

PLANNING APPLICATIONS COMMITTEE

6th February, 2008

PRESENT - Councillor Baldwin (in the Chair); Councillors Freitag, Hartley, L. Haszeldine, Johnson, D.A. Lyonette, Regan, Robson, Stenson and Walker. (10)

APOLOGIES – Councillor M. Cartwright and Lee. (2)

ABSENT – Councillor S.J. Jones. (1)

PA82. DECLARATION OF INTERESTS – (1) In relation to Application Ref. No. 07/01064/FUL Councillor Freitag declared a personal and prejudicial interest as an acquaintance of the applicant’s mother and left the meeting during consideration of that application only.

(2) In relation to Application Ref. No. 07/01064/FUL Councillor Johnson declared a personal and prejudicial interest and left the meeting during consideration of that application only.

(3) In relation to Application Ref. No. 07/01064/FUL Councillor Stenson declared a personal and prejudicial interest and left the meeting during consideration of that application only.

(4) In relation to Application Ref. No. 07/01109/DC Councillor Walker declared a personal and prejudicial interest and left the meeting during consideration of that application only.

PA83. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 9th January, 2008.

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

PA84. 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 :-

Code No.	Conditions
A3	The development hereby permitted shall be commenced not later than the expiration of five years from the date of this permission. Reason - (one year permission) - Specific reason required to be inserted by case officer.
A5	The development hereby permitted shall be commenced not later than the expiration of five years from the date of this permission. Reason - To accord with the provisions of Section 18(1) of the Planning (Listed Building and Conservation Areas) 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

	<p>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.</p> <p>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.</p>
B5	<p>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.</p> <p>Reason - To ensure the development is carried out in accordance with the planning permission.</p>
B7	<p>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.</p> <p>Reason - To ensure the development is carried out in accordance with the Listed Building Consent.</p>
B10	<p>Prior to the commencement of development, a test panel of the proposed materials to be used in the main walls of the development shall be constructed on the development site and approved by the Local Planning Authority and subsequently, the main walls of the development shall be constructed in accordance with the approved test panel.</p> <p>Reason - In order that the Local Planning Authority may be satisfied as to the details of the development.</p>
B11	<p>Notwithstanding any description of the design and fitting of any windows in the application, precise details shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of development. The details shall incorporate at least a 12cm external brickwork reveal.</p> <p>Reason - In order to ensure a satisfactory appearance to the development, in the interests of visual amenity.</p>
D4	<p>The use hereby permitted shall not commence until details of the arrangements for storing of refuse or waste have been submitted to, and approved by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any approval given and shall be completed prior to any part of the accommodation hereby permitted being occupied.</p> <p>Reason - To safeguard the amenities of the area.</p>
D18	<p>Prior to the use hereby permitted commencing, a scheme shall be submitted to, and approved in writing by the Local Planning Authority for the effective control of fumes and odours from the premises. The scheme shall be implemented prior to the use commencing or within such extended period as may be agreed in writing by the Local Planning Authority.</p> <p>Reason - In the interests of the residential amenities of the area.</p>

D19	<p>The use hereby permitted shall not commence until full particulars and details of a scheme for the ventilation of the premises of an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard or dilution expected, have been submitted to, and approved by, the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.</p> <p>Reason - In order that the Local Planning Authority may be satisfied as to the arrangements for preventing loss of amenity to neighbouring premises due to fumes and smells.</p>
E2	<p>A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of such schemes, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as 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.</p> <p>Reason - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.</p>
E5	<p>Prior to the development hereby permitted being first occupied, or within such extended time as may be agreed in writing with the Local Planning Authority, the site shall be enclosed, on all boundaries, except at the permitted point of access, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>Reason - To safeguard the visual amenities of the locality and privacy of adjoining properties.</p>
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>Reason - 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>
J5	<p>Prior to the commencement of any on site works (including demolition and site clearance), details of a wheel washing facility for construction traffic shall be submitted to, and approved in writing by, the Local Planning Authority. Such a facility shall be provided, used and maintained on-site until the development is completed.</p> <p>Reason - To ensure that adequate measures are available to prevent the depositing of soils and debris on the adjoining position of the highway and in the interests of road safety.</p>
J8	<p>Prior to the development hereby approved being commenced, a</p>

