

PLANNING APPLICATIONS COMMITTEE

16 January 2013

PRESENT – The Mayor (Councillor Baldwin) (in the Chair); Councillors Cartwright, Cossins, L. Haszeldine, Johnson, Knowles, Lee, Long, D A Lyonette, Macnab, Stenson and J Taylor. (12)

APOLOGIES – Councillor Regan.

ALSO IN ATTENDANCE – Councillors Copeland, Curry and C Taylor. (3)

OFFICERS – Roy Merrett, Development Manager, Dave Coates, Principal Planning Officer and Ken Major, Traffic Manager within Services for Place and Andrew Errington, Lawyer (Planning) within the Resources Group.

PA171. DECLARATION OF INTERESTS – Councillor Long declared an interest in Minute PA174 below (Ref No. 12/00562/FUL) as she wished to address the Committee on behalf of her constituents opposing the application. She also declared a non pecuniary interest in Minute PA174 below (Ref No. 12/00662/DC) as a member of the Darlington College Board. There were no other declarations of interest reported at the meeting.

PA172. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 12 December 2012.

RESOLVED – That, with insertion of ‘L. Haszeldine’ in the list of those Members present at the meeting, the Minutes be approved as a correct record.

PA173. 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 :-

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.
B4A	The materials used in the external surfaces of the extension hereby permitted shall match those used on the existing building. Reason - In the interests of maintaining the visual amenity of the development in accordance with the requirements of Policy

	H12 of the Borough of Darlington Local Plan 1997.
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.

PA174. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

12/00724/FUL - 4 Church View Sadberge, Darlington. First Floor rear extension (Revised Plans).

(In reaching its decision, the Committee took into consideration two letters of objection and the objections of Sadberge Parish Council that had been received and the views of two objectors, whom Members heard).

RESOLVED - That planning permission be granted with the following conditions :-

1. B4A – Matching materials.
2. B5 – In accordance with submitted plans.
3. Within 28 days of the date of this Notice, the first floor west elevation window shall be replaced so that it comprises a single fixed pane (without any means of opening) which is obscure glazed to a level no lower than Pilkington Level Five. The replacement window shall thereafter be retained as such in perpetuity unless otherwise agreed in writing with the local planning authority.
Reason – In the interests of residential amenity.

(2) Planning Permission Refused

12/00562/FUL - Garage Block Adjoining 31 Pendower Street, Darlington. Residential development comprising 5 No flats and 1 No studio (revised application) (Additional Plan received 2 October 2012) (Design of the building amended by plans received 24 November 2012).

(In reaching its decision, the Committee took into consideration twenty letters of objection that had been received to the original application and a further twelve letters of objection to the amended plans that had been received and the views of a representative of the applicant, two objectors, a representative of Westbrook Villas Residents' Association who spoke in objection and the findings of a site visit undertaken by Members. Councillor Long, one of the Northgate Ward Councillors addressed the Committee, in objection, before the other speakers and left the meeting immediately after).

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

1. In the opinion of the Local Planning Authority the proposed development, by virtue of its scale, height and design would amount to over-development of the site and would be out of keeping with the scale, height and design of surrounding buildings and the character of the Northgate Conservation Area contrary to Policy CS2 (Achieving High Quality Sustainable Design) of the Darlington Core Strategy Development Plan Document 2011 and the National Planning Policy Document 2012.
2. In the opinion of the Local Planning Authority the loss of trees on the site would be detrimental to the character of the Northgate Conservation Area contrary to Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity) of the Darlington Core Strategy Development Plan Document 2011 and the National Planning Policy Document 2012..
3. In the opinion of the Local Planning Authority the proposed development would lead to further intensification in the numbers of flats and apartments in the Northgate Ward, part of the Darlington Central sub-area, which are not needed and which would be in conflict with the findings of the Darlington 2012 Strategic Housing Market Assessment Final Report 2012.
4. In the opinion of the Local Planning Authority the proposed development would lead to an increase in the concentration of on-street car parking on Pendower Street which would make it more difficult for vehicles to manoeuvre to the detriment of highway safety contrary to policy CS2 (Achieving High Quality, Sustainable Design) of the Darlington Core Strategy Development Plan Document 2011 and the Design Guide and Specification – Residential and Industrial Estates Development document (amended April 2011).

