

City of Durham

At a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** held in the Gala Theatre, Durham, on Thursday, 11th October, 2007, at 5.30 p.m.

Present: Councillor Norman (in the Chair)
and Councillors Bell, Carr, Cowper, Freeman, Guy, Holland, Howarth, Kinghorn, Laverick, Marsden, Plews, Simmons, Simpson, Southwell, Stoddart, Walker, Wolstenholme and Young.

Also Present: Councillors Dickie, Kellett, Kelly, Thompson, Turnbull and Wilkes.

278. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Crooks, Lodge, Rae and Taylor.

279. MINUTES

The Minutes of the Meeting held on 20th September, 2007, were confirmed as a correct record and signed by the Chairman.

Report of Director of Strategic Services

280. REPORT FOR INFORMATION

The Director of Strategic Services submitted a report for information in relation to the cash received by the City Council from developers as part of planning conditions for the period 1st April, 2007, to 30th June, 2007, a copy of which had been placed in the Members' Room.

Resolved: That the report be noted.

281. PROPOSED STOPPING UP OF FOOTPATH AT FRONT STREET, SHERBURN HILL, DURHAM

At the Development Control Committee held on 8th March, 2007, it was resolved that the Council make an Order under Section 257 of the Town and Country Planning Act 1990 to give effect to the stopping up of a short length of footpath to the south of Front Street, Sherburn Hill, to enable development to be carried out in accordance with planning permission granted by this Authority.

The Order was made on 2nd August, 2007, and in accordance with standard procedure, the making thereof was advertised in the Local Press and correspondence dispatched to the relevant statutory consultees. There were no outstanding objections to and the Council was now able to confirm the Order of its own volition as an unopposed Order.

Resolved: That the City of Durham (Footpath off Front Street, Shadforth Parish, Sherburn Hill, Durham) Stopping up Order 2007, be confirmed.

Report of Head of Planning Services

282. 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:
 - Appeal by P Eden – Site at Nelson House, Nelson Terrace, Sherburn Village, Durham, DH6 1ED
- (b) Notice of the Outcome of Planning/Enforcement Appeals which had been lodged with the City Council:
 - (i) Appeal by M Moore – Site at Broom Hall Farm, Broom Crescent, Ushaw Moor, Durham, DH7 7NB
 - (ii) Appeal by N Swift (Hope Estates) – Site at 34 Young Street, Gilesgate, Durham, DH1 2JU
- (c) Applications – Determined under Plenary Powers
- (d) Building Control Applications

Resolved: That the reports be noted.

Note: Councillor Southwell declared a personal interest in the undermentioned item and remained in the Meeting during consideration thereof.

283. DECISION MADE BY THE COUNTY COUNCIL

CM4/07/737

Durham County Council

**Durham Gilesgate Sports College and Sixth Form Centre, Providence Row, Durham, DH1 1SG
Erection of demountable building to provide disabled/physiotherapy facilities**

The above application was considered by the City Council under delegated powers on 15th August, 2007, 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.

284. DEVELOPMENT BRIEF – NEVILLE COURT, NEVILLES CROSS, DURHAM

A Brief had been submitted by King Sturge on behalf of the owners of Neville Court, The Avenue, Durham. The Brief sought to identify the constraints which exist on the site and the policies at national, regional and local levels and to which regard must be had by a developer should an application be forthcoming for the redevelopment of the site. The Brief had been the subject of some limited informal officer discussion, but had no status in any subsequent pre-application discussions and should certainly not be interpreted as representing the views of the Council. The Brief would, however, serve as a basis for further ongoing discussions between officers and developers.

Resolved: That the report be noted.

Note: *Councillors Plews and Turnbull entered the Meeting at 5.35 p.m.*

Note: *Councillors Simmons and Wilkes entered the Meeting at 5.40 p.m.*

285. RECOMMENDATIONS ON OTHER APPLICATIONS

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

(a) **07/00455/FPA**
07/00454/CAC
R Anderson

East Farm, Sunderland Bridge, Durham, DH6 5HD
Demolition and conversion of new build of East Farm
to provide 8 no. dwellings and conversion of farm
track to access road

Resolved: (i) That application 07/00455/FPA be
APPROVED subject to the following conditions:-

- (1) - The development to which this permission relates shall be begun not later than three years from the date of this permission.
- (2) - Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
- (3) - Before the development hereby approved is commenced a sample panel of the proposed wall materials shall be erected on the site to include examples of all materials to be used, including mortars, its exposed finish, the coursing and bonding to be used, and the style of pointing of the finished wall. The proposed panel shall be made available for inspection by the Local Planning Authority and the development shall not be commenced until the said materials have been approved in writing by the Local Planning Authority.
- (4) - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.
- (5) - Details of any fences, walls or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.
- (6) - Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority

