

PLANNING APPLICATIONS COMMITTEE

8 March 2017

PRESENT – Councillor Baldwin (in the Chair); Councillors Galletley, L. Haszeldine, Kelley, Knowles, Lyonette and Regan. (7)

APOLOGIES – Councillors I. Haszeldine, Johnson, Lee, Lister, Stenson and J. Taylor. (6)

ABSENT – Councillor Cartwright. (1)

ALSO IN ATTENDANCE –

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

PA75. DECLARATIONS OF INTEREST – Councillor Baldwin declared a non-pecuniary interest in Minute PA 78(1), as a family member was a member of Darlington Golf Club.

PA76. MINUTES OF MEETINGS – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 8 February 2017.

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

PA77. PROCEDURE – The Assistant Director Law and Governance's representative gave a short presentation which outlined the procedure to be followed during consideration of the application for planning permission before this Committee.

RESOLVED – That the procedure be noted.

PA78. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

16/01232/ADV - Access Road Green Lane Darlington Golf Club Haughton Grange Whinfield Road Darlington. Display of 1 No. non-illuminated banner sign.

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

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

1. The advertisement hereby granted consent shall not be retained on the site after 1st May 2017.
Reason – The advertisement is required for a temporary period only and in the interests of visual amenity so as to accord with Policy E39 (Advertisements in Built-up areas) of the Borough of Darlington Local Plan 1997.
2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
3. No advertisement shall be sited so as to -
 - (a) Endanger persons using any highway, railway waterway, dock, harbour or aerodrome (civil or military);
 - (b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
4. Any advertisement or hoarding displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
5. Any structure or hoarding erected or used principally for the purposes of displaying advertisements shall be maintained in a condition that does not endanger the public.
6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

16/01208/FUL - Mown Meadow 64 Middleton Lane Middleton St George Darlington. Variation of condition 3 (approved plans) of planning permission 09/00836/FUL dated 24 August 2011 for the erection of 2 No. detached dwellings with associated car parking, access and landscaping works - to permit construction of an attached garage and garden room to each dwelling and improved front door location and amended location of internal boundary fence and parking.

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

RESOLVED - That the Director of Economic Growth be authorised to negotiate an agreement (Deed of Variation) under Section 106 of the Town and Country Planning Act 1990 to secure the provision of affordable housing if a subsequent application is made that would bring the total dwellings to five or more on the land comprising the existing curtilage of No. 64 Middleton Lane.

That upon satisfactory completion and signing of that agreement, planning permission be granted subject to the following conditions:

1. The conditions attached to and specified on the notice of planning permission number 09/00836/FUL are reiterated and are still in force insofar as the same have not already been discharged to the satisfaction of the Local Planning Authority.
Reason - Not all the conditions attached to the said planning permission have yet been discharged and this condition is imposed on this present permission in order that it shall be clear to the applicant that the all conditions are still in force and have to be complied with.

2. Notwithstanding anything shown on the submitted drawings the velux windows formed in the elevations of the dwellings overlooking no's 63 and 65 Middleton Lane shall be of an obscure level of glazing to be agreed in writing with the Local Planning Authority prior to the commencement of the development and shall be non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason – To prevent overlooking of the nearby premises.

3. Notwithstanding the landscaping details previously approved pursuant to planning application reference number 09/00836/FUL, the landscaping scheme shown on drawing reference 'New Landscaping Plan, 22/02/2017' which shall consist of Heavy Standard specification trees (12-14cm measured at 1 metre above ground level and a height of between 3.6 and 4.25 metres) and shall include an additional two trees consisting of a Lime and Norway Maple in the south west corner of the site, in a position to be agreed in writing with the Local Planning Authority prior to the commencement of the development, shall be fully implemented either within the first planting season after the completion of the development, or prior to the buildings being occupied and thereafter permanently maintained. Any trees removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally approved and planted.

Reason – To ensure a satisfactory appearance of the site and to improve the visual amenities of the locality.

PA79. NOTIFICATION OF APPEALS – The Director of Economic Growth reported that Alwyn B. Nixon had dismissed the appeal by Mrs Stacey Flinn-Scholfield against this Authority's decision to refuse consent for works to trees protected under Area Tree Preservation Order (No 12) 1985 – Crown lift 2 No. Sycamore Trees (T1 and T2) by up to 4 m and to cut back branches of 1 No. Sycamore (T1) to boundary of No. 21 Duxford Grove (nearest growth point) at 6 Westkirk Close, Darlington (Ref No. 16/00576/TF).

RESOLVED – That the report be noted.

PA80. 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.

PA81. UNAUTHORISED ALTERATIONS TO GRADE II LISTED BUILDING AT 30 THE GREEN, HURWORTH – (EXCLUSION NO. 7) - The Director of Economic Growth submitted a report (previously circulated) to set out a series of enforcement options available to Members following the refusal of planning permission (16/00809/FUL) and listed building consent (16/00812/LBC) for unauthorised alterations and extensions to a Grade II Listed Building at 30 The Green, Hurworth, by the Planning Applications Committee on 14 December 2016.

The Chair moved that authority be delegated to Officers to secure compliance with the approved plans in respect of the alterations to the landing window and the insertion of conservation style rooflights through negotiation with the applicants within six months, before a Listed Building Enforcement Notice is served, and that no further action in

respect of the removal of the internal corridor wall, pergola and turntable be taken, and the Motion was seconded.

Councillor Galletley moved an Amendment that in addition to Councillor Baldwin's Motion, Members further agreed that the applicants should be required to reduce the size of the rear entrance porch, as it compromised the character and appearance of this application property which therefore harmed its significance as a listed building. The Amendment was subsequently seconded.

A vote was then taken on the Amendment, and the Amendment was lost. Members then voted on the Substantive Motion, and the Substantive Motion was carried.

RESOLVED – That authority be delegated to Officers to secure compliance with the approved plans in respect of the alterations to the landing window and the insertion of conservation style rooflights through negotiation with the applicants within six months, before a Listed Building Enforcement Notice is served, and that no further action in respect of the removal of the internal corridor wall, pergola and turntable be taken

PA82. COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 24 FEBRUARY 2017 (EXCLUSION NO. 7) - Pursuant to Minute PA74/Feb/16, the Director of Economic Growth submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 24 February 2017.

RESOLVED – That the report be noted.