

## PLANNING APPLICATIONS COMMITTEE

Wednesday, 1 February 2023

**PRESENT** – Councillors Cossins, Haszeldine, Heslop, C L B Hughes, Johnson, Mrs D Jones, Laing, Lee, Marshall, McCollom and Tait.

**APOLOGIES** – Councillors Allen and Sowerby.

**ALSO IN ATTENDANCE** – Councillors Boddy, Mrs Culley, Donoghue and Mrs H Scott.

**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)

### PA55 DECLARATIONS OF INTEREST

Councillor Marshall declared a non-pecuniary interest in Minute PA61 below, and left the meeting during consideration of the application.

### PA56 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 7 DECEMBER 2022

**RESOLVED** – That the Minutes of this Committee held on 7 December 2022, be approved as a correct record.

### PA57 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.
----	--

### PA58 7 BRIAR CLOSE AND 8 BLACKWELL GROVE

**22/01252/FUL** - Conversion of existing bungalow (8 Blackwell Grove) and amalgamation of plots to create pool house and gymnasium for use by 7 Briar Close with the erection of a linked extension with pergola and patio area, replacement raised roof with 4 no. dormer windows, new pitched roof to garage and incorporating conversion of integral garage within main dwelling into habitable space. Erection of a single storey rear extension at No 7 Briar Close. Landscaping works including removing access from Briar Close with the repositioning of electronic access gates with stone piers (off Blackwell Grove) and infill gap to form brick boundary wall, hard standing, gazebo, 1.2m high fencing and associated landscaping works (amended plans and entrance gate details received 6 January 2023).

(In reaching its decision, the Committee took into consideration the Planning Officer's report

(previously circulated), the views of the Council's Highways Engineer and Environmental Health Officer, seven letters of objection received, a further three letters of objection received following the submission of amended and additional plans, and the views of the Ward Councillor, whom the Committee heard).

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

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans and documents, as detailed below:
  - a) Drawing Number L022009 – 003A Proposed Floor Plans
  - b) Drawing Number L022009 – 004 A Proposed Elevations
  - c) Drawing Number L022009 – 006 Existing and Proposed Site Entrance
  - d) Drawing Number 5014/2 Rev B – Landscape Masterplan
  - e) Schedule of Items Shown on Landscape Masterplan
  - f) Timber Palisade Fencing and Gate
  - g) Wiveton Summerhouse

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

3. Prior to the commencement of the development, a site-specific Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning Authority dispenses with any requirement[s] specifically and in writing:
  - a. Dust Assessment Report which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the construction phase of the development. The Dust Assessment Report shall take account of the guidance contained within the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014.
  - b. Methods for controlling noise and vibration during the demolition and construction phase and shall take account of the guidance contained within BS5228 "Code of Practice for noise and vibration control on construction and open sites".
  - c. Construction Traffic Routes, including parking areas.
  - d. Details of Contractor Parking and Compound, if necessary.
  - e. Pedestrian Routes.
  - f. Details of wheel washing, if necessary.
  - g. Road Maintenance, if necessary.

h. Warning signage.

The development shall not be carried out otherwise in complete accordance with the approved Plan.

**REASON** - In the interests of highway safety and the amenity of the surrounding area.

4. Prior to the commencement of the development, precise details of the means of enclosure for the access on Briar Close shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the design, height, position and materials of the enclosure and the development shall not be carried out otherwise than in complete accordance with the approved details

**REASON** - In the interests of the visual appearance of the development and street scene.

5. 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.

6. The windows formed in the dormer extensions on the front and rear roof slope of the gym/swimming pool area hereby approved shall be obscure glazed and shall not be repaired or replaced other than with obscured glazing.

**REASON** - To prevent overlooking of the neighbouring dwellings.

7. The materials used in the external finishes to facilitate the conversion of the integral garage of No 7 Briar Close to a cinema room shall match those used on the existing building.

**REASON** - In the interests of maintaining the visual amenity of the development.

8. The swimming pool and gym hereby approved shall only be used for purposes incidental to the enjoyment of the occupants of the dwellinghouse and shall not be used for any commercial/business purposes or activities.

**REASON** - In the interests of highway safety and to safeguard the amenity of the local area.

**PA59 23 LANGDALE ROAD**

**22/01228/CU** - Change of Use from dwelling house (Use Class C3) to short term serviced accommodation (Sui Generis) (Retrospective Application).

(The Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer and Environmental Health Officer, six objections received, and the views of the Applicant's Agent and one Objector, whom the Committee heard).

Councillor Johnson moved that the Officers recommendation contained within the report be approved, which was duly seconded by Councillor C. L. B. Hughes.

Councillor Lee moved an Amendment, which was that consideration of the item be deferred in order to allow Members to hear from the Applicant's Property Management Company. The Amendment was seconded by Councillor Heslop, The Amendment was put to the meeting and fell.

The Substantive Motion was then put to the meeting, and fell.

**RESOLVED** – No decision was made, and therefore the item will be heard at the next meeting of the Planning Applications Committee.

