
APPLICATION REF. NO: 07/00041/OUT

STATUTORY DECISION DATE: 20 April 2007

WARD/PARISH: SADBERGE AND WHESSOE

LOCATION: Dean and Chapter Land, Morton Park, Darlington

DESCRIPTION: Outline application for development of B1 / B2/ B8 employment uses, ancillary commercial development, including hotel, pub / restaurant, and provision of access (amended plans received 21/02/07 and 05/06/07)

APPLICANT: PPG LAND LIMITED AND DURHAM CATHEDRAL

Introduction

At its meeting on 29 July 2009, the Planning Applications Committee decided to grant planning permission for the above development subject to conditions and to a planning agreement which sought contributions to highway and sustainable transport improvement measures.

As in the case of all outline planning permissions, conditions were imposed to limit the time within which the reserved matter applications, addressing the detail of the development, could be submitted and the time by which any phase of development had to be begun.

These conditions required submission of all reserved matters within five years of the date of the permission and for the final phase of development to be commenced within seven years of the date of the permission or two years of approval of the final reserved matter whichever is the later.

The purpose of this report is to advise Members that the applicant is seeking an extension of these time limits to allow for more flexibility in light of the economic downturn. This would amount to extending the time limit for submission of reserved matters and commencement of development by a further 2 years to seven years and nine years respectively from the date of the permission.

The planning permission remains subject to the completion of a satisfactory planning agreement which is expected to be resolved shortly.

Consultation

The Highway Authority and Highways Agency were consulted over the proposed amendments and neither have raised any objections.

Planning Considerations

The extension of timescales by the proposed two years is not considered to give rise to any material planning consequences and would allow greater flexibility to the developer in terms of trying to successfully market the site.

Recommendation:

That the wording to conditions 1 and 2 of the planning permission be amended as follows (see underlining):-

- 1) Approval of the following details (“the reserved matters “) in respect of each building/s or phase of the development shall be obtained from the local planning authority in writing before development of the building/s or phase of the development is commenced:
 - (i) layout
 - (ii) scale
 - (iii) appearance
 - (iv) landscaping

The development shall not be carried other than in accordance with the approved plans. Application(s) for the reserved matters for any building/s or phase of development shall be made to the local planning authority before the expiration of seven years from the date of this permission.

REASON- To comply with Section 92 of the Town and Country Planning Act 1990.

- 2) The development of any building/s and phase of development hereby permitted must be commenced before the expiry of nine years from the date of this permission or two years from the date of the approval of the last of the reserved matters, which ever is the later.

REASON- To comply with Section 92 of the Town and Country Planning Act 1990.