

PLANNING APPLICATIONS COMMITTEE

2 April 2014

PRESENT – The Mayor (Councillor Johnson); Councillor Baldwin (in the Chair); Councillors Cossins, Knowles, Lee, Macnab, Regan and Stenson. (8)

APOLOGIES – Councillors L Haszeldine, Long and D Lyonette (3)

ABSENT - Councillors Cartwright and J Taylor. (2)

ALSO IN ATTENDANCE – Councillor C Hughes.

OFFICERS – Roy Merrett, Development Manager, Paul Ibbertson, Engineer within Services for Place and Andrew Errington, Lawyer (Planning) within the Neighbourhood and Resources Group. (3)

PA84. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA85. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 12 March 2014.

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

PA86. 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	<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>
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>

PA87. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

14/00080/FUL - Carmel College, The Headlands, Darlington. Erection of two storey extension to north west of the site to form the Music and Drama department and associated additional car parking.

(In reaching its decision, the Committee took into consideration seven letters of objection and one letter of support which had been received and a further two which were reported at the meeting, the views of the applicant, the applicant's architect and the objections of two residents all of whom Members heard).

The Development Manager confirmed that it would be possible to impose a condition regarding traffic management concerned with the types of traffic able to gain access to

the development and at what times, however emphasised that this would not and was not intended to address or solve the parking issues associated with collecting and arrival of pupils at the school.

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

1. A3 – Implementation Limit (Three Years).
2. B4 – Details of Materials (Samples).
3. Prior to the commencement of the works, a Construction Management Plan shall be submitted and approved by the Local Planning Authority. The Construction Management Plan shall include hours of construction and deliveries to the site, a Dust Action Plan, details of how noise and vibration would be controlled during the construction works, designating and signing construction vehicle and plant routes, warning signage, construction phase proposals and keeping public roads clear of all construction debris. The construction phase proposals should also highlight how the day to day operation of the school will be kept separate from the construction traffic. The development shall be implemented in accordance with the agreed Construction Management Plan.

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

4. Prior to the commencement of the development, an Arboricultural Method Statement, including a tree protection plan, shall 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 Statement.

Reason - To protect the existing trees within the application site.

5. Prior to commencement of the development, a full Noise Impact Assessment shall be undertaken and approved by the Local Planning Authority. Prior to commencing the Assessment the scope of the report, which must include noise and vibration as appropriate, including musical noise and all plant and machinery associated with this planning permission shall be agreed in writing with the Local Planning Authority. The findings of the Noise Impact Assessment shall be implemented in accordance with a timescale to be agreed with the Local Planning Authority. The Noise Impact Assessment must show that the noise emissions from the development will comply with the noise limit stated in planning condition 6 of this permission. Use of the development shall not commence until the Local Planning Authority has given notice, in writing, that it is satisfied that the level of noise emissions from the identified noise sources will comply with condition 6.

Reason - In the interests of residential amenity.

6. The Rating Level (as defined in BS 4142:1997), as a result of musical noise and all plant and machinery associated with the development shall be at least 5 dB(A) below the background noise level at any residential property, when measured in accordance with BS 4142:1997. The background noise level to be used shall be measured by the applicant during appropriate day time and evening periods and the levels agreed in writing with the Local Planning Authority.

Reason - In the interests of residential amenity.

7. In the event that suspected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, in accordance with best practice guidance, the details of which are to be agreed in writing with the Local Planning Authority. Where remediation is shown to be necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing. Following completion of measures

identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason - To ensure that the development proposed can be implemented and occupied with adequate regard for environmental and public safety.

8. Prior to the commencement of the development, a lighting assessment relating to all aspects of the planning application shall be submitted to and approved in writing by the Local Planning Authority. The lighting levels shall comply with the limits given for Environmental Zone 2 in Table 2 of the Institution of Lighting Professionals Guidance Notes for the reduction of Obtrusive Light and the development shall not be carried out otherwise than in complete accordance with the approved details

Reason - In the interest of residential amenity.

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

10. Prior to the commencement of development details of a traffic and car parking management plan shall be submitted to and agreed by the Local Planning Authority to confirm the traffic that will be allowed to access and park within the school premises and at what times this may occur. Thereafter the agreed details shall be implemented prior to the development being brought into use and shall be adhered to at all times unless otherwise agreed with the Local Planning Authority.

Reason - In the interests of highway safety.

11. The car parking spaces hereby approved shall be implemented prior to the new building being brought into use.

Reason - In the interests of highway safety.

