

## PLANNING APPLICATIONS COMMITTEE

17 February 2016

**PRESENT** – Councillor Baldwin (in the Chair); Councillors Galletley, L Haszeldine, Johnson, Knowles, Lee, Lyonette, Regan, Stenson and J Taylor. (10)

**APOLOGIES** – Councillors Cossins and Kelley. (2)

**ABSENT** – Councillor Cartwright

**ALSO IN ATTENDANCE** - Councillors B Jones, D Jones and York. (3)

**OFFICERS** – Dave Coates, Principal Planning Officer, Adrian Hobbs, Planning Officer, Paul Ibbertson, Engineer, within Services for Economic Growth, Neil Cookson, Solicitor, within the Neighbourhood Services and Resources Group.(4)

**PA74. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**PA75. 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
B1	Detailed drawings showing the details of the following items shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development :- (i) the design, siting, height and internal planning of the buildings; (ii) the external appearance of the buildings and the materials to be used on all external surfaces including colours and textures; (iii) means of access and service roads, including road widths, sight lines and space for loading, off-loading and manoeuvring and turning of vehicles; (iv) details of car-parking layout(s) and parking for people with disabilities; (v) refuse storage accommodation and access thereto; (vi) treatment of those parts of the site not covered by buildings, including planting, landscaping, surface treatment, walls, fences and gates; and (vii) preservation and planting of trees and shrubs. Reason - In order that the Local Planning Authority may be satisfied as to the details of the development.

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 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.
K4	No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such a scheme shall be implemented to the satisfaction of the Local Planning Authority before other development commences on site. Reason - To ensure that adequate measures are taken for the disposal of surface water.
E3	The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which 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. <b>Reason</b> - In the interests of the visual amenities of the area.

## **PA76. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION**

### **(1) Planning Permission Granted**

**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.

(In reaching its decision the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the applicant's agent, three objectors, the objections of Middleton St George and Low Dinsdale Parish Councils and the objections of the three local Ward Councillors, all of whom Members heard).

**RESOLVED** – (a) That, subject to the application not being called-in by the Secretary of State for Communities and Local Government and subject to the signing of a Section 106 Agreement – inter alia – to extend the local primary school, improve open space and play provision, secure the extension and improvement of a pedestrian cycle route between the appeal site and the centre of the village and facilitate off-site highways works and, in accordance with the conditions set out below, planning permission be granted subject to the following conditions :-

1. Application for approval of the reserved matters shall be made to the local planning authority not later than eighteen months from the date of this permission.  
**Reason** - To ensure the speedy provision of the site for the approved development.
2. The development hereby permitted shall be begun either before the expiration of :
  - (a) three years from the date of this permission, or
  - (b) one year from the date of approval of the last of the reserved matters to be approved; whichever is the later.
3. B1 – Detailed drawings.
4. The development hereby approved shall comprise no more than 200 dwellings.  
**Reason** - For the avoidance of doubt.
5. The reserved matters application for landscaping shall be accompanied by a detailed Landscape Master-plan, Implementation Strategy and Management Plan, demonstrating that the landscaping proposals have taken account of and been informed by the existing landscape characteristics of the site and by any loss of existing vegetation on the site.  
**Reason** – In the interests of the character of the locality.
6. Prior to the commencement of the development precise details of the internal highway layout and site access junction including parking numbers and details shall be submitted to and approved in writing by the Local Planning Authority.  
**Reason** – In the interests of highway safety.
7. 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 vehicles 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.
8. Prior to the commencement of the development, precise details of car parking and secure cycle parking and storage details shall be submitted and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.  
**Reason** – In the interests of highway safety.
9. 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 detail.  
**Reason** – In the interests of residential amenity.
10. Prior to the commencement of the development a road condition survey of The Greenway, Grendon Gardens and High Stell should be carried out in conjunction with DBC officers to document any existing damage. If the subsequent review shows further damage caused by construction traffic this should be rectified at the

cost of the developer.

**Reason** – In the interests of highway safety.

11. A Road Safety Audit shall be carried out for all of the works within the public highways and the scope of the Audit shall be agreed in writing with the Local Planning Authority. The development shall not be carried out unless in complete accordance with the approved Audit.

**Reason** – In the interests of highway safety.

12. No dwelling in the development hereby approved shall be occupied until a travel plan based on the Framework Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include objectives, targets, mechanisms and measures to achieve its envisaged results, implementation timescales and provision for monitoring as well as arrangements for a Travel Plan co-ordinator, who shall be in place until 5 years after the completion of the final phase of development. The approved plan shall be audited and updated and submitted for the approval of the local planning authority at intervals of no longer than 18 months. The measures contained within the approved plan and any approved modifications shall be carried out in full.

