

PLANNING APPLICATIONS COMMITTEE

10 April 2013

PRESENT – The Mayor (Councillor Baldwin) (in the Chair); Councillors Cossins, L. Haszeldine, Knowles, Lee, D A Lyonette, Macnab and Regan. (8)

APOLOGIES – Councillors Cartwright, Johnson, Long, Stenson and J. Taylor (5)

ALSO IN ATTENDANCE – Councillor D. Jones

OFFICERS – Roy Merrett, Development Manager, Dave Coates, Principal Planning Officer, Paul Ibbertson, Engineer within Services for Place and Andrew Errington, Lawyer (Planning) within the Resources Group.

PA197. Mr. HARRY ALDERTON – The Chair reported that Mr. Harry Alderton, who was this Council's Development Control Engineer, prior to his retirement, had suddenly passed away.

RESOLVED – That the condolences of this Committee be conveyed to Mr Alderton's family on their loss.

PA198. DECLARATION OF INTERESTS – Councillor D. Lyonette declared a non-pecuniary interest in Minute PA201(3) below (Ref No. 13/00138/CU) as a member of the Durham Tees Valley Airport Limited Board and left the meeting during consideration of that application. There were no other declarations of interest reported.

PA199. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 13 March 2013.

RESOLVED – That, with the addition of the following condition in relation to Planning Application Ref No. 12/00789/CU, Cobby Castle Lane, Bishopton (Minute PA190(3)/Mar/13 refers) the Minutes be approved as a correct record :-

- '8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order), 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 written 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 the future development of the site.

PA200. 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 condition is referred to in the Minute granting permission :-

Code No.	Conditions
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.

PA201. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

13/00065/FUL - County Durham And Darlington NHS Foundation Trust, Darlington Memorial Hospital, Hollyhurst Road. Variation of condition 2 (access for vehicle deliveries of oxygen to the VIE compound to Elms Road) of planning permission 11/00241/FUL dated 26 July 2011 to permit alterations to the access arrangements.

(In reaching its decision, the Committee took into consideration three letters of objection that had been received and the views of an objector, whom Members heard)

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

1. The development hereby permitted shall be completed not later than the expiration of three months from the date of this permission.
Reason - In the interests of residential amenity.
2. The entrance on Elms Road shall be used only for emergency purposes and to enable oxygen deliveries to the existing VIE compound and at no time for the provision of vehicular access to the hospital for staff, members of the public, construction related traffic or any other visitors unless otherwise agreed, in writing by, the Local Planning Authority.
Reason - In the interests of residential amenity.
3. The delivery vehicle shall only enter the Elms Road access during the hours 9:15 - 11:30; 12:00 - 15:15 and 16:00 - 17:00 weekdays only unless otherwise agreed, in writing, with the Local Planning Authority.
Reason - In the interests of highway safety.
4. 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.
5. Notwithstanding the details shown on the approved plans, the palisade fencing hereby approved shall be painted dark green.

Reason – In the interests of the visual appearance of the development and the surrounding area.

(2) Lawful Development Certificate Granted

13/00086/LU - Twinsburn Farm, Heighington. Application for a Lawful Development Certificate for an Existing Use or Operation which include the following. processing of waste wood products in the form of sawdust and shavings. The storage and distribution of processed sawdust, ancillary office space related to the business and the parking of HGVs used for distribution.

(In reaching its decision, the Committee took into consideration 21 letters of objection and the views of the applicant's agent and two objectors, all of whom Members heard).

RESOLVED - That a Lawful Development Certificate be granted for the activities and operations described by the applicant in the application, but excluding the storage and distribution of wood products for use as a biomass fuel.

(3) Change of Use Granted

13/00138/CU - Durham Tees Valley Airport, Darlington. Change use of public airport car park to storage area for caravans, motor homes and cars.

(In reaching its decision, the Committee took into consideration the comments of two residents and Middleton St. George Parish Council and the objections of the Ward Councillors that had been received and the views of one of the Ward Councillors who spoke against the application).

(Note – Councillor D. Lyonette was not present during consideration of the above application (Ref. No. 13/00138/CU).

RESOLVED - That planning permission be Granted with the following conditions :-

1. This permission shall be for a temporary period of three years commencing on the date of this Notice.

Reason – The Local Planning Authority do not consider this development is suitable for this location on a permanent basis in the interests of the promotion and enhancement of the operation of the Airport.

2. B5 - In accordance with plans.
3. There shall be no residential occupation of the caravans or motor homes hereby approved.

Reason – The application site is not considered to be suitable for residential use.

4. Prior to the development hereby permitted being first occupied, trees and shrubs of appropriate species shall be planted along boundaries in accordance with a scheme to be agreed, in writing by, the Local Planning Authority. Any trees/shrubs removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees/shrubs of a similar size and species to those originally approved and planted.

Reason – To ensure a satisfactory appearance of the site and to improve the visual amenities of the locality.

5. There shall be no sale of vehicles from the site; the vehicles hereby approved shall be stored only.

Reason – The site is not considered suitable for sales of motor vehicles.

PA202. NOTIFICATION OF APPEALS – The Director of Director of Place reported that Mr Patrick Connors had appealed against this Authority's decision to refuse planning permission for the change of use to mixed use, to include private gypsy site with associated development including stationing a mobile home, erection of amenity block, construction of hard standing for 2 touring caravans and access track, at The Stables (field to the north of Lea Close), Middleton Road, Sadberge, Darlington (Ref No. 12/00758/FUL).

RESOLVED - That the report be received.

PA203. 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.

PA204. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA193/Mar/13, the Director of Place submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 10th April, 2013.

RESOLVED - That the report be received.