14/00049/FUL - St Bede's Roman Catholic Primary School, Kingsway, Darlington.

Erection of an extension to the reception class, relocation of covered play area to the south elevation, erection of an extension to provide 2 No class bases adjoining the north elevation and creation of 10 No parking spaces within the curtilage of the school (amended and additional plans received 30 January 2014) (Travel Plan and Transport Statement received 7 March 2014 and 10 March 2014) (additional Plan received 24 March 2014).

(In reaching its decision, the Committee took into consideration three letters of objection from local residents and the comments of Sport England which had been received).

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

1. A3 – Implementation Limit.
2. B4 – Details of Materials (Samples).
3. The School Travel Plan entitled “2014 St Bede’s RC VA Primary School – School Travel Plan” shall be fully implemented and updated, when required.

Reason - In order to promote the use of sustainable modes of transport.

4. The development hereby approved (including demolition work), shall include a scheme to protect the existing trees to be retained. The scheme shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m high, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The 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:

- (a) The raising or lowering of levels in relation to the existing ground levels;
- (b) Cutting of roots, digging of trenches or removal of soil;
- (c) Erection of temporary buildings, roads or carrying out of any engineering operations;
- (d) Lighting of fires;
- (e) 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.

5. The precise details of the ten staff parking spaces shown on Drawing Number AL(0) 01A Rev A shall be submitted to an approved in writing by the Local Planning Authority. The details shall include number and location of the parking bays and the use of Autotracks to demonstrate that service vehicles can utilize the service area and are not compromised by the additional parked cars. The parking bays shall be implemented concurrently with the extensions hereby approved unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be retained.

Reason - To ensure that adequate staff parking is provided within the curtilage of the school in the interests of highway safety.

6. 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 the proposed hours of deliveries and construction, a Dust Action Plan, methods for controlling noise and vibration during the construction phase, construction traffic routes, warning signage, and methods for wheel washing. The development shall be carried out in complete accordance with the approved Plan.

Reason - In the interest of highway safety and residential amenity.

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

(2) Planning Permission Deferred

13/01015/FUL - Kings Arms Hotel, Glebe Road, Great Stainton, Stockton-on-Tees.
Erection of 3 No. detached houses and car park.

(In reaching its decision, the Committee took into consideration the objections of local residents, the Campaign to Protect Rural England, Great Stainton Parish Council and the comments of Northern Gas Networks, Northumbrian Water, the Highway's Engineer, the Arboricultural Officer, the Conservation Officer and the Environmental Health Officer, which had been received and the views of the applicant's agent and two objectors, all of whom Members heard).

RESOLVED - That planning permission be deferred to enable details of increased parking provision and associated lighting to be submitted to the local planning authority for further consideration.

(3) Approval of Details Granted

12/00037/RM1 - Caretakers House, Edinburgh Drive, Darlington. Approval of details of access, appearance, landscaping, layout and scale for 3 No detached dwellings pursuant to outline planning permission 12/00037/OUT dated 17 April 2012 (additional plans received 11 October 2013 and amended plans received 21 January 2014).

(In reaching its decision, the Committee took into consideration three letters of objection which had been received).

RESOLVED – That the details of access, appearance, landscaping, layout and scale for 3 No detached dwellings pursuant to outline planning permission 12/00037/OUT dated 17 April 2012 (additional plans received 11 October 2013 and amended plans received 21 January 2014) at Caretakers House, Edinburgh Drive, Darlington be approved.

13/00262/CON - Site of Former Eastbourne Nursery School, Belgrave Street, Darlington. Approval of details reserved by condition 3 (means of enclosure), 5 (remediation statement), 6 (landscaping), 7 (trees), 8 (arboricultural method statement), 9 (construction management plan), 11 (surface water) attached to planning permission 13/00262/FUL dated 1 August 2013 for erection of a residential development comprising 2 No semi-detached dwellings; 6 No terraced properties and 4 No apartments.

RESOLVED - That condition 3) attached to planning permission Ref No. 13/00262/FUL, be discharged.

PA88. NOTIFICATION OF APPEAL – The Director of Economic Growth reported that Mr Ged Marsh had appealed against this Authority's decision to refuse planning permission for a loft conversion with raised roof height to facilitate conversion of roof space to habitable rooms at 1 Church Close, Middleton St. George (Ref. No. 13/00890/FUL).

RESOLVED - That the report be received.

PA89. 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.

PA90. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA83/Mar/14, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 21 March 2014.

RESOLVED - That the report be received.