

PLANNING APPLICATIONS COMMITTEE

27 July 2016

PRESENT – Councillor Baldwin (in the Chair); Councillors Cartwright, I Haszeldine, L Haszeldine, Johnson, Lister, Lyonette, Stenson and J Taylor. (9)

APOLOGIES – Councillors Galletley, Kelley, Knowles, Lee and Regan. (5)

ABSENT –

ALSO IN ATTENDANCE –

OFFICERS – Dave Coates, Planning Development Manager, Andrew Casey, Head of Highway Network Management and Adrian Hobbs, Planning Officer within Services for Economic Growth and Andrew Errington, Lawyer (Planning), within the Neighbourhood Services and Resources Group. (4)

PA15. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA16. MINUTES OF MEETINGS – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 1 July 2016.

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

PA17. PROCEDURE – The Assistant Director Law and Governance'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 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.
B4A	The materials used in the external surfaces of the extension hereby permitted shall match those used on the existing building. 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.
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.
B9	Prior to the commencement of development, or such other period as may be agreed with the Local Planning Authority, the details of any walls, fencing or other means of enclosure shall be submitted to, and approved by, the Local Planning Authority. The approved means of enclosure shall be erected prior to the approved development being brought into use, or within any approved phase of the development prior to that phase of the development being brought into use. Reason – In the interests of visual and/or residential amenity.
E2	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. Reason - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.
E5	Prior to the development hereby permitted being first occupied, or within such extended time as may be agreed in writing with the Local Planning Authority, the site shall be enclosed, on all boundaries, except at the permitted point of access, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Reason - To safeguard the visual amenities of the locality and privacy of adjoining properties.

PA18. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

16/00087/DC - Allington Way, Darlington. Erection of 62 dwellings, comprising 42 apartments and 20 houses plus internal roads, car parking and landscaping.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of two objectors whom Members heard and the findings of a site visit which had been held).

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

1. A3 - Implementation Limit.
2. B5 - Accordance with plans.
3. B4 - Materials.
4. E2 – Landscaping.
5. Prior to first occupation of the homes the acoustic fencing around the site shall be erected in accordance with the layout and heights stipulated in the Noise Impact Assessment Report No. 70008992-001, prepared by WSP and submitted with the application. The fencing materials and makeup shall be according to the specification in the site fencing tender document submitted as part of the application. Alternative fencing designs giving equally effective sound reduction would be acceptable if agreed in advance with the LPA.
Reason – In the interests of residential amenity.
6. The windows in facades of properties fronting onto McMullen Road should be fitted with suitable acoustic glazing to give a sound reduction index of at least 33 dB. The windows shall incorporate sound attenuating trickle ventilators to allow background ventilation to the rooms when the windows are closed without the noise levels in BS:8233 being exceeded. The exact window specification shall be agreed with the LPA in writing prior to first occupation of the homes.
Reason - In the interests of residential amenity.
7. In the event that suspected contaminated material 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 to show that the remediation has been undertaken to a satisfactory standard, which is subject to the approval in writing by the Local Planning Authority.
Reason - In the interests of residential amenity.
8. No development shall be carried out unless and until vehicle swept path analysis has been undertaken to support the movement framework for emergency vehicles refuse and service vehicles, for the internal network and, where appropriate, in respect of the off-site highway proposals, details of which shall be submitted to and approved by the Local Planning Authority.
Reason – In the interests of highway safety.
9. A cyclist priority crossing shall be provided where the new access on to McMullen Road crosses the existing cycle way.
Reason – In the interests of cyclist safety.
10. The development shall be carried out in accordance with the Flood Risk Assessment document submitted with the application.
Reason – In the interests of public safety.
11. Before development commences, details of the provision of bat roosting boxes within the design of the new dwellings shall be submitted to and approved in writing

by the Local Planning Authority.

Reason – In the interests of the welfare of protected species.

12. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been approved in writing by the Local Planning Authority. The Scheme shall provide for:
- (a) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
 - (b) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
 - (c) Post-fieldwork methodologies for assessment and analyses.
 - (d) Report content and arrangements for dissemination, and publication proposals.
 - (e) Archive preparation and deposition with recognised repositories.
 - (f) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
 - (g) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
 - (h) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.
- The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

Reason – To ensure the proper recording of the archaeology of the site.

