

PLANNING APPLICATIONS COMMITTEE

23 OCTOBER 2013

PRESENT – The Mayor (Councillor Johnson); Councillor Baldwin (in the Chair); Councillors Cartwright, L Haszeldine, Lee, Long, D A Lyonette, Macnab, Regan and Stenson. (10)

APOLOGIES – Councillors Cossins, Knowles and J Taylor. (3)

ALSO IN ATTENDANCE –

OFFICERS – Roy Merrett, Development Manager, Dave Coates, Principal Planning Officer and Paul Ibbertson, Engineer within Services for Place and Andrew Errington, Lawyer (Planning) within the Resources Group.

PA40. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA41. MINUTES - Submitted - The Minutes (previously circulated) of a meeting of this Committee held on 25 September 2013.

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

PA42. 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.
D4	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. Reason - To safeguard the amenities of the area.
D19	The use hereby permitted shall not commence until full

	<p>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>
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PA43. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

13/00677/FUL - Robineau Patisserie, 27 West Auckland Road, Darlington. Variation of Condition 3 attached to planning permission 11/00211/FUL dated 19 May 2011 (for change of use from bakery shop (A1) to shop and cafe (A1/A3); erection of single and two storey rear extensions, and shop front alterations) to permit a variation of the hours of opening

(In reaching its decision, the Committee took into consideration eight letters of objection that had been received and the views of the applicant and an objector, both of whom Members heard).

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

1. The premises shall only be open to members of the public during the times specified in the Supplementary Notes submitted with the planning application.
Reason - In the interests of the amenity of the surrounding area.

(2) Change of Use Granted

13/00504/CU - 94 Bondgate, Darlington. Change of use to provide vintage tea room (A3) retail (A1) and ancillary uses including storage and office (amended description)

(In reaching its decision, the Committee took into consideration the comments of Darlington Association on Disability that had been received and the views of a representative of Darlington Association on Disability whom Members heard).

RESOLVED - It is recommended that planning permission be granted subject to conditions.

1. A3 - Implementation Limit (3 years).
2. D19 - Ventilation Equipment (Details Required).
3. D4 - Refuse Storage (Details to be Submitted).
4. Unless otherwise agreed, in writing by, the Local Planning Authority, the change of use shall not commence until details of access for disabled people, including alterations to the highway to allow for level access have been submitted to, and

approved in writing by, the Local Planning Authority. The use shall not be brought into operation until the approved details have been implemented.

Reason - In the interests of achieving reasonable access for disabled people.

5. Unless otherwise agreed, in writing by, the Local Planning Authority, the change of use shall not commence until details of access for deliveries and any functional parking have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the use shall only take place in accordance with the approved details.

Reason - In the interests of highway safety.

(3) Change of Use Refused

13/00631/CU - 9 High Row, Darlington. Change of use from retail (A1) to betting office (A2).

(In reaching its decision, the Committee took into consideration two letters of objection from the same objector and one letter of support that had been received and the views of the applicant's agent whom Members heard).

RESOLVED - It is recommended that planning permission be refused for the following reason :

1. The proposed development, would lead to the loss of a ground floor shop unit in the primary shopping frontage of the Town Centre and would therefore be contrary to Saved Policy S4 of the Borough of Darlington Local Plan. In the opinion of the Local Planning Authority, the marketing exercise undertaken to try and attract an alternative retail user to this site has not been undertaken for a long enough period and there are not considered to be any exceptional circumstances that would outweigh the policy position.

(4) Change of Use Deferred

13/00653/CU - First Floor, 1 Bondgate, Darlington. Change of Use from Hairdressers (A1) to Private Members Club (D2).

(In reaching its decision, the Committee took into consideration the objections of Darlington Association on Disability and the views of the applicant's agent and a representative of Darlington Association on Disability both of whom Members heard).

RESOLVED - That planning permission be deferred to enable further technical information on the limitations of adapting the premises for disabled access to be provided.

PA44. 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.

PA45. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA39/Sep/13, the Director of Place submitted a report (previously circulated)

detailing breaches of planning regulations investigated by this Council, as at 11 October 2013.

RESOLVED - That the report be received.