

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of a meeting of the Development Control Committee held in the Council Chamber, Civic Centre, Consett on Thursday 15<sup>th</sup> February, 2007 at 2.00 p.m.

### **Present**

Councillor E. Turner (Chair)  
Councillor J.I. Agnew (Vice Chair)

Councillors R. Alderson, A. Atkinson, H. Christer, T. Clark, C. Clarke, G. Coulson, J.H. Fothergill, G.C. Glass, H.S. Guildford, A.E. Hodgson, D. Hume, M. Jopling, O. Milburn, A. Watson.

### **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Mrs E. J. Coulson, J.T.S. Graham and R. Young.

### **In Attendance**

Councillor B. Armstrong

## **CHAIR'S ANNOUNCEMENT**

The Chair asked members and public present to take part in a 1 minutes silence in light of the recent sad and unexpected death of Councillor T.A. Henderson.

## **DECLARATIONS OF INTEREST**

There were no declarations of interest submitted.

### **56. MINUTES**

**RESOLVED:** that the minutes of the following meetings be approved as a correct record.

Development Control Committee - 25<sup>th</sup> January, 2007  
Site Inspections – 5<sup>th</sup> February, 2007

### **57. DCLG PLANNING PERFORMANCE FIGURES**

The Head of Planning & Building Control presented the report which advised members of the planning performance figures for the period of July to September 2006. He advised that the report offered members the opportunity to consider the Councils performance as a planning authority in relation to other Durham Districts, also national trends and Best Value Performance.

He went on to advise members that the figures for the reported period showed that two of the three BVPI targets had been achieved, although the target for another applications had been missed by a mere 2%, so the position should be recoverable in terms of year end figure.

He went on to address the figures on a regional level. He advised that London and the East of England saw a small increase in the number of applications received in the quarter. However overall the number of applications decreased, and in the case of the North East and North West, the decrease was 6%, therefore the pace of the downturn appears to be slowing.

He referred to paragraph 7 of the report which identified the totals of applications received in Derwentside advising that although there had been a drop of 10% in applications received, the annual number of applications remains at over 1000 per year.

He then advised of the figures for decisions dealt with under delegated powers, and advised that from July to September the figure of applications being dealt with at an Officer level had increased to 84%. He went on to suggest that the DCLG states that 90% is now the average delegation level nationally, therefore it would seem important to continue efforts to increase the level of delegated decision taking and focus the work of the Committee on applications that raise significant planning issues.

**RESOLVED:** that the content of the report be noted.

## **58. PLANNING APPLICATIONS**

### **(1) Public Speaking Applications**

**All members who were not on the site visit left the Chamber and took no part in the discussion or voting thereon.**

(J.I. Agnew, A. Atkinson, H. Christer, G. Coulson, H.S. Guildford, M. Jopling and O. Milburn).

06/1008 MR A BELL

Erection of two storey extension with balcony and detached garage, 2 Laburnum Avenue, Blackhill.

The Chair welcomed to the meeting Mrs Cooper who was in attendance to speak against the application and Mr Bell who was in attendance to speak in support of the application.

The Principal Planning Officer presented the report which recommended approval of the application. She added that now that members had undertaken a

site visit they should be in a position to determine the application. She advised that the original recommendation for approval still stood.

**Mrs Cooper: Speaking Against the Application**

Mrs Cooper advised the committee that she did not want to repeat what she had previously said at the committee meeting held on Thursday 25<sup>th</sup> January, but wished to emphasise the main points of concern over the proposed extension as follows:

- Over-dominance of two storey extension, resulting in loss of light and loss of aspect to the rear of the property. Contravening Policy HO19.
- Listed Building and Conservation Act 1990 defines that conservation areas should be preserved or enhanced. This proposal to the existing building will be detrimental to the property.
- Concerns that this application could lead to the house being converted into flats or some sort of multiple occupation.
- Concerns over proposed works on existing infrastructure of the house.
- Access will have to be taken across her land to the site. (Building works)
- A modified single storey extension would be less intrusive.

**Mr Bell: Speaking in Support of the Application**

Mr Bell addressed the committee and advised of the following points in support of his application.

- Has restored the property to original state since his occupancy.
- Has limited lower ground space
- Existing first floor bedroom window overlooks neighbouring gardens.
- Extension would be very much in character with existing building.
- Current garage facilities not suitable for his standard size car.
- Will not be removing dividing picket fence or replacing it with a large one.

The Principal Planning Officer advised that comments made by Mrs Cooper regarding the property being subdivided to create individual dwellings would require planning permission, and would have to be considered on it's merits if that were to occur.

Councillor Clark advised that he found the site visit useful and from which had come to the conclusion that the extension would be overbearing on the adjoining property.

