

PLANNING APPLICATIONS COMMITTEE

9th February, 2011

PRESENT - Councillor Baldwin (in the Chair); Councillors Hartley, L. Haszeldine, Johnson, Lee, D.A. Lyonette, Regan, Robson, Stenson and Walker. (10)

APOLOGIES – Councillors M. Cartwright, Dunstone and Freitag. (3)

OFFICERS – Andrew Errington, Planning Law Assistant, within Resources Group, Roy Merrett, Development Manager and Dave Coates, Principal Planning Officer, Tim Crawshaw, Principal Planning Officer (Urban Design) ; and Harry Alderton, Highways Engineer, within Services for People.

PA72. DECLARATION OF INTERESTS – There were no declaration of interests reported at the meeting.

PA73. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 15th December, 2010.

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

PA74. 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.
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 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 area.
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.
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.

PA75. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

10/00040/FUL - 53 Blackwell, Darlington. Variation of Condition 3 of planning permission 05/00788/FUL Dated 18th November 2005 for substitution of house types relating to plots 3, 4, 5 (Demolition of 2 No. existing dwellings and construction of 5 No. detached dwellings to include upgrading of the riverbank) and retrospective slope stabilisation works (amended and additional plans received 8th and 10th September 2010; Slope Stability Assessment received 20th December 2010 and Flood Risk Assessment and Hydraulic Model received 22nd December 2010).

(In reaching its decision the Committee took into consideration the Planning Officers report (previously circulated), seven letters of objection that had been submitted on the original plans, eight further letters of objection on the amended plans, a further four letters of objection following the submission of the land stability information and flood risk information, a letter of concern containing eight signatories outlining the background of the development site and how this Council determined the 2005 application, the objections of Stapleton and Cleasby Parish Council and Richmondshire District Council and the comments of Natural England, the Environment Agency, Northumbrian Water, the Council's Highways Engineer, the Council's Environmental Health Officer and the Council's Senior Arboricultural Officer that had been received and the views of Mrs. Readman, applicant, and Mr. Butterworth and Mrs. Poole, objectors, whom Members heard).

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

- (a) 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.
- (b) 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.

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.

- (c) The development hereby permitted shall not commence until a scheme to deal with contamination of land and/or groundwater, including soil contamination, ground/surface water contamination, landfill gas, leachates and stability as appropriate, has been submitted and approved by the Local Planning Authority and until the measures approved in that scheme have been fully implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:-
- (i) A desk top study, carried out by a suitably qualified person, to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site. The scope of the study shall be agreed with the Local Planning Authority before it is commenced and the report shall conform to any such agreed requirements. Two copies of the desktop study and non-technical summary shall be submitted to the Local Planning Authority upon completion.
 - (ii) site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until:
 - (1) A desk top study has been completed satisfying the requirements of paragraph (a) above.
 - (2) The requirements of the Local Planning Authority for site investigations have been fully established; and
 - (3) The extent and methodology have been agreed in writing with the Local Planning Authority.

Two copies of the report on the completed site investigation shall be submitted to the Local Planning Authority on the completion.

- (d) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be determined through risk assessment and agreed in writing with the Local Planning Authority prior to the commencement of the development. The works specified in the Reclamation Method Statement shall be implemented and completed in accordance with the agreed method statement by a competent person, no alterations to the method statement or associated remediation works shall be carried out without the written agreement of the Local Planning Authority.
- (e) Two copies of a completion report (the 'Validation Report') confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority within 2 months of completion of the development.
- (f) Any contamination not considered in the Reclamation Method Statement but identified during the reclamation works should be subject to further risk assessment and remediation proposals agreed with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

Reason - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection.

- (g) Notwithstanding the details contained within “Plots 3, 4 and 5. Slope Stability Assessment” dated 20 December 2010 by 3E further site investigations shall be

undertaken and a report containing the findings, including details of piled foundations shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The report shall also be accompanied by a Geotechnical Certificate, signed in accordance with Planning Policy Guidance Note 14 – Development on Unstable Land confirming that the slope stability solution will incorporate all the reasonable foreseeable geotechnical risks with acceptable factors of safety. The development shall not be commenced until the Local Planning Authority has confirmed in writing that the geotechnical certificate is satisfactory.

Reason - To ensure that the stability of the embankment is not undermined and that the development is carried out in accordance with guidance within Planning Policy Guidance 14 (Development of Unstable Land) is taken into account.

- (h) 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 dwellings, including any additional structures/building/fences/hardstanding area and footpaths within the red line boundary of the submitted Site Location Plan, shall be carried out without the prior consent of the Local Planning Authority, to whom a planning application must be made.

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. Also, development that encroaches on watercourses has a potentially severe impact on their ecological value. Planning Policy Statement (PPS) 1 and 9 requires that planning decisions should prevent harm to biodiversity interests and should seek to enhance biodiversity where possible. PPS 9 stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats.