	<p>scheme for the inclusion of artwork throughout the site shall be submitted to, and agreed with, the Local Planning Authority and thereafter the approved scheme shall be carried out on the site as an integral part of the development, or within six months of any part of the development being occupied.</p> <p>Reason - In the interest of the appearance and character of the site and to comply with Darlington Borough Council's policy relating to Art in the Environment.</p>
AD1	<p>Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>
AD2	<p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>
AD3	<p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>
AD4	<p>No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>
AD5	<p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).</p> <p>Reason - To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992.</p>

PA85. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

07/01241/FUL - Manor Farm, 20 The Green, Bishopton, Stockton On Tees. Construction of new track and improvement of existing access.

(In reaching its decision, the Committee took into consideration five letters of concern from local residents and the comments of English Heritage and Bishopton Parish Council which 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 (Implementation in accordance with approved plan).
- (d) E2 - Landscaping (Submission).
- (e) All planting carried out as a requirement of condition 4 (above) shall be of local provenance.
Reason - To achieve a satisfactory form of development.
- (f) Prior to the commencement of the development, details of the removal of planting within the highway verge to achieve satisfactory visibility splays shall be submitted to, and agreed in writing by, the Local Planning Authority. These improvements to the visibility splay shall be fully implemented in accordance with the agreed details prior to the use of the track.
Reason – In the interests of highway safety.
- (g) Prior to the use of the approved development, the metalled crossing, as indicated on Drawing number 0797/03 shall be fully implemented.
Reason – In the interests of highway safety.
- (h) Prior to the commencement of the development hereby approved, precise details of the improvements to the existing public right of way together with the works to strengthen the bridge shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the agreed details and the works shall be fully implemented prior to the use of the development.
Reason – To ensure that the Local Planning Authority can be satisfied as to the details of the development and its relationship with the public right of way.

07/01215/FUL - White Bros (Darlington) Limited, Corporation Road, Darlington. Demolition of existing motorcycle repair depot and erection of residential dwellings comprising ten No. two bedroom apartments, two No. single bedroom apartments, with communal staircases, car parking and cycle storage facilities (amended description and plans received on 16th January, 2008).

(In reaching its decision, the Committee took into consideration two letters of objection which had been received and the views of Mr. Ellis, 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 (Implementation in accordance with plan).
- (c) B4 - Details of Materials (Samples).
- (d) Notwithstanding the details shown on the approved plans, details of secure cycle storage and parking area on the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The cycle store and details shall be provided in accordance with the approved details prior to the first occupation of the flats and shall not be altered or removed without first obtaining the express written consent of the Local Planning Authority.
Reason - To ensure that cycle provision is provided on the site in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.
- (e) Notwithstanding the details shown on the approved plans, details of refuse storage on the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. Refuse storage shall be provided in accordance with the approved details prior to the first occupation of the flats and shall

not be altered or removed without first obtaining the express written consent of the Local Planning Authority.

Reason - In order to safeguard the residential and visual amenities of the area in accordance with the requirements of saved Policy H11 of the Borough of Darlington Local Plan.

- (f) The on site street parking as indicated in the approved drawing 06092/102, including any disabled parking spaces, shall be provided prior to the occupation of the site. Thereafter, the parking spaces shall be retained in accordance with the approved scheme and shall not be used for any other purpose than residents parking for the development and shall not be altered or removed without first obtaining the express written consent of the Local Planning Authority.

