

PLANNING APPLICATIONS COMMITTEE

Wednesday, 5 June 2019

PRESENT – Councillors Allen, Baldwin, Clarke, Heslop, Howarth, Johnson, Mrs D Jones, Keir, Lee, Lister, Marshall, McCollom, Tait and Wallis.

APOLOGIES – Councillors Tostevin.

ALSO IN ATTENDANCE – Councillors Boddy, Crudass and Renton.

OFFICERS IN ATTENDANCE – Dave Coates (Head of Planning, Development and Environmental Health), Lisa Hutchinson (Principal Planning Officer), Arthur Howson (Engineer (Traffic Management)), Paul Ibbertson (Traffic Manager), Andrew Errington (Lawyer (Planning)) and Paul Dalton (Elections Officer)

PA1 APPOINTMENT OF CHAIR

RESOLVED - That Councillor Mrs. Jones be appointed Chair of this Committee for the Municipal Year 2019/20.

PA2 APPOINTMENT OF VICE CHAIR

RESOLVED - That Councillor Keir be appointed Vice-Chair of this Committee for the Municipal Year 2019/20.

PA3 TO CONSIDER TIMES OF MEETINGS OF THIS COMMITTEE FOR THE MUNICIPAL YEAR 2019/20, ON THE DATES AS AGREED ON THE CALENDAR OF MEETINGS BY CABINET AT MINUTE C110/FEB/19

RESOLVED – That meetings of this Committee for the Municipal Year 2019/20, be held at 1.30 p.m. on the dates, as agreed on the calendar of meetings by Cabinet at Minute C110/Feb/19.

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 20 MARCH 2019

RESOLVED – (a) That Minute PA70/Mar/19 be amended so that Condition 12 read:

‘Notwithstanding the requirements of condition 11 above, the two Lime trees which form part of the Tree Group GD of the Darlington Borough Council Variation Order No. 1 2012 in respect of the County Borough of Darlington Tree Preservation No. 1 Order 1951 (adjacent to Plot 12 on Drawing Number MHD-519-ZZ-XX-D-A-9001 Rev P18 Site Plan as proposed and denoted as T19 and T20 on Drawing Number MHD-A519-ZZ-XX-D-A9002 Rev P5 Site Plan proposed tree removal) shall be retained and incorporated into the landscaping scheme for the approved development.

Reason – In the interests of the visual amenities of the area.

(b) Pursuant to the above amendment, that the Minutes of this Committee held on 20 March 2019 be approved as a correct record.

PA6 FIELD AT OSGR E425124 N514093, GATE LANE, LOW CONISCLIFFE

18/01151/FUL – Application submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) for variation of condition 24 (Restriction of Permitted Development Rights); condition 35 (accordance with plans) and removal of condition 11 (visibility splays) of planning permission reference number 16/01231/FUL dated 22 February 2018 (residential development comprising of 37 No. detached dwellings (including seven affordable units) and associated access road, car parking and landscaping) to permit the substitution of house types and revisions to the layout, open space, vehicular access arrangements and landscaping scheme (amended plan received 14 February 2019).

Councillor Lee informed the Committee that Members of the Parish Council had been contacted by solicitors acting on behalf of the landowner, who had implied that legal action may be taken against any Parish Councillor who addressed the Committee. Councillor Lee then proceeded to read the letter received.

RESOLVED – That, to enable further legal guidance to be sought on the letter received by the Parish Council, and the implications thereof, consideration of this application be deferred to the Ordinary Meeting of the Planning Applications Committee taking place that afternoon.

PA7 SITE AT MOUNT PLEASANT FARM AND STAG HOUSE FARM, NEWTON LANE, DARLINGTON

19/00182/RM1 - Reserved matters relating to details of access, appearance, landscaping, layout and scale for residential development comprising 464 no dwellings at Stag House Farm (Phases 1 - 5) pursuant to outline planning permission reference number 15/00450/OUT dated 31 October 2018 comprising approximately 1200 dwellings, residential and link roads, public open space, landscaping and drainage works together with education and playing fields.

(In reaching its decision, the Committee took into consideration the Planning Officers report (previously circulated) and three letters of objection received).