- (i) 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.

Reason - To safeguard the visual amenities of the locality and privacy of adjoining properties.

- (j) Notwithstanding the details shown on the approved plans prior to development being commenced the following details shall be submitted to and approved by the Local Planning Authority and thereafter implemented:

(i) a footway to the frontage of the site (minimum 1.8m);

(ii) dropped crossings at all access points incorporating dropped kerbs either side of Blackwell to provide a pedestrian crossing point.

Reason – In the interests of highway safety.

- (k) Notwithstanding the details contained in the drawings hereby approved the specification of all hard surfaces including footpaths and driveways shall be submitted to and approved by the Local Planning Authority. The details shall specify that they are constructed to be permeable surfaces. The surfaces shall be constructed in accordance with these details and shall be maintained as such thereafter, unless otherwise agreed by the Local Planning Authority.

Reason - In order to reduce the impact of this type of development on flooding and pollution of watercourses.

- (l) Prior to the commencement of any works on site, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained throughout the

construction period.

Reason – To prevent pollution of the water environment.

- (m) Should the regrading of the embankment require the importation of material, the details and specification of this material shall be assessed and agreed by the Local Planning Authority prior to it being brought onto the site.

Reason – To ensure that contaminated material is not brought onto the site.

- (n) Notwithstanding the details shown on the approved plans, a detailed scheme for visibility splays (2.4m x 43m) 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 highway safety.

- (o) Prior to the commencement of the development a surface water drainage scheme for the site, where appropriate based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include details of how the scheme shall be maintained and managed after completion, for the design life of the development. The development shall not be carried out otherwise in complete accordance with the approved details.

Reason - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

- (p) Prior to the commencement of the development, a scheme for the provision and management of a buffer zone alongside the River Tees shall be submitted to and agreed in writing by the Local Planning Authority. The buffer zone to be identified as land between the River Tees and existing gabion wall should be without structures, hardstanding, footpaths, fences and should not include domestic gardens or formal landscaping. The buffer zone needs to be designed and managed to develop this natural character. The development shall not be carried out otherwise than in complete accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The scheme shall include:

(i) Plans showing the extent and layout of the buffer zone

(ii) Details of the planting scheme (for example, native species)

(iii) Details demonstrating how the buffer zone will be protected during development and management/maintained over the longer term.

Reason - Development that encroaches on watercourses has a potentially severe impact on their ecological value. Planning Policy Statement (PPS) 1 and 9 requires that planning decisions should prevent harm to biodiversity interests and should seek to enhance biodiversity where possible. PPS 9 stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats. The buffer zone condition will ensure protection of the habitat corridor to allow the movement of species along the watercourse.

- (q) Prior to the commencement of the development a detailed scheme showing the accurate location, protection measures and access arrangements, during the construction period and afterwards, for apparatus belonging to Northumbrian Water shall be submitted to and approved by the Local Planning Authority in consultation with Northumbrian Water. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - A sewerage rising main is located in the development site. Northumbrian Water requires unrestricted access to this apparatus at all times and will not permit the erection of buildings or structures over or close to it. Any proposed crossing,

landscaping, parking areas or tree planting must comply with the standard Northumbrian Water guidelines.

- (r) Notwithstanding the details shown on the approved plans, the requirements of the Bat Survey Report prepared by Argus Ecological Services dated 2005 shall be fully complied with unless otherwise agreed with the Local Planning Authority in consultation with Natural England.

Reason - To ensure that any potential for roosting bats is safeguarded.

- (s) Prior to the occupation of any of the dwellings, a plan for the management of the communal gardens to the rear of the dwellings adjacent to the riverbank shall be submitted to and approved by the Local Planning Authority and thereafter implemented.

Reason - In the interests of visual amenity.

- (t) Notwithstanding the details shown on the submitted Planting Plan (Drawing Number 1012.01A by Leeming Associates), precise details of planting proposals shall be submitted to and agreed by the Local Planning Authority prior to the buildings being occupied. 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.

Reason - To ensure a satisfactory appearance of the site and to improve the visual amenities of the locality.

- (u) An Arboricultural Methods Assessment; an Arboricultural Method Statement and a Tree Protection Plan shall be submitted to and agreed by the Local Planning Authority prior to the commencement of the development and the development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - To enable the Local Planning Authority to ensure the retention of the maximum number of trees on and around the site and their protection from damage, in the interests of visual amenity.

- (v) 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.

10/00703/FUL - 56 Linden Avenue, Darlington. Erection of detached dwelling house and detached double garage (revised application).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), three letters of objection and the comments of the Highways Officer, the Arboricultural Officer and the Environmental Health Officer that had been received and the views of Mr. Leighton, applicant, Mr. Pearson, applicants agent, and Councillor Ruck, Ward Member, whom Members heard).

