

City of Durham

At a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** held in the Town Hall, Durham, on Wednesday, 13th December, 2006, at 5.30 p.m.

Present: Councillor Norman (in the Chair)
and Councillors Bell, Carr, Crathorne, Hawgood, Hoppood, Howarth, Jackson, Kinghorn, Lightley, Rochford, Lodge, Simpson, Southwell, Syer, Taylor, Walker, Wolstenholme and Young.

Also Present: Councillors Colledge, Marsden, Pitts, Thomson and Wynn.

405. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gibbon, Griffin and Stoddart.

406. MINUTES

The Minutes of the Meeting held on 22nd November, 2006, were confirmed as a correct record and signed by the Chairman.

Report of Head of Planning Services

407. REPORTS FOR INFORMATION

Reports in relation to the following items had been circulated:-

- (a) Notice of Planning/Enforcement Appeals which had been lodged with the City Council:
 - (i) Appeal by Mr J Coates – Site at Langley Wood, Sleetburn Lane, Langley Moor, Durham, DH7 8LQ
 - (ii) Appeal by Mr J Tilly – Site at 23 Lawson Terrace, Durham, DH1 4EW
 - (iii) Appeal by Mr SC Rider – Site at land to the rear of 15 The Avenue, Coxhoe, Durham
 - (iv) Appeal by Bimbi Restaurants – Site at 1 Larches Road, North End, Durham, DH1 4NL
 - (v) Appeal by Mr A Bayat – Site at 10A Church Street, Coxhoe, Durham, DH6 4DD
 - (vi) Appeal by Mr F Maguire – Site at former SG Petch Garage, Front Street, Framwellgate Moor, Durham, DH1 5EJ
 - (vii) Appeal by Mr D Raper – Site at 18 East Street, Hett Village, Durham DH6 4LP

- (b) Notice of the Outcome of Planning/Enforcement Appeals which had been lodged with the City Council:
 - Appeal by Mr L Edgar – Site at land adjacent to Red House Farm, Hartside, Durham

- (c) Applications – Determined under Plenary Powers

- (d) Building Control Applications

- (e) Notification of Section 36 Notice of the Building Act 1984

16 Rogerson Terrace, Croxdale, Durham

Resolved: That the reports be noted.

408. DECISION MADE BY THE COUNTY COUNCIL

**CM4/06/1048
Durham County Council**

**County Hall Grounds, Aykley Heads, Durham, DH1
5UL
Resurfacing of existing footpath, provision of
lighting and trimming of trees**

The above application was considered by the City Council under delegated powers on 15th November, 2006, when it was resolved to offer no objection.

Durham County Planning Committee had now considered the proposal and resolved to approve the application subject to conditions.

Resolved: That the report be noted.

409. RECOMMENDATIONS ON OTHER APPLICATIONS

The Head of Planning Services presented a report on the following applications and the following decisions were made:-

(a) Sunnyside Properties

Dragon Lane Retail Park, (Former Mono Containers Ltd), Dragon Lane, Dragonville, Durham

06/00949/RM

Application for revised approval of reserved matters in respect of siting, design and external appearance and landscaping in relation to outline planning permission 4/03/352

06/00950/FPA

Unit A - Creation of additional 615 square metre mezzanine retail floor space

06/00951/FPA

Unit B - Creation of additional 1393 square metre mezzanine retail floor space

06/00952/FPA

Unit C - Creation of additional 744 square metre mezzanine retail floor space

Resolved: (i) That Application No. 06/00949/RM be **APPROVED** subject to the following conditions:-

- (1) T1 - Time Limit Full Approval 2004
- (2) DT4 - External Materials
- (3) DT8 - Enclosure (Details to be Agreed)
- (4) DT10 - Hardstanding/Surface Materials
- (5) LA2 - Landscaping Scheme (Full/Reserved Matter)
- (6) RU8 - Control of Open Storage

- (7) FD5 - Refuse Provision Fume Extraction Combine
- (8) CL06 - Oil Interceptor
- (9) - Details of any external lighting, including that of lighting columns, lanterns and the intensity of light levels proposed, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The lighting scheme shall thereafter be implemented in accordance with the approved scheme.

(ii) That Application No. 06/00950/FPA be **APPROVED** subject to the following conditions:-

- (1) T1 - Time Limit Full Approval 2004
- (2) - The retails floorspace hereby approved shall be used for the sale of DIY goods, home improvement goods, electrical goods, general building merchandise, furniture and furnishings, beds, floor coverings, motor accessories, office equipment, pet products and garden centre products and for no other use except ancillary purposes.

