

PLANNING APPLICATIONS COMMITTEE

10th February, 2010

PRESENT – Councillors Baldwin, Dunstone, L Haszeldine, Johnson, Lee, DA Lyonette, Robson, Stenson and Walker. (9)

APOLOGIES – Councillors M Cartwright, Freitag, Hartley and Regan. (4)

OFFICERS – Neil Cookson, Solicitor, within the Corporate Services Department, Roy Merrett, Development Manager, Dave Coates, Principal Planning Officer and Adrian Hobbs, Planning Officer within the Chief Executive’s Department; and Harry Alderton, Highways Engineer, within the Community Services Department.

PA77. DECLARATION OF INTERESTS – In relation to Application Ref Nos. 09/00851/FUL, 09/00823/DC and 09/00824/DCLB Councillor Lee declared a personal and prejudicial interest due to him being a Parish Councillor for Heighington and left the meeting during consideration of those applications only.

In relation to Application Ref No. 09/00922/DC Councillor Walker declared a personal and prejudicial interest due to him being a School Governor and left the meeting during consideration of that application only.

PA78. MINUTES – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 13th January, 2010.

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

PA79. 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.
A5	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 18(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
B4	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

	<p>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>
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>
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>
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>

E3	<p>The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which 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 - In the interests of the visual amenities of the area.</p>
E5	<p>Prior to the development hereby permitted being first occupied, or within such extended time as may be agreed in writing with the Local Planning Authority, the site shall be enclosed, on all boundaries, except at the permitted point of access, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>Reason - To safeguard the visual amenities of the locality and privacy of adjoining properties.</p>
E11	<p>Prior to the commencement of the development hereby approved (including demolition work), details shall be submitted of a scheme to protect the existing trees shown on the submitted plans to be retained. The submitted details shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m high, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place before the commencement of any work, including demolition operations. The Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of any work to allow an inspection of the measurements to ensure compliance with the approved scheme of protection. Notwithstanding the above approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees:</p> <p>(a) The raising or lowering of levels in relation to the existing ground levels;</p> <p>(b) Cutting of roots, digging of trenches or removal of soil;</p> <p>(c) Erection of temporary buildings, roads or carrying out of any engineering operations;</p> <p>(d) Lighting of fires;</p> <p>(e) Driving of vehicles or storage of materials and equipment.</p> <p>Reason - To ensure that a maximum level of protection in order to safeguard the well being of the trees on the site and in the interests of the visual amenities of the area.</p>
J1	<p>The access doorway to the _____ shall have a minimum clear width of 900 millimetres, a level surface of ramp between the pavement and the floor and a door handle of not more than one metre above ground level.</p> <p>Reason - To provide satisfactory access for people with disabilities</p>

	and to accord with the provisions of the Chronically Sick and Disabled Persons Act 1970.
J2	The site shall be investigated for landfill gas to the satisfaction of the Local Planning Authority and details of the test, results and measures required to render the development safe shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development. 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. 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.

PA80. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

09/00827/FUL - Site of Former Beaumont Hill Senior School, Glebe Road, Darlington.
Erection of 32 No. Dwellings in two and two and half storey form together with associated access, parking and garages.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and 3 written comments that had been received; the comments of the Council's Environmental Health Officer, the Council's Highway Engineer, the Council's Arboricultural Officer, the Council's Planning Policy Officer and Durham Constabulary and the views of Mr. Hawthorn, applicant, and Mrs Robinson, objector whom Members heard).

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

- (a) A3 - Implementation Limit (3 years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Accordance with Plan).
- (d) J2 - Contaminated Land.
- (e) Prior to the commencement of the development hereby approved, details of a Dust Action Plan, the phasing of development, hours of construction and construction vehicle movements shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with those details.
Reason – In the interests of the amenities of local residents.
- (f) Prior to any part of the development being first occupied, all works identified in the approved scheme for protecting the development from both road traffic and railway noise shall be completed to the satisfaction of the local planning authority.
Reason - To protect the occupiers of the development from transport noise.

- (g) Notwithstanding the details shown on the approved drawings, prior to the commencement of the development, details shall be submitted, and approved in writing, to provide for the following:
- (i) The reinstatement of the existing footways on the site frontage to include dropped kerbs/tactile paving at the access and reinstatement of redundant accesses; and
 - (ii) Traffic calming within the development (20 MPH speed limit).
 - (iii) Visitor and residential parking locations to enable adoption of the former to take place.

