

## PLANNING APPLICATIONS COMMITTEE

Wednesday, 14 June 2023

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

**APOLOGIES** – Councillors Bartch and Lee.

**ALSO IN ATTENDANCE** – Councillor Walters.

**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).

### PA1 APPOINTMENT OF CHAIR FOR THE MUNICIPAL YEAR 2023/2024

**RESOLVED** - That Councillor Haszeldine be appointed Chair of this Committee for the Municipal Year 2023/24.

### PA2 APPOINTMENT OF VICE CHAIR FOR THE MUNICIPAL YEAR 2023/2024

**RESOLVED** - That Councillor Allen be appointed Vice Chair of this Committee for the Municipal Year 2023/24.

### PA3 TO CONSIDER THE TIMES OF MEETINGS OF THIS COMMITTEE FOR THE MUNICIPAL YEAR 2023/2024 ON THE DATES AGREED IN THE CALENDAR OF MEETINGS BY CABINET AT MINUTE C258/FEB/23

**RESOLVED** – That meetings of this Committee for the Municipal Year 2023/24, be held at 1.30 p.m. on the dates, as agreed on the calendar of meetings by Cabinet at Minute C258/Feb/2023.

### PA4 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

### PA5 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 22 MARCH 2023

**RESOLVED** – That the Minutes of this Committee held on 22 March 2023, be approved as a correct record.

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

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| A3 | Implementation Limit (Three Years)<br>The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission. |
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|  | <b>Reason</b> - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990. |
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**PA7 COPSE HAVEN, ROUNDHILL ROAD (22/01194/FUL)**

**22/01194/FUL** - Application submitted under Section 73 of the Town and Country Planning Act 1990 for the variation of condition 5 (appointments/clients) attached to planning permission 20/00910/CU (Change of Use from private field to commercial dog exercise area) to permit a change in wording to allow only one booking at any one time, and to set out the number of adults and dogs permitted in the park at any one time.

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer, the Council's Environmental Health Officer, three letters of objection received, and the views of the Applicant, two Objectors and the two Ward Councillors, whom the Committee heard).

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

1. The development hereby permitted shall be carried out in accordance with the approved plan(s) as detailed below:

Site Location Plan

**REASON** – To define the consent

2. This permission shall be personal to Miss Fiona Lennox and family only and shall not enure for the benefit of the land. In the event of their vacating the premises the use shall revert to the use for agricultural purposes.

**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 use in the event of Miss Fiona Lennox and family vacating the premises.

3. The use hereby permitted, shall operate from the site only between the hours of 08:00-18:00 Monday to Sunday (including Bank and Public Holidays).

**REASON** – In the interests of residential amenity.

4. There shall be no kennelling of dogs overnight on the application site.

**REASON** - In the interests of residential amenity.

5. Use of the facility shall be restricted to one booking/appointment at any one time, during the permitted hours of operation, and complying with the following rules:-

- 3 Adults maximum can bring 1-6 dogs.
- 2 Children maximum (under the age of 14) can attend with each booking only if

accompanied with adults.

**REASON** - In the interests of residential amenity.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order), no development within Schedule 2, Part 4, Classes A to B of that order shall take place without the prior written consent of the Local Planning Authority.

**REASON** – In the interests of visual and residential amenity.

7. The existing customer parking and boundary treatment shall be permanently retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

**REASON** - In the interests of visual and residential amenity.

**PA8 COPSE HAVEN, ROUNDHILL ROAD (22/01160/FUL)**

**22/01160/FUL** - Construction of an open front timber shelter (retrospective) within northeast corner of dog walking field together with the provision of a movable bench, dog house (both retrospective) and dog agility ramp.