- before work commences, and thereafter implemented in accordance with the approved scheme.
- (7) - That notwithstanding the information shown on the submitted plans precise details of all new fenestration, glazing and head and cill details shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme. This shall include in particular the size, position, type, finish and specification of all roof-lights.
- (8) - Notwithstanding the information shown on the submitted plans the proposed windows shall be set at least 100mm in reveal in accordance with details which shall be submitted at 1:20 scale, and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
- (9) - Notwithstanding the information shown on the submitted plans the precise design of the roof details including (i) eaves, (ii) verges, (iii) chimneys, (iv) ventilation, (v) parapets, and (vi) guttering, shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
- (10) - No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the approved details before any part of the development is occupied.
- (11) - Notwithstanding the information shown on the submitted plans the precise design of the proposed quoins, their location, and specification shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
- (12) - Before development is commenced details of all flues, vents, and extracts shall be submitted to, and approved in writing by the Local Planning Authority, being thereafter implemented to the satisfaction of the said Authority.

- (13) - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order, no garages or car ports (other than those expressly authorised by this permission) shall be erected at any time without the grant of further specific permission from the Local Planning Authority.
- (14) - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that Order, no outbuildings, sheds, greenhouses or other free standing structures shall be erected at any time without the grant of further specific permission from the Local Planning Authority.
- (15) - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no fences, gates or walls, other than those expressly authorised by this permission shall at any time be erected beyond the forward-most part of any wall of a/the dwelling house which faces onto a vehicular highway, without the grant of further specific permission from the Local Planning Authority.
- (16) - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no extensions shall be constructed at any time to the dwelling house(s) without the grant of further specific permission from the Local Planning Authority.
- (17) - Notwithstanding the information shown on the submitted plans, no development shall be commenced until details of the means of access, including the layout, construction, and sight lines to be provided have been submitted to and approved in writing by the Local Planning Authority, and the building(s) hereby permitted shall be occupied only provided the approved access has been constructed, in accordance with the approved plans and specifications.
- (18) - The implications and recommendations of the 'Scoping Bat Survey of East Farm, Sunderland Bridge, 24th June 2005', by Durham Bat Group shall be fully adhered

- to be the developer, and the full responsibilities incumbent upon the developer under the Wildlife and Countryside Act 1981, and all subsequent and complimentary legislation relating to Protected Species must be acknowledged.
- (19) - No site works shall be undertaken until the implementation of an appropriate programme of building recording/analysis has been agreed in writing with the local Planning Authority, in accordance with an approved brief.

(ii) That application no. 07/00454/CAC be **APPROVED** subject to the following conditions:-

- (1) - The development to which this permission relates shall be begun not later than three years from the date of this permission.
- (2) - Development of the site with an approved development scheme shall be undertaken within 12 months of the clearance of the site, or a scheme to tidy and secure the land must be submitted to and approved by the Local Planning Authority, said scheme being implemented within 12 months of the clearance of the site.

(iii) That authorisation be granted for the serving of a Tree Preservation Order on the mature tree adjacent the access road to the south of the development.

(b) 07/00749/FPA
Castle Homes NE Ltd

Demolition of existing buildings and erection of 17 no. apartments including provision of replacement hairdresser at ground floor level, with associated parking, bin and cycle storage.

Resolved: that the application be **APPROVED** subject to the following conditions:-

- (1) - The development to which this permission relates shall be begun not later than three years from the date of this permission.
- (2) - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.
- (3) - Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with

- the approved scheme.
- (4) - Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
 - (5) - That notwithstanding the information shown on the submitted plans precise details of all new fenestration, glazing and head and cill details shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme.
 - (6) - Notwithstanding the information shown on the submitted plans the proposed windows shall be set at least 100mm in reveal in accordance with details which shall be submitted at 1:20 scale, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
 - (7) - Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
 - (8) - Prior to development commencing, a scheme for the provision of at least 10% of the site's energy requirements from embedded renewable energy shall be agreed in writing with the Local planning Authority. Thereafter, the terms of that agreement shall be fully complied with,

- and documentary evidence made available upon request.
- (9) - No development shall commence until a scheme for the delivery of a "percent for art", in accordance with the objectives and provisions of Policy Q15 of the City of Durham Local Plan 2004, has been agreed in writing with the Local Planning Authority. The agreed scheme shall thereafter be implemented within a timescale that will form part of the aforementioned agreement.
- (10) - No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the approved details before any part of the development is occupied.
- (11) - The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 56(4)(a)-(d) of the Town and Country Planning Act 1990 in relation to the development, until a planning obligation pursuant to section 106 of the said act relating to the land has been made and lodged with the Local Planning Authority and is to that Authority's approval. The said obligation will make provision (in accordance with the requirements of the Supplementary Planning Document 'Provision of Public Art as Part of Major New Development Schemes' (2006)) for the format, detail, and implementation of an installation of public art on a site to be identified and agreed in writing with the Local Planning Authority.

The Meeting terminated at 5.45 p.m.

Chairman