The details as provided shall be implemented in the agreed form prior to any part of the development hereby permitted first being brought into use.

Reason – In the interests of highway safety.

- (h) The development shall be carried out in accordance with the submitted scheme for the provision of affordable housing contained within the “affordable rent” plans submitted as part of the development or any other scheme which provides no less affordable housing than the Approved Scheme. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it, and which the Council has approved in writing before the commencement of the development authorised by this planning permission. The approved scheme includes:

- (i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which consists of not less than 30% of housing units/bed spaces;
- (ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;
- (iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- (v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason – To ensure the proposed affordable housing is provided in accordance with the Council’s Affordable Housing Supplementary Planning Document.

- (i) Prior to the commencement of the development hereby approved details shall be submitted of a scheme to protect the existing trees to be retained on the site, as shown on plan no. 2960/90/01/A dated January 2010. The submitted details shall comprise generally the specification laid down within BS5837: 2005 and shall include fencing of at least 2.3m high and consist of a scaffolding frame, braced to resist impacts, supported by a weld mesh wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place not less than seven days before the commencement of any construction work and the Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of construction work to allow an inspection of the measurements to ensure their compliance with the approved scheme of protection. Notwithstanding the above 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;
 - (v) Driving of vehicles or storage of materials and equipment.
- Reason** - To ensure that a maximum level of protection in order to safeguard the well being of the trees on the site and in the interests of the visual amenities of the area.
- (j) E3 - Landscaping implementation.
 - (k) E5 - Boundary fencing.
 - (l) Unless otherwise agreed in writing, the sycamore tree located near the rear boundary of plot on plot 12 shall be retained in perpetuity or unless otherwise agreed in writing by the Local Planning Authority. In the event that the Local Planning Authority agree to its removal, a replacement tree of size, species and position to be agreed in writing by the Local Planning Authority shall be planted and maintained for a period of five years to the satisfaction of the Local Planning Authority.
- Reason** – In the interests of the character of the locality.
- (m) The Residential Travel Plan details as contained within the submitted application documents shall be implemented upon the substantial completion of each dwelling hereby permitted.
- Reason** – For the avoidance of doubt and to ensure the development is carried out in accordance with National guidance to encourage more sustainable forms to travel.

09/00828/FUL - Site of Former Beaumont Hill First School, Glebe Road, Darlington.
Erection of 34 No. Dwellings in two and two and half storey form together with associated access, parking and garages.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) one written comment and the comments of the Council's Environmental Health Officer, the Council's Highway Engineer, the Council's Arboricultural Officer, the Council's Planning Policy Officer and Durham Constabulary that had been received).

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

- (a) A3 - Implementation Limit (3 years).
 - (b) B4 - Details of Materials (Samples).
 - (c) B5 - Detailed Drawings (Accordance with Plan).
 - (d) J2 - Contaminated Land.
 - (e) Prior to the commencement of the development hereby approved, details of a Dust Action Plan, the phasing of development, hours of construction and construction vehicle movements shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with those details.
- Reason** – In the interests of the amenities of local residents.
- (f) Prior to any part of the development being first occupied, all works identified in the approved scheme for protecting the development from both road traffic and railway noise shall be completed to the satisfaction of the local planning authority.
- Reason** - To protect the occupiers of the development from transport noise.
- (g) Notwithstanding the details shown on the approved drawings, prior to the commencement of the development, details shall be submitted, and approved in writing, to provide for the following:

- (i) The reinstatement of the existing footways on the site frontage to include dropped kerbs / tactile paving at the access and reinstatement of redundant accesses; and
- (ii) Traffic calming within the development (20 MPH speed limit).
- (iii) Visitor and residential parking locations to enable adoption of the former to take place.

The details as provided shall be implemented in the agreed form prior to any part of the development hereby permitted first being brought into use.

Reason – In the interests of highway safety.

- (h) The development shall be carried out in accordance with the submitted scheme for the provision of affordable housing contained within the “affordable rent” plans submitted as part of the development or any other scheme which provides no less affordable housing than the Approved Scheme. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it, and which the Council has approved in writing before the commencement of the development authorised by this planning permission. The approved scheme includes :
 - (i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which consists of not less than 30% of housing units/bed spaces;
 - (ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;
 - (iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - (v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason – To ensure the proposed affordable housing is provided in accordance with the Council’s Affordable Housing Supplementary Planning Document.

