

PLANNING APPLICATIONS COMMITTEE

31st August 2011

PRESENT - Councillor Baldwin (in the Chair); Councillors L. Haszeldine, Knowles, Landers, Lee, Long, D.A. Lyonette, Macnab, Regan and J. Taylor. (10)

APOLOGIES – Councillors Cossins, Johnson and Stenson. (3)

OFFICERS – Roy Merret, Development Manager, Dave Coates, Principal Planning Officer and Harry Alderton, Highways Engineer, within Services for People and Andrew, Errington, Lawyer (Planning) within Resources Group.

PA25. DECLARATION OF INTERESTS – (a) In relation to application 11/00467/FUL Councillor Lee declared a personal and prejudicial interest due to him being a friend of the Clervaux Trust and left the meeting for this application only.

(b) In relation to application 11/00467/FUL Councillor Long declared a personal and prejudicial interest due to her being a friend of the Clervaux Trust and left the meeting for this application only.

PA26. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Committee held on 3rd August 2011.

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

PA27. PROCEDURE – The Assistant Director of Resources 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	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	<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>
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>
K4	No development approved by this permission shall be commenced

	<p>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 to the satisfaction of the Local Planning Authority before other development commences on site.</p> <p>Reason - To ensure that adequate measures are taken for the disposal of surface water.</p>
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PA28. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

11/00187/FUL - 37 The Wayside, Darlington. Erection of 2 No. detached dwellings.

(In reaching its decision, the Committee took into consideration the Planning Officer’s report (previously circulated), seventeen letters of objection, the objections of the Ward Councillor and Hurworth Parish Council and the comments of the Council’s Highways Engineer and the Council’s Environmental Health section that had been received and the views of Mr. Henderson, applicant, Mrs. Hall, Mr. Hughes and Mr. Pattinson, objectors, and Councillor Hughes, Parish Councillor, whom members heard. A further nine objections and the objections of Campaign to Protect Rural England were also highlighted at the meeting).

The Development Manager commented that Government's policy on garden grabbing was about excluding gardens from brownfield land classification so that gardens would not be unduly lost to development on the basis that they were contributing to brownfield land development targets. The policy did not preclude infill development. The guideline in the Council's Design Supplementary Planning Document that culs-de-sacs should be discouraged from serving more than 25 properties was intended to apply to new developments as a whole in the interests of pedestrian accessibility and ensuring that walking distance to public transport did not become too inconvenient. The Wayside already exceeded this target and the provision of 2 additional properties would not lead to the culs de sac being made longer. Whilst there is no immediate requirement for additional housing in Darlington, this was not a reason to refuse permission for small windfall infill housing sites. The guidelines on minimum separation between properties were longstanding and similar guidelines were operated by other planning authorities.

The Highway Engineer commented that he did not consider highway safety issues would be made any worse due to the limited scale of the development.

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

- (a) 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.
- (b) 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.

- (c) 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.

- (d) 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.

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.

- (e) 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.

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

- (f) 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.

Reason - To safeguard the visual amenities of the locality and privacy of adjoining properties.

- (g) The development hereby permitted shall not commence until a scheme to deal with contamination of land and/or groundwater, including soil contamination, ground/surface water contamination, landfill gas, leachates and stability as appropriate, has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:-

(i) A Phase 1 Preliminary Risk Assessment, carried out by competent person(s), to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

(ii) A Phase 2 Site Investigation and Risk Assessment shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until:

(1) A Phase 1 Preliminary Risk Assessment and has been completed and agreed in writing with the Local Planning Authority.

- (2) The requirements of the Local Planning Authority for site investigations have been fully established; and
- (3) The extent and methodology of the site investigation and risk assessment have been agreed in writing with the Local Planning Authority.

The Phase 2 Site Investigation and Risk Assessment Report shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

- (iii) A Phase 3 Remediation Statement for the remediation of land and/or groundwater contamination affecting the site determined through risk assessment shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The works specified in the Phase 3 Remediation Statement shall be implemented and completed in accordance with the agreed Remediation Statement by competent person(s), no alterations to the Remediation Statement or associated remediation works shall be carried out without the prior written agreement of the Local Planning Authority.
- (iv) A completion report (Phase 4 Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.
- (v) Any contamination not considered in the Phase 3 Remediation Statement but identified during the construction/remediation works shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

Reason - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

- (h) 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 to the satisfaction of the Local Planning Authority before other development commences on site.

Reason - To ensure that adequate measures are taken for the disposal of surface water.

- (i) **Construction Method Statement**

No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (viii) measures for the protection of the natural environment including trees; and
- (ix) hours of construction, including deliveries.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved

construction method statement without the prior written permission of the Local Planning Authority.

Reason - To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- (j) Prior to the commencement of development, details of sightlines between the shared driveway and the public highway be submitted to and approved in writing , by the Local Planning Authority together with a scheme that ensures the private shared drive meets the public highway at right angles and it is demonstrated there is an acceptable intervisibility.

Reason - In the interests of highway safety.

