

PLANNING APPLICATIONS COMMITTEE

14 December 2016 (1.30 pm)

PRESENT – Councillor Baldwin (in the Chair); Councillors Galletley, I. Haszeldine, L. Haszeldine, Johnson, Knowles, Lee, Lyonette, Regan and J. Taylor. (10)

APOLOGIES – Councillors Kelley, Lister and Stenson. (3)

ABSENT – Councillor Cartwright (1)

ALSO IN ATTENDANCE – Councillor Mills (1)

OFFICERS – Dave Coates, Planning Development Manager, Paul Ibbertson, Engineer (Highways Development Control), Andrew Errington, Lawyer (Planning) and Steve Todd, Principal Environmental Health Officer. (4)

PA54. DECLARATIONS OF INTEREST – Councillor Baldwin declared a non-prejudicial interest in Minute PA57(1) below (Ref. No 16/00880/FUL). There were no other declarations of interest reported at the meeting.

PA55. MINUTES OF MEETINGS – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 16 November 2016.

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

PA56. PROCEDURE – The Assistant Director Law and Governance'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 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.
B5	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.
E3	The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which 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 - In the interests of the visual amenities of the area.

PA57. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

16/00880/FUL - Aldi Regional Distribution Centre, Faverdale North, Darlington.

Proposed extension to Regional Distribution Centre including extension to warehouse (Class B8), extension to offices (Class B1), replacement of existing car park with new two-storey car park, creation of additional yard/hardstanding and extension to existing truck wash facility, relocation of external plant equipment and other associated works (Additional Ecological Assessment Report received 17th October 2016).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the findings of a site visit and the views of the applicant's agent and three objectors, all of whom Members heard).

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

1. A3 – Implementation Limit.
2. B5 – Accordance with Plans.
3. B4 - Materials.
4. E3 – Landscaping (Implementation).
5. If within a period of 5 years from the date of planting of any tree or shrub, in connection with the landscaping works required under condition (4), that tree or shrub or any tree or shrub planted in replacement of it, is removed, uprooted, or destroyed, seriously damaged or dies, another tree or shrub of the same size and species to that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.
Reason – To ensure a high quality appearance to the development and in the interests of residential amenity.
6. Prior to the commencement of the development, precise details of secure cycle parking and storage details shall be submitted and approved in writing by the Local

Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - In the interests of highway safety.

7. Each phase of the development hereby approved shall not be commenced on site, until a scheme of 'Surface Water Drainage and Management' for the implementation, maintenance and management of the sustainable drainage scheme for that particular phase has first been submitted to and approved in writing by the Local Planning Authority. The scheme for each phase shall be implemented and thereafter managed and maintained in accordance with the approved details. The scheme for each phase shall include but not be restricted to providing the following details:

(a) Detailed design of the surface water management system;

Each phase of the development hereby approved shall not be brought into use until the approved 'Surface Water Drainage' scheme for that particular phase has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

Reason – To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS16 and the National Planning Policy Framework.

8. i) No part of the development shall be occupied prior to implementation of the Approved Travel Plan by Connect Consultants (June 2016). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.
ii) The records of implementation shall be made available to the Local Planning Authority.

Reason - In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site

9. The development shall not be carried out otherwise than in full accordance with the Arboricultural Impact and Method Statement prepared by Tyler Grange (June 2016).

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

10. Construction activities, including delivery of materials and fitting out of the premises, shall be limited to the hours of 08:00 – 18:00 weekdays, 08:00-13:30 on Saturdays and not at all on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

Reason – In the interests of residential amenity.

11. Prior to construction works commencing on site, a hoarding fence of no less than 2m in height shall be constructed along the western and southern boundary in the vicinity of the new chiller/freezer extension. The fence shall be of solid construction with no gaps or loose panels.

Reason – In the interests of residential amenity.

12. If piling is to be carried out it shall be of the augured type unless prior approval is obtained from the Local Planning Authority. If an alternative method of piling is to be used then a noise and vibration impact assessment is to be provided before the commencement of any works. The development shall not be carried out otherwise

than in accordance with the approved details.