Reason - In the interests of highway safety in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- (g) Notwithstanding the submitted plans, details of new street lighting to be provided for the adopted back lane adjoining the eastern boundary of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. Thereafter, these works shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- (h) Notwithstanding the submitted plans, details of additional Traffic Regulation Orders to secure continued vehicular and pedestrian access to the site from Corporation Road utilizing the adopted back lane shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. Thereafter, these works shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- (i) The existing vehicle crossings on the Corporation Road frontage shall be reinstated to the satisfaction of the Local Planning Authority.

Reason - In the interests of highway safety in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- (j) Prior to the commencement of development a full Noise Impact Assessment covering the following matters shall be submitted to, and approved by, the Local Planning Authority. Any measures to mitigate noise to the apartments shall be implemented in full.

(i) Proximity of apartments to the ASE Club

(ii) Traffic on Northgate

Reason - To protect the residential amenity of future occupants of the apartments.

- (k) Underground fuel storage tanks, associated with the previous use of the site as a garage, shall be removed from the site.

Reason - To ensure the satisfactory decontamination of the site in the interests of local safety and amenity.

- (l) Development shall not commence until a soil survey of the site has been undertaken and the results provided to the Local Planning Authority. The survey shall be undertaken at such points and to a depth as the Local Planning Authority may stipulate. A scheme for the decontamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority and the scheme, as approved, shall be duly implemented and completed before any of the development hereby permitted is first occupied.

Reason - To ensure the satisfactory decontamination of the site in the interests of safety and the local amenity.

- (m) Demolition and construction activities in respect of the implementation of the planning permission hereby approved shall not take place on the site outside of the hours of 8.00am and 6.30pm, Monday to Saturday and not on Sundays or Bank Holidays (except by prior agreement with the Local Planning Authority).

Reason- In the interest of residential amenity of nearby dwellings.

07/00869/FUL - Queen Street Shopping Arcade and Land at Commercial Street, Kendrew Street and St. Augustines Way, Darlington. Erection of an extension to Queen Street Shopping Centre comprising new retail and leisure uses (Use Classes A1, A3 and D2) on site of Commercial Street car parks, construction of pedestrian bridge over St. Augustine's Way and erection of multi-storey car park, 26 No. apartments and shop unit on site of Kendrew Street car park - amended scheme comprising alterations to approved St. Augustine's Way and King Street elevations of shopping centre extension, pedestrian bridge design, multi-storey car park and apartments (layout and elevations) and provision of kiosk unit and substation building on King Street, together with variation of condition 6 of planning application Ref. No. 06/00953/FULE to allow variation to phasing of development (amended plans, development description and amended design and access statement and justification statement received on 7th January, 2008 and additional phasing information received on 25th January, 2008).

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 (Implementation in accordance with approved plan).
- (d) B10 - Test Panel of Materials.
- (e) B11 - Design and Fitting of Windows.
- (f) Prior to the commencement of the development hereby approved, a scheme of phasing of development shall be submitted to, and approved by, the Local Planning Authority and shall be implemented in accordance with that scheme, unless otherwise agreed in writing, with the Local Planning Authority. The submitted scheme shall provide for the multi-storey car park on Kendrew Street to be constructed and be operational within three months of the commencement of the shopping centre extension on Commercial Street and for the residential development to be completed in accordance with the phasing timescale set out in the information received from Cobalt Estates (Darlington) Limited on 25th January, 2008, or other such timescales may be agreed, in writing by, the Local Planning Authority.

Reason - To ensure the development is carried out in accordance with the planning permission and scheme of works, and to avoid any detriment to amenity that may be caused by any phase remaining incomplete.

- (g) Details of the proposed landscaping, to include landscape planting within the Winter Garden, shall be submitted to, and approved by, the Local Planning Authority prior to site clearance/demolition work commencing on site. The submitted details should include a timetable for the implementation of the approved landscaping running concurrently with the carrying out of the development, or within such extended period as may be agreed, in writing, by the Local Planning Authority. Thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally approved and planted.

Reason - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.

