

DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of the Development Control Committee held in the Council Chamber, Civic Centre, Consett on Thursday 2nd August, 2007 at 2.00 p.m.

Present

Councillor J.I. Agnew (Chair)
Councillor T. Clark (Vice-Chair)

Councillors R. Alderson, A. Atkinson, M. Campbell, H. Christer, R. Ellis, G.C. Glass, P.D. Hughes, D. Hume, D. Lavin, O. Milburn, T. Pattinson, S. Rothwell, A. Shield, E. Turner, A. Watson, T. Westgarth, R. Young.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors G. Coulson and J. Williams.

In Attendance

Councillors W. Stelling, O. Temple M. Westgarth.

14. DECLARATIONS OF INTEREST

Councillor A. Watson declared a prejudicial interest in application 07/0553.

Councillor O. Milburn declared a personal interest in application 07/0553.

Councillor A. Shield declared a personal interest in applications 07/0553 and 07/0570&07/0571.

15. MINUTES

RESOLVED: that the minutes of the following meeting be approved as a correct record, Development Control Committee – 12th July, 2007 with the addition of Councillor O. Milburn leaving the meeting at this same point as Councillor Hume.

16. APPEAL DECISIONS

The Director of Environmental Services submitted a report (copies circulated) in respect of the following appeal decision issued by Inspectors appointed by the First Secretary of State:-

- (i) Planning Application – Appeal Under Section 174 of the Town and Country Planning Act 1990 against enforcement notices requiring

- demolition of houses at plots 24 to 26 St. Ives Gardens, Leadgate – No further action to be taken regarding this matter.
- (ii) Planning Application – Appeal against refusal of consent to fell a sycamore tree at Cadleigh Hope, The Terrace, Shotley Bridge – Appeal dismissed.
 - (iii) Planning Application - Appeal against the refusal to grant full planning permission for the change of use of a detached garage/playroom to detached garage/self catering guestroom for up to 140 days per year at 5 Long Close Road, Hamsterley Mill – Appeal dismissed.
 - (iv) Planning Application – Appeal against the refusal to grant full planning permission for the erection of a conservatory at 95 Snows Green Road, Shotley Bridge – Appeal dismissed.

RESOLVED that the report be received.

17. PLANNING APPLICATIONS

(1) Public Speaking Applications

Councillors A. Watson and O. Milburn declared an interest in the following application left the Chamber and took no part in the discussion or voting thereon.

(In accordance with the provisions of Section 94 of the Local Government Act 1972: and Standing Order No.33, Councillors A. Watson and O. Milburn declared an interest in the following matter, left the Chamber and took no part in the discussion and voting thereon).

(In accordance with the provisions of Section 94 of the Local Government Act 1972: and Standing Order No.33, Councillors A. Shield declared an interest in the following matter, but remained in the Chamber.

07/0553 DERWENTSIDE CVS

Change of Use from residential institution (Class C2) to non-residential institution (Class D1) and Offices (Class B1), Glenroyd House, Medomsley Road, Consett.

The Chair welcomed to the meeting Deborah Clarke who was in attendance to speak against the application and Cliff Lowes 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 advised that the applicant had not as yet submitted details of car parking arrangements.

In addition she advised that there were several updates to report to members as follows;

Receipt of a letter of objection signed by 15 residents, the basis of their objections being the following:

- Building will be used by Drug Users and Alcoholics;
- Adequate parking not available;
- Safety concerns for residents children playing in back street;
- Anti-Social Behavior
- Reduction in house prices due to business nature of CVS;
- Better suited to Project Genesis site and site in question used for affordable housing or elderly homes;
- Back lane will be used for alternate route into Consett causing nuisance for residents of Medomsley Road;
- Residents properties exposed to vandalism and crime.

She went on to advise that regrettably the Planning Officers had recently been informed that consultation had not been carried out correctly and some residents had not been contacted regarding the application. She advised that those residents had now been contacted and would have 21 days to respond to the notice of application. Therefore it was advised that the application be deferred in the light of this information.

She further advised that there had been another objection received from a resident directly to the North of the application site; the concerns of which are as follows:

- Concerns of overlooking;
- Child safety;
- Highway safety regarding increase in traffic and the access onto Medomsley Road;
- Building in a poor state and there would be no guarantee that the building would be maintained;
- Detrimental impact on house prices in the vicinity;
- Opinion that site would be better suited to housing.