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

- (a) 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.

- (b) 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.

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.

- (c) 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.

- (d) The development hereby permitted shall not commence until a scheme to deal with contamination of land and/or groundwater, including soil contamination, ground/surface water contamination, landfill gas, leachates and stability as appropriate, has been submitted and approved by the Local Planning Authority and until the measures approved in that scheme have been fully implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:-

(i) A desk top study, carried out by a suitably qualified person, to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site. The scope of the study shall be agreed with the Local Planning Authority before it is commenced and the report shall conform to any such agreed requirements. Two copies of the desktop study and non-technical summary shall be submitted to the Local Planning Authority upon completion.

- (ii) A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until:

- (1) A desk top study has been completed satisfying the requirements of paragraph (a) above.
- (2) The requirements of the Local Planning Authority for site investigations have been fully established; and
- (3) The extent and methodology have been agreed in writing with the Local Planning Authority.

Two copies of the report on the completed site investigation shall be submitted to the Local Planning Authority on the completion.

- (e) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be determined through risk assessment and agreed in writing with the Local Planning Authority prior to the commencement of the development. The works specified in the Reclamation Method Statement shall be implemented and completed in accordance with the agreed method statement by a competent person, no alterations to the method statement or associated remediation works shall be carried out without the written agreement of the Local Planning Authority.
- (f) Two copies of a completion report (the 'Validation Report') confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority within 2 months of completion of the development.
- (g) Any contamination not considered in the Reclamation Method Statement but identified during the reclamation works should be subject to further risk assessment and remediation proposals agreed with the Local Planning Authority and the development

completed in accordance with any further agreed amended specification of works.

Reason - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

- (h) The development hereby permitted shall not be commenced until such time as a scheme for the surface water disposal system has been submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented prior to the first occupation of the dwelling and shall thereafter be retained.

Reason – To prevent flooding by ensuring the satisfactory disposal of surface water from the site.

- (i) Prior to the commencement of the development hereby approved, details shall be submitted of a scheme to protect the tree of the site that are identified in the Tree Report submitted with the application 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 height, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to 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 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) Erecting 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) Prior to construction commencing, a construction management plan outlining construction traffic movements shall be submitted to and approved by the Local Planning Authority. This plan shall thereafter be fully complied with.

Reason - In the interests of highway and pedestrian safety.

10/00766/FUL - West View, The Green, Great Stainton. Erection of detached dwelling house (revised application).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the comments of the Council's Highways Engineer and the Council's Environmental Health Section that had been received and the objection of Campaign for the Protection of Rural England that had been received and the views of Mr. Stephens, applicant, Dr. Gordon, applicants agent, Mr. Ridley, supporter, and Councillor B. Jones, Ward Member, whom Members heard).

RESOLVED - That planning permission be granted for the following reason :-

Notwithstanding the officer recommendation, taking into account the previous development on this site, the proposed development was considered to be acceptable in terms of its effect on the

character of the surrounding area. The design of the building itself, residential amenity and highway considerations were all considered to be satisfactory subject to the imposition of appropriate conditions. The development was considered to comply with policies E2, E12, E29, H3, H11, T13 and T24 of the Darlington Local Plan and Planning Policy Statements 3 and 7.

(2) Planning Permission Refused

09/00908/FUL - Site Of Former Number 59 Blackwell, Darlington. Variation of condition 3 of planning permission 05/00788/FUL dated 18 November 2005 for substitution of house types relating to plots 1 and 2 (Demolition of 2 No. existing dwellings and construction of 5 No. detached dwellings to include upgrading of the river bank) and retrospective slope stabilisation works. (amended plans received 16 September 2010; Flood Risk Assessment and additional information relating to land stability received 26 October 2010 and Hydraulic Modelling information received 17 December 2010).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), four letters of objection that had been submitted on the original plans, four further letters of objection on the amended plans, a letter of support following the submission of the Geotechnical Certification and a further letter of objection following the submission of the Hydraulic Modelling information; the objections of Stapleton and Cleasby Parish Council and Richmondshire District Council; the comments of Natural England, the Environment Agency, Northern Gas Networks, CE Electric UK, Northumbrian Water, the Council's Highway Engineer, the Council's Environmental Health Officer and the Council's Senior Arboricultural Officer that had been received and the views of Mr. Lees, applicant, Mr. Barlow, applicants agent and Mrs. Poole, an objector, whom Members heard).

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

The overall design, scale and massing of the proposed dwelling is considered inappropriate and would result in a discordant development adversely affecting the visual appearance of the street scene and its wider surroundings including the Area of High Landscape Value. The development is considered contrary to Planning Policy Statement 1 – Delivering Sustainable Development; Planning Policy Statement 3 – Housing and Policies E7 (Landscape Conservation), E8 (Area of High Landscape Value), E10 (Protection of Key Townscapes and Landscape Features), E16 (Appearance From Main Travel Routes), E29 (The Setting of New Development) and H11 (Design and Layout of New Housing Development) of the Borough of Darlington Local Plan 1997 and the Council's adopted Supplementary Planning Document – Design for New Development).