RESOLVED – That Reserved Matters relating to access, appearance, landscaping, layout and scale be approved subject to the following conditions.

1. Notwithstanding the details shown on the approved plans, precise details of the tree species, number and locations within the landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the first dwelling. Upon approval of the scheme, it shall be 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. Thereafter any trees or shrubs removed, dying or 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.

Reason - In the interests of the visual appearance of the site.

2. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:

- i. West Park, Darlington- Site Location Plan WP-SL-001
- ii. Proposed Site Plan 3829-10-01 P17
- iii. Infrastructure Plan WPD-S38-001 K
- iv. Public Open Space Plan WPD-PO-001 K
- v. Management Company Plan WPD-MC-001 C
- vi. Site Layout Plan SK/01 AC
- vii. Phasing Plan PH/01 T
- viii. Phase 1 WPD-PH-001 Q
- ix. Phase 2 WPD-PH-002 Q
- x. Phase 4 WPD-PH-004 M
- xi. Tree Removal Plan WP-TRP-001 B
- xii. Road Geometry 16T802-118 T4
- xiii. Proposed Highways Parking Plan 3829-10-02 P9
- xiv. Highways GA Plan 17T2246-110 P3
- xv. Highways GA Plan 1 17T2246-111 P4
- xvi. Highways GA Plan 2 17T2246-112 P7
- xvii. Highways GA Plan 4 17T2246-113 P7
- xviii. Highways GA Plan Central 17T2246-114 P7
- xix. Northern Refuse Vehicle Swept Path Analysis 17T2146-100 P3
- xx. Central Large Arctic Vehicle Swept Path Analysis 17T2246-101 P2
- xxi. Central Bus Vehicle Swept Path Analysis 17T2246-102 P2
- xxii. Southern Refuse Vehicle Swept Path Analysis 17T2146-103 P2
- xxiii. Road Details 1 17T2246-115 P2
- xxiv. Road Details 2 17T2246-116 P1
- xxv. Road Details 3 17T2246-117 P2
- xxvi. Road Longsection Phase 1 17T2246-118 P2
- xxvii. Road Longsection Phase 2 & 4 17T2246-119 P6
- xxviii. Bus Stop Details Type 1 17T2246-120 P1
- xxix. Bus Stop Details Type 2 17T2246-121 P1
- xxx. Kerbing, Surfacing, Signage & Lining Details Overall 17T2246-123 P1
- xxxi. Kerbing, Surfacing, Signage & Lining Details Phase 1 17T2246-124
- xxxii. Kerbing, Surfacing, Signage & Lining Details Phase 2 17T2246-125 P1
- xxxiii. Kerbing, Surfacing, Signage & Lining Details Phase 4 17T2246-126 P1
- xxxiv. Kerbing, Surfacing, Signage & Lining Details Central Road 17T2246-127 P1
- xxxv. Link Road & Phase 4 Road 7 Longsections 17T2246-128 P4
- xxxvi. Tactile Paving Details 17T2246-129 P1
- xxxvii. West Park Parking Schedule REV B D
- xxxviii. Arundel Ground Floor Plan AR-WP-10 B
- xxxix. Arundel First Floor Plan AR-WP-20 A
- xl. Arundel Front Elevation AR-S-50 F
- xli. Arundel Rear Elevation AR-S-51 D

