

**PLANNING APPLICATIONS COMMITTEE**

Wednesday, 6 November 2024

**PRESENT** – Councillors Haszeldine (Chair), Allen, Anderson, Beckett, Cossins, Kane, Laing, Lawley, Lee, McCollom and Tostevin.

**APOLOGIES** – Councillors Ali and Bartch.

**ABSENT** – Councillors Robinson.

**ALSO IN ATTENDANCE** – Councillor Mrs Culley.

**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 (Democratic and Elections Officer).

**PA33 DECLARATIONS OF INTEREST**

There were no declarations of interest reported at the meeting.

**PA34 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 9 OCTOBER 2024**

**RESOLVED** – That the Minutes of this Committee held on 9 October 2024 be approved as a correct record.

**PA35 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.
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**(1) LAND NORTH OF CONISCLIFFE ROAD**

**24/00747/RM1** - Application for reserved matters approval relating to appearance, landscaping, layout and scale for the erection of 475 No. dwellings attached to outline permission 17/00632/OUTE dated 28 May 2024 (Outline planning application for the erection of up to 535 Dwellings, landscaping, ancillary works and wider highway mitigation measures with all matters reserved except access) (additional plans and reports received 3 September 2024; amended plans received 16 October 2024).

(In making its decision, the Committee took into consideration the Planning Officer’s report (previously circulated), the views of the Council’s Public Right’s of Way Officer, Climate Change Officer, Arboricultural Team Leader, Environmental Health Officer, Lead Local Flood

Authority Officer, Transport Policy Manager and Play Area Manager, Northern Gas Networks, National Highways, the Air Traffic Engineering Manager for Teesside Airport, the Council's Highways Engineer and Ecology Officer, two comments and five letters of objection received, the objections of Low Coniscliffe and Merrybent Parish Council, and the views of the Applicant's Agent, two Objectors and a Borough Councillor, whom the Committee heard).

**RESOLVED** – That Reserved Matters Approval be granted subject to the following Planning conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
  - a) Drawing Number 4061/1 Rev D Detailed Landscape Proposals
  - b) Drawing Number 4061/2 Rev D Detailed Landscape Proposals
  - c) Drawing Number 4061/3 Rev D Detailed Landscape Proposals
  - d) Drawing Number 4061/4 Rev D Detailed Landscape Proposals
  - e) Drawing Number 4061/5 Rev D Detailed Landscape Proposals
  - f) Drawing Number 4061/6 Rev D Detailed Landscape Proposals
  - g) Drawing Number 4061/7 Rev D Detailed Landscape Proposals
  - h) Drawing Number 4061/8 Rev D Detailed Landscape Proposals
  - i) Drawing Number 4061/9 Rev D Detailed Landscape Proposals
  - j) Drawing Number 4061/10 Rev D Detailed Landscape Proposals
  - k) Drawing Number 4061/11 Rev D Detailed Landscape Proposals
  - l) Drawing Number 4061/12 Rev D Detailed Landscape Proposals
  - m) Drawing Number 4061/13 Rev A Composite Plan
  - n) Drawing Number PL02 Rev H Proposed Site Layout
  - o) Drawing Number PL02 Rev E Boundary Treatment Plan
  - p) Drawing Number PL04 Rev C Surface Treatment Layout
  - q) Drawing Number PL05 Rev C Material Layout
  - r) Drawing Number PL06 Rev G Coloured Plot Layout
  - s) Drawing Number PL07 Rev B Phasing Plan
  - t) Drawing Number PL08 Rev C EV Charging Points Plan
  - u) Drawing Number EMT41/2021/PL2 Rev C Plumdale Plans
  - v) Drawing Number EMT41/2021/PL3 Rev C Plumdale Elevations
  - w) Drawing Number EMT41/2021/PL3 Rev C Plumdale Elevations (Render)
  - x) Drawing Number PL11 Detached Garage Plans and Elevations
  - y) Drawing Number PL12 Detached Double Shared Garage Plans and Elevations
  - z) Drawing Number PL13 Boundary Treatment Details
  - aa) Drawing Number SS01 Rev B Example Street Scenes
  - bb) Drawing Number EMA22/2021/PL2 Rev C Beaford Plans
  - cc) Drawing Number EMA22/2021/PL3 Rev B Beaford Elevations
  - dd) Drawing Number EMA32/2021/PL2 Rev C Brambleford Plans
  - ee) Drawing Number EMA32/2021/PL3 Rev C Brambleford Elevations
  - ff) Drawing Number EMA43/2021/PL2 Rev C Colford Plans
  - gg) Drawing Number EMA43/2021/PL3 Rev C Colford Elevations
  - hh) Drawing Number EMA43/2021/PL3 Rev C Colford Elevations (Render)
  - ii) Drawing Number EMA46/2021/PL2 Rev D Rightford Plans
  - jj) Drawing Number EMA46/2021/PL3 Rev D Rightford Elevations
  - kk) Drawing Number EMA46/2021/PL3 Rev D Rightford Elevations (Render)

