

## PLANNING APPLICATIONS COMMITTEE

19 November 2014

**PRESENT** – The Mayor (Councillor Lee); Councillor Baldwin (in the Chair); Councillors Cossins, L Haszeldine, Johnson, Knowles, Long, D. Lyonette, Macnab, Regan and Stenson. (11)

**APOLOGIES** – Councillors Cartwright and J Taylor. (2)

**ABSENT** -

**ALSO IN ATTENDANCE** - Councillors Harker, I Haszeldine and L Hughes. (3)

**OFFICERS** – Roy Merrett, Development Manager, Dave Coates, Principal Planning Officer, Paul Ibbertson, Engineer, Brian Whelan, Environmental Health Officer, within Services for Economic Growth and Andrew Errington, Lawyer (Planning) within the Neighbourhood Services and Resources Group.(5)

**PA49. DECLARATIONS OF INTEREST** – Councillor L. Haszeldine declared a non-pecuniary interest in Minute PA52(1) below (Ref No. 14/00828/FUL) and left the meeting during the consideration of that item. Councillor Cossins declared a non-prejudicial interest in Minute PA52(2) below (Ref No. 14/00938/DC) as one of the Ward Councillors. Councillor Regan also declared a non-pecuniary, prejudicial interest in Minute PA52(2) below (Ref No. 14/00938/DC) and left the meeting during the consideration of that item.

**PA50. MINUTES** - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 22 October 2014.

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

**PA51. PROCEDURE** – The 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. <b>Reason</b> - 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

	<p>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.</p> <p><b>Reason</b> - 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.</p>
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><b>Reason</b> - To ensure the development is carried out in accordance with the planning permission.</p>

**PA52. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION**

**(1) Planning Permission Granted**

**14/00828/FUL - Eastbourne School site, The Fairway, Darlington.** Alteration of ground levels and other works to those approved under planning permission to construct 76 dwellings (Ref. No. 13/00769/FUL).

(In reaching its decision, the Committee took into consideration the Planning Officer’s report (previously circulated), the findings of a site visit undertaken by Members and three letters of objection from local residents which had been received, the views of a representative of the applicant, two objectors and the objections of one of the Lingfield Ward Councillors, all of whom Members heard).

**RESOLVED** - That planning permission be granted with the following conditions :-

1. The works hereby approved shall be carried out in their entirety prior to the occupation of plots 12 to 22 inclusive.  
**Reason** – To protect the privacy of adjacent residents along The Causeway.
2. B5.
3. Full details of the cycle way landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority, and the approved scheme implemented within one year of the date of this notice. Any landscaping removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced by similar species to those originally approved and planted.  
**Reason** - To protect the privacy of adjacent residents.

(NOTE – Councillor L Haszeldine was not present during consideration of the above application (Ref No. 14/00828/FUL).)

**14/00960/FUL - Piercebridge Farm, The Green, Piercebridge.** Erection of 3 No mobile hen sheds (Retrospective).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), six letters of objection from local residents, a letter of objection from a third party on behalf of a resident and four letters of support from local residents, all of which had been received, and the views of the applicant, the applicant's agent, the Environmental Health Officer within Services for Economic Growth and an objector, all of whom Members heard).

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

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

**14/00590/FUL - Castle Farm, Walworth.** Change of use and alterations to existing agricultural building to domestic use and erection of timber cattery buildings to rear, together with erection of two storey side extension and single storey rear extension to dwelling and detached triple garage.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), eight letters of objection from local residents, two letters of representation, and the comments of the Highways Engineer, the Conservation Officer, the Countryside Access Officer and Walworth Parish Council all of which had been received and the views of the applicant, the applicant's architect and two objectors, all of 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. Notwithstanding any details of the vehicular access submitted as part of the application the first 2 metres of the drive shall be constructed in a sealed material, details of which shall first be submitted to and approved in writing by the Local Planning Authority. Thereafter the improvements to the existing vehicular access shall be carried out in accordance with the details as approved.  
**Reason** – In the interest of highway safety.
4. The cat cabins hereby permitted shall be used only for purposes incidental to the enjoyment of the main dwelling known for the time being as Castle Farm for the keeping of cats and shall not at any time be used as a commercial cattery.  
**Reason** – In the interests of highway safety and residential amenity.
5. B5 (Development in accordance with the approved plans).
6. A landscaping scheme in relation to the part of the site of the garage hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter any trees or shrubs removed, dying, severely damaged or becoming 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 help integrate this part of the development into the site in the interests of the visual amenities of the area.
7. That residential occupation of the caravan on site is discontinued upon completion of the extension to the main dwelling.  
**Reason** - In the interests of the appropriate planning of the site.

