

THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Report of the Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street on Monday 12 March 2007 at 6.00pm.

PRESENT:

Councillor R Harrison (Chairman)

Councillors:

L E W Brown	W Laverick
P Ellis (6.55pm)	D A Rand
T H Harland	D L Robson
D M Holding	D M G Stoker
A Humes	A Turner

Officers: A Hutchinson (Head of Planning and Environment), S Reed (Acting Planning Services Manager), D Chong (Enforcement Officer), C Potter (Head of Legal and Democratic Services), J Bradley (Assistant Solicitor) and D Allinson (Democratic Services Assistant)

Also in Attendance: Councillor S C L Westrip (non-member of Planning Committee), Observer: T Galloway (Director of Development Services) and 30 members of public.

66 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors G K Davidson, K Potts and R Richardson.

67 TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS

Councillor Robson declared a personal interest in Item No.2 of the Planning Matters report in his capacity as a Parish Councillor for Sacriston and advised that he would be remaining in the Meeting.

Councillor Turner declared his personal and prejudicial interest in Item No. 2 of the Planning Matters report in his capacity as a Member of the Cricket Club and advised that he would be leaving the Meeting.

Councillor Harrison declared a personal and prejudicial interest in Item No. 2 of the Planning Matters report for the reason that he was a friend of the applicant and his wife was a Parish Councillor for Sacriston. He confirmed that he would be leaving the Meeting and therefore would be vacating the Chair; he requested that a proposal for Chairman for this Item be considered. Councillor Harland proposed that Councillor Holding be nominated as

Chairman for this item, which was seconded by Councillor Humes. Members were in agreement with this proposal.

Councillor Rand declared a personal and prejudicial interest in Item No. 7 of the Planning Matters report for the reason that she lived at Industrial Street, which was near to the proposal. She confirmed that she would be leaving the meeting.

68 CONFIRMATION OF SPEAKERS

The Chairman referred to the list of speakers, copies of which had previously been circulated to each Member and confirmed their attendance.

69 REPORT OF HEAD OF PLANNING AND ENVIRONMENTAL HEALTH - PLANNING MATTERS

A report from the Head of Planning and Environmental Health was considered, copies of which had previously been circulated to each Member.

The Chairman requested that Item No. 9 on the Planning Matters report be considered first in the Meeting.

(A) District Matters Refused

Prior to consideration of the proposal, the Acting Planning Services Manager referred to photographs in relation to the proposal, which were displayed for Members information.

(9) Proposal: Erection of 12.5metre high street works telecommunications column with ancillary equipment.

Location: Land at Waldrige Road (South West of Roundabout) Chester-le-Street

Applicant: 02 (UK) Ltd – Reference: 07/00051/TEL

Mr McCree the applicant and Mr Dodds the agent spoke in relation to the application, followed by the objectors; District Councillor S C L Westrip (a non-member of Planning Committee and a Local Member for Edmondsley and Waldrige Ward representing the residents of Waldrige), Parish Councillor M Dulieu and Mrs McNeish.

Councillor Holding spoke in relation to the comments raised by the objectors in relation to the consultation carried out by the applicant and queried the following:

- How long the public were given to respond?
- Who was consulted?
- Confirmation of the wording in the letter to residents.

Mr Dodds the agent, in response to the queries confirmed that guidelines had been followed so that a consultation period of 14 days was carried out. He confirmed that consultation letters had been sent out to anyone who had a written objection to the previous application or anyone who could view the installation from their property and also the Ward Councillors.

Councillor Holding suggested that the letter be read out by the agent and sought clarification on when the letter was dispatched.

Mr Dodds confirmed that the letters were sent out on the 19 February 2007 and that they had only received two objections. He then proceeded to summarise the points made in the letter for Members information. It was noted that the letter specifically did not request objections to the proposal.

A number of Members spoke in relation to the proposal and although it was noted that the applicant had made an effort to change the proposal, Members were against the application being located within the Green Belt. Concerns were also expressed by Members on the siting and the prominence of the proposal and the visual impact upon the openness of the Green Belt .

