

## PLANNING APPLICATIONS COMMITTEE

Wednesday, 12 July 2023

**PRESENT** – Councillors Haszeldine (Chair), Ali, Allen, Anderson, Cossins, Kane, Laing, Lawley, Lee, McCollom, Robinson, Tostevin and Wallis.

**ABSENT** – Councillor Bartch.

**ALSO IN ATTENDANCE** – Councillor Durham.

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

### PA15 DECLARATIONS OF INTEREST

Councillor Tostevin declared a non-pecuniary interest in Minute PA18 below, as a social Member of Dinsdale Golf Club.

### PA16 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 14 JUNE 2023

**RESOLVED** – That the Minutes of this Committee held on 14 June 2023, be approved as a correct record.

### PA17 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.  <b>Reason</b> - 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, ^IN; <b>Reason</b> - To define the consent.

### PA18 DINSDALE GOLF CLUB, NEASHAM ROAD, MIDDLETON ST GEORGE

**22/00875/FUL** – Infilling of topographical depression with inert construction waste on land at 18<sup>th</sup> hole and formation of a bund around existing driving range (part retrospective) (Additional information received 28<sup>th</sup> February 2023 and 2<sup>nd</sup> March 2023).

(In considering the application, the Committee took into consideration the Planning Officer's report (previously circulated), the views of Council's Highways Engineer and Environmental Health Officer, the Lead Flood Authority, the Environment Agency, the objections of

Neasham Parish Council and Middleton St George Parish Council, 16 objections received from residents, 25 letters of support received, and the views of the Applicant's Agent, whom the Committee heard).

Members considered the application, and discussed if the proposal, by reason of its scale, would be disproportionate when seeking to solve issues relating to restricting the flight of golf balls on the course and would result in an unacceptable visual appearance within the area. The Head of Planning, Development and Environment Health advised that, if Members were considering moving refusal of the application, he would suggest that the matter be deferred to the next meeting of the Committee to give him time to draft suitable wording for a refusal on such grounds.

**RESOLVED** – That consideration of the Application be deferred to a future meeting of this Committee (9 August 2023).

#### **PA19 LAND AT THE ENTRANCE OF FAVERDALE INDUSTRIAL ESTATE, DARLINGTON**

**20/00852/FUL** - Demolition of existing building and erection of six commercial units (464sqm; 1858sqm; 836sqm; 650sqm; 464sqm and 464sqm) three Drive Through Restaurants (350sqm; 167sqm and 180sqm); one industrial unit (789sqm) and an EV Charging Station with associated access, parking, drainage and landscaping (Revised Description) (Amended and additional plans received 13 July 2021; Ground Contamination Risk Assessment received 15 July 2021; amended drainage design plan received 1 October 2021; additional retail information received 14 March 2022; additional Planning Policy Statement received 23 March 2022; Sequential Test Addendum received 5 July 2022; additional and amended plans and reports received 15 September 2022; Biodiversity Net Gain information received 16 and 21 September 2022; Tree Survey and Tree Constraints Plan received 4 October 2022; Drainage information received 6 October 2022)

(In considering the application, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Public Rights of Way Officer, Environmental Health Officer, Environmental Health Manager (Commercial), Travel Planning Officer, Transport Policy Officer, and Highways Engineer, the Council's Ecology Consultant, the Lead Flood Authority, the Environment Agency, Northumbrian Water, National Highways, Northern Gas Networks, the 11 comments, 16 objections and 199 letters of support to the original scheme, three letters of support, 21 letters of objection to a revised scheme, and eight letters of objection, two letters of support and two comments on the further revised scheme presented to Members, a further letter of objection to the access arrangements, and the views of the Applicant's Agent, two Objectors and the Ward Councillor, whom the Committee heard).

Members considered the potential impact of the proposed development upon the Town Centre and the Cockerton District Centre, and, having regard of Section 38(6) of the Planning and Compulsory Purchase Act 2004, discussed if the material considerations outlined in the report were sufficient to overcome the harm that would be caused to those Centres. The Head of Planning, Development and Environment Health advised that, if Members were considering moving refusal of the application, he would suggest that the matter be deferred to the next meeting of the Committee to give him time to draft suitable wording for a refusal on such grounds. The Lawyer (Planning) advised that, were Members to defer the matter to

the next meeting, they would be free to put forward any Motion they wished at that time, as no formal decision would have been taken at this meeting.

**RESOLVED** – That consideration of the Application be deferred to a future meeting of this Committee (9 August 2023).

**PA20 NOTIFICATION OF DECISION ON APPEALS -**

The Chief Executive reported that the Inspectors appointed by the Secretary of State for the Environment had:-

Allowed the appeal by David Williams against this Authority's decision to refuse permission for the construction of a carport within front boundary (Retrospective Application) at 26A Gate Lane, Low Coniscliffe, Darlington DL2 2JY (22/01064/FUL).

Allowed the appeal by Mr Clive Davies against this Authority's decision to refuse permission for Removal of 2 No. radio masts (non-retractable) and erection of 1 No. (retractable) telescopic sliding radio mast to rear (amended plans received 8 December 2022) at 28 Neville Road, Darlington, DL3 8HY (22/01121/FUL).

**RESOLVED** – That the reports be received.

**PA21 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.

**PA22 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 30 JUNE 2023 (EXCLUSION PARAGRAPH NO. 7)**

Pursuant to Minute PA14, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 30 June 2023.

**RESOLVED** - That the report be noted.