- ll) Drawing Number EMA47/2021/PL2 Rev D Shilford Plans
- mm) Drawing Number EMA47/2021/PL3 Rev D Shilford Elevations
- nn) Drawing Number EMA47/2021/PL3 Rev D Shilford Elevations (Render)
- oo) Drawing Number EMAP11/12/2021/PL2 Rev B Allstead/Bamstead Plans
- pp) Drawing Number EMAP11/12/2021/PL3 Rev A Allstead/Bamstead Elevations
- qq) Drawing Number EMAP41/2021/PL2 Rev B Witherstead Plans
- rr) Drawing Number EMAP41/2021/PL3 Rev B Witherstead Plans Elevations
- ss) Drawing Number EMAW32/2021/PL2 Inglethwaite Plans
- tt) Drawing Number EMAW32/2021/PL3 Inglethwaite Elevations
- uu) Drawing Number EMG31/2021/PL2 Rev C Byrneham Plans
- vv) Drawing Number EMG31/2021/PL3 Rev C Byrneham Elevations
- ww) Drawing Number EMG31/2021/PL3 Rev C Byrneham Elevations (Render)
- xx) Drawing Number EMG43/2021/PL2 Rev C Hubham Plans
- yy) Drawing Number EMG43/2021/PL3 Rev C Hubham Elevations
- zz) Drawing Number EMG43/2021/PL3 Rev C Hubham Elevations (Render)
- aaa) Drawing Number EMG44/2021/PL2 Rev C Kitham Plans
- bbb) Drawing Number EMG44/2021/PL3 Rev C Kitham Elevations
- ccc) Drawing Number EMG44/2021/PL3 Rev C Kitham Elevations (Render)
- ddd) Drawing Number EMT31/2021/PL2 Rev C Aynesdale Plans
- eee) Drawing Number EMT31/2021/PL3 Rev C Aynesdale Elevations
- fff) Drawing Number GTC 3 SS 0012 R2 2 Close Coupled SubStation

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

2. Prior to the first occupation of the development, precise details of the walled entrance feature shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the agreed details. The entrance feature shall be constructed prior to the completion of the development and shall be retained for the lifetime of the development.

**REASON** – In the interests of the visual appearance of the development.

3. Prior to the commencement of Development, a revised plan showing improved landscaping around the SUDS ponds and the pumping station shall be submitted to and approved by the LPA. The development shall thereafter be carried out in accordance with these details.

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

**(2) 11A BRINKBURN ROAD AND 2,4,6 CHANDOS STREET**

**24/00863/FUL** - Enlargement of the internal floor area of the existing shop and alterations including single storey rear extension, new shop front with new entrance and removal of bricked up bay windows. New front access door for first floor flat on east elevation, removal of chimneys, render to north elevation together with associated works; relocation of three existing refrigeration units onto rear elevation at first floor level (Amended plan received 20 September 2024).