In response to the objections the Principal Planning Officer advised that the Applicant had given reassurance that the Centre would be used for training and advice and not as a drop in centre for certain types of person as residents suggest.

She then went on to report the comments of the Highways Officer as follows:

- No objection to the application as the previous use of a Residential Care Home would have seen a significant volume of traffic in the form of Staff, Service and Delivery Vehicles and visitors;
- Happy to see applicant planning to make improvements;
- Would request a condition that a facility for secure cycle parking be provided to the front of the building.

She concluded that in light of the above the recommendation was for deferment pending a site inspection before 23rd August.

DEBORAH CLARKE: Speaking Against the Application.

Deborah Clarke introduced herself to the committee and advised that she was the resident of 123 Medomsley Road. She advised that along with other residents of the area there were major concerns over the use of the building for a drop in centre for alcoholics and drug users.

She also advised that as some residents had not been consulted on the application she felt that the application should be deferred for a site visit.

She advised that other concerns of residents were surrounding traffic and access arrangements and child safety. She further added that residents were of the opinion that this development would have a detrimental impact on the St. Patricks School, Child Minders in the area and on house prices.

CLIFF LOWES: Speaking in Support of the Application

Mr Lowes introduced himself to the committee and advised of the following;

- Centre to be used as a Community Resource Centre and Citizens Advice Bureau, he advised that it would not be for persons suffering drug or alcohol related problems.
- He advised that the service was an extension to that already provided at the Tommy Armstrong Centre in Stanley.
- He invited all members and residents to visit the Centre to gain an insight into the work Derwentside CVS carry out.
- No Anti-Social Behaviour anticipated as visitors would be ordinary residents of the community.
- Parking would be increased substantially and would provide more than adequate parking for the few visitors using cars or vehicles delivering stationary on a less regular basis.
- The center would not stay open after 9pm
- There would be very few deliveries.

In conclusion he advised that he regretted that there had been some misinformation with regard to the Centre and the users of which.

COUNCILLOR M. WESTGARTH: Speaking Against the Application

Ward Councillor M. Westgarth made the following comments in respect of the application:

- 28 core functions & meeting rooms within the building, if all used will result in an increase in traffic on a junction of Medomsley Road that already has very poor access and visibility.
- Would request further information is obtained on the highway arrangements and parking to ensure Members can take a well considered decision.
- Further request Members undertake a site visit.

COUNCILLOR O. TEMPLE: Speaking Against the Application

Ward Councillor O. Temple advised that although he valued the work of Derwentside CVS and the Citizens Advice Bureau he would request members undertook a site visit and considered the following two major factors when determining the application;

1) THE BUILDING

He advised that in his opinion the building was unsuitable for its purpose and would require a substantial financial input for its upkeep; CVS would then have to sub-let parts of the building to ensure a decent standard was maintained; if not, it would become too expensive to maintain and slowly deteriorate further into disrepair.

2) ACCESS

He advised that when the Residential Care Home was in operation some years ago the access arrangements were bad enough, he suggested that with the increase in traffic the access would be intolerable on a sub standard width of road.

In conclusion he asked members to consider these two factors if Members were minded to defer the application for a site visit.

Discussion then ensued regarding the application for Change of Use only, Members were of the opinion that a full application should have been submitted taking in to account parking arrangements.

The Principal Planning Officer advised the applicant had at this stage only indicated that they required a Change of Use but were considering work on the highway/parking arrangements in the future.

Councillor Glass advised that in his opinion the comments of the Highway Officer were incorrect and he thought a one way in and out access should be provided.

Councillor Clark agreed with the comments of Councillor Glass and added that he felt it would be appropriate to place a condition on the application stating that the building must not be used until improvements are made.

Councillor Lavin asked that if Members were to undertake a site visit more information be provided by Derwentside CVS on parking and highway arrangements.

Councillor Hughes added that the application site was situated on a poor junction, and even with additional parking provided the number of spaces would still be limited. He also suggested that the traffic using the back streets to avoid the access would cause problems for residents of Medomsley Road.

Councillor Hughes **MOVED** and Councillor Christer **SECONDED**: that there was sufficient evidence to refuse the application without the requirement to undertake a site visit.

The Chairman put the **MOTION** to the vote. Following the vote being taken the **MOTION WAS DECLARED LOST.**

Councillor Turner advised that in his opinion the application had been submitted prematurely although to be fair to all parties involved a site visit should be taken and all relevant information available be provided for the next committee meeting on 23rd August 2007.

