

## PLANNING APPLICATIONS COMMITTEE

9th May, 2012

**PRESENT** - Councillor Baldwin (in the Chair); Councillors Cossins, L. Haszeldine, Johnson, Lee, Long, D.A. Lyonette, Macnab, Regan and Stenson. and J. Taylor. (10)

**APOLOGIES** – Councillor Knowles, Landers and J. Taylor. (3)

**OFFICERS** – Roy Merrett, Development Manager, Dave Coates, Principle Planning Officer and Andy Casey, Highways Engineer, within Services for Place and Andrew Errington, Lawyer (Planning) within Resources Group.

**PA100. DECLARATION OF INTERESTS** – There were no declarations reported at the meeting.

**PA101. MINUTES** - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 28th March, 2012 and 11th April, 2012.

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

**PA102. PROCEDURE** – The Assistant Director of Resources 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 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	<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>
B7	<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 Listed Building Consent.</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>
J2	<p>The site shall be investigated for landfill gas to the satisfaction of the Local Planning Authority and details of the test, results and measures required to render the development safe shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development.</p> <p>Where measures are required, they shall be installed prior to the development being occupied or such other time as may be required by the Local Planning Authority.</p> <p>Reason - The site lies within 250 metres of a former landfill site and the Local Planning Authority wishes to ensure that the site can be developed and occupied with adequate regard for environmental and public safety.</p>

## **PA103. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION**

### **(1) Planning Permission Granted**

**11/00397/FUL - St Clares Abbey, Carmel Road North, Darlington.** Erection of 60 bed nursing home, an 11 bed care home, conversion of existing abbey to create office and residential accommodation by the Brothers of St John of God incorporating space for community use, an access road to Carmel Road and gated access to Cardinal Gardens with associated car parking and access roads (Additional Information received 12 August 2011, Amended Plans received 9 February 2012; Amended Design and Access Statement received 24 February 2012; Amended plans received 6 March 2012 and 9 March 2012; Additional Ecological Appraisal received 28 March 2012).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), twenty four letters of objection and a further twenty letters of objection following the submission of the amended plans, the comments of Northumbrian Water, English Heritage, , the Durham Police Traffic management Officer, the Council's Environmental Health Commercial Officer and the Council's Environmental Health Pollution Officer that had been received and the views of Mrs. Raine, an objector, whom Members heard).

**RESOLVED** – That the Director of Place be authorised to negotiate an agreement under Section 106 of the Town and Country Planning Act 1990 to secure a commuted sum of £17,500 for an off site contribution to improve the functionality of open space in the locality.

That upon satisfactory completion and signing of that agreement, planning permission be granted subject to the following conditions :-

- (a) A3 – Implementation Limit (Three Years).
- (b) B4 – Details of Materials Samples).
- (c) E2 – Landscaping.
- (d) J2 – Contamination.
- (e) Prior to the commencement of the use a Noise Impact Assessment relating to all plant and machinery and deliveries associated with the site shall be submitted to and approved by the Local Planning Authority. The Assessment shall include all potential noise sources associated with the development, including any plant and machinery on the existing Abbey and the two new buildings hereby approved. The Assessment should include boilers, air conditioning units, chiller units, kitchen extraction and the electricity substation. The development shall be carried only in accordance with the findings of the noise impact assessment.  
**Reason** - In the interests of residential amenity.
- (f) The Rating Level from all plant and machinery associated with the development combined shall be at least 5 dB(A) below the background noise level at any surrounding residential property, when measured in accordance with BS 4142:1997. The background noise level is to be measured by the applicant or their representative shall be agreed with the Local Planning Authority.  
**Reason** - In the interests of residential amenity.
- (g) Prior to the commencement of the use, precise details of the stand alone generator shall be submitted to and approved in writing by the Local Planning Authority. The

details shall include the size, power output along with an air quality impact assessment and the development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** - In the interests of residential amenity.

- (h) When the stand by generator is in operation, the Rating Level shall be no greater than 5 dB(A) above the background noise level at any surrounding residential property, when measured in accordance with BS 4142:1997. The background noise level to be measured by the applicant or their representative shall be agreed with the Local Planning Authority prior to the generator being brought into use.

**Reason** - In the interests of residential amenity.

- (i) Prior to the commencement of the development precise details of a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** - In the interests of residential amenity.