- xlii. Arundel Left Side Elevation AR-S-52 C
- xlili. Arundel Right Side Elevation AR-S-53 B
- xliv. Durham Ground Floor Plan DH-WP-10 B
- xlv. Durham First Floor Plan DH-WP-20
- xlvi. Durham Front Elevation DH-S-50 F
- xlvii. Durham Rear Elevation DH-S-51 E
- xlviii. Durham Right Side Elevation DH-S-52 E
- xliv. Durham Left Side Elevation DH-S-53 E
- i. Ely Ground Floor Plan EL-WP-10MT A
- ii. Ely Ground Floor Plan EL-WP-10SD
- iii. Ely First Floor Plan EL-WP-20
- liii. Ely Left Side Elevation Plan EL-S-53
- liv. Ely Front Elevation Plan EL-S-54MT B
- lv. Ely Front Elevation Plan EL-S-54SD
- lvi. Ely Rear Elevation Plan EL-S-55 A
- lvii. Ely Right Side Elevation Plan EL-S-56 B
- lviii. Lancaster Ground Floor Plan LA-WP-10 C
- lix. Lancaster First Floor Plan LA-WP-20 A
- lx. Lancaster Front Elevation LA-S-54 A
- lxi. Lancaster Rear Elevation LA-S-55 E
- lxii. Lancaster Right Side Elevation LA-S-56 A
- lxiii. Lancaster Elevation LA-S-57 B
- lxiv. Larch Ground Floor Plan LR-WP-10 C
- lxv. Larch First Floor Plan LR-WP-20 B
- lxvi. Larch Front Elevation LR-S-50 C
- lxvii. Larch Rear Elevation LR-S-51 A
- lxviii. Larch Right Side Elevation LR-S-52
- lxix. Larch Left Side Elevation LR-S-53
- lxx. Lichfield Ground Floor Plan LD-WP-10 B
- lxxi. Lichfield First Floor Plan LD-WP-20
- lxxii. Lichfield Front Elevation LD-S-50 D
- lxxiii. Lichfield Rear Elevation LD-S-51 E
- lxxiv. Lichfield Right Side Elevation LD-S-52 D
- lxxv. Lichfield Left Side Elevation LD-S-53 D
- lxxvi. Lincoln Ground Floor Plan LN-WP-10 B
- lxxvii. Lincoln First Floor Plan LN-WP-20
- lxxviii. Lincoln Front Elevation Plan LN-S-53 A
- lxxix. Lincoln Rear Elevation Plan LN-S-51 B
- lxxx. Lincoln Side Elevation Plan LN-S-52 A
- lxxxi. Norwich Ground Floor Plan NO-WP-10 D
- lxxxii. Norwich First Floor Plan NO-WP-20 A
- lxxxiii. Norwich Front Elevation Plan NO-S-51D
- lxxxiv. Norwich Rear Elevation Plan NO-S-55 E
- lxxxv. Norwich Side Elevation Plan NO-S-50 D
- lxxxvi. Peterborough Ground Floor Plan PT-WP-10 C
- lxxxvii. Peterborough First Floor Plan PT-WP-20
- lxxxviii. Peterborough Second Floor Plan PT-WP-25 B
- lxxxix. Peterborough Front Elevation Plan PT-S-50 F
- xc. Peterborough Rear Elevation Plan PT-S-51 E
- xci. Peterborough Side Elevation Plan PT-S-52 B
- xcii. Ripon Ground Floor Plan RI-WP-10 B