- (i) Prior to the commencement of the development hereby approved details shall be submitted of a scheme to protect the existing trees and hedges to be retained on the site, as shown on plan no. 2960/90/01/A dated January 2010. The submitted details shall comprise generally the specification laid down within BS5837: 2005 and shall include fencing of at least 2.3m high and consist of a scaffolding frame, braced to resist impacts, supported by a weld mesh wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place not less than seven days before the commencement of any construction work and the Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of construction work to allow an inspection of the measurements to ensure their compliance with the approved scheme of protection. Notwithstanding the above 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;
 - (v) Driving of vehicles or storage of materials and equipment.

Reason - To ensure that a maximum level of protection in order to safeguard the well being of the trees on the site and in the interests of the visual amenities of the area.

- (j) E3 - Landscaping implementation.
- (k) E5 - Boundary fencing.
- (l) The Residential Travel Plan details as contained within the submitted application documents shall be implemented upon the substantial completion of each dwelling hereby permitted.

Reason – For the avoidance of doubt and to ensure the development is carried out in accordance with National guidance to encourage more sustainable forms to travel.

09/00829/FUL - Site of Former Beaumont Hill Middle School, Glebe Road, Darlington.
Erection of 40 No. Dwellings in two and two and half storey form together with associated access, parking and garages.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) one written comment and the comments of the Council's Environmental Health Officer, the Council's Highway Engineer, the Council's Arboricultural Officer, the Council's Planning Policy Officer, Network Rail and Durham Constabulary that had been received).

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

- (a) A3 - Implementation Limit (3 years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Accordance with Plan).
- (d) J2 - Contaminated Land.
- (e) Prior to the commencement of the development hereby approved, details of a Dust Action Plan, the phasing of development, hours of construction and construction vehicle movements shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with those details.

Reason – In the interests of the amenities of local residents.

- (f) Prior to any part of the development being first occupied, all works identified in the approved scheme for protecting the development from both road traffic and railway noise shall be completed to the satisfaction of the local planning authority.

Reason - To protect the occupiers of the development from transport noise.

- (g) Notwithstanding the details shown on the approved drawings, prior to the commencement of the development, details shall be submitted, and approved in writing, to provide for the following:
 - (i) The reinstatement of the existing footways on the site frontage to include dropped kerbs/tactile paving at the access and reinstatement of redundant accesses; and
 - (ii) Traffic calming within the development (20 MPH speed limit).
 - (iii) Visitor and residential parking locations to enable adoption of the former to take place.

The details as provided shall be implemented in the agreed form prior to any part of the development hereby permitted first being brought into use.

Reason – In the interests of highway safety.

- (h) The development shall be carried out in accordance with the submitted scheme for the provision of affordable housing contained within the “affordable rent” plans submitted

as part of the development or any other scheme which provides no less affordable housing than the Approved Scheme. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it, and which the Council has approved in writing before the commencement of the development authorised by this planning permission. The approved scheme includes :

- (i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which consists of not less than 30% of housing units/bed spaces;
- (ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;
- (iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- (v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason – To ensure the proposed affordable housing is provided in accordance with the Council’s Affordable Housing Supplementary Planning Document.

- (i) Prior to the commencement of the development hereby approved details shall be submitted of a scheme to protect the existing trees and hedges to be retained on the site, as shown on plan no. 2960/90/01/A dated January 2010. The submitted details shall comprise generally the specification laid down within BS5837: 2005 and shall include fencing of at least 2.3m high and consist of a scaffolding frame, braced to resist impacts, supported by a weld mesh wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place not less than seven days before the commencement of any construction work and the Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of construction work to allow an inspection of the measurements to ensure their compliance with the approved scheme of protection. Notwithstanding the above 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;
- (v) Driving of vehicles or storage of materials and equipment.

Reason - To ensure that a maximum level of protection in order to safeguard the well being of the trees on the site and in the interests of the visual amenities of the area.

- (j) E3 - Landscaping implementation.
- (k) E5 - Boundary fencing.
- (l) The Residential Travel Plan details as contained within the submitted application documents shall be implemented upon the substantial completion of each dwelling hereby permitted.

