

**PLANNING APPLICATIONS COMMITTEE**

30 June 2010

**PRESENT** - Councillor Regan (in the Chair); Councillors Dunstone, Freitag, L. Haszeldine, Johnson, D.A. Lyonette, Robson, Stenson and Walker. (9)

**APOLOGIES** – Councillors Baldwin, M Cartwright, Hartley and Lee. (4)

**PA16. DECLARATION OF INTERESTS** - There were no declarations of interest reported at the meeting.

**PA17. MINUTES** - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 2 June 2010.

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

**PA18. PROCEDURE** – The Borough Solicitor’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 or consent :-

<b>Code No.</b>	<b>Conditions</b>
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 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.
J2	<p>The site shall be investigated for landfill gas to the satisfaction of the Local Planning Authority and details of the test, results and measures required to render the development safe shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development.</p> <p>Where measures are required, they shall be installed prior to the development being occupied or such other time as may be required by the Local Planning Authority.</p> <p><b>Reason</b> - The site lies within 250 metres of a former landfill site and the Local Planning Authority wishes to ensure that the site can be developed and occupied with adequate regard for environmental and public safety.</p>

## **PA19. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION**

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

**10/00270/FUL - 65 Middleton Lane, Middleton St George.** Erection of a dwelling house and detached garage.

The Development Manager, within the Chief Executive's Department, stated that the application reference no. 75/489, which was referred to in the Planning History section of the submitted report, did not relate to this site.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated); one letter of objection that had been received; two further letters of objection, the contents of which were read out by the Development Manager, with the Chief Executive's Department; the objection of Middleton St. George Parish Council; the comments of Natural England; the comments of the Council's Highways Engineer, Public Protection Division and Arboricultural Officer; and the views of the applicant and the applicant's agent, whom Members heard).

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

- (a) A3 – Implementation Limit (Three years).
- (b) B5 – Detailed Drawings (Samples).
- (c) J2 - Contamination.
- (d) Construction work shall not take place outside the hours of 07:30 to 18:00 hours Monday to Friday, 08:00 to 14:00 hours Saturday, with no working on a Sunday, Public Holiday or Bank Holiday, without prior agreement with the Local Planning Authority.  
**Reason** - In the interests of residential amenity.
- (e) The development shall not be carried out otherwise than in accordance with the bat mitigation and compensatory measures set out in the bat report by Durham Wildlife Services dated October 2008. The work 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.  
**Reason** - To conserve protected species and their habitat.

- (f) The development shall not be carried out otherwise than in accordance with the Arboricultural Method Statement by Elliott Consultancy Ltd, dated January 2009.  
**Reason** – To ensure a maximum level of protection in order to safeguard the well being of the trees adjacent to the northern boundary of the site, within the grounds of Almora Hall, and in the interests of the visual amenity of the area.

**10/00204/FUL - Collings House, Low Skerningham Lane, Barmpton.** Erection of pigeon loft (retrospective).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated); five letters of objection that had been; and the comments of the Council's Public Protection Division and Countryside Access Officer).

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

- (a) A3 – Implementation Limit (Three Years).
- (b) B5 – Detailed Drawings (Accordance with Plan).

**10/00315/FUL - 287 Neasham Road, Darlington DL1 4DJ.** Erection of two storey rear kitchen/diner and bedroom extension.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and one letter of objection that had been received).

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

- (a) A3 - Implementation Limit (Three years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Accordance with Plan).

**10/00238/FUL - Allotment Gardens, Nunnery Lane Darlington.** Composting Toilet Facility (Retrospective).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated); two letters of objection that had been received; and the views of the applicant and the views of one of the objectors, whom Members heard).

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

Notwithstanding the details submitted with the application, details of a means of screening the composting lavatory shall be submitted to, and agreed by, the Local Planning Authority and thereafter implemented in accordance with those details.

**Reason** – In the interests of visual amenity.

## **(2) Planning Permission Deferred**

**10/00226/FUL - 1 Carnaby Road, Darlington DL1 4NR.** Erection of two storey rear extension.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated); one letter of objection that had been received; and the views of the objector, whom Members heard).

**RESOLVED** - That planning permission be deferred to enable a site visit to take place.

**10/00167/FUL - Wilton House Nursing Home, Wilton Close, Darlington.** Two single storey rear extensions for nine bedrooms.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated); the views of the Council's Highway Engineer and the Senior Arboricultural Officer; and the views of the applicant, who Members heard).

**RESOLVED** - That planning permission be deferred to enable a site visit to take place.

### **(3) Darlington Borough Council Granted**

**10/00328/DC - Dodmire Infants School, Rydal Road, Darlington, DL1 4BH.** Erection of single storey extension to form nursery, internal and external alterations including enlarged entrance porch.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the Council's Highways Officer and Environmental Health Officer).

**RESOLVED** - That pursuant to Regulation 3 of the Town and Country Planning General Regulations (and to no adverse consultee responses being received) planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Accordance with Plan).
- (d) J2 - Contamination.

**PA20. NOTIFICATION OF APPEALS** – The Assistant Chief Executive (Regeneration) reported that:-

- (a) Mr. Ward had appealed against this Authority's decision to refuse planning permission for erection of first floor extension to provide an additional 4 No. bedrooms and canopy over front entrance at Abbey Farm Cottage, Neasham Road, Hurworth Moor (Reference Number 10/00053/FUL); and
- (b) Mr. Peacock had appealed against this Authority's decision to refuse planning permission for retention of balcony, removal of raised decking area and construction of rear entrance canopy at School House, Denton (Reference Number 10/00046/FUL).

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

**PA21. 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.

**PA22. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7)** - Pursuant to Minute PA12, the Assistant Chief Executive (Regeneration) submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 17th June, 2010.

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