(3) Planning Permission Deferred

12/00413/FUL - Skipbridge, Hurworth Moor, Darlington. Erection of a detached chalet style bungalow for holiday accommodation.

(In reaching its decision, the Committee took into consideration two letters of objection, the objections of Hurworth Parish Council and the Campaign for Rural England that had been received and the views of an objector whom Members heard).

RESOLVED - That consideration of the application be deferred to enable a site visit to be held.

(4) Darlington Borough Council Granted

12/00662/DC - Central Park Development Site, Haughton Road. Construction of a 3m wide shared use footway from Peel Street to the rear of Teesside University Campus and Darlington College.

(In reaching its decision, the Committee took into consideration seven letters of objection, and letters of support from Darlington College and Teesside University, the comments of the Environment Agency, the Council's Environmental Health Section and the Police Architectural Adviser, which had been received and the views of an objector,

who spoke on behalf of the residents of Graham Court, Rocket Street and Peel Street, one of the Ward Councillors for the Bank Top Ward who also spoke in objection on behalf of the residents of Graham Court, Rocket Street and Peel Street, a representative of the applicant and a representative from Teesside University, who spoke in support of the application).

The Development Manager reported that two additional letters had been received from local residents objecting to the scheme on grounds that there is much evidence of anti-social behaviour (in particular drug misuse related activities) and that this would increase if the development went ahead and also urging that the route should be via Green Street rather than Peel Street.

A letter had also been received from the Police Architectural Liaison Officer raising concerns that the path would open up a potential escape route that might increase the risk of cars being subject to criminal activity in the campus car park; that Green Street would be the preferable route for the path and that whilst it was likely that use of the path could be a deterrent to some anti-social behaviour the path should be well lit, gated at the campus end (in preference to CCTV) to prevent access at night and should be open to the sides to avoid the risk of hiding places.

The Development Manager confirmed that it would not be possible to impose a gate as part of the scheme as the development had to promote public accessibility at all times. The proposal would be a short term solution and could be subject to a revised route when the wider development proceeded; a CCTV camera would be installed close to the campus; it would be well lit and with the increase in use and activity in the area was considered likely to help deter anti-social behaviour. A condition could be imposed to maintain so far as practicable open margins at the site of the route in the interests of safeguarding public safety.

The Highways Manager confirmed that he regarded the route via Peel Street to be safer and more accessible than via Green Street. Green Street would also be subject to future development that would necessitate the pedestrian route being moved from there in any event.

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

1. A3 - Implementation Limit (Three Years).
2. B5 - Detailed Application (Accordance with Plan).
3. Prior to the development being brought into use chicane barriers shall be constructed in accordance with details to be previously agreed with the Local Planning Authority.
Reason - In order to control and manage access to the development in the interests of pedestrian safety.
4. Prior to the development being commenced details of a scheme to maximise so far as practicable the open space either side of the footway/cycleway route shall be submitted to and agreed by the Local Planning Authority. The scheme shall not be implemented other than in accordance with the approved details.
Reason - In the interest of protecting the safety of users of the development.

PA175. NOTIFICATION OF APPEALS - The Director of Place reported that Mr. Singh had appealed against this Authority's decision to refuse planning permission for a change of use of ground floor shop (A1) to hot food takeaway (A5) at 109 Neasham Road, Darlington (Ref No. 12/00205/CU).

RESOLVED - That the report be received.

PA176. NOTIFICATION OF DECISIONS ON APPEALS - Director of Place reported that the Inspectors appointed by the Secretary of State for the Environment had allowed the appeal by Mr. D. Coleman against this Authority's decision to refuse planning permission for the erection of a dwelling house on the site of the former electricity sub-station (revised application) at 53A Parkland Drive, Darlington (Ref No. 12/00261/FUL) (Copy of the Inspector's decision letter (enclosed).

PA177. 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 items on the grounds that they involve the likely disclosure of exempt information as defined in exclusion paragraph 7 of Part I of Schedule 12A to the Act.

PA178. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA170, the Director of Place submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 31 December 2012.

RESOLVED - That the report be received.