Reason – For the avoidance of doubt and to ensure the development is carried out in accordance with National guidance to encourage more sustainable forms of travel.

09/00851/FUL - Field at OSGR E424824 N522619 Hall Lane, Heighington. Erection of a Sports Changing Facility and Multi Use Games Area (MUGA) (Revised Application).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and six letters of objection that had been received; comments from the Council's Highways Engineer, the Council's Conservation Officer and Sports England and views from Parish Councillor McGuckin whom, Members heard).

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

- (a) A3 - Implementation Period (Three Years).
- (b) E2 - Landscaping Submission.
- (c) E5 - Boundary Treatment Submission.
- (d) Notwithstanding the details shown on the approved plans, details of footpath links to the approved developments within the site 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 and implemented within a timescale agreed with the Local Planning Authority.
Reason - In the interests of highway and pedestrian safety.
- (e) 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 details of the windows, doors and rainwater goods) 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.
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 Heighington Conservation Area and the Area of High Landscape Value.
- (f) Prior to the commencement of development, or such other period as may be agreed with the Local Planning Authority, the details of the means of enclosure for the Multi Use Games Area shall be submitted to, and approved by, the Local Planning Authority. The details shall include the proposed materials and colour scheme for the means of enclosure. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - In the interests of visual and residential amenity.
- (g) Notwithstanding the details included in the planning application, details shall be submitted of the scheme of lighting for the Multi Use Games Area including details of the lighting columns, any measures designed to minimise light spillage from the edge of the boundary of the Area and the development shall be completed in accordance with the approved scheme and maintained in the approved manner.
Reason - To protect the amenities of the adjoining residential properties.
- (h) A Management Plan for the Multi Use Games Area shall be submitted to and approved by the Local Planning Authority. The content of the Plan shall include details of site supervision arrangements; the methods and mechanisms to be used to vacate the pitches; the use of the changing rooms and the turning off of floodlights. The development shall not be carried out otherwise than in complete accordance with the details of the Plan.
Reason - In order to achieve and satisfactory form of development and in the interests of residential amenity.

- (i) B5 - Detailed Drawings (Accordance with Plan).

09/00815/FUL - All Saints Church, Ravensdale Road. Erection of single storey extension at side to form store room.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and one letter of objection that 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.
- (c) B5 - Development in Accordance with Approved Plans.

(2) Change of Use Granted

09/00845/CU - 30B Larchfield Street, Darlington. Change of Use to (A2) Estate Agency.

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

RESOLVED - Planning permission be granted, subject to the following conditions :-

- (a) A3 - Time limit for implementation (3 years).
- (b) B5 - Detailed Application (Implementation in accordance with approved plans).
- (c) J1 - Accessible Doorway.

09/00909/FUL - Progression Night Club, East Street. Change of Use from (A1) retail use to (A3) restaurant.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), one letter of objection and comments from Darlington Association on Disability, the Council's Highways Engineer and the Council's Environmental Health Officer that had been received).

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

- (a) A3 - Implementation Limit (Three Years).
- (b) D19 - Ventilation Equipment (Details Required).
- (c) D4 - Refuse Storage (Details to be Submitted).
- (d) Notwithstanding the details shown on the approved plans, the existing internal service yard shall be retained and the floor area of the yard shall not be reduced without written consent being obtained from the Local Planning Authority.
Reason - The existing service yard is the only provision for servicing the premises as the highway frontage is designated for disabled parking or by double yellow lines with a no loading restriction. The removal or reduction in size of the service yard would result in conditions prejudicial to highway safety.
- (e) B5 - Detailed Drawings (Accordance with Plan).

(3) Listed Building Consent Granted

09/00872/LBC - 3 Crown Street, Darlington. Listed building consent for installation of security shutters to bay window (retrospective).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) comments from the Council's Conservation Officer and Durham Constabulary that had been received and the views of Ms. Beattie, Applicants Agent, Ms. Waite, Supporter and Mr. Bell, Objector whom Members heard).