Councillor Turner suggested that if any Member was minded to agreed to the Officer's recommendation and go against principles that had been adopted in the Local Plan with regards to the Green Belt then this should be discussed separately and not in conjunction with planning application decisions.

It was noted that Councillor L E W Brown had proposed to move that the application be refused, which was seconded by Councillor Turner. Members were in agreement with this decision.

The Acting Planning Services Manager suggested that Members would need to put forward their refusal reason for overturning the recommendation, which was clarified as follows:

'the proposal be refused for the harm the development would cause to the Green Belt and also that the development failed to accord with Policy PU6.'

RESOLVED: "That notwithstanding the Head of Planning and Environmental Health's recommendation of conditional approval, the application be refused for the following reasons.

Extra 1 The proposal, by virtue of increased height in comparison to adjacent street lighting columns, would have a detrimental impact on the openness of the North Durham Green Belt and accordingly would be contrary to the aims of Policy PU6 of the Chester-le-Street Local Plan.

Prior to consideration of the proposal, the Acting Planning Services Manager referred to photographs in relation to the proposal, which were displayed for Members information.

(1) Proposal: Erection of 3-box stable and feed store plus associated post and rail fencing

Location: Land Adjacent to Redrose Stud, Chester-le-Street

Applicant: John P Jones – Reference 07/00030/FUL

The Acting Planning Services Manager advised that since this report had been published one of the objectors had withdrawn their objection on the basis that they had met with the applicant and resolved their outstanding issue.

The Acting Planning Services Manager also advised that the Council's Environmental Health Team had commented in relation to objector's concerns regarding potential increase in odour and vermin problems confirming that they very rarely received complaints of this nature, especially in the Park Road North area.

Mr Jones, the applicant spoke in relation to the application.

Members raised their concerns that the proposal was to be located within the Green Belt. Concerns were also raised on the siting of the proposal, which was felt to be an area of high landscape value.

The Acting Planning Services Manager addressed the issues that had been raised by Members and advised that the Green Belt was the most significant Planning issue, which had led to the recommendation of refusal. He welcomed the applicant's suggestion on arrangements for disposal of waste, however he advised this did not overcome the other issues of concern he had on the application.

Councillor Humes proposed to move the Head of Planning and Environmental Health's recommendation of refusal, which was seconded by Councillor Robson. Members were in agreement with this decision.

RESOLVED: "That the recommendation of the Head of Planning and Environmental Health to refuse the application be agreed, for the reasons indicated.

Extra 1: The proposed development would detract from the openness of the North Durham Green Belt, contrary to Policy 6 of County Durham Structure Plan and Policy NE4 ii) of the Chester-le-Street Local Plan.

Extra 2: The proposed development would unacceptably detract from the visual amenity of the countryside, the North Durham Green Belt and the Area of High Landscape Value, contrary to Policy 64 of the County Durham Structure Plan and Policies RL 11i), RL 10iii) and NE 15 iii) of the Chester-le-Street Local Plan.

Councillors R Harrison, T H Harland and A Turner declared their interest in this Item for the reasons given as set out in Minute No. 67 and left the Meeting.

Councillor Holding took the Chair during consideration of this item.

(2) Proposal: Outline application for residential development and relocation of War Memorial

Location: Former Church Hall, Front Street, Sacriston

Applicant: Sacriston P C C – Reference 07/00053/OUT

The Acting Planning Services Manager advised that since the report had been published, a late letter of objection had been received from Sacriston Parish Council, a copy of which had previously been submitted to Members.

He summarised the points raised in this letter as follows:

- The development would detract from the open space and the setting of the Front Street as it stands
- The development would harm the setting of the War Memorial
- The proposal involves the use of Greenfield land for residential development

He also updated Members in respect of a late objection which had been received from Durham County Council Highways Authority who note that the proposed access for this development would be immediately adjacent to the existing access into the garage site and therefore considered that there would not be adequate separation distances between the two accesses which would be prejudicial to Highway Safety.

