

PLANNING APPLICATIONS COMMITTEE

30 September 2015

PRESENT – Councillor Baldwin (in the Chair); Councillors Cartwright, Cossins, L Haszeldine, Johnson, Kelley, Knowles, Lee, Regan, and J Taylor. (10)

APOLOGIES – Councillors Galletley, Lyonette and Stenson. (3)

OFFICERS – Dave Coates, Principal Planning Officer, Paul Ibbertson, Engineer, within Services for Economic Growth, and Andrew Errington, Lawyer (Planning), within the Neighbourhood Services and Resources Group. (3)

PA38. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA39. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 2 September 2015.

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

PA40. PROCEDURE – The Head of Legal Services' 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 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.
B4A	The materials used in the external surfaces of the extension hereby permitted shall match those used on the existing

	<p>building.</p> <p>Reason – In the interests of maintaining the visual amenity of the development in accordance with the requirements of Policy H12 of the Borough of Darlington Local Plan 1997.</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>
C5	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no enlargement, improvement or other alteration of the premises, including any additional structures/building within the curtilage of the site, shall be carried out without the prior consent of the Local Planning Authority, to whom a planning application must be made.</p> <p>Reason - In order not to prejudice the amenities of the adjoining properties and in order that the Local Planning Authority is able to exercise control over future development of the site.</p>

PA41. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION - (1) Planning Permission Granted

15/00551/FUL – 69 Elton Road, Darlington. Erection of single storey rear extension, extension to existing garage to form double tandem garage and enlargement of roof space and raising ridge height to provide first floor living accommodation including reconfiguration of internal layout (amended plans received 2 September 2015).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and three letters of objection to the original plans and one letter of objection to the amended plans that had been received).

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. Notwithstanding any details of the proposed ground floor rear extension submitted with the application hereby approved, the rear extension shall not at any time be used as a roof terrace or balcony.
Reason – In the interest of residential amenity.
4. C5 (Removal of permitted development rights – extensions).
5. B5 (Development in accordance with the approved plans).

(2) Planning Permission Deferred

15/00462/FUL – 120 Gladstone Street, Darlington - Erection of single storey extension in yard to rear of No.3 Thornton Street to create extension to existing shop at 120 Gladstone Street and creation of bin store with roller shutter door to side (Amended Plans Received 8 September 2015).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the objections of three local residents that had been received, the views of the applicant's agent and two objectors, both of whom Members heard and the findings of a site visit).

RESOLVED - That consideration of the above application be deferred to a special meeting of this Committee scheduled to be held on 14 October 2015, to enable clarification to be sought with the applicant on the detail within the submitted plans.

15/00715/FUL – Carmel College, The Headlands - Construction of a synthetic sand dressed turf pitch, along with associated floodlighting, enclosures and acoustic fence (amended plans and additional information received 11 September 2015).

RESOLVED – That this application be deferred and considered at the special meeting of this Committee scheduled to be held on 14 October 2015.

(3) Conservation Area Consent – Granted

15/00691/CU – North of Merrifield Hall, Low Coniscliffe - Change of use of stables to residential dwelling including extensions.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the comments of a local resident and the objections of Low Coniscliffe Parish Council that had been received).

RESOLVED - That planning permission be granted with the following conditions:

1. A4 – Time limit.
2. B4A – Materials.
3. B5 – In accordance with plans.
4. C5 – Restriction of PD Rights.

(4) Variation of Heads of Terms – Section 106 Agreement

08/01004/OUT – Field at OSGR E429931 N512826, Neasham Road

The Director of Economic Growth submitted a report (previously circulated) requesting that consideration be given to varying the Heads of Terms of the Section 106 Agreement which had been previously negotiated in respect of residential development (160 dwellings) at field at OSGR E429931 N512826, Neasham Road, following a viability assessment undertaken by the applicants, Darlington Farmers Auction Mart (DFAM), and a change in the funding proposals for the scheme.

The submitted report outlined the background to the requirement for the applicants to enter into a Section 106 Agreement in July 2009 and the reasons why that had not subsequently been signed, due to the significant costs associated with the various obligations to be secured by the Section 106, and to the impact this had on the funding required for the relocation of the existing livestock market from its current site and to securing a buyer for the site.

It was reported that DFAM was now seeking approval for a cap of £250,000 on contributions to be sought as part of the Section 106 Agreement as part of the wider package of funding to deliver the relocation of the livestock market and that a viability assessment, which had been undertaken by the applicant, to support the proposed reduction in contributions had been independently verified and supported its findings.

RESOLVED – That the Heads of Terms of the Section 106 Agreement be amended as follows to facilitate the relocation of the cattle market from Clifton Road to Humbleton Farm :-

- (a) the developer to have the necessary finance in place to deliver the new livestock market at Humbleton Farm;
- (b) no development to commence at Neasham Road until all pre-commencement planning conditions have been discharged and a material start made on site; and
- (c) a maximum financial contribution of £250,000 to be secured towards primary school education places, highway and transport.

PA42. 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.

PA43. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA31/Sep/15, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 18 September, 2015

RESOLVED - That the report be received.