

PLANNING APPLICATIONS COMMITTEE

Wednesday, 23 December 2020

PRESENT – Councillors Mrs D Jones (Chair), Allen, Clarke, Cossins, Heslop, Keir, Lee, Lister, Marshall, McCollom, Tait, Tostevin and Wallis

APOLOGIES – Councillors Johnson,

ABSENT – Councillors

ALSO IN ATTENDANCE – Councillors

OFFICERS IN ATTENDANCE – Dave Coates (Head of Planning, Development and Environmental Health), Arthur Howson (Engineer (Traffic Management)), Andrew Errington (Lawyer (Planning)), Lisa Hutchinson (Principal Planning Officer) and Paul Dalton (Elections Officer)

PA61 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

PA62 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 25 NOVEMBER 2020

RESOLVED – That the Minutes of this Committee held on 25 November 2020 be approved as a correct record.

PA63 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

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.
PL	The development hereby permitted shall be carried out in accordance with the approved plan(s) as detailed below, ^N; Reason - To define the consent.

PA64 LAND OFF MIDDLETON ROAD, MIDDLETON ROAD, SADBERGE

20/00607/FUL – Application submitted under Section 73 of the Town and Country Planning Act 1990 for the variation of condition 2 (approved plans) and condition

16 (highways works) attached to planning permission 17/00358/FUL (Erection of 25 no. dwellings and provision of access from Middleton Road) dated 16 January 2018 to permit changes to remove footpath adjacent to Middleton Road and create a private postal path.

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), two letters of objection received from residents, the objections of Sadberge Parish Council, the views of the Ward Councillor whom the Committee heard, and the responses to questions asked by Members of the Applicant's Agent, who was in attendance at the meeting).

RESOLVED – That Planning Permission be granted subject to the S106 agreement attached to 17/00358/FUL being reassigned to this permission, and to the following conditions:

1. PL (Accordance with Plans)
Site Location Plan
SITE-WD-01 Rev H Proposed site plan
SITE-WD-02 Rev H Proposed site plan
SITE-WD-10 Rev F Landscape proposals
SITE-WD-11 Rev E Hard Landscape proposals
SITE-WD-12 Rev H Elevation facing materials
SITE-WD-13 Rev D Bat and Bird Box Locations
2. Construction and demolition work (including deliveries) shall not take place outside the hours of 08.00 - 18.00 Monday - Friday, 08.00 -14.00 Saturday with no working on a Sunday and Bank/Public Holidays without the prior written permission from the Local Planning Authority.

REASON – In the interests of residential amenity.

3. The external materials to be used in the carrying out of the development shall comply with those previously agreed and specified in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

REASON – In the interests of the visual amenities of the area and to preserve the character and appearance of the Sadberge Conservation Area.

4. Landscaping (Implementation)
5. 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 at 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. Thereafter the boundary treatment shall be in place prior to the occupation of the dwellings hereby approved.

REASON – In the interests of visual and residential amenity.

6. The development shall be completed fully in accordance with the previously approved Scheme of Affordable Housing in the document entitled 'Affordable

Housing Statement: Discharge of condition 6 (17/00358/FUL) unless otherwise agreed in writing by the Local Planning Authority.

REASON – To comply with Council Housing Policy.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order (2015) (or any order revoking or re-enacting that order with or without modification) no enlargement, improvement or other alteration of the dwellings hereby approved, including any additional buildings / structures within their curtilage, shall be carried out without the prior written consent of the Local Planning Authority to whom an 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 the future development of the site.

8. All parking, including garaging, car ports and hardstanding, shall be provided prior to the dwellings hereby approved being first occupied and thereafter they shall be retained permanently available for parking purposes and for no other purpose without the prior written consent of the Local Planning Authority.

REASON – To safeguard the amenities of the neighbourhood and to ensure the adequate provision of off-street parking accommodation to serve the dwellings.

9. The open car ports provided for dwellings 12 and 13 shall remain open parking spaces and no garage doors or gates shall be installed without the prior written consent of the Local Planning Authority to whom a planning application must be made.

REASON – To prevent blocking of the turning facility and to ensure the provision of adequate off-street parking to serve the dwellings.

10. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled “Site wide engineering layout” dated “17/07/2020”. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 2601 and ensure that surface water discharges to the combined sewer at manhole 1502. The surface water discharge rate shall not exceed the available capacity of 5 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

REASON - To prevent the increased risk of flooding from any sources in accordance with the NPPF

11. The development shall be completed in accordance with the Scheme of Surface Water Drainage and Management set out in the following documents:

- Engineering layout drawing no. 20046-CK-XX-XX-DR-X-C-9004 Rev. C2
- Section 104 Agreement – public drainage layout drawing no. 20046-CK-XX-XX-

DR-X-C-52104 Rev P4

- Private drainage drawing no. 20046-CK-XX-XX-DR-X-C-5211 Rev. C3
- Construction Programme (Sadberge Initial Draught) All Saints Construction

The buildings hereby approved shall not be brought into use until the approved Surface Water Drainage scheme 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 the Core Strategy Policy CS16 and the National Planning Policy Framework.