The Acting Planning Services Manager therefore suggested that an extra refusal reason would need to be added based on Highway Safety concerns crossed reference to Policy HP9 and T15 of the Local Plan which were the two relevant Local Plan policies which seek to ensure adequate and safe access provision for new housing schemes.

Mr Gillespie the applicant's agent and Reverend Laytham the applicant spoke in relation to the application.

At this point Councillor P Ellis entered the meeting at 6.55pm.

The Acting Planning Services Manager referred to comments made by Mr Gillespie on previous discussions with Officers and advised that he was aware that there had been discussions for some length of time in relation to this site and stated that the nature of those discussions were without prejudice to the recommendation which was put to Planning Committee. He advised that he was not aware that Officers had at any time committed with any degree of

certainty that they would support a residential scheme on this site and as a result he felt it was unfair for them to raise this issue at the Meeting.

Councillor Robson one of the Local Members for Sacriston expressed his concerns on the lack of consultation on this proposal and the effect this proposal may have on the heart of Sacriston where a number of Community Developments were being undertaken. He advised of the fact that he was a Member of the Development Group, a Parish Councillor and a District Councillor and that he was disappointed that he and other people in the Community had never been included in any consultation for this proposal. He therefore proposed to move the Head of Planning and Environmental Service's recommendation of refusal.

Councillor Rand expressed concern on the proposals for the War Memorial, which she felt, had been pushed to one side and should have been located in a more prominent place.

Councillor Humes advised that he was against Greenfield land for residential use therefore he seconded Councillor Robson's proposal to move the Officer's recommendation of refusal.

Councillor Laverick advised of the work that had been undertaken to develop Sacriston and that he supported the objections made by Sacriston Parish Council on the proposal.

The Chairman suggested that because Councillor Ellis had entered the Meeting halfway through the discussion he should refrain from taking part in the decision on this application.

It was noted that Councillor Humes proposed to move the Head of Planning and Environmental Health's recommendation of refusal with the extra refusal reason in relation to the highway safety issue, which was seconded by Councillor Brown. Members were in agreement with this decision (It was noted that Councillor Ellis took no part in this decision).

RESOLVED: "That the recommendation of the Head of Planning and Environmental Health to refuse the application be agreed, for the reasons indicated.

Extra 1: The proposal comprises the use of Greenfield land for residential purposes contrary to the aims of Policy HP6 of the Chester-le-Street Local Plan 2003

Extra 2: The proposal would lead to the loss of an area of important open amenity space without any appropriate justification and which would be harmful to the character of the street scene and the amenity of the area, contrary to the aims of Policy RL3 of the Chester-le-Street Local Plan 2003.

Extra 3: The proposal would lead to a piecemeal form of development which would prejudice the comprehensive development of the wider area and in doing so would be detrimental to the long term regeneration of the area.

Extra 4: The proposal would generate conditions prejudicial to highway safety on the adjacent B6532 and accordingly would be contrary to the aims of Policies HP9 and T15 of the Chester-le-Street District Plan.

At this point Councillors R Harrison, T H Harland and A Turner returned to the Meeting and Councillor Harrison resumed his position as Chair.

Prior to consideration of the proposal, the Acting Planning Services Manager referred to photographs in relation to the proposal, which were displayed for Members information.

Proposal: Outline application for the demolition of the existing public house and the erection of 5 no dwellings

Location: The Jingling Gate, Twizell Lane, West Pelton, Chester-le-Street

Applicant: Mr C Dawson and Mr D Smith – Reference 07/00055/OUT

The Acting Planning Services Manager advised that comments had now been received from Durham County Council's Highway Team and the Design Section. He advised that the Highway Department had confirmed that they had no objections in principal to the residential use of the site although they had advised that if the application was approved the applicant would need to agree a scheme for improving the public footpath and street lighting.

He advised that the County Council's Design team had not raised any objections to the loss of the existing Public House although they do comment that if a new build housing scheme was to be allowed they would prefer to see a two-storey development which they feel would be more in keeping with the character of Twizell Lane.