(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 Environmental Health Officer, Durham Constabulary's Architectural Liaison Officer, three letters of objection received, and the views of the Applicant and 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 carried out in accordance with the approved plans and documents, as detailed below:
  - a) Drawing Number L022085A 004 Proposed Ground and First Floor Plans
  - b) Drawing Number L022085A 007 Proposed Block Plan
  - c) Drawing Number L022085A 005A Proposed Elevations
  - d) Drawing Number L022085A 006 Existing and Proposed Side Elevation
  - e) Drawing Number L022085A 001 Site Location Plan
  - f) Marstair Refrigeration Condensing Units Installation and Technical Manual

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

3. Prior to the commencement of the development hereby approved, a scheme of sound insulation measures to mitigate the impact of any potential sound transmission between the shop and first floor apartments, shall be submitted to, for approval in writing by, the Local Planning Authority. Thereafter any agreed mitigation shall be implemented in full and maintained in accordance with the approved details prior to the occupation of the residential apartments, and thereafter shall be retained and maintained for the life of the development.

**REASON** - To safeguard the amenities of the future occupants of the first floor apartments .

4. The cycle parking and bin store provision shown on the approved plans shall be in situ and available to use prior to the first occupation of the apartments and the operational commencement of the extended retail use on the ground floor. Thereafter, the provision shall be retained and maintained for the life of the development.

**REASON** - To encourage the use of sustainable modes of transport.

5. Notwithstanding the details shown on the approved plans, the entrance within the new shopfront shall include a level access into the shop premises. The level access shall be in place prior to the operational commencement of the extended retail use and shall be retained and maintained for the lifetime of the development.

**REASON** - In order to ensure the retail shop is accessible for all in accordance with Policy IN2 (Improving Access and Accessibility) of the Darlington Local Plan 2016 – 2036.

**(3) RED HALL COTTAGE, HARRINGAY CRESCENT**

**23/00081/FUL** - Removal of existing rear utility extension and erection of a single and two storey extension to rear and single storey side extension. Erection of single storey extension to the front elevation (retrospective) and detached double garage with office above (as amended by plans received 30/06/2024, 18/09/2024 and 15/10/2024).

(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 Senior Arborist, three letters of objection received, and the views of the Applicant, 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 Plans (Ground and First Floor) Drawing No. 04B dated 15/10/2024

Proposed Plans (Garage, ground and first floor) Drawing No. 05 Rev A dated 28/06/2024

Proposed Elevations Drawing No. 06B dated 15/10/2024

Proposed Garage Elevations Drawing No.07A dated Oct 2022

Proposed Site Plan Drawing No. 10E dated 18/09/2024

Proposed Roof Plan Drawing No. 11A dated 15/10/2024

Email received 14/10/2024 confirming external materials

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

4. The domestic garage hereby approved shall be used for the purpose's incidental to the enjoyment of the dwellinghouse known as Red Hall Cottage only and shall not be used for any commercial purposes.

**REASON** - In the interests of residential amenity and to enable the Local Planning Authority to obtain control over the development.

5. No additional windows or other glazed openings shall be formed in the eastern wall or roof slope of the garage hereby approved without the prior written consent of the Local Planning Authority.

**REASON** - To protect the amenities of the neighbouring residential property against increased overlooking with resultant loss of privacy.

6. Notwithstanding details approved in Condition 3 (approved plans), the high-level window on the rear elevation of the front extension which has been built up to the shared boundary with the property known as Red Hall Villas shall be made from opaque glazing and shall not be repaired or replaced other than with opaque glazing.

**REASON** - To protect the amenities of the neighbouring residential property against increased overlooking with resultant loss of privacy.

#### **PA36 NOTIFICATION OF APPEALS**

The Chief Executive reported that Andrew Verity has appealed against this Authority's decision to refuse permission for works for replacement and relocation of the boundary fence and additional hard standing to front of dwelling (Retrospective Application) (Re-submission) at 12 Manor Road, Hurworth Place, Darlington, DL2 2HJ (24/00521/FUL).

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

#### **PA37 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.

#### **PA38 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 25TH OCTOBER 2024 (EXCLUSION PARAGRAPH NO. 7)**

Pursuant to Minute PA32/Oct/2024, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 25 October 2024.

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