

PLANNING APPLICATIONS COMMITTEE

Wednesday, 10 July 2024

PRESENT – Councillors Ali, Allen, Anderson, Haszeldine, Kane, Laing, Lawley, Layton, Lee, McCollom and Tostevin.

APOLOGIES – Councillors Bartch and Beckett.

ABSENT – Councillor Robinson.

OFFICERS IN ATTENDANCE – Dave Coates (Head of Planning, Development and Environmental Health), Andrew Errington (Lawyer (Planning)) and Paul Dalton (Democratic and Elections Officer).

PA1 APPOINTMENT OF CHAIR FOR THE MUNICIPAL YEAR 2024/2025

RESOLVED - That Councillor Haszeldine be appointed Chair of this Committee for the Municipal Year 2024/25.

PA2 APPOINTMENT OF VICE-CHAIR FOR THE MUNICIPAL YEAR 2024/25

RESOLVED - That Councillor Ali be appointed Vice Chair of this Committee for the Municipal Year 2024/25.

PA3 TO CONSIDER THE TIMES OF MEETINGS OF THIS COMMITTEE FOR THE MUNICIPAL YEAR 2024/2025 ON THE DATES AGREED IN THE CALENDAR OF MEETINGS BY CABINET AT MINUTE C106/FEB/24

RESOLVED – That meetings of this Committee for the Municipal Year 2024/25, be held at 1.30 p.m. on the dates, as agreed on the calendar of meetings by Cabinet at Minute C106/Feb/2024.

PA4 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 15 MAY 2024

RESOLVED – That the Minutes of this Committee held on 15 May 2024 be approved as a correct record.

PA5 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

PA6 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

PA7 NEW BLACKWELL LAWN TENNIS CLUB

23/00863/FUL - Installation of new LED lighting units to the existing lighting columns together with the installation of 3 no. additional 6m high lighting columns with LED units to illuminate court 5 (positioned between court 5 and 6) (Lighting Information Received

29.04.2024)

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Officer, the Street Lighting Team, Environmental Health, one general representation received and three comments objecting to the scheme, together with further comments received when the additional lighting information was provided, and the views of the Applicant, whom the Committee heard).

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

1. Time Limit

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 (as amended).

2. Approved Plans

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

Plan Reference Number	Date
Location Plan	25 August 2023
NB/1	26 September 2023
NB/4 AND N/B5	26 September 2023

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

3. Attachments/ Louvres

Prior to the installation of the new floodlights, details of the additional attachments/louvres required, shall be submitted to, for a approval in writing by, the Local Planning Authority, based on the submitted Replacement Floodlighting/Lighting Impact document. The details shall identify the specific lighting units which require additional attachments/louvres, the details of the louvres themselves, and exactly where the louvres are required to be fitted on the units (i.e., back, sides). The attachments/louvres shall be fitted prior to the first operation of the lights and be in complete accordance with the details so approved, and thereafter shall be retained and maintained for the duration of the development.

REASON - In the interests of controlling any light spill to protect the amenity of the occupiers of the neighbouring properties.

4. Hours of Use

The hereby approved new light columns situated between courts 5 and 6, shall not be illuminated outside the hours of 09:00 – 21:30 on any day.

REASON - To be consistent with other permissions for floodlighting on this site, in the

interests of safeguarding residential amenity.

PA8 NOTIFICATION OF DECISION ON APPEALS

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

- a) Dismissed the appeal by Mr Kieran Meredith against this authority's decision to refuse permission for application submitted under Section 73 of the Town and Country Planning Act 1990 for the variation of condition 2 (approved plans) and removal of condition 3 (garage/car parking) attached to planning permission 21/01226/FUL dated 12 December 2021 (Erection of a two storey side extension to provide a garage/dining room with bedroom above) to permit the conversion of garage into habitable space, the replacement of the garage door with a window, and the provision of 1 no. additional car parking space to the front (amended description) at 32 Clowbeck Court, Darlington, DL3 0BB (23/00823/FUL); and
- b) Dismissed the appeal by Ryan Beaumont, Beaumont and Partner Ltd, against this authority's decision to refuse permission for erection of a single storey rear extension, dormer window to rear elevation, cycle storage area and erection of boundary wall 2372mm in height with external doors into back lane (part retrospective) description amended by plans and updated planning statement received 08/02/2024) (as amended by plans received 26/01/2024 and 02/02/2024) at 93 Pensbury Street, Darlington, DL1 5LJ (23/00100/FUL).

RESOLVED – That the report be received.

PA9 NOTIFICATION OF APPEALS

The Chief Executive reported that:

- a) Mr Abobaker Omar had appealed against this Authority's decision to refuse permission for applications submitted under Section 73 of the Town and Country Planning Act 1990 for the variation of Condition 2 (opening hours) attached to planning permission 20/00963/FUL (Change of use from off-licence (Use Class E) to a hot food takeaway (Sui Generis) with installation of extraction equipment including external flue to north elevation) dated 18 February 2021 to permit a change in opening hours from 11am - 9pm Monday to Sunday to 11am - 10pm Monday to Sunday (Amended Description) at 55 Neasham Road, Darlington, DL1 4AG (23/01224/FUL).
- b) Mr Dale Jefferies had appealed against this Authority's decision to refuse permission for Erection of a detached single garage and gym with storage area above (Resubmission) at 3 Roseberry View, Sadberge, Darlington, DL2 1FH (24/00118/FUL).
- c) Janine Mitchell had appealed against this Authority's decision to refuse permission for works to trees protected under Tree Preservation Order (No. 3) 1962 A2 - 1 no. Beech and 1 no. Lime - prune back branch tips overhanging the garden (27 Staindrop

Crescent) by upto 3m at Greystones Drive, Darlington (23/00338/TF).

RESOLVED – That the report be received.

PA10 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.

PA11 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 28 JUNE 2024 (EXCLUSION PARAGRAPH NO. 7)

Pursuant to Minute PA88/May/2024, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 28 June 2024.

RESOLVED - That the report be noted.