- (j) D4 – Refuse Storage (Details to be Submitted).

- (k) Prior to the commencement of the development a detailed scheme for the disposal of surface water from the development shall be submitted to and approved in writing 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** - To ensure the discharge of surface water does not increase the risk of flooding from sewers in accordance with the requirements of the national Planning Policy Framework and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

- (l) Notwithstanding the details shown on the approved plans, the gated access on the northern boundary of the site shall be used to gain access to land adjacent to Cardinal Gardens for maintenance purposes only. The gated access shall not be used for general vehicular or pedestrian access to and from the site.

**Reason** - In the interests of highway safety.

- (m) Prior to the commencement of the development, precise details of works within the public highway at the proposed access and proposed pedestrian and Emergency accesses shall be submitted to and approved in writing by the Local Planning Authority. The details shall include dropped crossings, tactile paving, the reinstatement of redundant pavement crossings, and widening of the Emergency Access dropped crossing and the development shall not be carried out otherwise than in accordance with the approved details.

**Reason** - In the interests of highway safety.

- (n) All new footways within the application site must be two metres wide with dropped crossings and tactile paving at all defined crossing points.

**Reason** - In the interests of highway and pedestrian safety.

- (o) Prior to the commencement of the development precise details of the design of the disabled parking spaces must be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** - To ensure that the spaces are satisfactorily designed to the satisfaction of the Local Planning Authority.

- (p) Prior to the commencement of the approved uses, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The scope of the Plan shall be agreed with the Local Planning Authority and the development shall not be carried out otherwise in accordance with the approved Plan.

**Reason:** To encourage the use of all modes of transport in the interests of sustainability.

- (q) Prior to the commencement of the development, precise details of secure cycle parking and storage areas shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason -** To ensure that appropriate cycle facilities are provided within the site to the satisfaction of the Local Planning Authority.

- (r) Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details for wheel washing, a Dust Action Plan, the proposed hours of construction, vehicle routes, road maintenance, and signage. The development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason -** In the interests of highway safety and residential amenity.

- (s) A Road Safety Audit shall be carried out for all works within the public highway and the details shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

**Reason -** In the interests of highway safety.

- (t) The internal road network shown on the approved plans shall be constructed to an adoptable standard and prior to the commencement of the development, a Maintenance Plan for the network shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of a maintenance regime and energy charges for street lighting. The development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason -** In the interests of highway safety.

- (u) Prior to the commencement of the development, an Interim Certificate for Code for Sustainable Homes shall be submitted to and approved in writing by the Local Planning Authority. The necessary Code for Sustainable Homes Rating shall be agreed with the Local Planning Authority and the Certificate will include details to show how the approved development will meet the agreed Rating level.

**Reason -** To ensure that the development accords with the Darlington Core Strategy Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development.

- (v) Upon completion of the development a Final Certificate for Code for Sustainable Homes shall be submitted to and approved by the Local Planning Authority to show that the development has been carried out in accordance with condition 21).

**Reason -** To ensure that the development has been carried out in complete accordance with condition 21) as per the Darlington Core Strategy Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development.

- (w) Prior to the commencement of the development details of a scheme for the on site provision of decentralised and renewable or low carbon sources of energy to achieve a standard of at least 10 per cent - 20 per cent of predicted energy supply shall be submitted to and approved by Local Planning Authority. Before the development is occupied the renewable energy equipment shall have been installed and the Local Planning Authority shall be satisfied that their day to day operation will provide energy for the development for as long as the development remains in existence. Should the standard not be achievable the developer must submit a feasibility and viability Statement to the Local Planning Authority to enable the Local Planning Authority to determine whether or not the standard should be reduced or waived.

**Reason -** To ensure that the development accords with the Darlington Core Strategy

Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development.

- (x) Prior to the commencement of the development, details of a priority habitat as identified within the Tees Valley Biodiversity Action Plan to be created within the application site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** - To increase the biodiversity of the site in accordance with the Supplementary Planning Document – Design for New Development.

- (y) 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 2.3 meter 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:

- (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.