Councillor Hume added that he felt sympathy for Mrs Firth, but was of the opinion that the Officers recommendation was the correct one. He also added that he was sure Mr Bell would make a good job of the extension, resulting in a sympathetic extension to the property.

Councillor Alderson advised that he also agreed with the Officers recommendation of approval.

Councillor Glass also added that he agreed with the comments of Councillor Hume.

Following a vote being taken it was

**RESOLVED:** that Planning Application 06/1008 be approved subject to:

- Time Limit (ST)
- Approved Plans (ST01)
- This permission relates to the application as amended by plans no 05 Rev A received on 25<sup>th</sup> January 2007.
- Samples of External Finishing Materials (A03)
- Details of External Finishing Materials (A06)
- Rainwater Goods (A13)
- Prior to the commencement of the development details of the gable should be submitted to the Local Planning Authority and approved in writing. The gable end shall have overhanging eaves to match the existing house.
- Prior to the commencement of the development details of the colour of the balcony railings shall be submitted to the Local planning Authority and agreed in writing.

(Councillor D. Hume left the Chamber at this point as he was not in attendance at this site visit).

06/0911 MR K CUDDEFORD

Demolition of former school, erection of 9 dwellings and three apartments (outline) resubmission. Former school to the rear of Glebeside, Satley.

The Chair welcomed Gavin Knox to the committee who was in attendance to speak in support of the application.

The Head of Planning & Building Control presented the report and advised members that now a site visit had taken place, members should be in a position to determine the application. He also advised that the original recommendation for approval still stood.

#### **Mr Knox: Speaking in Support of the Application**

Mr Knox made the following points in support of the application and in response to some of the objections raised.

- Satley has evolved over the years and now lends itself to a larger village settlement.
- A lot of time has been spent with Planning Officers and the Conservation Officer to ensure the highest and most suitable quality of design is followed.
- Highways Officer happy with proposals.
- Councillor still ultimately have control over the site at reserved matters stage if minded to approve this outline application.

Councillor Fothergill added that he found the site visit very enlightening, and advised that he was of the opinion that the site in its current state was an eyesore. His concern was that this development would not include affordable housing but much more expensive properties, most likely meaning that it would be out of a lot of locals reach.

Councillor Alderson advised that he was pleased to see at the site visit that the road in and out of the site was big enough to accommodate a standard width road. He also added that he still had concerns over the three storey houses which were to be incorporated into the site.

Councillor Glass asked the Officers if he could have clarification over the density of the site.

The Head of Planning & Building Control advised that the density of the site was 24.5 per hectare, but suggested that even though this was lower than government guidelines it was felt that it was justified.

Following a vote being taken it was

**RESOLVED:** that Planning Application 06/0911 be approved subject to:-

- 3 year time limit for submission of reserved matters (RMTL)
- Approval of the details of scale, appearance and landscaping
- Amended plan received 12<sup>th</sup> January 2007 (G011)
- Samples of materials (A05)
- Stone cills and lintels (A09)
- Black rainwater goods (A13)
- Surface water drainage scheme (D04)
- Foul water drainage scheme (D05)
- Vehicular access upgraded (R05)
- Construction of parking spaces (H03)
- Means of enclosure (H14)
- Landscaping scheme (L02)
- Protection of retained trees (L09)
- Maintenance plan for landscaping (L11)
- Legal Agreement - £3600 (LG01)
- Before the commencement of the development hereby approved, a bat survey shall be carried out during the breeding season.
- The height of the dwellings proposed at reserved matters stage pursuant to condition 2 to the eastern boundary of the site shall not exceed two storeys in height with no habitable rooms within the loft space.
- The height of the dwellings proposed at reserved matters stage pursuant to condition 2 identified as 3 storey in height in the plans submitted with this outline application shall be of two storey with dormer windows within the roof space.

**(All members subsequently returned to the Chamber)**

07/0012 MR S PEARSON

Erection of first floor extension, 36 Brackenridge, Burnopfield.

The Chair welcomed to the meeting Mr Hobby who was in attendance to speak against the application and Mr Pearson who was in attendance to speak in support of the application.

The Head of Planning & Building Control presented the report which recommended refusal of the application. He advised that four letters of objection had been received and outlined to members the main concerns. He also advised members that in a general planning enquiry in 2001 regarding an extension of this nature to the property, the Planning Officer who dealt with the query advised the applicant that the proposal would be acceptable in principle.

He added that he felt the concerns of neighbouring residents were legitimate and therefore the recommendation stood for refusal.

#### Mr Hobby: Speaking Against the Application

Mr Hobby addressed the committee and advised that he was the occupier of 37 Brackenridge. He made the following points as reasons for refusal of this application.

- The proposed extension will block valuable daylight from the kitchen and conservatory of his property.
- The roofline of the street will be affected.
- The property has already been extended twice.
- Loss of privacy, light and view.