12. The development shall be completed in full compliance with the submitted Construction Management Plan (All Saints Construction; Decision 17/00358/FUL; Land off Middleton Road Sadberge Darlington) unless otherwise agreed in writing with the Local Planning Authority.

REASON – In the interests of highway safety and residential amenity.

13. Precise details of the off-site highway works required to access the site and mitigate the development impact shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the dwellings hereby approved. The submitted details shall include formation of a new site access junction, a traffic calming feature to the entrance to the 30mph speed limit, resurfacing of Middleton Road to remove the coloured ripple print surface and resurfacing on the approaches to comply with the current skid resistance policy, and pedestrian crossing points. The development shall not be carried out otherwise than in complete accordance with the approved details, and the works shall be fully completed prior to the occupation of the first dwelling.

REASON – In the interests of highway safety.

14. Prior to the first occupation of the homes hereby approved, confirmation of the type of noise amelioration measures to be incorporated into the facades of the dwellings fronting onto Middleton Road must be submitted to, and approved in writing by, the Local Planning Authority. Details for the noise barrier must include construction materials, method of construction and its exact location on site. The submitted documents for the facades of the dwellings shall meet the requirements set out in Table 3 of the Noise report (ASC/SB/001) submitted in support of the application. The development shall not be carried out other than in complete accordance with the approved details.

REASON – In the interests of residential amenity.

15. Unless otherwise agreed in writing by the Local Planning Authority, the proposed development shall only be carried out in all respects in accordance with the recommendations and methods contained within the Extended phase 1 Habitat Survey 16-0592.01 (August 2016).

REASON – In the interests of ecology.

16. Notwithstanding the recommendations contained within the Extended Phase 1 Habitat Survey, the previously agreed habitat boxes shall be installed in accordance with Drawing No. SITE-WD-13 unless otherwise agreed in writing by the Local Planning Authority.

REASON – In the interests of Ecology.

17. The development shall be carried out in accordance with the previously approved programme of archaeological work (Land South of Prospect House, Middleton Road, Sadberge: Archaeological Watching Brief; Written Scheme of Investigation DS19.83 on behalf of All Saints Construction (Durham University; March 2019). The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

REASON - To safeguard any Archaeological Interest in the site, and to comply with part 16 of the National Planning Policy Framework.

18. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record.

REASON - To comply with Paragraph 199 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

PA65 LAND TO THE REAR OF 21 BARMPTON LANE, DARLINGTON

20/00835/OUT – Outline application for the erection of 5 no. bungalows with all matters reserved except for means of access.

(NOTE: This item was withdrawn from the Agenda at the outset of the meeting).

PA66 35 CLEVELAND AVENUE, DARLINGTON

20/00955/FUL – Erection of outbuildings for work shed and summerhouse with linked covered seating area in rear garden.

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), and three letters of objection received from residents).

RESOLVED – That Planning Permission be granted subject the following conditions:

1. 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.

2. The development hereby permitted shall be constructed in accordance with the external materials/finishes as set out in the application, unless otherwise agreed, in writing, with the Local Planning Authority.

REASON – To ensure that the external appearance of the development is of an appropriate design in accordance with Saved Policy H12 (Alterations and extensions to existing dwellings) of the Borough of Darlington Local Plan 1997 (Alterations 2001).

3. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:

Existing & Proposed Plan and Elevations of Garden Room/Storage Drawing No. 20258.P001 dated 16/09/2020

Proposed Block Plan Drawing No. 20258.OS03 dated 20/0/2020

Proposed Visuals Option F0002

REASON – To ensure the development is carried out in accordance with the planning permission.

4. The development hereby approved shall be used for purposes incidental to the enjoyment of the dwelling house known as No. 35 Cleveland Terrace only and shall not be used for any commercial purposes.

REASON - In the interests of residential amenity and to enable the Local Planning Authority to obtain control over the development.

PA67 NOTIFICATION OF APPEALS

The Director of Economic Growth and Neighbourhood Services reported that:-

Mr. Darren Cresser had appealed against this Authority's decision to refuse permission for erection of 1 no. dwelling at Land Adjacent to 39 Stockton Road, Darlington, DL1 2RX (20/00690/FUL).

RESOLVED – That the report be received

PA68 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS

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.

PA69 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 11 DECEMBER 2020 (EXCLUSION PARAGRAPH NO. 7)

Pursuant to Minute PA60/Nov/2020, the Director of Economic Growth and Neighbourhood Services submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 11 December 2020.

RESOLVED - That the report be noted.