- xciii. Ripon First Floor Plan RI-WP-20 A
- xciv. Ripon Rear Elevation Plan RI-S-51 A
- xcv. Ripon Right Side Elevation Plan RI-S-53 A
- xcvi. Ripon Front Elevation Plan RI-S-54 D
- xcvii. Ripon Left Side Elevation Plan RI-S-55 A
- xcviii. Rochester Ground Floor Plan RO-WP-10 C
- xcix. Rochester First Floor Plan RO-WP-20
- c. Rochester Front Elevation Plan RO-S-50 F
- ci. Rochester Rear Elevation Plan RO-S-51 E
- cii. Rochester Right Side Elevation Plan RO-S-52 C
- ciii. Rochester Left Side Elevation Plan RO-S-53 C
- civ. Shrewsbury Ground Floor Plan SW-WP-10 C
- cv. Shrewsbury First Floor Plan SW-WP-20
- cvi. Shrewsbury Front Elevation Plan SW-S-50 E
- cvii. Shrewsbury Rear Elevation Plan SW-S-51 E
- cviii. Shrewsbury Right Side Elevation Plan SW-S-52 E
- cix. Shrewsbury Left Side Elevation Plan SW-S-53 E
- cx. Southwark Ground Floor Plan SK-WP-10 B
- cxii. Southwark First Floor Plan SK-WP-20
- cxiii. Southwark Rear Elevation SK-S-51 C
- cxiiii. Southwark Right Side Elevation SK-S-52A
- cxv. Southwark Left Side Elevation SK-S-53 C
- cxvi. Southwark Front Elevation SK-S-50 B
- cxvii. Westminster Ground Floor Plan WM-WP-10A
- cxviii. Westminster First Floor Plan WM-WP-20
- cxix. Westminster Front Elevation WM-S-60 A
- cxx. Westminster Rear Elevation WM-S-70 A
- cxxi. Westminster Left Side Elevation WM-S-80 A
- cxxii. Westminster Right Side Elevation WM-S-90 X
- cxxiii. Leicester Ground Floor Plan LE-WP-10 A
- cxxiiii. Leicester First Floor Plan LE-WP-20 B
- cxxv. Leicester Front Elevation LE-S-60 A
- cxxvi. Leicester Rear Elevation LE-S-70 A
- cxxvii. Leicester Left Side Elevation LE-S-80 A
- cxxviii. Leicester Right Side Elevation LE-S-90 A
- cxxix. Winchester Ground Floor Plan WIN-WP-10B
- cxxx. Winchester First Floor Plan WIN-WP-20 B
- cxxxi. Winchester Front Elevation Plan WIN-S-50 A
- cxxxii. Winchester Rear Elevation Plan WIN-S-51 B
- cxxxiii. Winchester Left Side Elevation Plan WIN-S-52 D
- cxxxiiii. Winchester Right Side Elevation Plan WIN-S-53
- cxxxv. Single Garage Design WP-GD-001
- cxxxvi. Twin Garage Design DRL-GD-002
- cxxxvii. Double Garage Design DRL-GD-001
- cxxxviii. Treble Garage Design WP-GD-004
- cxxxix. Treble Garage Design WP-GD-005
- cxl. Alderney – Planning – Detached BH_M_2016_H
- cxli. Derwent – Planning – Detached BH_M_2016_H
- cxlii. Kenley – Planning – Terrace mid BH_M_2016_H
- cxliii. Kenley – Planning – Terrace end BH_M_2016_H
- cxliiii. Maidstone - Planning - Terrace mid BH_M_2016_H

- cxliv. Maidstone – Planning – Terrace end BH_M_2016_H
- cxlv. Moresby – Planning – Terrace end BH_M_2016_H
- cxlvi. Moresby – Planning – Detached BH_M_2016_H
- cxlvii. Palmerston – Planning – Terrace mid BH_M_2016_H
- cxlviii. Palmerston – Planning – Terrace end BH_M_2016_H
- cxlix. Radleigh – Planning – Detached BH_M_2016_H
- cl. Windermere – Planning – Detached BH_M_2016_H
- cli. Chester – DET – Front Gable Central – Planning GDT_2016_CL
- clii. Lutterworth DET Central Planning GDT_2016_cl
- cliii. Double garage BLDG2H6
- cliv. Single garage
- clv. Proposed Boundaries Refuse Plan 3829-10-03 P11
- clvi. Proposed Materials Plan 3829-10-04 P9
- clvii. Site Layout Elevational Treatments WPD-MF-001 B
- clviii. Site Section WPD-SS-01 C
- clix. Material Finishes Mood Board WPD-MB-001
- clx. Phase 1- Estate Road 2
- clxi. Phase 1- Estate Road
- clxii. Phase 1- Shared Drive & SuDS Area 2
- clxiii. Phase 1- Shared Drive & SuDS Area
- clxiv. Phase 1- Site Entrance
- clxv. Phase 2- Estate Road 2
- clxvi. Phase 2- Estate Road
- clxvii. Phase 4 Bund Construction- Year 1
- clxviii. Phase 4 Bund Construction- Year 5
- clxix. Material Finishes Mood Board WPD-MB-001
- clxx. Site Layout SK/01 AD
- clxxi. Landscape Strategy 1106_100 B
- clxxii. Art Feature Type and Location 1106-SK01 A
- clxxiii. Landscape Management Plan 1106-R01
- clxxiv. Landscape Strategy- Whole Site 1106_101 E
- clxxv. Indicative Detail SuDS Bridge 1 1106-120 C
- clxxvi. Indicative Detail SuDS Bridge 2 1106-121
- clxxvii. Indicative Detail SuDS Bridge 3 East Elevation 1106-122
- clxxviii. Indicative Detail SuDS Bridge 3 West Elevation 1106-123
- clxxix. Site Section WPD-SS-01 C
- clxxx. Woven & Mesh Green Barrier Project Profile
- clxxxi. Woven & Timber or mesh 120 G CE Data Sheet