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

**12/00096/FUL - Harrowgate Hill Infant School Site, Thompson Street West.** Erection of 16 No dwellings comprising 14 No houses and 2 No flats (as amended by plans received 12 April 2012 and additional information received 13 and 16 April 2012 and amended plans received 23 April 2012).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), four letters of objection and a further letter of objection following the submission of the amended plans and the comments of the Durham Constabulary Architectural Liaison Officer 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) B4 – Details of Materials (Samples).
- (c) E2 – Landscaping.
- (d) J2 – Contamination.
- (e) Prior to the commencement of the development, precise details of secure cycle parking and storage areas shall be submitted to and approved in writing by the Local Planning

Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** - To ensure that appropriate cycle facilities are provided within the site to the satisfaction of the Local Planning Authority.

- (f) Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details for wheel washing, a Dust Action Plan, the proposed hours of construction, vehicle routes, road maintenance, and signage. The development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** - In the interests of highway safety and residential amenity.

- (g) Prior to the commencement of the development, precise details of any piled foundations shall be submitted to and approved by the Local Planning Authority. The details shall include the details of the piling method (including justification); details of vibration monitoring and a groundwater risk assessment. The development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** - In the interests of residential amenity.

- (h) The proposed development shall be carried out in complete accordance with the document entitled “Code for Sustainable Homes Technical Guide November 2010 – Full Technical Guide – Pre Assessment Report – Report Reference 11037” produced by Sustain 3D unless otherwise agreed in writing by the Local Planning Authority.

**Reason** - To ensure that the development accords with the Darlington Core Strategy Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development.

- (i) Upon completion of the development a Final Certificate for Code for Sustainable Homes shall be submitted to and approved by the Local Planning Authority to show that the development has been carried out in accordance with condition 8.

**Reason** - To ensure that the development has been carried out in complete accordance with condition 8 as per the Darlington Core Strategy Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development.

- (j) Prior to the commencement of the development details of a scheme for the on site provision of decentralised and renewable or low carbon sources of energy to achieve a standard of at least 10 per cent - 20 per cent of predicted energy supply shall be submitted to and approved by Local Planning Authority. Before the development is occupied the renewable energy equipment shall have been installed and the Local Planning Authority shall be satisfied that their day to day operation will provide energy for the development for as long as the development remains in existence. Should the standard not be achievable the developer must submit a feasibility and viability Statement to the Local Planning Authority to enable the Local Planning Authority to determine whether or not the standard should be reduced or waived.

**Reason** - To ensure that the development accords with the Darlington Core Strategy Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development.

- (k) Prior to the commencement of the development, details of a priority habitat as identified within the Tees Valley Biodiversity Action Plan to be created within the application site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.

**Reason** - To increase the biodiversity of the site in accordance with the Supplementary Planning Document – Design for New Development.

- (l) Prior to the commencement of the development, precise details of works within the public highway on Bowman Street and Thompson Street West shall be submitted to and approved in writing by the Local Planning Authority. The details include dropped kerbs, tactile paving, improvements to visibility splays on Bowman Street and improved junction radii at Bowman Street and Thompson Street West. The development shall not be carried out otherwise than in complete accordance with the approved details.  
**Reason** - In the interests of highway safety.
- (m) A Road Safety Audit shall be carried out for all works within the public highway and the details shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.  
**Reason:** In the interests of highway safety.
- (n) Detailed Drawings (Implementation in accordance with approved plan).

**11/00644/FUL - Church House Farm, Middleton St George, Darlington.** Conversion of existing agricultural buildings to form 4 no. dwellings with gardens and hardstandings for car parking to the front.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), two letters of objection, the objections of Middleton St. George Parish Council, the comments of Durham bat Group, Durham County Council Archaeology Consultant, the Council's Highway's Engineer, the Council's Environmental Health Section and the Council's Ecology Officer that had been received and the views of Mr. Gordon, applicants agent and Ms. Pickering, representative on behalf of an objector, whom Members heard).

The Development Manager stated that in relation to the concerns about poor supply of electricity to the site, this would be a matter for the developer/occupiers to take up with the service provider. Concerns about the accessibility of the site in poor weather conditions and the effect of additional traffic on the emergency access arrangements for the airport were not considered to be sustainable reasons to refuse the application. The development was not considered to be detrimental to the amenities of existing residents.