**14/00942/FUL - 101 Low Coniscliffe, Darlington.** Erection of single storey wraparound front/side and rear extensions (additional layout plan received 22 October 2014).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), one letter of representation, one letter of objection and the objections of Low Coniscliffe and Merrybent Parish Council all of which were received by Members).

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

## **(2) Planning Permission Refused**

**14/00938/DC - Land East of 81 Eggleston View, Eggleston View, Darlington.** Residential development comprising 12 No dwellings and associated road infrastructure, parking, rear gardens and landscaping (Revised application).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), ten objections from neighbouring properties, the objections from the Campaign for the Protection of Rural England with regards to the previous application (Ref No 14/00498/DC), the objections from the Friends of Cocker Beck and the comments of Northumbrian Water, the Highways Engineer, the Durham Police Architectural Liaison Officer and the Environment Agency all of which were received, and the views of the Environmental Health Officer, three objectors from the Friends of Cockerbeck and the objections of a Cockerton West Ward Councillor, all of whom Members heard).

**RESOLVED** - That planning permission be refused for the following reasons :-

1. Policy E3 (Protection of Open Land) of the Borough of Darlington Local Plan 1997 states that in considering proposals to develop any area of open land within the development limit, the Council will seek to maintain the usefulness and enhance the appearance and nature conservation interests of the open land system as a whole. The proposed development would result in the loss of an area of open land in a manner that would be harmful to the appearance of the area. The proposal does not, therefore, accord with Policy E3 of the Local Plan.
2. The proposed three storey blocks of flats would be out of keeping with the character of the surrounding area which consists of two storey houses. As such the proposal fails to accord with Policy CS2 (Achieving High Quality, Sustainable Design) of the Darlington Core Strategy Development Plan Document 2011.

NOTE – Councillor Regan left the table for the above item of (Ref No. 14/00938/DC) and after speaking as one of the Ward Councillors, left the room whilst the application was discussed.

### **(3) Planning Permission Deferred**

**14/00276/FUL - 182 Woodland Road, Darlington.** Proposed redevelopment of the site for residential purposes comprising two three storey apartment buildings to accommodate 46 dwellings (39 No. Class C2 units and 7 No. Class C3 units) with associated access, car parking and landscaping (revised description) (additional plans and information and amended plans received 27 August 2014 and 3 November 2014).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), 21 letters of objection from local residents, one letter of support from a local resident, one letter of support from Cockerton Band, the comments of English Heritage and the Council's Senior Arboricultural Officer which had been received and the views of the applicant's agent and the objections of a Pierremont Ward Councillor and two local residents all of who Members heard).

**RESOLVED** – That consideration of the above application be deferred to enable a site visit to be held.

**PA45. NOTIFICATION OF APPEALS** – The Director of Economic Growth reported that :-

- (a) Mr Ben Quaintrell had appealed against this Authority's decision to refuse permission for sub-division of property to 4 No. self-contained apartments at 46 Greenbank Road, Darlington, DL3 6EJ (14/00514/FUL); and
- (b) Mr Jesbir Singh had appealed against this Authority's decision to refuse permission for change of use from shop (use Class A1) to hot food takeaway (A5) and external alterations including new shop front to front and side, insertion of ground floor side window and extractor flue pipe to side elevation (resubmission) at 15 Belvedere Road, Darlington, DL1 5EP (14/00563/FUL).

**RESOLVED** - That the report be received.

**PA46. NOTIFICATION OF DECISIONS ON APPEAL** – The Director of Economic Growth reported that Inspectors, appointed by the Secretary of State for the Environment, had :-

- (a) dismissed the appeal by Mr Chris Woodley-Stewart against this Authority's decision to refuse planning permission for loft conversion incorporating erection of roof dormer to rear at 82 Neville Road, Darlington, DL3 8NE (Ref No. 14/00596/FUL);
- (b) dismissed the appeal by Mr S Rees against this Authority's decision to refuse planning permission for erection of first floor rear extensions (revised description) (additional plans received 14 October, 2013 and amended plans received 24 December, 2013) at 45 St John's Crescent, Darlington, DL1 4DT (Ref No. 13/00782/FUL); and
- (c) dismissed the appeal by England and Lyle against this Authority's decision to refuse planning permission for erection of a two and 1.5 storey housing development comprising 5 No dwellings (amended plans received 7 April 2014

and revised Contaminated Land Report received 15 April 2014) at Land at Rear of 3-4 Hill Garth, Darlington (Ref No. 13/01006/FUL).

**RESOLVED** –That the report be received.

**PA47. 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.

**PA48. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7)** - Pursuant to Minute PA48/Oct/14, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 7 November 2014.

**RESOLVED** - That the report be received.