

PLANNING APPLICATIONS COMMITTEE

30th April, 2008

PRESENT - Councillor Baldwin (in the Chair); Councillors M. Cartwright, Freitag, L. Haszeldine, Johnson, Lee, D.A. Lyonette, Stenson and Walker. (9)

APOLOGIES – Councillor Hartley, S.J. Jones, Regan and Robson (4)

OFFICERS IN ATTENDANCE – Roy Merrett, Development Manager, Dave Coates, Principal Planning Officer, Neil Cookson, Solicitor, Harry Alderton, Highways Engineer and Karen Graves, Democratic Support Officer.

PA110. DECLARATION OF INTERESTS - There were no declarations of interest reported at the meeting.

PA111. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 28th March and 2nd April, 2008.

RESOLVED – That, with the amendment of Minute PA105(1)/Apr/08 to include the following conditions:-

- a The indoor football shall be restricted to sports activity and for no other purpose.
- b The office use shall be restricted to that which is ancillary to the operation of the football club.
- c Both indoor and outdoor playing pitches shall be made available for community use pursuant to condition (j) (ii) of planning permission Ref. No. 07/01124/FUL.

the Minutes be approved as correct records.

PA112. 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 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

	<p>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>
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>

PA113. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

08/00179/FUL - Cherry Tree Farm, Beacon Hill, Sadberge. Erection of buildings for agricultural purposes and siting of temporary dwelling together with landscaping and planting.

(In reaching its decision the Committee took into consideration a report of the Planning Officer (previously circulated), three letters of objection, the objections of Sadberge Parish Council, representation from a Ward Councillor and the comments of Campaign to Protect Rural England which had been received and the views of Mr. Lavender, the applicant's agent and Ms. M. Scaife, Chair of Sadberge Parish Council, 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) E2 - Landscaping (Submission).
- (d) The siting of the temporary agricultural worker's dwelling on the site shall be for a limited period only expiring on 30 April 2011 when it shall be removed.
Reason – The Local Planning Authority would wish to review the permission at the end of the period in the light of the operation of the use.
- (e) Unless with the prior approval of the Local Planning Authority none of the poultry units hereby approved shall be sited in the three fields identified with areas of 2.3ha, 2.62ha and 1.83ha as shown on the approved drawing 1540-01D.
Reason – In the interest of residential amenity.
- (f) Notwithstanding anything shown in the application a drawing showing the details of the visibility splay at the vehicular access of the site onto the public highway (Norton Back Lane) shall be submitted, to the Local Planning Authority within 28 days of the date of this permission. Thereafter the approved visibility splay shall be provided prior to the poultry houses being sited on the land. There shall not be erected, planted, or placed on the land affected by the sightlines anything which will obstruct visibility at any height greater than 0.6 metres above the surface of the land within the approved visibility splay.
Reason - In the interests of highway safety.
- (g) Notwithstanding anything indicated on the approved drawings a properly constructed metalled access shall be provided within the public highway at the junction with the carriageway of Norton Back Lane, details of which shall be submitted to the Local Planning Authority within 28 days of the date of this permission. The approved metalled access shall be provided prior to the poultry houses being sited on the land.
Reason – In the interests of highway safety.
- (h) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.
Reason – To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
- (i) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been

submitted to, and approved by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason – To prevent the increased risk of flooding.

- (j) Floor levels should be set at least 600mm above the existing ground level for the Proposed dwelling, and 300mm above the existing ground level for the proposed poultry units.

Reason – To protect the development from flooding.

- (k) Prior to the poultry houses hereby approved being placed on the land the vehicular access at the South Western corner of the site adjacent to 1 Beacon Hill Bungalows shall be permanently closed off.

Reason – In the interests of highway safety.

- (l) The workshop building hereby approved shall be used solely for purposes ancillary to the operation of the farm and not for any other purpose.

Reason – To ensure that the building is used in accordance with the intentions of the proposed scheme and is not used for any other purposes to the detriment of nearby residents or highway safety.

08/00146/FUL - 106 - 108 Parkgate, Darlington. Change of Use of ground floor from A1 to A3 (Restaurant), demolish rear lean-to extension and replacement erection of two storey extension with two dormer windows using first floor space for 2 No. apartments and new shopfront.

