

PLANNING APPLICATIONS COMMITTEE

1 June 2016

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

APOLOGIES – Councillors Johnson and Lister. (2)

ABSENT – Councillors Cartwright and Kelley (2)

ALSO IN ATTENDANCE –

OFFICERS – Dave Coates, Planning Development Manager, Paul Ibbertson, Engineer, within Services for Economic Growth and Neil Cookson, within the Neighbourhood Services and Resources Group. (3)

PA1. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA2. RESOLVED – That meetings of this Committee be held at 1.30 p.m. on those dates as agreed on the calendar of meetings by Cabinet at Minute C130/Mar/16.

PA3. MINUTES OF MEETINGS – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 4 May 2016.

RESOLVED – That the Minutes be approved as a correct record.

PA4. PROCEDURE – The Assistant Director Law and Governance's representative gave a short presentation which outlined the procedure to be followed during consideration of the applications for planning permission before this Committee and advised on pre-determination.

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
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.
B9	Prior to the commencement of development, or such other period as may be agreed with the Local Planning Authority, the details of any walls, fencing or other means of enclosure shall be submitted to, and approved by, the Local Planning Authority. The approved means of enclosure shall be erected prior to the approved development being brought into use, or within any approved phase of the development prior to that phase of the development being brought into use. Reason - In the interests of visual and/or residential amenity.

PA5. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

16/00349/FUL - Land at Rear of 54 Barmpton Lane, Darlington. Erection of bungalow with integral double garage.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the applicant and three objectors all of whom Members heard).

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

1. A3 (Standard 3 year time limit).
2. B4 (Details of external materials to be submitted).
3. B9 (Details of means of enclosure).
4. No works shall commence on site until protective fencing, in accordance with BS5837 2012 has been erected around the semi/mature Whitebeam (*Sorbus aria*) tree adjacent to the application site and around any trees to be retained on the site. The fencing should be at least 2.3m high and consist of a scaffolding frame, braced to resist impacts, supported by a weldmesh wired to the uprights and horizontals to dissuade encroachment. The extent of the protection should be inspected by a Council Officer prior to the commencement of the development.
Reason – To ensure the retention of the trees and its protection from damage, in the interest of visual amenity.

5. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:
 - (a) Dust Assessment Report which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of dust control measures to be put in place during the construction phase of the development. The Dust Assessment Report shall take account of the guidance contained within the Institute of Air Quality Management 'Guidance on the assessment of dust from demolition and construction' February 2014;
 - (b) Methods for controlling noise and vibration during the construction phase and shall take account of the guidance contained within BS5228 'Code of Practice for noise and vibration control on construction and open sites' 2009;
 - (c) Construction Traffic Routes, including parking areas for staff and visitors;
 - (d) Details of wheel washing;
 - (e) Road Maintenance;
 - (f) Warning signage.

Thereafter the development shall not be carried out otherwise than in complete accordance with the details as approved.

Reason – In the interest of residential amenity and highway safety.
6. Construction work, including deliveries and removal of waste from the site, shall not take place outside the hours of 08.00 – 18.00 Monday – Friday, 08.00 – 14.00 Saturday with no working on a Sunday and Bank/Public Holidays without the prior written permission from the Local Planning Authority.

Reason – In the interest of residential amenity.
7. Prior to development commencing of the dwelling hereby approved, details of any proposed external illumination together with a lighting impact assessment shall be submitted to the Local Planning Authority in writing. Thereafter the development shall not be carried out otherwise that in complete accordance with the approved details.

Reason – To protect the amenities of neighbouring dwellings.
8. No development shall take place until a scheme for the piling of foundations (if applicable) has been submitted to and approved in writing by the Local Planning Authority. This should include:
 - (a) an assessment of the likely vibration levels and details of any necessary mitigation measures;
 - (b) details for the monitoring of vibration levels and details of any mitigation measures; and
 - (c) if necessary, a risk assessment for the protection of groundwater from any contamination which may be present on site.

Development shall be implemented in accordance with the approved scheme.

Reason – To minimise any adverse impact on surrounding properties due to vibration and to protect groundwater resources.
9. Prior to the commencement of the development hereby permitted, details of the finished floor levels of the dwelling and garden hereby approved in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the details as approved.

Reason – In the interest of residential amenity.
10. C5 (Removal of permitted development rights for extensions).
11. No development shall take place until details of the provision for off-street parking for 3 no. vehicles for 54 Barmpton Lane have been submitted to and approved in

writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter be so maintained.

Reason – In order that adequate off-street parking is available.

12. B5 (Development in accordance with the approved plans).
13. Specifications of the road surface giving access to the development shall be submitted to and approved by the Council prior to development commencing. The approved scheme shall thereafter be fully complied with.

Reason - To ensure a safe and satisfactory access to the site.

PA6. NOTIFICATION OF APPEALS – The Director of Economic Growth reported that :-

- (a) Mr C G Robinson had appealed against this Authority's decision to refuse planning permission for demolition of restaurant building to Kings Arms Public House and erection of 3 No. dwellings at Kings Arms, Glebe Road, Great Stainton, Stockton on Tees (15/00410/FUL);
- (b) Mr C Taylor had appealed against this Authority's decision to refuse permission for outline application for erection of 4 No dwellings (with all matters reserved) at Land at Mill Lane, High Coniscliffe, Darlington DL2 2LJ (15/00984/OUT); and
- (c) Mr D Pinnegar had appealed against this Authority's decision to refuse permission for erection of two storey (dormer) extension to side partly over existing garage, single storey vestibule to front, single storey conservatory to the rear and single storey utility room extension to rear at 22 The Chase, Hurworth, Darlington DL2 2JQ (15/01211/FUL).

RESOLVED – That the report be noted.

PA7. NOTIFICATION OF DECISIONS ON APPEALS – The Director of Economic Growth reported that the Inspectors appointed by the Secretary of State for the Environment have:-

- (a) dismissed the appeal by Mr Tim Wilks against this Authority's decision to refuse permission for a residential development comprising 2 No dwellings with associated parking spaces and bin stores at 31 Pendower Street, Darlington DL3 6ND (Revised application); and
- (b) Aldi Stores Limited C/o Signet Planning, Aldi Stores Ltd have withdrawn their appeal for a Certificate of Lawfulness – to permit deliveries without adherence to Condition 13 (Restriction of delivery times) of planning permission 8/91/703/DM dated 24 December 1991 (Erection of a food store and frozen food store and outline application for residential development to rear of site) at Aldi Foodstore Ltd, 255 Yarm Road, Darlington.

RESOLVED - That the report be received.

PA8. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA94/May/16, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 20 May 2016.

RESOLVED – That the report be received.