- (h) Prior to the commencement of the development hereby permitted, or any other such extended time as may be agreed by the Local Planning Authority, full details of all external plant and machinery, including noise emissions, shall be submitted to, and approved by, the Local Planning Authority. Thereafter noise emissions from such plant shall not exceed the background noise level by more than 5dB(A) when measured in accordance with BS 4142, 1997, at the nearest affected residential property.
Reason – To prevent noise and disturbance to nearby properties.
- (i) Notwithstanding the submitted noise assessment, prior to the commencement of the development of the residential development on the Kendrew Street site, a noise assessment shall be undertaken in respect of the licensed premises on Gladstone Street and its impact upon the residential properties on the Gladstone Street elevation of the multi-storey car park. The assessment should provide details of appropriate noise attenuation measures for the nearest dwellings, and shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter noise attenuation measures shall be carried out in accordance with the approved scheme.
Reason – To prevent noise and disturbance to nearby properties.
- (j) The proposed new service yard on King Street shall be used only by service vehicles between the hours of 4.00pm and 10.00am on any day.
Reason – In the interest of the safety of pedestrians using this area and to accord with the servicing arrangements in place elsewhere within the town centre.
- (k) The use of the ground floor shop unit on the corner of Gladstone Street and King Street shall be limited to retail use only defined as falling within Use Class A1 (Shops) of the Town and Country Planning Act 1990, as amended by the Use Classes (Amendment) Order 2005 and the General Permitted Development (Amendment) Order 2005.
Reason – In the interest of protecting the amenities of adjacent residential properties.
- (l) In accordance with condition (k) above, the ground floor shop unit shall operate only between the hours of 8.00am and 11.00pm.
Reason – In the interest of protecting the amenities of adjacent residential properties.
- (m) J2 – Contamination.
- (n) Prior to the commencement of the development a Dust Action Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - To protect the amenities of the neighbouring dwellings.
- (o) J5 - Wheel Washing Facility (Details).
- (p) Prior to the commencement of development hereby approved, a scheme for the piling of foundations (if applicable) shall be submitted to, and agreed in writing by, the Local Planning Authority. For the avoidance of doubt, such a scheme shall include the following:
- (i) An assessment of the likely vibration levels and details of any necessary mitigation measures;
 - (ii) Details for the monitoring of vibration levels and details of any necessary mitigation measures; and
 - (iii) If necessary, a risk assessment for the protection of groundwater from any contamination which may be present on site.
- Reason** - To minimise any adverse impact on surrounding properties due to vibration and to protect groundwater resources.
- (q) Prior to the commencement of the development hereby permitted details of all external lighting to be provided within the development, including during the construction period and once operational, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the location; specification and a Lux contour plan to show the impact of the lighting on any surrounding residential

properties. Thereafter the lighting shall be provided in accordance with the approved details and thereafter so maintained.

Reason – To minimise any adverse impact upon the amenities of adjacent residential properties.

- (r) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such a scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed, in writing, by the Local Planning Authority.

Reason – To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- (s) No development shall take place until the applicant has secured the implementation of an agreed phased programme of archaeological works, to include evaluation, the implementation of an appropriate programme of building recording/analysis, and where appropriate, mitigation in accordance with a written scheme of investigation. This should be submitted by the applicant and approved by the Local Planning Authority.

Reason – The site is in an area of high archaeological potential and contains buildings which are of architectural/historic significance. The specified works are required to record features of interest, inform works and mitigate impact.

- (t) Prior to the multi-storey car park hereby approved first being brought into use, or any other such time as may be agreed, in writing by, the Local Planning Authority, a scheme of highway improvements to include the construction of a traffic signal controlled junction and an at-grade pedestrian and cycle crossing on St Augustine's Way, shall be carried out in full to the satisfaction of the Local Planning Authority.

Reason – In the interest of highway safety and efficient traffic management.