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

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

1. Implementation Limit (3 years)
2. The development hereby permitted shall be carried out in accordance with the approved plan(s) as detailed below:

Site Location Plan

**REASON** – To define the consent.

**PA9 4 KENDAL CLOSE**

**22/01122/FUL** - Removal of existing conservatory and rear laundry extension, erection of extension to rear with alterations and enlargement to roof including dormer extension to rear, partial conversion of garage and associated works (as amended by plans received 13/03/2023).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer, four objections received in response to the initial scheme, and a further four objections received in response to the submitted amended scheme, and the views of an 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. 2205 DBA XX XX GA Z 101 Rev B dated 24/02/2023

Proposed First Floor Plan Drawing No. 2205 DBA XX XX GA Z 102 Rev B dated 24/02/2023

Proposed Roof Plan Drawing No. 2205 DBA XX XX GA Z 104 Rev B dated 24/02/2023

Proposed Front & Rear Elevations Drawing No. 2205 DBA XX XX GA Z 202 Rev B dated 24/02/2023

Proposed Side Elevations Drawing No. 2205 DBA XX XX GA Z 203 Rev B dated 24/02/2023

Proposed 3D Views Drawing No. 2205 DBA XX XX GA Z 400 Rev B dated 24/02/2023

Proposed 3D Views Images Drawing No. 2205 DBA XX XX GA Z 401 Rev B dated 24/02/2023

3D Concept View Realistic Drawing No. 2205 DBA XX XX GA Z 402 Rev B dated 24/02/2023

3D Concept Views & Courtyard Plan Drawing No. 2205 DBA XX XX GA Z 403 Rev B dated 24/02/2023

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

**PA10 61 PINWOOD CRESCENT**

**23/00189/FUL** - Change of use of integral garage (Use Class C3) to a home working hairdressing business (Use Class E) including alteration to garage door and to regularise first-floor window to side elevation (part retrospective) (additional Planning Statement 13/03/2023 and amended plans and extractor fan details received 24/03/2023).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways Engineer and the Council's Environmental Health Manager, the objections of the Parish Council, sixteen letters of objection received, and five letters of representation received).

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

1. 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 carried out in accordance with the approved plan, as detailed below:

- Existing & Proposed Floor Plans & Elevations Drawing Number 2819-1F dated 24/03/2023
- Proposed Parking Plan and Building Regulations Drawing Number 2819-2C dated 24/03/2023

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

3. This permission shall be solely operated for the benefit of the applicant, Mrs Kim Gibson I and shall not run with the land. Mrs Gibson should be the sole employee of the business. In the event of Mrs Gibson vacating the premises the integral garage shall revert to residential use.

**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 use in the event of Mrs Kim Gibson vacating the premises.

4. The hair salon hereby approved shall not be open for business outside the hours of 9.00am – 6.00pm Monday to Friday, 9.00am – 2.00pm on Saturdays and there shall be no opening on Sundays or Bank Holidays.

**REASON** – In the interest residential amenity

5. The integral garage shall be used only as a hair salon and for no other purpose (including any other use in Class E of the schedule to the Town and Country Planning (Use Classes) Order 1987 or any Order revoking and re-enacting that Order).

**REASON** – The Local Planning Authority is satisfied that the use hereby approved would not result in detriment to adjoining properties but would wish to control future changes of use within the same class in the interests of amenity.

6. The use hereby approved shall not operate until the full width driveway has been provided in accordance with the details as shown on drawing number 2819-2C dated 24/03/2023 entitled 'Proposed Parking Plan and Building Regulations Drawing'.

**REASON** – In the interest of highway safety

7. The window formed in the first-floor side elevation (east) shall be obscure glazed and shall not be repaired or replaced other than with obscured glazing.

**REASON** - To prevent overlooking of the nearby premises.

#### **PA11 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)

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

#### **PA12 NOTIFICATION OF APPEALS**

The Chief Executive reported that:

Mr David Williams has appealed against this Authority's decision to refuse permission for Construction of a carport within front boundary (Retrospective Application) at 26A Gate Lane, Low Coniscliffe, Darlington.

Vivid Outdoor Media Solutions (B) Ltd has appealed against this Authority's decision to refuse permission for the Display of 1 no. free standing internally illuminated LED digital advertisement display unit at Harrowgate Sports and Social Club, Salters Lane North, Darlington, DL1 3DT.

Mr Nick Cooper has appealed against this Authority's decision to refuse permission for the Erection of porch to front elevation (re-submission) at 37 Leach Grove, Darlington DL3 0TW.

**RESOLVED** – That the reports be received

#### **PA13 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.

#### **PA14 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 2ND JUNE 2023 (EXCLUSION PARAGRAPH NO. 7)**

Pursuant to Minute PA80/Mar/2023, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 2 June 2023.

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