junction resulting in additional hazard and inconvenience to all users of the road. The proposed development would be likely to encourage the increase of parking of vehicles on the public highway, which would interrupt the free flow of traffic and prejudice the safety of all road users.
- (b) The proposed increase in the number of children on the premises would be likely to result in an increase in noise and disturbance in the vicinity of the development, with a consequent adverse impact on the amenities of existing residences and gardens.
- (c) For the above reasons, the proposal would be contrary to Policy T12 (New Development – Road Capacity), Policy T24 (Parking and Servicing Requirements for

New Development) and Policy H15 (The Amenity Of Residential Areas) of the Borough of Darlington Local Plan 1997.

(2) Change of Use Granted

08/00294/FUL - 8 Northgate, Darlington. Change of use from A1 Mixed A1/A3 Use and Installation of Shop Front (Retrospective).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the Council's Town Centre Manager which had been received and the views of Ms. C. Roberts, the applicant's agent, whom Members heard).

RESOLVED – That the application be referred to the Department of Communities and Local Government (GONE) for determination who be advised that this Council is minded to grant the proposed change of use and that consideration be given to the following conditions on the grant of any planning permission :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (c) This permission shall be personal to Costa Coffee only and shall not ensure for the benefit of the premises for continued mixed A1/A3 usage. In the event of their vacating the premises the use shall revert to the use for A1 (Retail) purposes.

Reason – In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over subsequent use in the event of Costa Coffee vacating the premises.

(3) Planning Permission Deferred

08/00541/FUL - Highland Laddie Hotel, 88 Haughton Green, Darlington.

Erection of outdoor smoking shelter comprising timber decking and fencing area with jumbrella (retrospective).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), two letters of objection which had been received and the views of Mr. Donegan, an objector, whom Members heard).

RESOLVED - That the above application be deferred to enable a site visit to take place.

PA25. NOTIFICATION OF APPEALS – The Assistant Chief Executive, Regeneration reported that :-

- (a) Mr. B. Thompson had appealed against this Authority's decision to refuse planning permission for conversion of existing garage building to form holiday accommodation incorporating internal and external alterations to Low Middleton House, Middleton St. George, Darlington DL2 1AX (Reference No. 08/00240/CU);
- (b) Mr. and Mrs. Stachen had appealed against this Authority's decision to refuse planning permission for erection of two detached dwelling houses with associated garaging, parking and access at 63 Middleton Lane, Middleton St. George, Darlington DL2 1AD (Reference No. 08/00216/FUL); and

- (c) Mr. K. Burnside had appealed against this Authority's decision to refuse planning permission for erection of detached bungalow at 60 Cobden Street, Darlington DL1 4JD (Reference No. 08/00251/FUL).

RESOLVED - That the reports be received.

PA26. NOTIFICATION OF DECISIONS ON APPEALS - The Assistant Chief Executive, Regeneration reported that the Inspectors appointed by the Secretary of State for the Environment have :-

- (a) Allowed the appeal by Mr. D. White against this Authority's decision to refuse planning permission for Change of Use for first floor snooker club to form 4 No. apartments and associated alternations at 1 Corporate Road, Darlington DL3 6AE (Ref. No. 07/00510/CU).
- (b) Dismissed the appeal by Mrs. Hilda Jackson against this Authority's decision to refuse planning permission for the erection of residential dwelling with associated access at 16 Church Lane, Middleton St. George DL2 1DF (Ref. No. 07/00153/FUL)
- (c) Allowed the appeal by Mr. Crighton Mather against this Authority's decision to refuse planning permission for the sub-division of existing dwelling to form 2 No. self contained flats at 85 Corporation Road, Darlington DL3 6AD (Ref. No. 07/00983/FUL).
- (d) Allowed the appeal by Mr. Hosan against this Authority's decision to refuse planning permission for the 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 DL3 6JZ (Ref. No. 07/00863/CU).
- (e) Allowed the appeal by Ward Hadland Associates against this Authority's decision to refuse planning permission for a Leisure Park for the stationing of static caravans and associated facilities at Skipbridge Brickworks Site, Neasham Road, Hurworth Moor, Darlington (Ref. No. 07/01034/FUL).

RESOLVED - That the report be received.