#### Mr Pearson: Speaking in Support of the Application

Mr Pearson advised that as the applicant he wished to make several representations in support of his application.

- He advised that after review of Policies H019 and GDP1 he was of the opinion that this proposal met the majority of the appendices.
- Pictures circulated of the site do not show true height differences between properties.
- He advised there was a mistake in the report which stated that there were 8 bungalows on the street, when there was in fact 18.
- He was of the opinion that a precedent had already been set in the street as there was a number of properties who had extended into the roofspace with incorporated dormer windows.
- Wrong to suggest that this extension would be to benefit the family business, as is merely to provide more living space.
- Important for members to undertake a site visit to help determine the application.

Councillor Alderson advised as ward councillor he had viewed the site prior to the meeting and advised members that there was a lot of extensions in this area. He also added that he had determined that the extension would not be overlooked by the windows of any principle rooms of number 37. He concluded that he felt a site visit would be useful.

Councillor Fothergill also added that he felt a site visit would be useful.

Following a vote being taken it was

**RESOLVED:** that Planning Application 07/0012 be deferred for a site visit. It was further agreed that it should take place on Monday 26<sup>th</sup> February, 2007 at 2.00 p.m.

06/1057 MRS J HUNTER

Change of use of land and agricultural building for the storage of vintage vehicles and caravans, Ragpathside Farm, Lanchester.

The Chair welcomed to the meeting Mr Gladstone who was in attendance to speak against the application and Mrs Gibson who was in attendance to speak in support of the application.

The Senior Area Planning Officer presented the report which advised members of the retrospective application for the inside and outside storage of caravans and vintage cars at the farm.

She advised that it was the Officers recommendation for a split decision, to allow permission for the inside storage of the caravans and cars but to refuse permission for the outside storage as it would have a detrimental impact on an Area of High Landscape Value.

#### Mr Gladstone: Speaking Against the Application

Mr Gladstone advised that he was in attendance to speak against the application on behalf of Lanchester Partnership.

He advised that in his opinion it was necessary to agree with the recommendation of the Officers, but to also require confirmation that as the agricultural building will be used for the storage of vehicles, no further buildings will be required on the site.

#### Mrs Gibson: Speaking in Support of the Application

She advised that she was speaking on behalf of her mother the applicant in support of the application.

She advised that since the farm had been taken out by Foot and Mouth it had been decided to use the farm for something other than farming.

She went on to advise that no further caravans would be placed at this site and the storage facilities would not be advertised to the public.

She suggested that the majority of objections received had been from people who did not in fact overlook the farm.

She also advised the committee that it had been the intention of her mother to have trees planted to help screen the caravans that had were being stored outside.

The Senior Area Planning Officer in response to the comments made advised that although the applicant suggested she was willing to have trees planted at the site, it may not actually have much effect and may take a substantial amount of time to establish.

Councillor Fothergill asked exactly how many caravans were stored on the site. In response the Senior Area Planning Officer advised that there were currently 9 in total on the site.

Councillor Watson advised that he was of the opinion that the Officers recommendation for a split decision was the right one.

Following a vote being taken it was

**RESOLVED:** that Planning Application 06/1057 be approved subject to:  
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- This permission gives planning approval for the inside storage of caravans and vintage vehicles only and there shall be no outside storage of caravans.
- Within six months of the date of this consent the caravans currently being stored on the application site shall be either stored within the existing building hereby approved or removed from the site.
- A visibility splay measured 2 metres back from the carriageway edge, shall be provided in perpetuity, south eastwards for 90 metres to the northern edge of the C16 carriageway. No obstruction to visibility is permitted in this splay between ground level and 1 metre above ground

**Councillor C. Clarke left the meeting at this point.**

**(3) RESOLVED: that the following applications be approved.**

1/2006/1013 GEORGE WIMPEY NORTH EAST

Erection of forty dwellings, Units 1-16 Gatehouse Industrial Estate, Berry Edge Road, Consett.

The Senior Area Planning Officer presented the report which recommended approval of the application. She advised members that although this site had originally been allocated in the Local plan for industrial use, it was evident that it would never be used for such in the future.



She advised that a late letter had been received from Northumbrian Water stating that they objected to the application as drainage from the site would exceed the limit of the treatment works for that area. She further added that they were willing to talk to the developer to come to a solution for the site.

She then went on to advise that as this application was a departure from the Local Plan, if approved would have to be referred to Government Office North East.

Discussion then ensued regarding the footways around the site and the access to and from the site. The Senior Area Planning Officer advised that access would be taken solely from Pond Court and not from Berry Edge Road, as the recently built estate did.

Councillor Clark asked if affordable housing would be incorporated into the scheme, the Senior Area Planning Officer advised that this was not the case but could be put to Wimpey Homes at a later date.