- (k) **Vehicular access and Footway Crossing**

Prior to the commencement of the development hereby authorised details of an improved and metalled vehicular access and footway crossing to the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented in full accordance with a time scale to be agreed with the Local Planning Authority.

Reason – In the interests of highway safety.

- (l) **Tree Protection**

Notwithstanding any details submitted in the submitted application, prior to the commencement of development hereby approved, details shall be submitted of a scheme to protect the existing Birch Tree (Marked TO1 on the submitted details). The details shall include a scaled plan of the Root Protection Area taking into account the existing driveway of 39 The Wayside and shall clearly illustrate the location and width of the proposed driveway together with a method of no dig construction within the RPA of TO1 and appropriate protective fencing. Upon receipt of acceptable details the Local Planning Authority shall provide written confirmation and the development may progress in accordance with the approved details.

Reason - To ensure that a maximum level of protection in order to safeguard the well being of trees adjoining the site.

11/00467/FUL - Clervaux Artisan Bakery and Café, 38 Coniscliffe Road, Darlington.

Variation of condition 5 of planning permission 09/00628/CU dated 17 November 2009 (for change of use from restaurant, offices and residential to a centre providing an organic bakery, cafe, shop, offices and educational workspace for the community and young people) to permit an extension of the opening hours of the cafe and retail area to 0800 to 2300 Monday to Saturday and 1100 to 2300 on Sundays (additional information received 5 and 17 August 2011).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), seven letters of objection and a further four letters of objection following the submission of a supporting statement that had been received and the views of Mr. McCordall, applicant, whom Members heard).

RESOLVED - That planning permission be granted.

11/00202/FUL - Middleton Hall Retirement Village, Middleton St George. Erection of 26 bed dementia care unit, café to main hall, entrance to hall and 36 no. independent living bungalows (C2 Residential Institutions) with replacement caretaker's lodge.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), one letter of objection, a letter of support, the approval of Middleton St.

George Parish Council, the comments of Northumbrian Water and the Council's Highways Engineer that had been received and the views of Mr. Barker, applicants agent, whom Members heard).

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

- (a) 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.

- (b) 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.

- (c) 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.

- (d) The development hereby permitted shall not commence until a scheme to deal with contamination of land and/or groundwater, including soil contamination, ground/surface water contamination, landfill gas, leachates and stability as appropriate, has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing :-

- (i) A Phase 1 Preliminary Risk Assessment, carried out by competent person(s), to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

- (ii) A Phase 2 Site Investigation and Risk Assessment shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until:

- (1) A Phase 1 Preliminary Risk Assessment and has been completed and agreed in writing with the Local Planning Authority.
- (2) The requirements of the Local Planning Authority for site investigations have been fully established; and
- (3) The extent and methodology of the site investigation and risk assessment have been agreed in writing with the Local Planning Authority.

The Phase 2 Site Investigation and Risk Assessment Report shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

- (iii) A Phase 3 Remediation Statement for the remediation of land and/or groundwater contamination affecting the site determined through risk assessment shall be submitted to and agreed in writing with the Local Planning Authority

prior to the commencement of the development. The works specified in the Phase 3 Remediation Statement shall be implemented and completed in accordance with the agreed Remediation Statement by competent person(s), no alterations to the Remediation Statement or associated remediation works shall be carried out without the prior written agreement of the Local Planning Authority.

- (iv) A completion report (Phase 4 Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.
- (v) Any contamination not considered in the Phase 3 Remediation Statement but identified during the construction/remediation works shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

Reason - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection

- (e) Prior to any works commencing on the Independent Living Bungalows, a scheme for the protection of the proposed accommodation from excessive noise from the nearby Durham Tees Valley airport, shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of sound attenuation methods to be used and shall achieve noise levels of less than 35 dB(A) LAeq in living rooms, less than 30 dB(A) LAeq in bedrooms and individual noise events not to exceed 45 dB LAFmax in bedrooms. Any works which form a part of such a scheme shall be completed in accordance with the approved scheme and prior to any of the bungalows being first occupied or used unless otherwise agreed in writing by the Local Planning Authority.

Reason – To protect the occupiers of the bungalows from noise attributable to the nearby Durham Tees Valley airport.

- (f) Notwithstanding anything shown in the application provision shall be made for bus platforms to the bus stops on either side of the public highway, adjacent to the main vehicular entrance to Middleton Hall, details of which shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the approved details. The approved bus platforms shall be provided prior to the occupation of any of the independent living bungalows.

Reason – To provide safe conditions for waiting bus passengers in the interests of highway safety.

- (g) Notwithstanding anything submitted with the application a full Travel Plan shall be submitted to the Local Planning Authority prior to the commencement of development, or within such period of time as may be agreed in writing by the Local Planning Authority. The Travel plan shall incorporate the commitments set out in the framework Travel Plan submitted with the application.

Reason - To encourage the reduction of journeys made to and from the development by private motor vehicles by the promotion of more sustainable forms of transport.

- (h) The development shall not be carried out otherwise than in accordance with the recommendations set out in the Arboricultural Implications Assessment by All About Trees dated October 2010.