(iii) That Application No. 06/00951/FPA be **APPROVED** subject to the following conditions:-

- (1) T1 - Time Limit Full Approval 2004
- (2) - The retails floorspace hereby approved shall be used for the sale of DIY goods, home improvement goods, electrical goods, general building merchandise, furniture and furnishings, beds, floor coverings, motor accessories, office equipment, pet products and garden centre products and for no other use except ancillary purposes.
- (3) - The floorspace hereby approved shall not be subdivided or subsequently altered to create further units less than 750m² gross floorspace; and no further internal floorspace shall be created.

(iv) That Application No. 06/00952/FPA be **APPROVED** subject to the following conditions:-

- (1) T1 - Time Limit Full Approval 2004
- (2) - The retails floorspace hereby approved shall be used for the sale of DIY goods, home improvement goods, electrical goods, general building merchandise, furniture and furnishings, beds, floor coverings, motor accessories, office

equipment, pet products and garden centre products and for no other use except ancillary purposes.

The Chairman had agreed to accept, as a matter of urgency, and due to the time factor involved, the Supplementary Report of the Head of Planning Services in relation to Planning Application Nos. 06/01022/FPA and 06/01037/FPA and Tree Preservation Orders PN1/380, PN1/381, PN1/383 and PN1/385.

- (b) **06/01037/FPA** **Webster House, Sherburn Road, Durham**
Three Rivers Housing **Internal alterations of existing 37 flats to provide 10**
Group **no. residential units including office and communal**
 space

Resolved: That the application be **APPROVED** on the basis that no sustainable objection is received by the Council before 15th December, 2006, and subject to the following conditions:-

- (1) T1 - Time Limit Full Approval 2004
- (2) - The approved works shall be used only in connection with occupation of the ten dwelling units as specialist housing as detailed in the supporting documents of this application.

410. TREE PRESERVATION ORDERS

- (a) **PN1/380 – North End & The Grove, Durham**

This Tree Preservation Order was served on 6th July, 2006. The Order was made to protect a number of important trees of local significance that were considered to be under threat due to development proposals for the site.

The trees were of mature age and were dominant sky-line trees of great value to local character and appearance. The trees were also likely to be of importance to wildlife as there were known bat roosts nearby.

The Order had had effect for 6 months and it was now necessary to confirm the Order.

No objections had been received, and local residents had expressed support for the Order.

Resolved: That Tree Preservation Order PN1/380, Land between The Grove and North End be confirmed with no modifications.

- (b) **PN1/381 – Land at Brown’s Bus Depot, New Brancepeth, Durham**

This Tree Preservation Order was served on 23rd June, 2006. The Order was made to protect a beech tree of local visual importance that was considered to be under threat due to development proposals for the site.

The Order had had effect for 6 months and it was now necessary to confirm the Order.

No objections to the Order had been received.

Resolved: That Tree Preservation Order PN1/381, Land at Brown's Bus Depot, New Brancepeth, Durham, be confirmed.

(c) PN1/383 – Moorcroft, Adventure Lane, West Rainton, Durham

This Tree Preservation Order was served on 11th July, 2006. The Order was made to protect a prominent and mature sycamore tree, on a corner plot, that was considered to be under threat due to development proposals for the site.

The sycamore was a large, mature specimen that was highly visible to the public and clearly visible from nearby roads and footpaths.

The Order had had effect for 6 months and it was now necessary to confirm the Order.

No objections had to the Order had been received.

Resolved: That Tree Preservation Order PN1/383, Moorcroft, Adventure Lane, West Rainton, Durham, be confirmed.

(d) PN1/385 – Land to rear of Blaidwood Drive and Cedar Drive, Durham

This Tree Preservation Order was served on 11th July, 2006. The Order was made to protect a number of significant and mature oak trees that were under threat as a result of an adjacent development. Tree belts adjacent to existing houses were also considered to be under threat and were included within the Order. The threat to these tree belts was considered to have passed, and these had been removed from the Order.

The Order had had effect for 6 months and it was now necessary to confirm the Order to safeguard the oak trees' contribution to public visual amenity.

No objections to the Order had been received.

Resolved: That Tree Preservation Order PN1/385, Blaidwood Drive and Cedar Drive, Durham, be confirmed with modifications to Areas A1 and A2.

Note: Councillor Hopgood declared a prejudicial interest in the undermentioned item, and withdrew from the Meeting during consideration thereof.

411. DELEGATED DECISION FOR RATIFICATION

**Mr Hopgood
06/01022/FPA**

**3 Carlisle Road, Newton Hall, Durham
Erection of full width single storey pitched roof extension to
rear of existing dwelling**

The above application was approved under the scheme of delegated powers on 4th December, 2006, having been in full accordance with Local Plan policies and subject to no objections.

Since the applicant was a relative of a Member of the Council, there was a need for the delegated decision to be ratified by the Development Control Committee.

Resolved: That the decision to approve the application be ratified.

The Meeting terminated at 6.10 p.m.

Chairman