Reason – In the interests of residential amenity.

13. Prior to the commencement of the development hereby approved, an Operational Management Action Plan, which details how the activities within the service yard will be managed to mitigate noise levels, to include a contact number of a responsible person who residents can contact to report excessive noise, must be submitted to and approved by, the Local Planning Authority. The plan should be implemented in accordance with the approved details on first occupation of the chiller/freezer extension and thereafter be so maintained for the perpetuity of the development.

Reason – In the interests of residential amenity.

14. Prior to the commencement of the development hereby approved, a Construction Management Action Plan, which details how the activities within the construction phase will be managed to mitigate noise levels, should be 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 – In the interests of residential amenity.

15. Prior to the commencement of the development hereby approved the following recommendations of the ecological Mitigation and Enhancement Strategy, shall be submitted to, and approved by, the Local Planning Authority.

- (a) A Construction Environmental Management Plan;
- (b) A Landscape and Ecological Management Plan; and
- (c) A Great Crested Newt Mitigation Strategy.

Development shall not proceed otherwise than in accordance with the Ecological Assessment (Tyler Grange, October 2016) and the above-approved details unless agreed in writing by the Local Planning Authority and thereafter be so maintained for the perpetuity of the development.

Reason - To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, Policy CS15 of the Core Strategy.'

16/01059/FUL - 1 Galloway, Darlington. Erection of a 1.82m timber boundary fence (retrospective).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the applicant and an objector, both of whom Members heard).

RESOLVED - That planning permission be granted

(2) Planning Permission Refused

16/00809/FUL - 30 The Green, Darlington. Demolition of all structures to the rear of original house and erection of a single storey rear extension, removal of 2 no. dormer windows to front elevation and construction of dormer window and 2 No. rooflights to rear elevation and erection of detached double garage/workshop/store and pergola to rear of garden and associated alterations.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the findings of a site visit which had been held and the views of the applicant, whom Members heard).

RESOLVED - That planning permission be refused for the following reason : -

In the opinion of the Local Planning Authority, the unauthorised porch extension and resultant alterations to the landing window and the installation of non-conservation style rooflights in the rear facing roofslope have compromised the character and appearance of the application property which therefore harms its significance as a listed building, contrary to Policy CS14 (Promoting Local Character and Distinctiveness) of the Darlington Core Strategy Development Plan Document, 2011 and the objectives of the National Planning Policy Framework.

(3) Listed Building Consent Refused

16/00812/LBC - 30 The Green, Darlington. Listed Building Consent for the demolition of all structures to the rear of original house and erection of a single storey rear extension, removal of 2 no. dormer windows to front elevation and construction of dormer window and 2 No. rooflights to rear elevation and erection of detached double garage/workshop/store and pergola to rear of garden and associated alterations.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the findings of a site visit which had been held and the views of the applicant, whom Members heard).

RESOLVED - That planning permission be refused for the following reason :-

1. In the opinion of the Local Planning Authority, the unauthorised porch extension and resultant alterations to the landing window and the installation of non-conservation style rooflights in the rear facing roofslope have compromised the character and appearance of the application property which therefore harms its significance as a listed building, contrary to Policy CS14 (Promoting Local Character and Distinctiveness) of the Darlington Core Strategy Development Plan Document, 2011 and the objectives of the National Planning Policy Framework.

PA58. NOTIFICATION OF DECISIONS ON APPEAL – The Director of Economic Growth reported that Inspectors, appointed by the Secretary of State for the Environment had dismissed the appeal by Mr and Mrs Francis Scott against this Authority's decision to refuse planning permission for the erection of detached dormer bungalow and detached double garage with first floor storage at 4 The Potteries, Neasham Road, Hurworth Moor, Darlington (Ref No. 16/00310/FUL) (copy of Inspector's decision letter previously circulated).

RESOLVED – That the report be noted.

PA59. 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.

PA60. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7) - Pursuant to Minute PA50/Nov/16, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 2 December 2016.

RESOLVED – That the report be noted.