

PLANNING APPLICATIONS COMMITTEE

8 May 2013

PRESENT – The Mayor (Councillor Baldwin) (in the Chair); Councillors Cartwright, Cossins, Johnson, Knowles, Lee, Long, Macnab, Regan, Stenson and J Taylor. (11)

APOLOGIES – Councillors L. Haszeldine and D. A. Lyonette (2)

ALSO IN ATTENDANCE – Councillor Crudass

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.

PA205. DECLARATION OF INTERESTS – Councillors Cossins and Regan both declared interests in Minute PA208 below (Ref No. 13/00195/FUL) as the Vice-Chair of Governors at the School and as a Governor of the School and as a parent of a child at the school respectively. Councillor Regan also wished to address the Committee on behalf of his constituents. There were no other declarations of interest reported at the meeting.

PA206. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of this Committee held on 27 March and 10 April 2013.

RESOLVED – That the Minutes be approved as correct records.

PA207. 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 :-

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.
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.
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. Reason - In the interests of the visual amenities of the area.

PA208. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

Planning Permission Granted

13/00103/FUL - Twinsburn Farm, Heighington. Application for a building for the storage of wood chippings and wood pellets in association with the onward distribution of the material to a biomass plant.

Following a discussion, Members agreed that, taking into account the existing lawful use of the site, the most appropriate way to tackle any noise related issues associated with the site, should they arise, would be through statutory nuisance regime.

(In reaching its decision, the Committee took into consideration 13 letters of objection, the comments of the Council’s Countryside Access Officer and the concerns of the Council’s Environmental Health Officer which had been received and the views of the applicant’s agent, two objectors and the objections of the Ward Councillor, all of whom Members heard).

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

1. A3 – Implementation time limit.
2. B5 – Accordance with plans.
3. This permission shall relate to the revised plans received by the Local Planning Authority on 25 April 2013.
Reason – For the avoidance of doubt.
4. The operations hereby approved by this permission shall not be carried out outside the hours of 07:00 to 18:00 Weekdays and 08:00 to 12 noon Saturdays and Sundays.
Reason – In the interests of the amenities of local residents.
5. E3 – Landscaping.
There shall be no outside storage of wood chippings/pellets, wood waste or any other product associated with the operations hereby approved.
Reason - In the interests of the amenities of local residents.
6. Prior to the commencement of the development, a Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include details for the proposed hours of operation, vehicle routes to the farm including signage to direct vehicles to/from the A68 and away from Heighington

Village, and numbers of vehicles proposed in connection with the storage of sawdust, wood shavings and wood chipping and supply of the Biomass Plant. The development shall not be carried out otherwise than in complete accordance with the approved plans.

Reason – In the interests of the amenities of local residents.

13/00195/FUL - Darlington School of Maths and Science, Eggleston View, Darlington. Construction of footpath/cycleway and gated access linking existing Cocker Beck to Darlington School of Maths and Science and associated street lighting from Staindrop Road (as amended by plans received on 25 April 2013).

(In reaching its decision, the Committee took into consideration seven letters of objection and the comments of the Council's Countryside Access Officer which had been received and the views of the applicant's agent, a representative of the School and two objectors, all of whom Members heard. Councillor Regan, one of the Cockerton West Ward Councillors, addressed the Committee with his comments, before the other speakers and left the meeting immediately after).

RESOLVED - That planning permission be granted pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992 and subject to the following conditions:

1. A3 – Implementation Limit (Three Years).
2. The access gates hereby approved shall not be open outside the hours of 08:00 – 09:00 and 15:15 - 16:00 Monday to Friday. The gates shall not be open at all on Saturdays and Sundays or during any School holiday periods.
Reason – In the interests of the amenities of the neighbouring dwellings.
3. The lighting columns (LC1 and LC2 shown on Drawing No: TP208/SL/001 entitled "Street Lighting Details Drawing" dated August 2012) shall not operate outside the approved hours for the access gates outlined in condition 2.
Reason – In the interests of the amenities of the neighbouring dwellings.
4. No hedgerow removal should take place during bird breeding season (March to August) without a bird survey being carried out to the satisfaction of the Local Planning Authority.
Reason – To ensure that the hedgerows are inspected for birds prior to the commencement of any removal.
5. B5 – Detailed Drawings (Accordance with Plan).
6. Notwithstanding the details shown on the approved plans, and prior to the commencement of the development, precise details of the new access gate within the school perimeter fencing shall be submitted to, and agreed, in writing by, the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason – In the interest of security and residential amenity.

PA209. NOTIFICATION OF DECISION ON APPEAL – The Director of Place reported that the Inspector, appointed by the Secretary of State for the Environment, had dismissed the appeal by Mr Lakhbir Singh against this Authority's decision to refuse planning permission for the change of use of ground floor shop (A1) to hot food takeaway (A5) at 109 Neasham Road, Darlington (Ref No. 12/00205/CU).

RESOLVED – That the report be received

PA210. 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.

PA211. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA204/Apr/13, the Director of Place submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 8 May 2013.

RESOLVED - That the report be received.