- (u) The access and highway proposals required by condition (t) above shall include provision for the following matters, which shall first be agreed, in writing by, the Local Planning Authority :-

- (i) Details of a queue detector;
- (ii) Location of cycle and motorcycle parking;
- (iii) Precise location of the cycleway through the site.
- (iv) Improvement works to service accesses to the site from Northgate and Bondgate to include improvement works to the carriageways, footways and street lighting.
- (v) Improvement works to the carriageways, footways and street lighting on Gladstone Street and King Street as part of the approved residential development.
- (vi) The car park hereby approved shall be designed to Secure Car Park standard.

Reason – To ensure that the car park incorporates design features to deter crime.

- (v) Prior to the commencement of the development hereby permitted, or such other timescale which may first be agreed, in writing, by the Local Planning Authority, a management plan for the car park (which shall be formulated to ensure that priority is given to short stay parking) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the car park shall be run in conformity with the approved management plan.

Reason – To ensure that the car park is available predominantly for short stay parking to serve the needs of people visiting the town centre for shopping trips.

- (w) The development hereby approved shall not be commenced until all additional highways have been formally stopped up in accordance with the relevant statutory procedures.

Reason – The development as approved includes development on a number of public highways.

- (x) Prior to the apartments hereby approved first being occupied the residents and visitor parking as shown on drawing number P130 shall be provided and made available for use and thereafter maintained for that purpose.
Reason - To ensure that appropriate provision is made for off-street parking to serve the residential element of the proposal.
- (y) Prior to the opening of shopping centre hereby approved, details of public transport provision on St Augustine's Way, to include a bus shelter equipped with real time bus information and raised kerbs, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved facilities shall be provided prior to the occupation of the shopping centre.
Reason – In order to facilitate public transport access to the site in accordance with adopted planning policy.
- (z) No occupation of the development hereby approved shall take place until the Travel Plan prepared by Denis Wilson Partnership dated September 2006 and submitted as part of this planning application has been implemented in full.
Reason – To encourage the use of more sustainable and integrated modes of transport in accordance with adopted planning policy.
- (aa) Prior to the commencement of the development hereby approved, or such other extended timescale that may be agreed by the Local Planning Authority, details of the gates or barrier to the proposed service yard to be created at the eastern side of the proposed shopping centre extension, accessed off the Northgate roundabout, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the gates or barrier shall be provided before the service yard becomes operational and in accordance with the details as approved.
Reason – In the interest of visual amenity and to deter public access to the area.
- (bb) The refuse storage arrangements, shown on the approved plan (Drawing No. P130), shall be completed prior to any part of the accommodation hereby permitted being occupied.
Reason - To ensure that refuse can be properly stored and removed from the site as soon as the proposed use of these premises commences.
- (cc) J8 – Artwork.
- (dd) Notwithstanding any of the details of the proposed shop frontages and display windows shown on the approved plans, all external windows facing St Augustine's Way and King Street shall be used for display purposes only and shall not be used for storage purposes.
Reason – In the interest of maintaining an active frontage onto the main facades of the building hereby approved, in the interest of visual amenity.
- (ee) Notwithstanding any details provided within the submitted application or any of the approved plans, details of the following shall be submitted to, and approved in writing by, the Local Planning Authority :-
- (i) Precise details of the proposed layout and use of the Winter Garden. Such details shall include the provision of a café or refreshment facility, a public exhibition space and details of landscape planting to be provided within the Winter Garden;
 - (ii) Precise details of the relationship of the approved development with the existing Queen Street Shopping Centre to include details of the proposed opening hours and operational interface between the two centres; and
 - (iii) Details of the proposed opening hours of the leisure element of the development hereby approved and how this will relate to the remainder of the shopping centre, including the Queen Street shopping centre. Such details shall give

priority to ensuring the development provides optimum permeability through the site out of normal operational hours.

Reason – To ensure that the development hereby approved operates effectively with the existing Queen Street shopping centre in the interest of maintaining permeability through the site and the town centre as a whole.