Discussion then ensued regarding the infrastructure of the area and it was felt by members that with the huge amount of new housing in the area, facilities such doctors, dentists etc, should be provided to cope with the additional persons.

Subject to:-

- Standard Time Limit (ST)
- Approved Plans (ST01)
- This permission is in respect of the application as amended by the plans received on the 1<sup>st</sup> February 2006.
- Materials (A03)
- Car Parking (H03)
- Surface Water Drainage (D04)
- Disposal of sewage (D03)
- Landscaping (L01)
- Legal agreement - £12000 (LG01)
- Permitted Development Rights (PD01)
- The three on highway parking bays adjacent to plot number 37 shall be 6 metres minimum each in length.
- The development shall not begin until details of the private drive to the parking areas at spaces 1 to 5 showing either access to this area directly from the north west end of Ponds Court or widening within the proposed 21 metre section to form a 4.1 metre wide passing place have been submitted and approved in writing by the Local Planning Authority and no dwelling be occupied until the estate road which provides access to if the existing highway has been laid out and constructed in accordance with the approved details.
- The development shall not begin until details of the junction entrance into the site from Ponds Court showing the proposed radii have been

- submitted and approved in writing by the Local Planning Authority and no dwelling shall be occupied until the estate road which provides access to it from the existing highway has been laid out and constructed in accordance with the approved details.
- The development shall not begin until details showing landscaping or other 'physical' feature preventing any future means (formally or informally) for through vehicular movement, between Berry Edge Road and the north west end of Ponds Court have been submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until this has been laid out and constructed in accordance with the approved details.
  - All right angle driveways must be opposite full carriageway width.
  - The maximum width of a private drive, where it joins the adoptable carriageway between plots 24 and 34, shall be reduced to 4.8m, being no greater than the adoptable carriageway it leads into.
  - The development shall not begin until details of the adoptable estate road which provides access to it from the existing highway has been laid out and constructed in accordance with the approved details.
  - The development shall not begin until details of the private access way have been approved in writing by the Local Planning Authority and no dwelling shall be occupied until the access way has been laid out and constructed in accordance with the approved details.
  - The development shall not begin until details of the disposal of surface water from the highway have been approved in writing by the Local Planning Authority and no dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.
  - No fences, gates, walls or hedges shall be erected within the curtilage of any dwelling house forward of any wall of that dwellinghouse which fronts onto a highway without the prior express, planning permission of the Local Planning Authority.
  - The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority before the development of the site commences. The scheme shall include provision for a shrub hedge of planting to the car park in the western corner of the site might the creation of a better opportunity for tree planting in the apex and western approach to the development.
  - All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion which, within a period of five years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

- No development shall take place until details of facilities to be provided for the storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. The facilities, which shall include the provision of wheeled refuse bins, shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

**Councillor M. Jopling and D. Hume left the meeting at this point.**

**(4) TREE PRESERVATION ORDERS AND APPLICATIONS TO FELL**

06/1048 MR G PARKINSON

Felling of one Sycamore and pruning of one Sycamore (Section 211 Notice).  
West Grange, cadger bank, Lanchester.

The Principal Planning Officer advised that the application sought the permission for the felling of one Sycamore tree and the pruning of one Sycamore tree within the Conservation Area of Lanchester. She advised that the application was recommended for refusal for a TPO to be served.

Following a vote being taken it was  
**RESOLVED:** that no TPO be served.

**(5) ADDITIONAL ITEM**

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972 (as amended) the Chairman agreed that the following item of business be considered as it was felt appropriate to undertake a site visit on the following application, to be efficient, as a site visit had been arranged for another application at the meeting today. The application would be considered in full at the meeting due to be held on Thursday 8<sup>th</sup> March, 2007.

07/0029 Erection of indoor training and exercise arena, Oakwood Stables,  
Durham Road, Lanchester.

**RESOLVED:** that a site visit be taken on Planning Application 07/0029 prior to the application being heard at Committee on the 8<sup>th</sup> March, 2007.

**Councillors O. Milburn and R. Alderson left the meeting at this point.**

**59. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** on the motion of Councillor Clarke seconded by Councillor Fothergill that under Section 100(A)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the

grounds that it involves the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 12(A) of the Act (as amended).

**60. ENFORCEMENT**

06/Les/00008 DR M SHAFIULLAH & DR D BERG  
Erection of External Staircase, 81 Iveston Lane, Iveston, Consett.

The Principal Planning Officer presented the report which advised members of the situation at the above address and the purpose of the report was to make members aware of this situation. The report recommended that enforcement action be taken.

Following a vote being taken it was **RESOLVED**; that members authorize the issuing of a notice as outlined in paragraph 10 for the reasons set out in paragraph 9 seeking a compliance of 6 months.

**Conclusion of meeting**

The meeting closed at 3.50 p.m.

**Chair.**