**RESOLVED** - The Director of Place be authorised to negotiate an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of affordable housing if a subsequent application is made that would bring the total of dwellings to five or more on the application site and adjoining land within the applicant's ownership.

That upon satisfactory completion and signing of the Agreement, planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (d) J2 - Contamination.
- (e) Prior to the commencement of development, a method of working statement 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 statement.  
**Reason** - In order that the Local Planning Authority may be satisfied as to the details of the development and to safeguard the character and appearance of the existing buildings.



- (f) Notwithstanding any description of the design and fitting of any doors and windows in the application, precise details shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the approved details.  
**Reason** - In order to ensure a satisfactory appearance of the development, in the interests of visual amenity.
- (g) The doors and windows agreed under condition [6] above shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.  
**Reason** - In order to safeguard the character and appearance of the buildings.
- (h) Prior to the commencement of development the following details shall be submitted to and approved by the Local Planning Authority:-  
 (i) details of flues, vents and metre boxes;  
 (ii) Fences, walls and gates; and  
 (iii) Areas of hard surfacing.  
 The development shall not be carried out otherwise than in accordance with the approved details.  
**Reason** - In order to ensure a satisfactory appearance of the development, in the interests of visual amenity.
- (i) Notwithstanding anything shown in the application the access serving development shall be upgraded, precise details of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of development and shall include the following: -  
 (i) constructional details over the whole length of the track including access roads and parking manoeuvring areas within the site;  
 (ii) the access track and manoeuvring area within the site must be designed structurally and geometrically to allow for access by emergency vehicles.  
 The development shall not be carried out otherwise than in accordance with the approved details.  
**Reason** - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of highway safety.
- (j) Prior to the commencement of development details of a regime for the ongoing maintenance of the access track and parking areas shall be submitted to and approved by the Local Planning Authority.  
**Reason** - In the interests of highway safety.
- (k) Prior to the commencement of Development precise details of a bin storage facility and location 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 and shall be permanently retained thereafter.  
**Reason** - To ensure that satisfactory provision is made for the storage of household refuse.
- (l) Notwithstanding the provisions of the Town and Country Planning [General permitted Development] Order 1995[or any order revoking or re-enacting that Order]no development within Schedule 2, Part 1, Classes A to H and within Schedule 2, Part 2, Classes A to C of that Order shall take place without the prior written consent of the Local Planning Authority.  
**Reason**- To allow the Local Planning Authority to retain control over the development in the interests of visual amenity.
- (m) No demolition or rebuilding work additional to that specified in the structural report carried out by Dr James Gordon shall be carried out in undertaking the development hereby permitted without the prior written approval of the Local Planning Authority.

**Reason** - In order that the Local Planning Authority may retain control over the development hereby approved.

- (n) Prior to the development being commenced, a scheme for the protection of the proposed residential accommodation from excessive air traffic noise from the Durham Tees Valley International Airport shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of sound attenuation methods to be used and shall achieve noise levels of less than 35 dB(A) LAeq in living rooms, less than 30 dB(A) LAeq in bedrooms, less than 55 dB(A) LAeq in garden areas and individual noise events not to exceed 42 dB LAFmax in bedrooms. Any works which form a part of such a scheme shall be completed in accordance with the approved scheme and prior to any part of the development being first occupied or used.

**Reason** - In order to safeguard residents of the dwellings from excessive noise from air traffic from Durham Tees Valley Airport.

- (o) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of the programme of archaeological work in accordance with a written scheme of investigation, which is submitted to, and approved in writing by, the Local Planning Authority as follows: -

- (i) Methodologies for a Level 2 EH-style building record prior to any conservation works or stripping out of fixtures and fittings.
- (ii) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the work is undertaken and completed in accordance with the approved strategy.
- (iii) Monitoring arrangements, including the notification in writing to the Durham County Council Archaeologist of the commencement of the archaeological works and the opportunity to monitor such works.
- (iv) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The archaeological mitigation strategies shall be carried out in accordance with the approved details and timings.

**Reason** - To comply with Policy CS14(E)(12) of the Borough of Darlington Local Development Core Strategy Document (2011) as the site may potentially contain features of local archaeological importance.

- (p) Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication. Reporting and publication must be within one year of the date of completion of the development hereby approved.

**Reason** - To comply with policy HE12.2 - 12.3 of PPS5 to make the information as widely accessible to the public as possible.