**PA60 24 GREENCROFT CLOSE, DARLINGTON, DL3 8HW**

**22/01025/FUL** - Conversion of garage to form habitable rooms with first floor extension above with Juliet balcony to rear elevation, two rooflights to front roof slope and dormer extension to rear roof slope, erection of single story extension, dormer window and three roof lights to front elevation, two storey rear extension with Juliet balcony, conversion of attic into habitable space with dormer extension to rear roof slope and solar panels, decking to rear with glazed balustrade, changes to existing fenestration and associated works (description amended by plans received 22/12/2022 and 19/01/2023).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer and Senior Arborist, three letters of objection received, and the views of the Applicant's Agent and one Objector, whom the Committee heard).

**RESOLVED** – That Planning Permission be granted subject to 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** - In the interests of maintaining the visual amenity of the development in accordance with the requirements of Policy DC1 of the Darlington Borough Local Plan 2016-2036.

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

Proposed Ground Floor Plan Drawing No. 3152/04 Rev B dated Dec 2022  
Proposed Site Layout Plan Drawing No. 3152/04.1 Rev B dated Dec 2022  
Proposed First Floor Plan Drawing No. 3152/05 Rev A dated Dec 2022  
Proposed Second Floor Plan Drawing No. 3152/06 Rev A dated Dec 2022  
Proposed Roof Plan Drawing No. 3152/06.1 Rev B dated Dec 2022  
Proposed Elevations Drawing No. 3152/07 Rev C dated Dec 2022

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

4. None of the following activities shall be carried out under the canopy spread of any trees or within a minimum of five metres of the trunks whichever is the greater, except with the consent in writing of the Local Planning Authority: -

- (i) the raising or lowering of levels in relation to the existing ground level.
- (ii) cutting of roots, digging of trenches, removal of soil.
- (iii) the construction of buildings, roads or the carrying out of other engineering operations.
- (iv) the lighting of fires.
- (v) driving vehicles over the area below the spread of the branches of the tree; and
- (vi) the storing of materials or equipment.

**REASON** - In the interests of the visual amenities of the area and to safeguard the wellbeing of the tree(s) on the site.

5. Prior to the commencement of the development, a site-specific Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning Authority dispenses with any requirement[s] specifically and in writing:

- a. Dust Assessment Report which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the construction phase of the development. The Dust Assessment Report shall take account of the guidance contained within the Institute of Air Quality Management “Guidance on the assessment of dust from demolition and construction” February 2014.
- b. Methods for controlling noise and vibration during the demolition and construction phase and shall take account of the guidance contained within BS5228 “Code of Practice for noise and vibration control on construction and open sites”.
- c. Construction Traffic Routes, including parking areas.
- d. Details of contractor parking and compound, if necessary
- e. Pedestrian routes.

- f. Details of wheel washing, if necessary.
- g. Road maintenance, if necessary.
- h. Warning signage.

The development shall not be carried out otherwise in complete accordance with the approved Plan

**REASON** - In the interests of highway safety and the amenity of the surrounding area.

**PA61 BEAU VISAGE, 82 FULTHORPE AVENUE, DARLINGTON, DL3 9XT**

**22/00983/FUL** - Change of use from beauty salon to tanning salon (Sui Generis) with replacement shop front (Retrospective Application) (amended plans received 11 November 2022).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highway Engineer, the Environmental Health Officer, ten letters of objection received (one of which was subsequently withdrawn), two further letters of objection subsequent to the removal of the external extraction system, and the views of the Applicant's Agent and Ward Councillor whom the Committee heard).

**RESOLVED** – That, subject to the satisfactory completion and signing of a 106 Agreement, Planning Permission be granted subject to the following conditions:

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans and documents, as detailed below:
  - a) Drawing Number 2062 – 22 – 101 Rev C Proposed Details.

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

3. The use hereby approved shall not operate outside the hours of 10:00 to 21:00 Monday to Friday; 10:00 to 18:00 Saturday and 10:00 to 16:00 Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

**REASON** - In the interests of the amenity of the surrounding area.

**PA62 82 WIDDOWFIELD STREET**

**22/01086/FUL** - Replacement of the ground floor bay window to the western elevation (erection of a single storey front extension to create a new bay window) together with the replacement of existing garage and associated works including rendering and the

replacement of windows/door (Retrospective Application) (as amended by plans received 28/11/2022).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highway Engineer, six letters of objection received, and the views of the Applicant's Agent whom the Committee heard).

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

1. A3 - Implementation Limit (Three Years)
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** - In the interests of maintaining the visual amenity of the development in accordance with the requirements of Policies DC1 and ENV1 of the Darlington Local Plan 2016-2036.

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

(a) Drawing no. 22003 130 P02 – Proposed Elevations

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

#### **PA63 NOTIFICATION OF DECISION ON APPEALS -**

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

Dismissed the appeal by Mr Sean Taylor against this Authority's decision to refuse permission for the erection of a detached double garage to front of property at 21A Merrybent, Darlington DL2 2LB (22/00686/FUL).

Dismissed the appeal by Mrs Claire Greenall against this Authority's decision to refuse permission for the erection of 1.8m fence to side and rear of property at 43 Paton Way, Darlington, DL1 1LP (22/00456/FUL).

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

#### **PA64 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.

**PA65 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 20 JANUARY 2023 (EXCLUSION PARAGRAPH NO. 7)**

Pursuant to Minute PA54/Nov/2022, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 20 January 2023.

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