- (ff) Prior to the commencement of development hereby approved, a scheme for replacement car parking shall be submitted to, and approved the Local Planning Authority for the period between the commencement of construction of the shopping centre extension on Commercial Street and the multi-storey car park on Kendrew Street becoming operational, or such other period of time as may be agreed by the Local Planning Authority. This temporary car parking scheme shall include details of the location and management of the car park and details of a shuttle bus service, if considered necessary by the Local Planning Authority, and shall provide for a minimum of 350 spaces to be available for use throughout the temporary period. Thereafter the temporary car parking arrangements shall be provided in accordance with the approved details and thereafter be so maintained.

Reason – To ensure that sufficient alternative car parking is available for the temporary period between the commencement of construction of the shopping centre extension on Commercial Street and the multi-storey car park on Kendrew Street becoming operational.

07/01197/FUL - Broom Dykes Lodge, Houghton-Le-Side, Darlington. Erection of agricultural store and stables.

(In reaching its decision, the Committee took into consideration the objections of Heighington Parish Council which 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) Notwithstanding the provisions of condition (b), precise details of the windows (to be fixed shut), doors and rainwater goods shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details.
Reason - In order to achieve a satisfactory form of development.
- (d) The development for which permission is hereby granted shall only be used for purposes incidental to the enjoyment of the dwelling house and not for commercial or residential purposes without the prior approval of the Local Planning Authority.
Reason - To enable the Local Planning Authority to retain control over the development.
- (e) B5 - Detailed Drawings (Implementation in accordance with approved plan).

(2) Planning Permission Refused

07/01064/FUL - Skipbridge Brickworks Site, Neasham Road, Hurworth Moor, Darlington.

Leisure Park for the stationing of static caravans and associated facilities (amended description and amended details received on 14th December, 2007) (amended site plan and proposed junction layout and additional information regarding access road, drainage and facilities for the elderly and disabled and others received on 14th January and 25th January, 2008).

(In reaching its decision the Committee took into consideration 120 letters of objection (several of which were second letters from previous objectors), the objections of a Ward Councillor, Hurworth and Neasham Parish Councils, The Campaign to Protect Rural England and 38 letters of support, which had been received and the objections of Mrs. Smith, Mr. Cain, Parish Councillors Dodwell and Holm and a Ward Councillor and Mr. Tweddle and Ms. Ashmore, on behalf of the applicant, whom Members heard).

RESOLVED – That planning permission be refused for the following reasons :-

- (a) The Local Planning Authority consider the development to be overly large and therefore would be visually intrusive, to the detriment of the surrounding countryside, contrary to Policies E2 (Development Limits), E4 (New Buildings in the Countryside) and E7 (Landscape Conservation) of the Borough of Darlington Local Plan 1997.
- (b) The development would result in unacceptable levels of traffic generation on the surrounding local road network to the detriment of highway safety, contrary to policy T12 (New Development – Road Capacity) of the Borough of Darlington Local Plan 1997.

(3) Listed Building Consent Granted

08/00030/LBC - Manor Farm, 20 The Green, Bishopton, Stockton On Tees. Listed Building Consent for underpinning works (additional plans received on 18th January, 2008).

(In reaching its decision, the Committee took into consideration three objections which had been received relating to the accuracy of plans which had been received and the objections of Mr. Bence whom Members heard).

RESOLVED – That, subject to any objections received, not raising any additional planning issues, on or before the consultation expiry date of 15th February 2008, authority be given for Officers to determine the application under delegated powers subject to the following conditions :-

- (a) A5 – Listed Building Applications (Implementation Limit).
- (b) B4 – Details of Materials (Samples)
- (c) B7 - Detailed Application (Listed Buildings).
- (d) Prior to the commencement of the development the following details shall be submitted to and approved in writing by the Local Planning Authority :-
 - (i) Joinery details (including doors and windows);
 - (ii) Lintels and sills;
 - (iii) Rainwater goods;
 - (iv) Position of proposed conservation roof lights (which should be fitted level with the roof tiles); and

(v) Coursing style to the proposed brick walls of the barn.

