

PLANNING APPLICATIONS COMMITTEE

Wednesday, 22 March 2023

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

ABSENT – Councillors Tait.

ALSO IN ATTENDANCE – Councillor Crudass.

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).

PA74 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

PA75 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 1 MARCH 2023

RESOLVED – That the Minutes of this Committee held on 1 March 2023 be approved as a correct record.

PA76 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

PA77 44 MERRYBENT, DARLINGTON

23/00056/FUL - Change of use of the detached garage building from garages with home office above to garages with business office above (Retrospective Application).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highway Development Control Officer, the Council's Environmental Health Officer and the Parish Council, three objections received, and the views of the Applicant, two Objectors and the Ward Councillor, whom the Committee heard).

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

1. Approved Plans and Statement

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

Reference Number	Date
OFFICE LAYOUT	18 January 2023
PLANNING STATEMENT	18 January 2023
LOCATION PLAN	24 January 2023

Reason - To ensure the development is carried out in accordance with the planning

permission.

2. Personal Permission

This permission shall be personal to John Bates only and shall not enure for the benefit of the land provided that it shall not be a breach of this condition for JBL Services Ltd to operate from the premises whilst John Bates is both the owner of the residence known as 44 Merrybent and a director of JBL Services. In the event of either John Bates no longer being the owner of 44 Merrybent or no longer being a director of JBL Services Ltd the use shall revert back to the use as a home office space as part of the residential dwelling (Use Class C3).

Reason - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over subsequent uses in the event of John Bates no longer owning the premises or being a director of JBL Services Ltd.

3. Restriction on Business Works

No servicing, repairs or maintenance in association with the hereby approved business is to take place in either the hereby approved office space or ground floor domestic garage.

Reason - To control the level of development for the avoidance of any doubt and to safeguard the amenities of adjacent residential occupiers.

4. Staff Numbers

The levels of staff working at the hereby approved office, shall be no more than 3 members of staff at any one time, as indicated on drawing 'OFFICE LAYOUT' (dated 18.01.2023).

Reason - To control the level of activity and for the avoidance of any doubt.

5. Operation Hours

The hereby approved office use shall not be open for business outside the hours of 8:30am - 6:00pm Monday to Friday. Deliveries associated with the use shall not take place outside of the permitted hours of operation.

Reason - In order to control the level of activity and to safeguard the amenities of adjacent residential occupiers.

6. No Deliveries to the site of plant or machinery associated with the business, including its storage shall take place at any time.

Reason - To ensure that vehicle movements to and from the site do not affect the residential amenities of nearby residents.

The Chief Executive reported that :-

Mr Glenn McGill had appealed 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 at 28 Neville Road, Darlington (22/01121/FUL).

RESOLVED – That the report be received.

PA79 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.

PA80 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 10 MARCH 2023 (EXCLUSION PARAGRAPH NO. 7)

Pursuant to Minute PA73/Mar/2023, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 10 March 2023.

RESOLVED - That the report be noted.