

**PLANNING APPLICATIONS COMMITTEE**

Wednesday, 2 July 2025

**PRESENT** – Councillors Haszeldine (Chair), Ali, Allen, Anderson, Bartch, Beckett, Cossins, Holroyd, Kane, Lawley, Lee, McCollom and Tostevin

**APOLOGIES** – Councillors Laing,

**ABSENT** – Councillors

**ALSO IN ATTENDANCE** – Councillors

**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), Nikita Josan (Legal and Land Charges Assistant) and Hannah Miller (Democratic Officer)

**PA8      DECLARATIONS OF INTEREST**

There were no declarations of interest reported at the meeting.

**PA9      TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 4 JUNE 2025**

**RESOLVED** – That the Minutes of this Committee held on 4 June 2025 be approved as a correct record.

**PA10    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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**PA11    45 GREENBANK ROAD**

**24/01178/CU** – Application for change of use from a single dwelling (Use Class C3) to 9 no. person HMO (Sui Generis) (Provisional Nutrient Certificate and Nutrient Calculator received 24 April 2025).

(In making its decision, the Committee took into consideration the Planning Officer’s report (previously circulated), the views of the Council’s Environmental Health Officer, Transport Planning Officer and Highway Engineer. The Committee also considered the views of the Council’s Private Sector Housing Team and advice given by Durham Constabulary Crime Prevention Unit. Sixteen letters of objection were taken into consideration, alongside the views of the Applicant’s Agent, one objector and the Ward Councillor whom the Committee

heard).

**RESOLVED** – That planning permission be refused contrary to recommendation, for the following reason:

1. The application site is located within an area where there is a high concentration of properties in multiple occupation and in the opinion of the Local Planning Authority, the introduction of a nine person house in multiple occupation in this location will lead to adverse amenity conditions for the occupants of the neighbouring properties in terms of noise, disturbance and lack of parking. The proposal would be contrary to Policies DC4 and H8 of the Darlington Local Plan (2016 – 2036).

## **PA12 15 PRIOR DENE**

**24/01018/FUL** – Demolition of the existing detached garage and flat roof side extension to facilitate the erection of 1 no. self-build three bed dwelling with new boundary, associated parking provision and amenity space.

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highway Engineer, Environmental Health Officer, Transport Planning Officer, Arboricultural Consultant and Ecology Officer. The Committee also considered the views of Natural England and Northern Gas Networks. Eleven letters of objection and two letters of support were taken into consideration, alongside the views of the Applicant whom the Committee heard).

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

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plan, as detailed below:
  - a) Drawing Number 3172/04.2 Rev A Boundary Fencing Proposed
  - b) Drawing Number 3172/07 Rev B Elevations Proposed
  - c) Drawing Number 3172/08 Rev C Elevations Proposed
  - d) Drawing Number 3172/04 Rev A Ground Floor Plan Proposed
  - e) Drawing Number 3172/05 Rev A First Floor Plan Proposed
  - f) Drawing Number 3172/06 Rev A Roof Plan Proposed
  - g) Drawing Number 3172/09 Section Proposed
  - h) Drawing Number 3172/04.1 Block Plan Proposed

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

3. Prior to the first occupation of the dwelling hereby approved, a Final Nutrient Credit Certificate, signed by Natural England and the applicant, shall be submitted to the Local Planning Authority.

REASON - To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017.

4. Prior to any demolition works and/or the commencement of the development, a site specific Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan[s] 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 demolition and construction phases 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. Details of Hours of Construction
  - d. Details of Hours of Deliveries
  - e. Construction Traffic Routes, including parking areas for staff and visitors, if required
  - f. Details of construction traffic access point into the site
  - g. Details of site compound
  - h. Details of wheel washing.
  - i. Road Maintenance.
  - j. Warning signage.

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

REASON - In the interests of residential amenity and highway safety.

5. No building shall be constructed above damp proof course until precise details of a safe cycle storage area have been submitted to and approved in writing, by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – In the interests of encouraging the use of sustainable modes of transport in accordance with policy IN4 of the Darlington Local Plan 2016 – 2036.

6. No building shall be constructed above damp proof course until precise details of an Electric Charging Vehicle socket have been submitted to and approved in writing, by the Local Planning Authority. The minimum requirement would be a single phase 13 amp socket. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – In the interests of encouraging the use of sustainable modes of transport in

accordance with policy IN4 of the Darlington Local Plan 2016 – 2036.

7. No building shall be constructed above damp proof course until precise details of measures to reduce the need for energy consumption and make the development energy efficient have been submitted to and approved in writing, by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – In the interests of achieving a development with suitable sustainable design principles which are resilient to climate change.

8. The dwelling hereby approved shall be constructed as a self build and custom dwelling within the definitions of self build and custom house building in the 2015 Self Build and Custom Housebuilding Act (as amended by the 2016 Housing and Planning Act):

- a) The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling.
- b) The Council shall be notified, in writing, of the persons who intend to take up first occupation of the dwelling at least two months prior to the first occupation.

REASON – To ensure that the development complies with the self build and custom house building definition required to achieve an exemption from mandatory net gain in biodiversity requirements set out in local and national development plans.

