

PLANNING APPLICATIONS COMMITTEE

6 January 2016

PRESENT – Councillor Baldwin (in the Chair); Councillors Cossins, Galletley, L. Haszeldine, Johnson, Kelley, Lee, Lyonette, Regan, Stenson and J. Taylor. (11)

APOLOGIES – Councillors Cartwright and Knowles. (2)

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

PA61. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA62. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 25 November 2015.

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

PA63. PROCEDURE – The Head of Legal Services' 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 condition is 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

	<p>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>
C4	<p>This permission shall be personal to _____ only and shall not ensure for the benefit of the land. In the event of their vacating the premises the use shall revert to the use for _____ purposes.</p> <p>Reason - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over subsequent use in the event of _____ vacating the premises.</p>

PA64. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION - (1) Planning Permission Granted

15/00847/FUL - 85 Grange Road, Darlington. Change of use from residential to Class D2 use (Pilates studio, treatment rooms and ancillary offices) and erection of single storey and two storey rear extensions (amended plans received 10 November 2015).

(In reaching its decision, the Committee took into consideration the Planning Officer’s report (previously circulated) and the views of the Highway Engineer, the Environmental Health Officer, Darlington Association on Disability, five letters of objection and three letters of representation that had been received, the views of the applicant and an objector, whom Members heard).

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

1. A3 (Standard 3 year time limit).
2. B4 (Details of external materials to be submitted).
3. The premises shall be used only as a Pilates studio and associated uses as set out in the Heritage Statement and Design and Access Statement dated 25 August 2015 submitted with the application and for no other purpose (including any other purpose within Class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or any Order revoking and re-enacting that Order).
Reason – The Local Planning Authority is satisfied that the use hereby approved would not result in detriment to adjoining properties but would wish to control future changes of use within the same class in the interests of amenity.
4. The Pilates studio and associated treatment rooms hereby permitted shall be carried out only between the hours of 8.00am and 9.00pm Monday to Friday and 8.00am and 6.00pm on a Saturday and not at all on a Sunday or Bank Holidays unless otherwise approved in writing by the Local Planning Authority.
Reason – In the interest of residential amenity.
5. Prior to the commencement of development, or such other period as may be agreed with the Local Planning Authority, details of the proposed screen fencing to be erected along the southern boundary of the application site shall be submitted to, and approved in writing by, the Local Planning Authority. The approved means of enclosure shall be erected prior to the approved development being brought into

use and shall thereafter be so maintained.

Reason – In the interest of visual and residential amenity.

6. Prior to the use hereby permitted commencing, a scheme to provide secure cycle parking on the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the use shall not commence until the approved details have been implemented in full and shall be retained as long the premises shall continue to operate as a Pilates studio.

Reason – To encourage access to the site by sustainable modes of transport.

7. Prior to the use hereby permitted commencing, the disabled access ramp approved as part of the application shall be provided and shall be retained as long as the premises shall continue to operate as a Pilates studio.

Reason - To ensure that a disabled person can use the services that are provided within the building in accordance with Policy CS2 (Achieving High Quality, Sustainable Design) of the Darlington Core Strategy Development Plan 2011 and the Equalities Act 2010.

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

9. C4 This permission shall be personal to Andrew and Sarah Wilkinson only and shall not ensure for the benefit of the land. In the event of their vacating the premises the use shall revert to the use for residential purposes.

Reason - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over subsequent use in the event of Andrew and Sarah vacating the premises.

10. Music generated within the premises subject to this permission shall not be audible from within adjacent residential properties.

Reason – In the interest of residential amenity.

(2) Planning Permission Deferred

15/00976/OUT - Land off High Stell Middleton St George, Darlington. Erection of up to 200 dwellings including landscaping, open space, highway improvements and associated works.

(NOTE: The item was withdrawn prior to the meeting to enable further work to be undertaken on the application).

15/00715/FUL - Carmel College, The Headlands, Darlington. Construction of a synthetic sand dressed turf pitch, along with associated floodlighting, enclosures and acoustic fence (amended plans and additional information received 11 September 2015 and 13 November 2015).

(NOTE: The item was withdrawn prior to the meeting to enable further work to be undertaken on the application. In advising Members, the Chair stated that it had transpired that the application was inaccurate in so far that an error had been made in relation to the positioning of the playing pitch within the site, which in turn would have significant implications in terms of the supporting reports submitted with the application with regard to noise and floodlight glare. It was noted that this information had only been provided to Officers on the evening prior to the meeting, and that it was therefore necessary to withdraw the application to enable Officers to consider the new information, and ensure that any decision was based on reliable and correct information following appropriate consultation with the public. The Chair stated that every effort had

been made to contact anyone with an interest, and apologised to those in attendance to hear the item.).

PA59. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Section 100B(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.

PA60. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA60/Nov/15, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 18 December 2015.

RESOLVED - That the report be received.