

PLANNING APPLICATIONS COMMITTEE

12 March 2014

PRESENT – The Mayor (Councillor Johnson); Councillor Baldwin (in the Chair); Councillors Cartwright, Cossins, Johnson, Knowles, Lee, Long, D A Lyonette, Macnab and Stenson. (10)

APOLOGIES – Councillors L Haszeldine, Regan and J Taylor (3)

ALSO IN ATTENDANCE – Councillors Carson and Crudass. (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. (4)

PA77. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA78. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 12 February 2014.

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

PA79. PROCEDURE – The Borough Solicitor's representative gave a short presentation which outlined the procedure to be followed during consideration of the applications for planning permission before this Committee.

RESOLVED – That the procedure be noted.

NOTE - APPLICATIONS FOR PLANNING PERMISSION – The following standard conditions are referred to in those Minutes granting permission :-

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.

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

(1) Planning Permission Granted

13/01007/FUL - Northern Nurseries, Station Road, Piercebridge. Variation of condition 9 (cater for a maximum amount of 50 covers) of planning permission 11/00715/FUL dated 19 March 2012 to increase the maximum amount of covers served to 70 (amended Site Layout plan received 18 February 2014)

(In reaching its decision, the Committee took into consideration four letters of objection which had been received, the views of the applicant and the objections of Councillor Crudass, one of the Local Ward Councillors, both of whom Members heard). In the light of representations made by Councillor Crudass the Principal Planning Officer agreed to conduct a visit to the site to ensure that the development had been carried out in accordance with the approved plans. It was also noted that since the preparation of the report a complaint had been received from a neighbour regarding smells at the site. This matter was being investigated by the Environmental Health Team

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

1. A3 – Implementation Limit (Three Years).
2. The additional car parking spaces and delivery turning area, as shown on Drawing No 2011:50/25 Rev C, shall be fully implemented prior to any increase in covers within the café area.
Reason: To ensure sufficient parking spaces are available to cater for patrons and staff.
3. B5 – Detailed Drawings (Accordance with Plan).

13/01010/FUL - Rear of The Dog Inn, Cross Lanes, Heighington. Temporary buildings for use by The Dog Clay Target Shooting Club.

(In reaching its decision, the Committee took into consideration the objections of three residents and the comments of Heighington and Coniscliffe Parish Council, the Rights of Way Officer and the Environmental Health Officer which had been received).

RESOLVED - That temporary planning permission is **Granted** subject to the following conditions:

1. This permission shall be for a limited period only, expiring three years from the date of this Notice.

Reason The type of building is not one that the Local Planning Authority is prepared to approve on a permanent basis in view of its appearance and construction.

2. Within 28 days of the date of this notice details of the proposed painting to the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such an agreed scheme shall be carried out within 3 months of the date of this Notice.

Reason In the interests of visual amenity within this countryside location.

3. Within 28 days of the date of this notice details of the proposed hedgerow planting adjacent the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such an agreed scheme shall be carried out within the first planting season after the date of this Notice. Any landscaping that dies, is removed or becomes seriously diseased shall be replaced and maintained to the satisfaction of the Local Planning Authority.

Reason In the interests of visual amenity.

14/00026/FUL - Bowling Green, Bowling Green Dene, Bartlett Street Darlington.
Siting of up to 10 No bee hives within an enclosed area.

(In reaching its decision, the Committee took into consideration one letter of objection from a resident, the comments of the Council's Health and Safety Adviser and the comments of the Durham Constabulary Architectural Liaison Officer which had been received and the views of a representative of the applicant and Councillor Carson, one of the Local Ward Councillors, both of whom Members heard).

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

1. This permission shall be for a limited period only, expiring three years from the date on the Notice when the use shall cease.

Reason - In view of the concerns that have been raised about anti-social behaviour, the Local Planning Authority is prepared to approve the proposal for a limited time period only and would wish to review the permission at the end of the period in the light of the experience of the operation of the use.

2. B5 – Detailed Drawings (Accordance with Plans).

14/00009/FUL - 18 Broadmeadows, Darlington. Demolition of existing conservatory and erection of two storey side extension and single storey extensions to front and rear (amended and additional plans received 17 February 2014).

The Development Manager stated that that the separation between the extension and the dwelling situated on the opposite side of the road was considered to be in keeping with the Council's design guidelines taking into account the difference in ground levels and the offset building line of the application dwelling.

(In reaching its decision, the Committee took into consideration six letters of objection from local residents which had been received and the views of the applicant who Members heard).

(NOTE – The Mayor, (Councillor Johnson) did not vote in respect of this planning application).

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

1. A3 – Implementation Limit (Three Years).
2. B4 – Details of Materials (Samples).
3. The first floor windows in the south and east elevations of the two storey extension hereby approved, shall be obscure glazed and shall not be repaired or replaced other than with obscured glazing. The level of obscurity shall be agreed in writing with the Local Planning Authority prior to the glazing being fitted.
Reason - To prevent the overlooking of the neighbouring dwellings.
4. No additional flank windows or other glazed openings shall be formed in the east elevation of the two storey extension hereby approved without the prior written consent of the Local Planning Authority.
Reason - In the interests of residential amenity.
5. B5 – Detailed Drawings (Accordance with Plan).
6. The screen fence hereby approved, or any future like for like replacement, shall be constructed prior to the extension being brought into use and shall thereafter be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
Reason - In the interests of residential amenity.

RESOLVED - That the reports be received.

PA81. NOTIFICATION OF DECISIONS ON APPEALS - The Director of Economic Growth reported that the Inspectors appointed by the Secretary of State for the Environment had :-

- (a) dismissed the appeal by Mr David Davis against this Authority's decision to refuse permission for variation of condition (viii) of planning permission 8/89/554/DM dated 10 January, 1990 for redevelopment of petrol filling station and car wash facility – to permit an extension of operation of the petrol filling station (including sales kiosk) to between 0600 and midnight Monday to Saturday and 0800 and 2200 Sundays and Bank Holidays (Revised application) at Grange Road Service Station, Darlington (Ref No. 13/00235/FUL) (copy of Inspector's decision letter previously circulated);
- (b) dismissed the appeal by Mr Brian Paxton against this Authority's decision to refuse permission for erection of 2 No detached houses with integral double garages at Land at rear of 49-57A, Teesway, Neasham, Darlington (Ref No. 13/00210/FUL) (copy of Inspector's decision letter previously circulated);
- (c) allowed the appeal by Mr S G Edwards against this Authority's decision to refuse planning permission for the erection of building to form an annexe (Revised application) at 9A Tees Grange Avenue, Darlington, (Ref No. 13/00156/FUL) (copy of Inspector's decision letter previously circulated); and
- (d) allowed the appeal for an award of costs by Mr S G Edwards against this Authority's decision to refuse planning permission for erection of building to form annexe (Revised application) at 9A Tees Grange Avenue, Darlington (Ref No. 13/00156/FUL) (copy of Inspector's decision letter previously circulated).

RESOLVED - That the report be received.

PA82. 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.

PA83. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA76/Feb/14, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 28 February 2014.

RESOLVED - That the report be received.