Reason – In the interests of visual amenity and in order to retain the character of the Grade II listed building and the Bishopton Conservation area.

- (e) Notwithstanding the details contained in the submitted plans, the dimensions of the existing window openings to the eastern elevation of the proposed barn conversion (shown in elevation 3 – drawing No. 17) shall be retained and shall not be altered without the prior written approval of the Local Planning Authority.

Reason – In the interests of visual amenity.

- (f) No additional demolition to that specified in the plans submitted with this application shall be carried out in undertaking the development hereby permitted without the prior written approval of the Local Planning Authority.

Reason – In the avoidance of doubt and in order that the Local Planning Authority may retain control of the element of the development hereby approved.

(4) Conservation Area Consent Granted

07/01239/CAC - White Bros (Darlington) Limited Corporation Road, Darlington. Conservation Area Consent for demolition of motorcycle repair depot, hard standing and boundary walling (amended plans received on 15th January, 2008).

RESOLVED - That Conservation Area Consent be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Details of Materials (Samples).

(5) Change of Use Granted

07/01144/CU - 114 Victoria Road, Darlington. Change of use to hot food takeaway including installation of a new shopfront (additional plans received on 20th December, 2007 and amended description).

(In reaching its decision, the Committee took into consideration two letters of concern that had been received, a statement prepared by the applicants and the concerns of Mr. Graves, whom Members heard).

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

- (a) A3 - Implementation Limit (Three Years).
- (b) B5 Detailed Drawings (Implementation in accordance with approved plan).
- (c) No development shall commence until a scheme of soundproofing for insulating the first floor flat and the neighbouring property (No. 116 Victoria Road) against the transmission of airborne and impact sound, has been submitted to, and approved by, the Local Planning Authority. The development shall not be carried out otherwise than in

accordance with the approved details.

Reason – To ensure satisfactory environmental conditions for the occupiers of the first floor flat.

- (d) D18 - Control of Fumes.
- (e) D19 - Ventilation Equipment (Details Required).
- (f) Prior to the use of the ventilation equipment included in condition (e) above the applicant is required to test the equipment for noise in the presence of the Local Planning Authority.

Reason – In the interests of residential amenity.

- (g) D4 - Refuse Storage (Details to be Submitted).

(6) Darlington Borough Council Granted

07/01109/DC - Proposed Children's Centre, Darlington Education Village, Salters Lane South, Darlington. Erection of children's centre (amended and additional plans received on 28th November, 2007).

RESOLVED - That pursuant to Regulation 3 of the Town and Country Planning General Regulations 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 (Implementation in accordance with approved plan).
- (d) E2 - Landscaping (Submission).
- (e) E5 - Boundary Treatment (Submission).
- (f) Prior to the occupation of the development hereby approved, highway works shall be carried out to provide dropped crossings/tactile paving to the new access road in accordance with details to be submitted, and approved in writing by, the Local Planning Authority prior to the commencement of the development.
Reason – In the interests of highway safety and to improve facilities for pedestrians.
- (g) Prior to the commencement of the development hereby-approved details shall be submitted of a scheme to protect the existing trees shown on the submitted plans to be retained. The submitted details shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m high, consisting of a scaffolding frame braced to resist impacts, supporting either chain link or chestnut paling to dissuade encroachment. The agreed scheme of protection shall be in place not less than seven days before the commencement of any clearance operations and the Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of clearance works to allow an inspection of the measurements to ensure their compliance with the approved scheme of protection. Notwithstanding the above approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees:
 - (i) The raising or lowering of levels in relation to the existing ground levels;
 - (ii) Cutting of roots, digging of trenches or removal of soil;
 - (iii) Erection of temporary buildings, roads or carrying out of any engineering operations;
 - (iv) Lighting of fires; and
 - (v) Driving of vehicles or storage of materials and equipment.