- (q) No development shall take place unless in accordance with the mitigation detailed within the protected species report '*Bat and Owl surveys for outbuildings at Church Farm, Middleton One Row, Veronica Howard, August 2009*'.

**Reason** - To conserve protected species and their habitat.

- (r) Notwithstanding anything contained in the application precise details and locations of the bat boxes and owl nest boxes shall be submitted to, and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with the approved details.

**Reason** - In order that the Local Planning Authority are satisfied with the details of the development and to ensure the conservation of protected species and their habitats.

**12/00092/FUL - 32 Friars Pardon, Hurworth.** Erection of a two storey side extension.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), two letters of objection, two further letters of objection from the same residents to the amended scheme, a further letter from one of the objectors withdrawing their objections, the objections of Hurworth Parish Council and the comments of the Council's Highways Engineer that had received and the views of Mr. Flannigan, an objector, whom Members heard).

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

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Materials.
- (c) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (d) Notwithstanding anything contained within the application the existing vehicular crossover from the adjoining public highway shall be extended along the width of the on site parking area, details of which shall be submitted to, and approved by, the Local Planning Authority. The scheme shall not be carried out otherwise than in accordance with the approved details.

**Reason** - In the interests of highway safety.

## **(2) Listed Building Consent Granted**

**11/00396/LBC - St Clares Abbey, Carmel Road North, Darlington.** Listed Building Consent for alterations to and conversion of the abbey building to create office and residential accommodation by the Brothers of St John of God incorporating space for community use and the creation of a new access within the boundary wall (Additional information received 12 August 2011; Amended plans received 9 February 2012; Amended Design and Access Statement received 24 February 2012; Amended plans received 6 March 2012 and 9 March 2012).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), eighteen letters of objection, a further five letters of objection following the submission of the amended plans and the comments of Durham County Council Archaeology Section that had been received).

**RESOLVED** - That listed building consent be granted subject to the following conditions :-

- (a) A5 – Listed Building Applications (Implementation Limit).
- (b) Prior to the commencement of the development a programme for recording the building in accordance with a written scheme of investigation shall be submitted to and agreed in writing by the Local Planning Authority. The programme shall include :-
  - (i) Methodologies for an English Heritage defined photographic survey prior to any conversion works or stripping out of fixtures and fittings;
  - (ii) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the approved strategy;
  - (iii) Monitoring arrangements, including the notification in writing to the County Durham County Archaeologist of the commencement of archaeological works and the opportunity to monitor such works;
  - (iv) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications; and

(v) The historic building recording strategies shall not be carried out otherwise than in complete accordance with the approved details and timings.

**Reason** - To comply with Policy CS14 of the Borough of Darlington Core Strategy 2011.

(c) Prior to the occupation of the use, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication. Reporting and publication must be within one year of the date of the completion of the development hereby approved.

**Reason** - To comply with the National Planning Policy Framework.

(d) B7 – Detailed Application (Listed Buildings).

### **(3) Planning Application Withdrawn**

**11/00121/FUL - Former Walled Garden, Walworth Road, Walworth, Darlington.** Proposed creation of a vehicular access within the existing boundary wall and the erection of one holiday lodge (Additional Supporting Information received 23 March 2012).

**RESOLVED** - That the planning application be withdrawn at the applicant's request.

**12/00122/LBC - Former Walled Garden, Walworth Road, Walworth, Darlington.** Listed Building Consent for the creation of a vehicular access within a curtilage listed boundary wall to facilitate the siting of one holiday lodge (Additional Supporting Information received 23 March 2012).

**RESOLVED** - That the listed building consent application be withdrawn at the applicant's request.

**PA104. NOTIFICATION OF APPEALS** – The Director of Place reported that Mr. R. Smith had appealed against this Authorities decision to refuse planning permission for change of use of land to form extension to existing private gypsy site for 2 No. additional pitches to accommodate 1 No. static caravan and 1 No. touring caravan on each pitch at land at Snipe Lane Stables, Snipe Lane, Darlington (Reference Number 11/00790/FUL).

**PA105. 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.

**PA106. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7)** - Pursuant to Minute PA99/Apr/12, the Director of Place submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 27th April, 2012.

**RESOLVED** - That the report be received.