

PLANNING APPLICATIONS COMMITTEE

3 July 2013

PRESENT – The Mayor (Councillor Johnson); Councillor Baldwin (in the Chair); Councillors L Haszeldine, Knowles, Lee, Long, D A Lyonette, Macnab, Regan, Stenson and J Taylor. (11)

APOLOGIES – Councillors Cartwright and Cossins. (2)

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

PA12. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA13. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of this Committee held on 5 and 19 June 2013.

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

PA14. 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.
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.
B4A	The materials used in the external surfaces of the extension

	<p>hereby permitted shall match those used on the existing building.</p> <p>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.</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>

PA15. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

13/00330/FUL - Jamia Mosque and Islamic Society of Darlington 25 - 26 North Lodge Terrace, Darlington. Installation of a 7.5m high wall-mounted radio transmitter antenna to rear of the building (with 3.5m projection above roof ridge) (Resubmitted application).

(In reaching its decision, the Committee took into consideration five letters of objection, a second letter of objection from one of the objectors, a letter of support signed by 91 signatories and the comments of the Health Protection Agency and the Environmental Health Officer, that had been received and the views of the applicant's agent, which were read out at the meeting).

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

1. A3 – Implementation Limit (Three Years).
2. B5 – Detailed Drawings (Accordance with Plan).

13/00238/FUL - 122 Blackwell Lane, Darlington. Erection of conservatory to rear (as amended by plans received 22 May 2013).

(In reaching its decision, the Committee took into consideration one letter of objection the comments from the Ward Councillor, that had been received, and the views of the applicant whom Members heard).

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

1. A3 – Implementation Limit (Three Years).
2. The high level windows formed in the section of the conservatory hereby approved that run along the boundary with No 124 Blackwell Lane (for a length of 3.9m) shall be obscure glazed and fixed shut and shall not be repaired or replaced other than with obscure glazing.
Reason - To prevent overlooking of the neighbouring dwelling.
3. B4A – Details of Materials.

4. B5 – Detailed Drawings (Accordance with Plan).

13/00336/FUL - 39 Thornbury Rise, Darlington. Proposed conversion of existing garage to form habitable room, erection of a pitched roof over the garage, erection of single storey gable extension and canopy over front entrance and erection of a replacement detached garage to the rear (Revised Description) (as amended by plans received 14 June 2013).

The Development Manager explained that with regard to ground stability the responsibility of the Local Planning Authority (LPA) was limited to ensuring that a satisfactory certificate signed by a suitably qualified structural engineer was submitted confirming the garage site would be excavated and constructed without adversely affecting ground stability and for the approval of that certificate. The LPA's responsibility did not extend to checking the technical detail of any associated drawings the responsibility for which would rest with the developer/landowner.

(In reaching its decision, the Committee took into consideration fifteen letters of objection (three of which were received after the report was written) and one letter of support that had been received, the views of the applicant and two objectors, all of whom Members heard).

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

1. A3 – Implementation Limit (Three Years).
2. The utility room window and door in the south facing elevation of the single storey extension shall be obscure glazed and shall not be repaired or replaced other than with obscure glazing.
Reason - To prevent overlooking of the neighbouring property.
3. The window in the east facing elevation of the single storey extension shall be obscure glazed and shall not be repaired or replaced other than with obscure glazing.
Reason - To prevent overlooking of the neighbouring property.
4. The folding gates hereby approved shall not open outwards over the public highway.
Reason – In the interests of the highway safety.
5. B5 – Detailed Drawings (Accordance with Plan).
6. Prior to the commencement of any preparatory works associated with the development of the detached garage hereby approved, a certificate completed by an appropriately qualified structural engineer, relating to construction details of the excavated area and confirming that the construction will not have any adverse effect on ground stability, shall be submitted to, and approved in writing by, the Local Planning Authority.
Reason - In the interests of safeguarding against the risk of subsidence.
7. Prior to the commencement of any preparatory works associated with the development of the detached garage hereby approved, a Construction Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include, if necessary, details for construction vehicle routes and access details, measures for the deliveries of materials, 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.

8. Prior to the commencement of any preparatory works associated with the development of the detached garage hereby approved, details of a scheme for controlling surface water runoff from the site 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 order to ensure the development does not increase the risk of surface water runoff from the site or cause any increased flood risk to neighbouring sites.

(2) Change of Use Granted

13/00124/CU - Oakwood, Roundhill Road, Hurworth Moor, Darlington. Change of use of land and laying of hardcore for use as residential land for three Gypsy pitches.

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

RESOLVED - That Planning Permission be granted with the following conditions:

1. A3 – Implementation time.
2. B5 – Accordance with plans.
3. The site shall only be occupied by gypsies as defined in Department for Communities and Local Government document 'Planning Policy For Traveller Sites' 2012.
Reason – In order that the development complies with Core Strategy Policy CS13.
4. The site shall be for three individual pitches.
Reason – For the avoidance of doubt.
5. The site shall be used for residential purposes only and no commercial vehicles over 3.5 tonnes shall be parked on the site without the prior written permission of the Local Planning Authority.
Reason – In the interests of the character of the locality.
6. No commercial activities shall take place on the land, including the storage of materials.
Reason – In the interests of the character of the locality.
7. Details of the proposed mobile homes, utility blocks and other structures shall be submitted as a planning application to, and approved in writing by, the Local Planning Authority before development commences.
Reason – No such details have been submitted.
8. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
Reason – To protect the local water environment.
9. Prior to any development being commenced on site, full details of the proposed caravans including their size and type, shall be submitted to, and approved in writing by, the Local Planning Authority. Following this approval this form of caravan and no other shall be used solely on the site.
Reason – To ensure a satisfactory appearance for the site.

PA16. 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.

PA17. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA8/Jun/13, the Director of Place submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 21 June 2013.

RESOLVED - That the report be received.