**Reason** – In the interests of promoting sustainable transport and travel.

13. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- (a) the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 20% of housing units;
- (b) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- (c) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
- (d) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- (e) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

**Reason** – To comply with Council Housing Policy.

14. No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- (a) A timetable for its implementation; and
- (b) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

**Reason** – In the interests of promoting sustainable development.

15. No development shall take place until an archaeological mitigation strategy, has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

- (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 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 Policy CS14 (E) (12) of Borough of Darlington Core Strategy Document (2011) as the site may potentially contain features of local archaeological importance and para. 135 and 141 of the NPPF.

16. 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 within six months of the date of completion of the development hereby approved by this permission.

**Reason** - To comply with para. 141 of NPPF 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.

17. Before any development commences, detailed proposals for the incorporation of features into the scheme that are suitable for use by breeding birds (including swifts and house sparrows) and roosting bats, including a timetable for implementation, shall be submitted to and approved in writing by the local planning authority. The proposals shall be installed in accordance with the approved details and timetable and retained thereafter.

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

18. Before any development or other operations commence, and within one month of the planned commencement of works, an assessment of the trees on the site for bat roosts shall be undertaken by a licensed bat ecologist. A copy of the assessment report shall be submitted to the local planning authority and any necessary mitigation plan shall be agreed, implemented and if necessary maintained in consultation with Natural England and confirmed in writing by the local planning authority.

**Reason** – In the interests of promoting the welfare of protected species

19. No tree/shrub clearance works shall be carried out on the site between 1st March and 31st August inclusive, unless the site is surveyed beforehand for breeding birds and a scheme to protect breeding birds is submitted to and approved in writing by the local planning authority. If such a scheme is submitted and approved, the development shall thereafter only be carried out in accordance with the approved scheme.

**Reason** – In the interests of promoting the welfare of protected species

(b) That, in the event that the Section 106 Agreement is not concluded within the six-week period from the date of this Committee and, where there are no extenuating circumstances which would justify a further extension of time, the related planning application be refused on the basis that the necessary criteria essential to make what would otherwise be an unacceptable development acceptable have not been forthcoming.

**13/00940/RM1 - Land off Sadberge Road, Middleton St George, Darlington.**  
Erection of 234 dwellings including landscaping, open space, highway improvements and associated works.

(In reaching its decision the Committee took into consideration the Planning Officers report (previously circulated) and the views of the applicant's agent, three objectors, the objections of Middleton St George Parish Council and the objections of one of the local Ward Councillors, all of whom Members heard).

**RESOLVED** - That the Reserved Matters be approved subject to the following conditions : -

- 1 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.
- 2 Surface water discharges from this site shall be flow regulated to ensure that flooding problems elsewhere in the catchment are not exacerbated. Final details of an appropriate surface water drainage solution shall be submitted to and approved by the Local Planning Authority before development commences and the development shall be completed in accordance with the approved scheme.  
The discharge rates from the site will be restricted to the existing greenfield runoff rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm. The design shall also ensure that storm water resulting from a 1 in 100 year event plus 30% climate change surcharging the drainage system can be stored on site without risk to people or property and without overflowing into drains or watercourse. Full Micro Drainage design files (mdx files) including the catchment plan must to be submitted for approval. The flow path of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event plus 30% climate change should also be provided.  
**Reason** - To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area.
- 3 No works shall commence until a development management & construction phasing plan has been provided to and approved by the Local Planning Authority, for the installation of the surface water infrastructure, the plan should include the following;
  - Timetable for the implementation of the key elements of the surface water management scheme these are
  - The outfall structure

- The control structure
- The storage structure
- The measures to be taken to control silt levels entering the water course during construction

**Reason** - To ensure surface water runoff is controlled and does not increase flood risk during the construction phase.

4 None of the dwellings shall be occupied until a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime, the plan should include the following details;

- A plan clearly identifying the sections of the surface water system that are to be adopted by NWL
- The arrangements for the short and long term maintenance of the SUDS elements of the surface water system
- Funding arrangements for the long term maintenance of the SUDS components.

**Reason** - To ensure that all elements of the SUDS are maintained satisfactory.

5 The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which 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** - In the interests of the visual amenities of the area.

6 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.