Reason – To ensure the retention of the maximum number of trees on the site and their protection from damage, in the interests of visual amenity.

- (i) The development shall not be carried out otherwise than in accordance with the recommendations set out in the ecology report by EcoSurvey Ltd dated July 2010.
Reason - To conserve protected species and their habitat.
- (j) Notwithstanding anything contained in the application no development shall commence on the Independent Living Bungalows until precise details of landscaping for that part of the overall development has been submitted to, and approved by, the Local Planning Authority. Such landscaping shall be provided either within the first planting season after the completion of this phase of the development or prior to the occupation of the bungalows or within such extended period as may be agreed by the Local Planning Authority. 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.
Reason – To ensure a satisfactory appearance of the site and to improve the visual amenities of the locality.
- (k) Notwithstanding anything contained in the application no development shall commence on the dementia care facility until precise details of landscaping for that part of the overall development has been submitted to, and approved by, the Local Planning Authority. Such landscaping shall be provided either within the first planting season after the completion of this phase of the development or prior to the occupation of the facility or within such extended period as may be agreed by the Local Planning Authority. 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.
Reason – To ensure a satisfactory appearance of the site and to improve the visual amenities of the locality.
- (l) The independent living bungalows hereby approved shall be occupied by persons over the age of 55 and shall be occupied solely in connection with the existing Middleton Hall Retirement Village and for no other purpose, including any use within Class C2 (Residential Institutions) of the Use Classes Order without an application first being made to the Local Planning Authority.
Reason – The application site is located in the countryside, outside the approved development limits identified in the development plan and therefore planning permission would not normally be granted for the development subject of this application. However, the Local Planning Authority considers that that there are material planning considerations to justify a grant of planning permission as a departure from policy but it is considered essential to retain control over the use of the buildings, including other permitted uses within Class C2 of the Town and Country Planning (Use Classes) Order 1987 not to prejudice development plan policy in the open countryside.
- (m) The caretakers lodge hereby approved shall be occupied only by persons employed in connection with the Middleton Hall Retirement Village.
Reason – The application site is located outside in the countryside, outside the approved development limits identified in the development plan where residential development would not normally be permitted. However, the Local Planning Authority considers that that there are material planning considerations to justify a grant of planning permission as a departure from policy.

(2) Listed Building Consent Granted

11/00203/LBC - Middleton Hall Retirement Village, Middleton St George. Erection of 26 bed dementia care unit, café to main hall, entrance to hall and 36 no. independent living bungalows (C2 Residential Institutions) with replacement caretaker's lodge.

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

RESOLVED - That Listed Building consent be granted subject to the following conditions :-

- (a) 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 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- (b) 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.

- (c) 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.

PA29. THE ISLES WIND FARM PROPOSAL – The Director of Services for Place submitted a report (previously circulated) advising Members of the Isles Wind Farm proposal consultation document within Durham County Council's area of jurisdiction and invited comments thereon taking into consideration similar proposals that have been submitted to this Council at Moor House and Newbiggin.

The submitted report highlighted that it was proposed that a planning application would be submitted for the construction of a wind farm comprising of between 25 and 45 wind turbines and associated infrastructure on farmland to the east of Newton Aycliffe, County Durham. It was reported that the site area was some 11.8 square kilometres and the turbine height would be between 100 metres and 126 metres.

The Development Manager highlighted that no specific details had been submitted at this stage, however, the applicants had submitted three sets of visualisations of the visual impact of the three different options.

Discussion ensued on the three different options that had been submitted in terms of layout, the suggestion that full and detailed photomontage of the views of the proposed development as seen from viewpoints within the Borough of Darlington be provided before any consideration of preference on the layout was undertaken, the possibility of turbines being installed near motorways, the concerns of wind turbines not generating as much renewable energy as they are intended to and how the proposal conflicts with the recommendations of the Arup Wind farm and Landscape capacity study.

RESOLVED – (a) That the report be noted.

(b) That no preference be made and that the applicants be requested to provide full and detailed photomontages of the views of the proposed development as seen from viewpoints within the Borough of Darlington in time for the next consultation stage.

(c) That the applicants be reminded that the proposal conflicts with the recommendations of the Arup Wind farm and landscape Capacity Study in relation to the scale of the proposed development in particular the number of wind turbines proposed.

PA30. NOTIFICATION OF APPEALS – The Director of Place reported that :-

(a) Mr and Mrs Carroll had appealed against this Authority’s decision to refuse planning permission for erection of first floor extension over existing kitchen to form additional bedrooms at 23 Hewitson Road, Darlington (Reference Number 11/00226/FUL); and

(b) Moor House Wind Farm Limited had appealed against this Authority’s decision to refuse planning permission for 10 wind turbines and one anemometer mast, plus associated access tracks, crane pads and control building at site at Moor House, Bishopton Lane, Barmpton, Darlington (Reference Number 09/00741/FUL).

RESOLVED - That the report be received.

PA31. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Sections 100B(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.

PA32. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA24/Aug/11, the Director of Place submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 18 August 2011.

RESOLVED - That the report be received.