(In reaching its decision, the Committee took into consideration the Planning Officers report (previously circulated) and one letter of objection which had been received and the views of Northumbrian Water which were reported verbally at the meeting).

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

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Details of Materials (Samples).
- (c) D4 - Refuse Storage (Details to be Submitted).
- (d) D18 - Control of Fumes.
- (e) D19 - Ventilation Equipment (Details Required).
- (f) The restaurant use hereby permitted shall not operate outside the hours of 0900 to 2300 Monday to Sunday.

Reason - To protect the amenities of the residents of the apartments at first floor level.

- (g) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (h) Prior to any plant and ventilation equipment first being used the applicant is required to test the equipment for noise in the presence of an Officer from the Local Planning Authority. The equipment shall only be used permanently once the Local Planning Authority has given formal consent in writing.

Reason – In the interests of residential amenity.

(2) Darlington Borough Council Granted

08/00222/DC - Longfield School, Longfield Road, Darlington. Erection of cycle storage shelters to accommodate 102 cycles.

(In reaching its decision, the Committee took into consideration the Planning Officers report (previously circulated) and two letters of objection which had been received).

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

- (a) A3 - Implementation Limit (Three Years).
- (b) B5 - Detailed Drawings (Implementation in accordance with approved plan).

08/00138/DC - Branksome Comprehensive School, Eggleston View, Darlington. Erection of 2 No. cycle storage shelters to accommodate 60 cycles.

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).

08/00139/DC - Corporation Road Community Primary School, Corporation Road, Darlington. Erection of cycle parking shelter to accommodate 20 No. cycles (as advised verbally by Officers at the meeting).

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).

(3) Applications Withdrawn

08/00113/FUL - Proposed Business Park, Durham Tees Valley Airport, Middleton St George, Darlington. Office development comprising 11 No. Units, car parking, access and associated landscaping (additional scoping survey received on 26th February, 2008) (amended plans received on 3rd February, 2008).

RESOLVED - That the application be withdrawn at the request of the applicant.

08/00249/LBC - 78 Skinnergate, Darlington. Listed Building Consent to display quality artwork on yard walls in Bucktons Yard and Clarks Yard entrances.

RESOLVED - That the application be withdrawn from the Agenda and dealt with under the Delegated Powers Scheme.

- (a) A5 – Listed Building Applications (Implementation Limit).
- (b) Should either of the artworks be permanently removed the wall underneath should be made good using a ‘lime rich’ mortar to infill any holes as a result of the removal of fixings.

Reason - To safeguard the listed building in the event of the artworks hereby approved being removed from the property.

PA114. NOTIFICATION OF APPEALS – The Assistant Chief Executive (Regeneration) reported that Ward Hadland Associates have appealed against this authorities decision to refuse planning permission for a Leisure Park for the stationing of static caravans and associated facilities at Skipbridge Brickworks Site, Neasham Road, Hurworth Road, Darlington (Reference No. 07/01064/FUL).

RESOLVED - That the reports be received.

PA115. 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. Crighton Mather against this Authority's decision to refuse planning permission for conversion of existing house into two separate flats, internal alterations including new partition walling, re-allocation of rooms, new bathroom and kitchen fittings to be installed at 99 Clifton Road, Darlington (Ref. No. 07/00823/FUL).
- (b) Allowed the appeal by Miss B. Dewing and Mr. G. Levy against this Authority's decision to refuse planning permission for the erection of a dwelling at 1 Stockton Road, Darlington (Ref. No. 07/00183/FUL).
- (c) Dismissed the appeal by Mr. and Mrs. Gardner against this Authority's decision to refuse planning permission for a dormer window at 20 Halnaby Avenue, Darlington (Ref. No. 07/00903/FUL).
- (d) The appeal made by Mr. W.K. Mounsey for the erection of fodder store at Stable Block, Snipe Lane, Darlington (Ref. No. 07/00858/FUL) has been withdrawn.

RESOLVED - That the report be received.

PA116. 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 No. 7 of Part I of Schedule 12A to the Act.

PA117. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA109/Apr/08, the Assistant Chief Executive (Regeneration) submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 21st April, 2008.

RESOLVED - That the report be received.