10/00780/FUL - 51 Blackwell, Darlington. Demolition of existing dwelling and erection of replacement dwelling and retrospective slope stabilisation works (revised application) (Revised Protected Species Report, Flood Risk Assessment and Site Plan received 16 December 2010; revised plans and Design and Access Statement received 22 December 2010).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), four letters of objection that had been submitted on the original plans, four further letters of objection on the amended plans, a letter of support following the submission of the Geotechnical Certification and a further letter of objection following the submission of the Hydraulic Modelling information; the objections of Stapleton and Cleasby Parish Council and Richmondshire District Council; the comments of Natural England, the Environment Agency, Northern Gas Networks, CE Electric UK, Northumbrian Water, the

Council's Highway Engineer, the Council's Environmental Health Officer and the Council's Senior Arboricultural Officer that had been received and the views of Mr. Lees, applicant, Mr. Barlow, applicants agent and Mrs. Poole, an objector, whom Members heard).

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

The overall design, scale and massing of the proposed dwelling is considered inappropriate and would result in a discordant development adversely affecting the visual appearance of the street scene and its wider surroundings including the Area of High Landscape Value. The development is considered contrary to Planning Policy Statement 1 – Delivering Sustainable Development; Planning Policy Statement 3 – Housing and Policies E7 (Landscape Conservation), E8 (Area of High Landscape Value), E10 (Protection of Key Townscapes and Landscape Features), E16 (Appearance From Main Travel Routes), E29 (The Setting of New Development) and H11 (Design and Layout of New Housing Development) of the Borough of Darlington Local Plan 1997 and the Council's adopted Supplementary Planning Document – Design for New Development).

(3) Conservation Area Consent Granted

10/00795/CAC - 56 Linden Avenue, Darlington D3 8PP. Conservation Area Consent for partial demolition of boundary wall to provide vehicular access.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), four letters of objection that had been received and the views of Mr. Pearson, applicants agent, and Councillor Ruck, Ward Member, whom Members heard).

RESOLVED - That conservation area consent be granted, subject to the following conditions:-

- (a) 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.
- (b) 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.
- (c) The development hereby approved shall not be carried out until a scheme for the redevelopment of the site has been approved by the Local Planning Authority and a building contract has been agreed and submitted to the Council for the carrying out of the scheme so approved.
Reason - Demolition without the redevelopment of the site would be detrimental to the character of the Conservation Area.
- (d) Notwithstanding the details submitted with the application the new returns to the access wall shall be constructed of recycled brickwork taken from the demolished part of the wall, unless otherwise agreed in writing with the LPA.
Reason - To ensure satisfactory appearance of the new wall within the context of the Conservation Area.

(2) Application withdrawn from Committee

10/00752/OUT - Darlington Golf Club, Haughton Grange, Whinfield Road, Darlington.
Construction of new link road between Sparrow Hall Drive and the existing golf club access road (outline) (Amended Plans Received 16 December 2010).

RESOLVED – That the application be withdrawn.

PA76. NOTIFICATION OF APPEALS – The Director of Place reported that Mr. Puchala has appealed against this Authority’s decision to refuse planning permission for erection of 1 No. dormer bungalow (revised scheme) at 22 Friars Pardon, Hurworth, Darlington (Reference Number 10/00159/FUL).

PA77. NOTIFICATION OF DECISIONS ON APPEALS – The Director of Place reported that the Inspectors appointed by the Secretary of State for Environment had :-

- (a) Dismissed the appeal by Mr. Way against this Authority’s decision to refuse planning consent for works to 2 No. Lime trees (A1) protected under Group Tree Preservation Order (No. 3B) 1961 – crown thinning by 25 per cent and crown reduction by 10 per cent at 16 and 18 Greencroft Close, Darlington, DL3 8HW (Reference Number 10/00554/TF);
- (b) Allowed the appeal by Miss. Wilkinson against this Authority’s decision to refuse planning permission for installation of replacement front windows and 2 No. side windows at 1 North Lodge Terrace, Darlington, DL3 6LZ (Reference Number 10/00463/FUL; and
- (c) Dismissed the appeal by Ms. Baker against this Authority’s decision to refuse planning permission for erection of a two storey dwelling (revised scheme) at 41 Conyers Avenue, Darlington, DL3 9DE (Reference Number 10/00406/FUL).

RESOLVED - That the report be received.

PA78. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Sections 100B(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.

PA79. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA71/Dec/10, the Assistant Chief Executive (Regeneration) submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 27th January, 2011.

RESOLVED - That the report be received.