13. 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 Historic Environment Record.

Reason – To ensure the proper recording of the archaeology of the site.

15/00918/FUL - Land to The Rear of The Buck Inn, Middleton Road, Sadberge, Darlington. Erection of 3 No dwellings.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated).

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

1. A3 Implementation Limit (3 years).
2. B5 Detailed application (Accordance with Plans).
3. B4 Details of Materials (samples).
4. E2 Landscaping (Submission).
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order [2015] (or any order revoking and re-enacting that Order with or without modification) 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.
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.
6. E5 Boundary Treatment Submission.

7. Unless otherwise agreed in writing by the Local Planning Authority, the proposed development shall be only carried out in all respects in accordance with the recommendations and methods contained within the Extended Phase 1 Habitat Survey report (Delta Simons September 2015).

Reason – In the interests of ecology.

8. No development shall commence until a scheme for the provision and implementation of a surface water drainage scheme incorporating run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason – To reduce the risk of flooding.

9. In the event that suspected contaminated material is found at any time when carrying out the proposed development, it must be reported to the Local Planning Authority immediately. An investigation and risk assessment must then be undertaken, in accordance with best practice guidance, the details of which shall be submitted to be agreed in writing with the Local Planning Authority in advance of any further works on site taking place. Where remediation is shown to be necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing in advance of the re-commencement of any works on site. The development shall only take place in accordance with the approved details.

Reason – in order to satisfactorily address any contamination issues that might arise.

10. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been approved in writing by the Local Planning Authority. The Scheme shall provide for:

- (a) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
- (b) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
- (c) Post-fieldwork methodologies for assessment and analyses.
- (d) Report content and arrangements for dissemination, and publication proposals.
- (e) Archive preparation and deposition with recognised repositories.
- (f) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- (g) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- (h) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

Reason – To comply with para 135 & 141 of the NPPF because the site is of archaeological interest.

11. 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 Historic Environment Record.

Reason – To comply with para. 141 of the NPPF, which requires the developer to

record and advance understanding of the significance of a heritage asset to be lost, and to make this information as widely accessible to the public as possible.

16/00500/FUL - 5B The Spinney, Middleton St George, Darlington. Erect two detached dormer bungalows on rear paddock.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of an objector whom Members heard).

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

1. A3 – Time limit.
2. This permission shall relate to the revised site plan Rev B 05-07-16 received by the Local Planning Authority on 11th July 2016.
Reason – For the avoidance of doubt.
3. Before development commences, details of the provision of bat roosting boxes within the design of the new dwellings shall be submitted to and approved in writing by the Local Planning Authority.
Reason – In the interests of the welfare of protected species.
4. B5 – Accordance with plans.
5. Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include details for wheel washing, a dust action plan, the proposed hours of construction, vehicle routes, road maintenance, and signage. The development shall not be carried out otherwise than in complete accordance with the approved details.

16/00577/FUL - 18 Friars Pardon, Hurworth, Darlington. Side extension to dwelling and detached store.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of two objectors and the applicant, all of whom Members heard).

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

1. A3 – Time limit.
2. B4A – Matching materials.
3. B5 – In accordance with plans.

PA19. NOTIFICATION OF APPEALS – The Director of Economic Growth reported that Mr John Kelly had appealed against this Authority's decision to refuse planning permission for insertion of replacement windows to front elevation (retrospective application) at 124 High Northgate, Darlington (Ref No.15/01198/FUL).

RESOLVED – That the report be noted.

PA20. NOTIFICATION OF DECISIONS ON APPEALS – The Director of Economic Growth reported that Inspectors, appointed by the Secretary of State for the Environment had :-

- (a) dismissed the appeal by Mr C Taylor against this Authority's decision to refuse permission for outline application for erection of 4 dwellings (with all matters reserved) at land at Mill Lane, High Coniscliffe, Darlington (15/00984/OUT); and
- (b) dismissed the appeal by Mr P Foster against this Authority's decision to refuse permission for outline application for erection of 6 detached dwellings, alterations to existing access and construction of footway connection (revised application) at Beacon Hill Works, Sadberge, Darlington (14/00449/OUT).

RESOLVED – That the report be noted.

PA21. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA14/Jul/16, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 1 July 2016.

RESOLVED – That consideration of this item be deferred.