9. Prior to the first occupation of the dwelling, a lawful means of vehicular access must be submitted to and approved in writing by the Local Planning Authority in conjunction with the Local Highway Authority under Section 184 of The Highways Act 1980. The development must be carried out in accordance with the approved details which shall be implemented in full prior to the first occupation of the dwelling.

REASON - To provide for adequate and satisfactory provision of access for vehicles in the interest of safety and the general amenity of the development.

10. The dwelling hereby approved shall be constructed to meet Building Regulation M4 (2) (Accessible and Adaptable Dwellings) as a minimum.

REASON – To ensure that new dwellings provide quality living environments for residents both now and in the future in accordance with policy H4 of the Darlington Local Plan 2016 – 2036.

11. The development shall not be carried out otherwise than in accordance with the Conclusions and Recommendations set out in the submitted document entitled “Bat Risk Assessment – 15 Prior Dene, Darlington, County Durham DL3 9EW” dated September 2024 and produced by ECOSURV. The enhancement shall be a minimum of two integrated bat boxes located to the south / southwest of the property and two swift boxes located to the north / northeast. These should be installed at heights of no less than 3m and ideally to the eaves and/or gables to reduce the risk of predation

from domestic pets. They should also be placed out of direct artificial lighting.

REASON - In order to secure ecological enhancements to the development site and local area in accordance with policies ENV7 and ENV8 of the Darlington Local Plan 2016 - 2036.

12. The boundary fencing shown on the approved plans shall be erected prior to the first occupation of the dwelling hereby approved. The 1m high fencing shall not be replaced by fencing or any other means of enclosure higher than 1m without planning permission first being obtained by the Local Planning Authority.

REASON - In the interests of residential amenity.

13. The in-curtilage parking spaces shown on the approved plans shall be fully implemented and available for use prior to the first occupation of the dwelling. Thereafter, the spaces must be maintained clear of any obstruction and retained for their intended purpose at all times during the lifetime of the development.

REASON - To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

14. The development shall not be carried out otherwise than in complete accordance with the submitted document entitled "Arboricultural Survey, Arboricultural Impact Assessment; Arboricultural Method Statement" dated September 2024 and produced by Elliott Consultancy Limited.

REASON – In the interests of the visual appearance of the development and local area.

15. No additional flank windows or other glazed openings shall be formed at ground or first floor level of any of the walls of the dwelling 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.

16. The bathroom window formed in the south (right side) elevation of the building shall be obscure glazed and shall not be repaired or replaced other than with obscured glazing.

REASON - To prevent overlooking of the nearby property.

17. 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 (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A - F of Part 1, Schedule 2 of the Order shall be carried out on the dwellinghouse hereby permitted.

REASON – In the interests of the visual appearance of the development and to safeguard the amenities of the neighbouring dwellings.

18. Notwithstanding the details shown on the approved plans, the building shall include a suitable level entrance to ensure the building can be entered and/or occupied by persons with mobility issues.

REASON – In order to comply with policy IN2 of the Darlington Local Plan 2016 – 2036.

### **PA13 1 ST CUTHBERT'S PLACE**

**25/00360/TF** – Felling of 1 No. Monterey Cypress T.10 protected under Tree Preservation Order (No. 3) 1983.

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Arboriculture Team Leader and Ecology Officer. Six letters of objection and eleven letters of support were taken into consideration, alongside the views of the Ward Councillor whom the Committee heard).

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

1. The works to which this consent relates shall be completed within two years from the date of this consent.

REASON – In accordance with the provisions of the Town and Country Planning (Tree Preservation) Regulations 2012.

2. The approved felling shall only be carried out in accordance with British Standards Recommendations for Tree work - BS 3998:2010.

REASON – To ensure that the works are carried out in a satisfactory manner.

3. Within 12 months of the felling of the tree, the owner of the land shall plant a Silver Birch tree in a location as close to the felled tree as practicable and within the grounds of St Cuthbert's Place. The tree shall be not less than nursery standard size and conform to British Standard 3936 Nursery Stock specification.

REASON – In the interests of the amenity of the locality in accordance with the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

### **PA14 3 PARKLAND DRIVE**

**25/00259/CU** – Application for change of use from residential dwelling (Use Class C3) to short stay/holiday let accommodation (Sui Generis) (Retrospective application).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views in relation to Environmental Health and Highway Development Control. Ten letters of objection were taken into consideration, alongside the

views of the Applicant, three objectors and the Ward Councillor whom the Committee heard).

**RESOLVED** – That planning permission be refused contrary to recommendation, for the following reason:

1. In the opinion of the Local Planning Authority the development would have an adverse impact upon residential amenity in terms of noise, nuisance and disturbance from activities that are not usual in a residential area, contrary to Policy DC4 of the Darlington Local Plan (2016 – 2036).

**PA15 NOTIFICATION OF DECISION ON APPEALS**

**RESOLVED** – That this item be deferred to the next meeting of the Planning Applications Committee.

**PA16 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 20 JUNE 2025 (EXCLUSION PARAGRAPH NO. 7)**

**RESOLVED** – That this item be deferred to the next meeting of the Planning Applications Committee.