RESOLVED – That provided no objections are received once the publicity exercise has expired on 19 February 2010 that listed building consent be refused for the following reason:

The retention of the shutters, shutter box, rails and running gear is considered to have an unacceptable impact on the character of this Grade II listed building and the character and appearance of the Town Centre Conservation Area by reason of the visual impact of the shutters, shutter box, rails and running gear on the character and appearance of the application property and also the damage caused by affixing this equipment directly into the tiles on the shop front. Furthermore, the Local Planning Authority is not satisfied that sufficient consideration has been given to alternative, less harmful security solutions. The application is therefore contrary to guidance contained in Planning Policy Guidance Note 15 – Planning and The Historic Environment and Policy E38 (Alterations to Business Premises) of the Borough of Darlington Local Plan 1997.

(4) Darlington Borough Council Granted

09/00823/DC - The Village Hall, East Green, Heighington. Level and resurface existing car park, upgrade existing disabled access ramp to rear door, extension of boundary wall including double gates, single gate and fencing to form bin store.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and comments from the Council's Highways Engineer and the Council's Conservation Officer that had been received).

RESOLVED – That, provided no objections are received once the publicity exercise has expired on 19 February 2010, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be granted, subject to the following conditions :-

- (a) A3 - Standard Time Limit.
- (b) Prior to the commencement of the development hereby permitted full details of the following, including samples, shall be submitted to an approved in writing by the Local Planning Authority:
 - (i) External materials to be used for the construction and surfacing of the disabled access ramp and details of handrails and gate;
 - (ii) Stone, mortar and coursing to be used for the extension of the boundary wall and details of the access gate to be installed; and
 - (iii) Details of timber fencing to be used in the construction of the bin store.

Thereafter the development shall be carried out in accordance with the approved details and be so maintained.

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

- (c) B5 - Approved Plans.

09/00805/DC - Corporation Road Community Primary School. Demolition of existing dining hall and erection of replacement dining/general purpose hall, kitchen, gymnasium and shower facilities (additional information received 30 November 2009).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and comments from the Council's Highway Engineer, Transport Policy, Environmental Health – Commercial, Environmental Health – Pollution and Urban Design Officer that had been received).

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

- (a) A3 - Standard Implementation Time – Three Years.
- (b) B4 - Details of Materials.
- (c) D18 - Scheme for Control of Fumes and Odours.
- (d) D19 - Scheme for Ventilation of Premises.
- (e) Prior the development hereby approved first being occupied, details of secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle storage shall be provided and shall remain available for use at all times in accordance with the approved details.
Reason – To encourage access to the site by sustainable means of transport.
- (f) B5 - Development in Accordance with Approved Plans.
- (g) J2 – Contaminated Land

09/00856/DC - Bushel Hill Park, Darlington. Erection of equipped Play Area with Grass Mat Safety Surface (as amended by plans received 26 January 2010).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) one letter of objection and comments from the Council's Senior Arboricultural Officer and Durham Constabulary Architectural Liaison Officer that had been received).

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

- (a) A3- Implementation Period.
- (b) Prior to the commencement of the development, an Arboricultural Implications Assessment, an Arboricultural Method Statement and a Tree Protection Plan shall be submitted to and approved by the Local Planning Authority. The details shall include construction methods for fixing the play equipment into the ground and the trees; tree protection measures in accordance with BS5837 2005; soil removal and any tree pruning; confirmation of the site entrance to be used by the developer; areas for the storage of materials and associated temporary buildings. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - To safeguard the trees within and around the site in the interests of the visual amenity of the area.
- (c) B5 - Detailed Drawings (Accordance with the Plan).

09/00864/DC - Queen Elizabeth Sixth Form College. Installation of metal framed cycle parking shelter to store 80 no. cycles.

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

RESOLVED – That, planning permission be granted under 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 (Accordance with Plan).

09/00886/DC - Grass Street, Darlington. Refurbishment of existing play area with new play equipment, new footpath, enclosure fencing, pedestrian and maintenance access gates.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and comments from the Council's Highway Engineer, senior Arboricultural Officer, Environmental Health Officer and Durham Constabulary Architectural Liaison Officer that had been received).

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

- (a) A3 - Standard Time Limit.
- (b) J2 - Contaminated Land.
- (c) E11 - Tree Protection.
- (d) B5 - Approved Plans.

09/00898/DC - Eastbourne Park, Eastbourne Road. Creation of a new equipped play area.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and comments from the Council's Anti Social Behaviour Team and the Council's Public Protection Division that had been received).

