

PLANNING APPLICATIONS COMMITTEE

Wednesday, 14 November 2018

PRESENT – Councillors Baldwin (Chair), Galletley, Heslop, Johnson, Kelley, Knowles, Lee, Lyonette, Storr, J Taylor and Tostevin

APOLOGIES – Councillors Lister and C Taylor,

ABSENT –

ALSO IN ATTENDANCE –

OFFICERS IN ATTENDANCE – Dave Coates (Head of Planning, Development and Environmental Health), Andrew Errington (Lawyer (Planning)), Arthur Howson (Engineer (Traffic Management)), Stephen Todd (Environmental Health Manager, Commercial) and Shirley Burton (Democratic Manager)

PA41 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

PA42 MINUTES

Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 17 October 2018.

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

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

Code No.	Conditions
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.
B4A	The materials used in the external surfaces of the extension hereby permitted shall match those used on the existing building. Reason - In the interests of maintaining the visual amenity of the development in accordance with the requirements of Policy H12 of the Borough of Darlington Local Plan 1997.

PA43. APPLICATION FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

18/00690/CU - Dirt Busters, 59a Yarm Road. Change of use storage/office area at rear of laundrette (Use Class Sui Generis) to nail bar/beauty salon (Use Class Sui Generis) and external alterations (description amended following receipt of e-mail dated 18 September 2018).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the applicant, whom Members heard).

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

1. A3 Implementation Limit (3 years).
2. B4a (Materials).
3. No noise emitting fans, louvres, ducts or other external plant associated with this permission shall be installed until a scheme to reduce noise and vibration has been submitted and approved by the Local Planning Authority. REASON – In the interests of residential amenity.
Reason – In the interests of residential amenity.
4. Prior to the use hereby permitted commencing, a scheme shall be submitted to, and approved in writing by the local planning authority for the effective control of fumes and odours from the premises. The scheme shall be implemented prior to the use commencing.
Reason – In the interests of residential amenity.
5. The use hereby permitted shall not commence until details of the arrangements for storing of waste or refuse have been submitted to, and approved by, the local planning authority.
Reason – In the interests of amenity.
6. The hours of operation of the property should be limited to 09.00-18.00 Mon-Fri, 09.00 to 17:00 Saturdays and 10.00-16.00 Sundays and Bank Holidays.
Reason – In the interests of residential amenity.
7. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
 - Drg. No. – 59YR 20 08 18 – Proposed Elevations
 - Drg. No. – RKD/554/00 – Existing Layout**Reason** – To ensure the development is carried out in accordance with the planning permission.

(2) Planning Permission Refused

18/00866/CU - Castle Farm, Walworth Road, Walworth. Change Of Use Of Ground Floor Of Existing Domestic Garage To Commercial Kennels For Up To 8 Dogs (Use Class Sui Generis) And Creation Of Parking Area For 4 No. Vehicles and New Vehicular Access from Walworth Road (Re-submission).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of two objectors and the applicant's agent, all of whom Members heard).

RESOLVED – That planning permission be refused for the following reason :-

having considered the document entitled 'Proposed Daytime Dog Boarding, Castle Farm, Walworth – Noise Impact Assessment' Revision B dated 17 September 2018, produced by Apex Acoustics and the information contained within the rebuttal letter dated 24 October 2018 by Apex Acoustics, the Local Planning Authority considers that the proposed commercial dog kennels, when operational, would generate unacceptable noise levels and would have an adverse impact on the amenities of the occupiers of the existing neighbouring residential properties. The proposal would be contrary to Policy CS16 (Protecting Environmental Resources, Human Health and Safety) of the Darlington Core Strategy Development Plan Document 2011 and the core principles of the National Planning Framework 2018.

PA44 TREE PRESERVATION (NO. 6) ORDER 2018 - 1 CHURCH CLOSE, MIDDLETON ST GEORGE

The Director of Economic Growth and Neighbourhood Services submitted a report (previously circulated) advising Members of an objection which had been received to the making of a Tree Preservation Order in the front garden of 1 Church Close, Middleton St George.

It was reported that, following the making of the order which had been placed on one Semi/mature Pine (*Pinus spp*), an objection had been received from the owners of 1 Church Close, Middleton St George.

RESOLVED - That consideration of the making of Tree Preservation (No.6) Order be deferred to enable a site visit to take place.

PA45 NOTIFICATION OF APPEALS -

The Director of Economic Growth and Neighbourhood Services reported that :

- (a) Ms Sharon Pearson-Turner had appealed against this Authority's decision to refuse consent for works to tree protected under Tree Preservation Order (No.9) Order 2008 – Felling of 1 No. Maple Tree (T2) at 10 Edinburgh Drive, Darlington (18/00676/TF);
- (b) Mr David Jowett had appealed against this Authority's non-determination for works to tree protected under Area Tree Preservation Order (no. 3) 1962 (A1) – Crown lift 1 No. Common Lime (*Tilla x europaea*) to up to 6m above ground level (suitable growthpoints) over No. 7 and No. 9 Compton Grove and reduction of branch plus tips to give 3.5 m height clearance over Staindrop Road (suitable growth points) at 7 Compton Grove, Darlington (18/00671/TF); and
- (c) Gladman Developments Ltd had appealed against this Authority's non-determination for outline application for the erection of up to 280 dwellings, 60 bed care home (Use Class C2) with community park and public open space, landscaping and sustainable drainage system (SuDS). All matters reserved except for 2 No. means of access points to be provided from Neasham Road (Revised Transport Assessment received 17 September 2018) at land off Neasham Road, Middleton St George, Darlington (18/00275/OUT).

RESOLVED - That the report be received.

PA46 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.

PA47 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 31 OCTOBER 2018 (EXCLUSION PARAGRAPH NO. 7)

Pursuant to Minute PA40/Oct/18, the Director of Economic Growth and Neighbourhood Services submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 31 October 2018.

RESOLVED - That the report be noted.