Following a further vote being taken it was **RESOLVED**: that the application 07/0553 be deferred for a site visit with any further information on the application being circulated at that meeting.

(2) RESOLVED: that the following applications be approved.

Councillor A. Shield declared an interest in the following application but remained in the Chamber.

07/0570 and 07/0571 DIOCESES OF DURHAM BOARD OF EDUCATION
Phased demolition of existing school, rebuilding of school, associated landscaping and tree felling, creation of car park, siting of temporary classrooms and erection of biomass store/boiler house and Conservation Area Consent for the demolition of the school building.

The Principal Planning Officer presented the report which recommended approval of the application.

She advised that the applicant was proposing a phased development to allow the school to continue to function as usual. In addition the applicant was hoping to commence work as soon as possible to adhere to the timetable of works.

She advised that there were some further updates with regard to consultation responses as follows:

- 1) HIGHWAYS
 - No objections in principle, feel that car parking is adequate;
 - Welcome idea of increasing road width but would ask that this be retained rather than being put in place as a temporary measure.
- 2) NATURAL ENGLAND
 - Bat survey carried out; happy development would not affect any protected species.
 - Request a condition be attached to ensure application is in full accordance with mitigation measures.
- 3) ENGLISH HERITAGE

- No comments
- 4) DESIGN & CONSERVATION OFFICER
- Unique building and well designed to suite the site;
 - No objections to portcabins being placed on the site although would require a condition stating a time limit for the removal of these;
 - Play area will be low key and well concealed by the trees and planting;
 - Happy with the massing, scale and materials proposed;
 - Orientation of window in side, suggested it be portrait rather than landscape, although the applicant has advised that this is a stained glass window from the existing building and would not lend itself to portrait orientation;
 - Suggest that timber and metal railings be used but this could be dealt with through a condition;
 - Requires some details of fencing around the play area;
 - Welcomes the additional and replacement planting.

The Principal Planning Officer then made reference to paragraph 11 of the report and advised that Sport England had requested that the playing pitches be made available to outside groups; the applicant had advised they would willingly accept this request.

She advised that there had been one further letter of objection from the residents of Orchard House; those being as follows:

- New school appears to be pushed further back into the site increasing noise and overlooking into their property;
- 2 storey building would suggest that there would be an increase in numbers attending the school;
- Unhappy that trees will be felled and the woodland area damaged;
- Noise & disturbance created due to the addition of the play area;
- Questioned the reasons for demolishing the existing building;

The objector had also commented that they thought that 21 days did not give enough time to formulate a response to such a large application.

The Principal Planning Officer advised that in light of the above comments she would suggest the following additional conditions be attached to the application;

- Highway improvements to be maintained;
- Mitigation measures
- 18 month temporary siting of portable buildings;
- Timber balastrading & fencing of sports area to be decided.
- Service Area / Parking through Phase 3

Councillor Watson added that in his opinion the site was well designed in a good setting providing a good contribution to the area, with that he proposed the application be approved subject to the added conditions.

subject to:

- Time Limit (ST)
- Approved Plans (ST01)
- Tree Protection (L12)
- Replacement Planting (L14)
- Prior to the commencement of the use a Community Use Scheme shall be submitted to an approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users/non members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of the use of the development.
- Samples of materials to be agreed (A03)
- Levels (GL01)
- Details of Balustrading to be provided
- Details of fencing to multiuse games area to be provided
- Bat mitigation measures to be carried out
- During phase two of the works the servicing/delivery area shall be made available for staff parking.
- Improvements to the junction radii with Manor Road and widening of the access road shall be retained following the completion of the development
- the portable buildings shall be removed from the site within 18 months of the date of this consent, unless the permission of the Local Planning Authority is granted for their retention

07/0520 STEPPING STONES CO-OP NURSERY LTD.

Permanent Use of Premises as Children's Day Nursery, Unit 26, No.1 Industrial Estate, Consett.

subject to:

- Approved Plans (ST02)

Councillor D. Hume left the meeting at this point.

(3) RESOLVED: that the following application be withdrawn.

07/0468 MR P WILKS

Demolition of existing garage and car showroom and erection of ten dwellings
Former Whitbank Garage, Lanchester.

Conclusion of meeting.

The meeting closed at 3.25 p.m.

Chair.