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

- (a) A3 - Implementation Limit (Five Years).
- (b) B5 - Detailed Drawings (Accordance with Plan).
- (c) J2 - Contamination.
- (d) Prior to the commencement of the development hereby approved, provision shall be made for cycle parking, precise details of which shall be submitted to, and approved by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason – To ensure that adequate cycle parking provision is provided to promote access and accessibility.

09/00922/DC - Red Hall Primary School. Installation of metal framed cycle parking shelter to store 20 no. cycles.

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

RESOLVED - That delegated authority be given to officers to determine this planning application.

09/00923/DC - Gurney Pease Primary School, Dodsworth Street. Installation of metal framed cycle parking shelter to store 26 No cycles.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and one objection from Sports England that had been received).

RESOLVED - That delegated authority be given to officers to determine this planning application under Regulation 3 of the Town and Country Planning General Regulations 1992.

(5) Darlington Borough Council Listed Building Consent Granted

09/00824/DCLB - The Village Hall, East Green, Heighington. Listed building consent for installation of door entry system incorporating remote units situated in the main hall and in the first floor office and construction of a disabled access ramp to rear.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and comments from the Council's Conservation Officer that had been received).

RESOLVED – That, Listed Building Consent be granted subject to the following conditions :-

- (a) A5 - Standard Time Limit – Listed Building Consent.
- (b) Prior to the commencement of the development hereby permitted full details of the external materials to be used for the construction and surfacing of the disabled access ramp together with details of the handrails and gate shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved details and so maintained.
Reason - In the interest of safeguarding the character, appearance and fabric of this Grade II Listed Building.
- (c) Notwithstanding any information submitted with this application, a plan showing the exact height, position and location of the door entry system and remote units and details of the position of any associated cabling shall be submitted to and approved by the local planning authority in writing prior to the commencement of development. Thereafter the door entry and remote units shall be positioned in accordance with the approved details and shall be so maintained.
Reason - In order that the Local Planning Authority may be satisfied as to the details of the development, in the interest of safeguarding the character and appearance of this Grade II Listed Building.
- (d) The door entry system and remote units hereby approved shall be fixed directly to the mortar and not at all to any stonework, unless otherwise agreed in writing by the Local Planning Authority.
Reason - To avoid damage to the fabric of the Grade II listed building.
- (e) Within one month of the door entry system and remote units no longer being required, the units and all associated brackets, fixings and cabling shall be removed and any

defective stonework or pointing shall be made good, in accordance with a scheme of works which shall first be agreed in writing with the Local Planning Authority.

Reason – In the interest of safeguarding the character, appearance and fabric of this Grade II listed building.

PA81. NOTIFICATION ON APPEALS – The Assistant Chief Executive (Regeneration) reported that :-

- (a) Mr. I. Richardson had appealed against this Authority's decision to refuse planning permission for erection of conservatory to the rear and amend existing rear extension at 33 Pierremont Road, Darlington, DL3 6DQ (Reference Number 09/007515/FUL);
- (b) Mr. J. Gordon had appealed against this Authority's decision to refuse planning permission for erection of detached residential bungalow at proposed bungalow (North of Waterside), Cockerton Green, Darlington (Reference Number 09/00195/FUL); and
- (c) Mr. M. Hodgson had appealed against this Authority's decision to refuse planning permission for erection of two storey extension and single storey extension to the front at 10 Walton Heath, Darlington, DL1 3HZ (Reference Number 09/00692/FUL).

RESOLVED – That the report be noted.

PA82. NOTIFICATION OF DECISIONS ON APPEALS - The Assistant Chief Executive (Regeneration) reported that the Inspectors appointed by the Secretary of State for the Environment have dismissed the appeal by Commercial Development Projects Limited against this Authority's decision to refuse a Hybrid application for mixed use development comprising B1 office, B8 storage and warehousing (outline); and B1 office, B2 industrial units, A3 restaurant, A4 public house, builders merchants and 57 bed hotel (amended description from A1 office to B1 office) at Torrington Company Limited Works (site of), Yarm Road, Darlington (Reference Number 08/00917/FUL).

RESOLVED – That the report be noted.

PA83. 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.

PA84. PLANNING ENFORCEMENT ACTION (EXCLUSION PARAGRAPH NO. 7) - Pursuant to Minute PA76/Jan/10, the Assistant Chief Executive (Regeneration) submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 1st February, 2010.

RESOLVED - That the report be received.