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

PA8 NOTIFICATION OF DECISION ON APPEALS

With the agreement of this Committee to the following items being considered at this meeting, the Director of Economic Growth and Neighbourhood Services reported that the Inspectors appointed by the Secretary of State for the Environment had:-

- a) Allowed the appeal by Mr Nimmo against this Authority's decision to refuse permission for Erection of detached garage at Creebeck House, Roundhill

Road Hurworth Moor (18/00765/FUL).

- b) Dismissed the appeal by Mr Charlton against this Authority's decision to refuse permission for a Erection of a detached dwelling (additional site investigation and ecological survey received 14 June 2018, additional tree report received 19 June 2018, amended plans received 18 June 2018, further amended floor plans and elevations received 10 August 2018 and amended site plan received 14 September 2018) at Land At 14 Dibdale Road, NEASHAM (18/00333/FUL).
- c) Dismissed the appeal by Mr A & Mrs S Pearson-Turner against this Authority's decision to refuse permission for Works to a tree protected under Tree Preservation Order (No 9) 2008 – Felling of 1 No. Maple Tree (T2) at 10 Edinburgh Drive, DARLINGTON, DL3 8AW (18/00676/TF).
- d) Allowed the appeal by Ms Jessica Emmerson against this Authority's decision to refuse permission for 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) at Castle Farm, Walworth Road, WALWORTH (18/00866/CU).
- e) Dismissed the appeal by Mr John Mark Hinnigan against this Authority's decision to refuse permission for Erection of a detached garage at the front (retrospective) at 43 Staindrop Crescent, DARLINGTON, DL3 9AQ (18/01051/FUL).

RESOLVED – That the report be received.

NOTIFICATION OF APPEALS

The Director of Economic Growth and Neighbourhood Services reported that:-

- a) Homes by Carlton has appealed against this Authority's split decision to refuse permission for Approval of details reserved by Condition 10 part discharge (road condition survey), 11 (road safety audit) and 18 (assessment of trees for bat roosts) attached to outline planning permission 15/00976/OUT dated 1 July 2016 (Outline planning permission for residential development up to 200 dwellings including highway improvements, public open space at Land At Rear Of High Stell/Grendon Gardens, MIDDLETON ST GEORGE. (18/00959/CON).
- b) Mr Taylor has appealed against this Authority's decision to refuse permission for an Outline application for erection of 1 No. dwelling (with all matters reserved except for access), at Land OSGR E422805 N515303 Mill Lane, Mill Lane HIGH CONISCLIFFE. (18/00742/OUT).
- c) Hewitson Group has appealed against this Authority's decision to refuse permission for Erection of 4 No. detached dwellings with detached garages and associated landscaping, at Land Adjacent to 80 Merrybent DARLINGTON. (18/00856/FUL).

- d) Mr John Hinnigan has appealed against this Authority's decision to refuse permission for Erection of a detached garage at the front (retrospective), at 43 Staindrop Crescent, DARLINGTON DL3 9AQ. (18/01051/FUL).
- e) Mr & Mrs S & K Simpson has appealed against this Authority's decision to refuse permission for a Loft conversion with dormer window to side and erection of extension to rear with additional window within roof space, at 354 Coniscliffe Road DARLINGTON, DL3 8AG (18/00812/FUL).

RESOLVED – That the report be received.

PA9 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That, pursuant to Sections 100B(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.

PA10 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 22 MAY 2019 (EXCLUSION PARAGRAPH NO. 7)

With the agreement of this Committee to the following items being considered at this meeting, and pursuant to Minute PA77/Mar/19, the Director of Economic Growth and Neighbourhood Services submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 22 May 2019.

RESOLVED – That the report be noted.