

PLANNING APPLICATIONS COMMITTEE

2 July 2014

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

APOLOGIES – Councillors L Haszeldine, Long, Regan, Stenson and J Taylor.(5)

ABSENT -

OFFICERS – Dave Coates, Principal Planning Officer and Paul Ibbertson, Engineer, within Services for Economic Growth and Andrew Errington, Lawyer (Planning) within the Neighbourhood Services and Resources Group. (3)

PA9. DECLARATIONS OF INTEREST – Councillor Macnab declared a non-pecuniary interest in Minute PA(2) below (Ref No. 14/00277/FUL) and left the meeting during consideration of that item.

PA10. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 4 June 2014.

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

PA11. PROCEDURE – The Assistant Director - Chief Executive’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>
C5	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no enlargement, improvement or other alteration of the premises, including any additional structures/building within the curtilage of the site, shall be carried out without the prior consent of the Local Planning Authority, to whom a planning application must be made.</p> <p>Reason - In order not to prejudice the amenities of the adjoining properties and in order that the Local Planning Authority is able to exercise control over future development of the site.</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>

PA12. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

14/00361/FUL - Carlbury Arms, Piercebridge. Erection of a single storey dining room extension to side, single storey kitchen extension to rear and creation of hardstanding area to form amenity space to side (additional heritage statement received 29 May 2014 and amended plans received 10 June 2014).

(In reaching its decision, the Committee took into consideration the comments of; the Highway Engineer, Conservation Officer, Durham County Archaeology and English Heritage and the objections of Piercebridge Parish Council which had been received and three letters of objection from local residents Council which had been received and which had subsequently been withdrawn and the views of one of the Heighington and Coniscliffe Ward Councillors whom Members heard.)

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

1. A3 (Standard 3 year time limit).
2. B4 (Details of external materials to be submitted).
3. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological monitoring work as defined in a specification prepared by the County Durham Archaeology Team. A written scheme of investigation (WSI) must be submitted by the developer, and approved in writing by, the local planning authority. The written scheme of investigation shall be carried out in accordance with the approved details and timings.

Reason - To comply with Policy CS13(E)(12) of the borough of Darlington Core Strategy Document (2011) and paragraph 135 and 141 of the National Planning Policy Framework as the site is thought to contain features of national archaeological importance.

4. 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 & Darlington Historic Environment Record. This may include full analysis and final publication.

Reason – To comply with paragraph 141 of the National Planning Policy Framework to ensure that the developer records and advances understanding of the significance of the heritage asset to be lost (wholly or in part) in a manner proportionate to its importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

5. Notwithstanding the details shown on the approved plans, the public house/restaurant shall cater for a maximum of 45 covers unless otherwise agreed in writing by the Local Planning Authority.

Reason – In the interest of highway safety.

6. Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details for a dust action plan, the proposed hours of construction, road maintenance and signage. Should the establishment remain open for business during the works, details of how the works will be kept separate from public access and car parking areas maintained for public use should be submitted to the Local Planning Authority for approval in writing. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason – In the interest of highway safety.

7. Prior to the commencement of development hereby permitted details of a scheme for the management of surface water run-off from the proposed hard surfaced outdoor seating/amenity area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter be so maintained.

Reason – To ensure that adequate measures are taken for the disposal of surface water.

8. B5 (Development in accordance with the approved plans).

14/00277/FUL - Land to the Rear of No's 64 - 86 Beaumont Hill, Beaumont Hill, Darlington. Erection of detached dwelling to the rear of No's 64 - 86 Beaumont Hill with access off Hartlea Avenue (revised description).

(In reaching its decision, the Committee took into consideration a letter of objection and the objections of Whessoe Parsh Council and the Campaign to Protect Rural England which had been received and the views of the applicant's agent and the objections of the Clerk of Whessoe Parish Council who spoke on behalf of that Parish Council, both of whom Members heard.)

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 dwelling hereby approved shall achieve Level 6 of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 6 has been achieved.
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.
4. C5 – Restriction of PD Rights (Residential).
5. E2 – Landscaping (Submission).
6. Prior to commencement of the development hereby approved, sectional details, at points to be agreed with the Local Planning Authority, showing existing and proposed ground levels for the proposed building shall be submitted to and agreed in writing with the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - In order to ensure a satisfactory form of development
7. Prior to the commencement of the development hereby approved, 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 2.3m high, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The 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:
 - (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 wellbeing of the trees on the site and in the interests of the visual amenities of the area.
8. Notwithstanding the details of condition 6, an Arboricultural Implications Assessment and an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The Statement shall include precise details about how the dwelling will be constructed to ensure that the root systems of the trees, shown to

be retained on the approved plans, will not be adversely affected.

Reason - To safeguard the life of the trees in the interests of visual amenity.

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

10. No deliveries or construction traffic shall arrive at the site before 08:00 or after 18:00 Mondays to Friday or before 08:00 or after 14:00 on Saturdays and no deliveries or construction traffic shall take place or arrive at all on Sundays or Bank Holidays.

Reason – In the interests of residential amenity.

(NOTE – Councillor Macnab left the table for the above item of (Ref No. 14/00277/FUL) and after speaking as the Clerk of Whessoe Parish Council, left the room whilst the application was discussed.)

(2) Planning Permission Deferred

14/00367/FUL - 10 Woodland Terrace, Darlington. Erection of a single storey extension.

(In reaching its decision, the Committee took into consideration three letters of objection and the comments of the Highways Engineer and the Conservation Officer, which had been received, and the views of the applicant and the applicant's architect, one objector and one of the College Ward Councillors, all of whom Members heard).

RESOLVED - That planning permission be deferred to enable a site visit to be held.

PA13. NOTIFICATION OF APPEALS – The Director of Economic Growth reported that GLD Team 2 Gladman Developments Ltd had appealed against this Authority's decision to refuse outline planning permission for a residential development of up to 250 dwellings (Landscape, open space, highway improvements and associated works) at Field At OSGR E434615 N514134, Sadberge Road, Middleton St George, Darlington (Reference Number 13/00940/OUT).

RESOLVED - That the report be received.

PA14. 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.

PA15. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 13) - Pursuant to Minute PA8/Jun/14, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 20 June 2014.

RESOLVED - That the report be received.