

**PLANNING APPLICATIONS COMMITTEE**

28 August 2013

**PRESENT** – The Mayor (Councillor Johnson); Councillor Regan (in the Chair); Councillors Cartwright, Cossins, Knowles, D A Lyonette, Macnab, Stenson and J. Taylor (9)

**APOLOGIES** – Councillors Baldwin, L. Haszeldine, Lee and Long. (4)

**ALSO IN ATTENDANCE** – Councillor B. Jones

**OFFICERS** – Dave Coates, Principal Planning Officer and Andrew Casey, Traffic and Road Safety Manager within Services for Place and Andrew Errington, Lawyer (Planning) within the Resources Group.

**PA24. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**PA25. MINUTES** - Submitted - The Minutes (previously circulated) of a meeting of this Committee held on 31 July 2013.

**RESOLVED** – That the Minutes be approved as a correct record.

**PA26. PROCEDURE** – The Borough Solicitor's representative gave a short presentation which outlined the procedure to be followed during consideration of the applications for planning permission before this Committee.

**RESOLVED** – That the procedure be noted.

**NOTE - APPLICATIONS FOR PLANNING PERMISSION** – The following standard conditions are referred to in those Minutes granting permission :-

<b>Code No.</b>	<b>Conditions</b>
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.
B4	Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details. <b>Reason</b> - In order that the Local Planning Authority may be satisfied as

	to the details of the development in the interests of the visual amenity of the area.
B5	The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted therewith and approved by the Local Planning Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority. Reason - To ensure the development is carried out in accordance with the planning permission.
E2	A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of such schemes, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as 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. <b>Reason</b> - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.
K2	No development shall be commenced until a scheme for the disposal of foul and surface water drainage has been submitted to, and approved by, the Local Planning Authority. Thereafter, no part of any phase of the development shall be occupied or brought into use until the approved scheme for that phase has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed with the Local Planning Authority. Reason - To prevent the increased risk of flooding of local watercourses and surrounding land by ensuring satisfactory means of surface water disposal.

## **PA27. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION**

### **Planning Permission Granted**

**13/00441/FUL - Snipe Lane, Darlington.** Change of use of land and laying of hardcore for use as residential land for two Gypsy pitches.

(In reaching its decision, the Committee took into consideration the comments of the Environment Agency, the Highways Agency and Hurworth Parish Council that had been received).

**RESOLVED** - That planning permission be granted subject to the following conditions:-

1. A3 – Implementation time.
2. B5 – Accordance with plans.
3. The site shall only be occupied by gypsies as defined in Department for Communities and Local Government document “Planning Policy For Traveller

Sites” 2012.

**Reason** – In order that the development complies with Core Strategy Policy CS13.

4. The site shall be for two individual pitches.

**Reason** – For the avoidance of doubt.

5. The site shall be used for residential purposes only and no commercial vehicles over 3.5 tonnes shall be parked on the site without the prior written permission of the Local Planning Authority.

**Reason** – In the interests of the character of the locality.

6. No commercial activities shall take place on the land, including the storage of materials.

**Reason** – In the interests of the character of the locality.

7. K2 – Surface and foul water disposal.

8. B4 – Details of materials.

9. E2 - Landscaping.

**13/00447/FUL - Snipe Lane, Darlington.** Change of use of land and laying of hardcore for use as residential land for three Gypsy pitches.

(In reaching its decision, the Committee took into consideration the comments of the Environment Agency, the Highways Agency and Hurworth Parish Council that had been received).

1. A3 – Implementation time.

2. B5 – Accordance with plans.

3. The site shall only be occupied by gypsies as defined in Department for Communities and Local Government document “Planning Policy For Traveller Sites” 2012.

**Reason** – In order that the development complies with Core Strategy Policy CS13

4. The site shall be for three individual pitches.

**Reason** – For the avoidance of doubt.

5. The site shall be used for residential purposes only and no commercial vehicles over 3.5 tonnes shall be parked on the site without the prior written permission of the Local Planning Authority.

**Reason** – In the interests of the character of the locality.

6. No commercial activities shall take place on the land, including the storage of materials.

**Reason** – In the interests of the character of the locality.

7. K2 – Foul and surface water disposal.

8. B4 – Details of materials.

9. E2 - Landscaping.

**PA28. NOTIFICATION OF APPEALS** – The Director of Director of Place reported that :-

- (a) Mr David Davis had appealed against this Authority’s decision to refuse planning permission for variation of condition (viii) of planning permission 8/89/554DM dated 10 January 1990 for redevelopment of petrol filling station and car wash facility to permit an extension of operation of the petrol filling station (including kiosk sales) to between 6.00 a.m and midnight Monday to Saturday and 8.00 a.m. and 10.00 p.m. Sundays and Bank Holidays (revised application) at Grange Road Service Station, Darlington DL1 5NP (Ref. No.

13/00235/FUL);

- (b) Mr David Midcalf had appealed against this Authority's decision to refuse planning consent for work to trees protected under Tree Preservation Order (No. 3) 1962 – fell Monkey tree (T1); fell large conifer/pine tree (T2); fell Leylandii tree (T3); fell Holy tree (T4); crown lift Yew tree to 2.5 metres (T7); fell unknown young tree (T8); fell Holy tree (T9); fell large Holly tree (T10); remove lower level overhanging branches Sycamore tree (T11); remove low level branches Horse Chestnut trees ((T12, T13) at 17 Compton Grove, Darlington (Ref. No. 13/00255/TF); and
- (c) Mr Tim Wilkes had appealed against this Authority's decision to refuse planning permission for residential development comprising five flats and one studio (revised application) at garage block adjoining 31 Pendower Street, Darlington (Ref. No. 12/00562/FUL).

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

**PA29. NOTIFICATION OF DECISIONS ON APPEALS** - The Director of Place reported that the Inspectors appointed by the Secretary of State for the Environment have :-

- (a) allowed the appeal by Mr Reuben Rogers against this Authority's decision to refuse planning permission for use of land as a residential gypsy caravan site (retrospective) for three touring caravans, one static caravan and erection of amenity block and the retention of hard standing and earth mounding at land at OSGR E429009 521129, Aycliffe Lane, Brafferton, Darlington (Ref. No. 12/00617/FUL); and
- (b) allowed the appeal by Mr Patrick Connors against this Authority's decision to refuse planning permission for change of use to mixed use to include private gypsy site with associated development including stationing a mobile home, erection of amenity block, construction of hard standing for two touring caravans and access track at field to the north of Lea Close, Middleton Road, Sadberge, Darlington (Ref. No. 12/00758/FUL).

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

**PA30. EXCLUSION OF THE PUBLIC - 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.

**PA31. PLANNING ENFORCEMENT ACTION (EXCLUSION NO. 7)** - Pursuant to Minute PA23/Jul/13, the Director of Place submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 16<sup>th</sup> August, 2013.

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