Reason - In the interests of the visual amenities of the area and to safeguard the well being of trees within the site.

- (h) Precise details of external lighting shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any approval given.

Reason – To protect the amenities of nearby residents and in the interests of public safety.

PA86. APPLICATION FOR PLANNING CONSENT

(1) Planning Consent Granted

07/01176/ADV - Clock Tower Lodge, South Park, Parkside, Darlington. Erection of flag pole (retrospective application) (additional information received on 8th January, 2008) (amended description).

RESOLVED - That advertisement consent be granted, subject to the following standard conditions contained in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 :-

AD1 – AD5 – Advertisements.

PA87. PROPOSED AMENDMENT OF PLANNING PERMISSION RELATED APPLICATION REF. NO. 05/00448/FUL – MANOR FARM, 20 THE GREEN, BISHOPTON – The Assistant Chief Executive (Regeneration) submitted a report (previously circulated) requesting an amendment to the plans for planning permission under the provisions of a planning condition attached to the permission.

The submitted report detailed the planning history for the conversion of a redundant agricultural building within the Bishopton Conservation Area, into three dwelling houses, together with the erection of two new detached houses to the rear of the long barn which was attached to Manor Farmhouse, a Grade II listed building at the south of the site.

Details were supplied of the proposed procedure which would ensure retention of the long barn by the developer submitting a plan to show the development with the retention of the long barn in its entirety.

(In reaching its decision the Committee took into consideration the views of Mr. Bence, a resident, whom Members heard).

RESOLVED – That the Assistant Chief Executive (Regeneration) be authorised to agree revised plans under condition (3) of Planning Permission 05/00448/FUL, which involved the retention of the long barn.

PA88. NOTIFICATION OF APPEALS – The Assistant Chief Executive (Regeneration) reported that :-

- (a) Mr. and Mrs. Gardner has appealed against this Authority's decision to refuse planning permission for the erection of a dormer window to front elevation at 20 Halnaby Avenue, Darlington DL3 8UH (Reference No. 07/00903/FUL);

- (b) Mrs. Crighton Mather has appealed against this Authority's decision to refuse planning permission for subdivision of existing dwelling at 99 Clifton Road, Darlington DL1 5DX (Reference No. 07/00823/FUL);
- (c) Mr. W.K. Mounsey has appealed against this Authority's decision to refuse planning permission for the erection of fodder store at Stable Block, Snipe Lane, Darlington (Reference No. 07/00858/FUL); and
- (d) Mrs. A. M. Hunton has appealed against this Authority's decision to refuse planning consent for Notification to carry out tree works for the felling of Monkey Puzzle Tree in a Conservation Area Under Section 211 of the Town and Country Planning Act 1990 at 2 Redworth Road, Heighington DL5 6PR (Reference Number 07/00974/TFC).

RESOLVED - That the reports be received.

PA89. NOTIFICATION OF DECISIONS ON APPEALS - The Assistant Chief Executive (Regeneration) reported that the Inspectors appointed by the Secretary of State for the Environment have :-

- (a) Allowed the appeal by Mr. C. Powers against this Authority's decision to refuse planning permission for subdivision of property to form 2 No. self contained flats at 8 Arthur Street, Darlington DL3 6SX (Ref. Nos. 07/00374/FUL) (**Incorrectly reported to December's Committee as dismissed**); and
- (b) Tesco Stores Limited have withdrawn their appeal (notification received 11th January, 2008) against this Authority's decision to refuse planning permission for the erection of local convenience store with associated parking and servicing at former North Road Service Station, North Road, Darlington DL1 3BH (Ref. Nos. 07/00172/FUL).

RESOLVED - That the report be received.

PA90. 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.

PA91. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 13) - Pursuant to Minute PA81/Jan/08, the Assistant Chief Executive (Regeneration) submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 28th January, 2008.

RESOLVED - That the report be received.