The Acting Planning Services Manager advised of a late letter of objection that had been received from the Poultry Farm, which is opposite the site. The farmer from the Poultry Farm points out that the existing farming operations do generate problems in the way of noise, traffic and smells which are unavoidable. The objector also notes that the site is outside the settlement limit to West Pelton and in his opinion would constitute ribbon development, which would be harmful to the open countryside setting and the Great North Forest.

Miss Wilson the applicant's agent spoke in relation to the application.

Concerns were expressed by Members that the proposal would be inappropriate development in the open countryside, that it would constitute

ribbon development and could potentially set a precedent for further encroachment into the open countryside.

It was noted that Councillor Humes proposed to move the Head of Planning and Environmental Health's recommendation of refusal, which was seconded by Councillor Turner. Members were in agreement with this decision.

RESOLVED: "That the recommendation of the Head of Planning and Environmental Health to refuse the application be agreed, for the reasons indicated."

Extra 1: The proposal constitutes residential development within the open countryside, without any appropriate justification and accordingly would be contrary to the aims of Policies 3,4 and 9 of the Durham County Structure Plan and Policies NE2 and HP8 of the Chester-le-Street Local Plan.

Extra 2: The proposal would be likely to generate increased reliance on private car trips and, as such, would constitute an unsustainable form of development, contrary to the advice in PPS1, PPS3 and Policies NE1 and HP8 of the Chester-le-Street Local Plan.

Extra 3: The applicant has failed to demonstrate that the proposal will not have an adverse impact on protected wildlife species and accordingly this is considered contrary to the aims of PPS9 and Policy NE13 of the Chester-le-Street Local Plan."

Prior to consideration of the proposal, the Acting Planning Services Manager referred to photographs in relation to the proposal, which were displayed for Members information.

(B) District Matters Recommended Approval

(4) Proposal: Nursery to provide full day care facility

Location: St Benets R C Primary School, Ouston Lane, Ouston

Applicant: Mrs M Errington – Reference 06/00582/FUL

Councillor Humes advised of his concerns in relation to the current problems of parking provision at the school and the fact that this proposal would add to the problems. Councillor Laverick, a school Governor advised that although he did have concerns in relation to parking, he was in support of this proposal, which was in demand and hoped that a more permanent facility would be proposed for the future.

The Chairman clarified that condition Extra 4 advised that this proposal was for a temporary period of 4 years from the date of planning approval when the building would be removed (unless an application to renew or vary the temporary permission is received prior to the expiry of the temporary permission.

The Chairman also spoke in relation to the concerns raised in relation to parking and pointed out that condition Extra 5 of the recommendations would ensure that adequate provision of off-street parking and dropping off facilities are provided.

It was noted that Councillor Stoker proposed to move the Head of Planning and Environmental Health's recommendation of conditional approval, which was seconded by Councillor Turner. Members were in agreement with this decision.

RESOLVED: "That the recommendation of the Head of Planning and Environmental Health for conditional approval in respect of the application be agreed, subject to the following conditions.

01A The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

Extra 1: Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and/ or roofs of the building (s) have been submitted to, approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity.

Extra 2: The hereby approved development shall be carried out in accordance with a scheme of landscaping along the western perimeter of the site between the proposed building and the public footpath is to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site, and which scheme may provide for the planting of trees and/ or shrubs (including species, sizes, numbers and densities). The works agreed to shall be carried out within the first planting season following installation of the building on site, in the interests of visual amenity.

Extra 3: The buildings hereby approved shall only be open to visiting members of the public between 0730 hours and 1830 hours so as to minimise potential nuisance or annoyance to the occupiers of the adjacent housing at Penhill Close, in order to ensure that adjoining properties are not adversely affected by the development.

Extra 4: This approval is for a temporary period of 4 years from the date of this planning approval when the building erected under this permission shall be removed (unless an application to renew or vary the temporary permission is received prior to the expiry of the above temporary permission), and the land is reinstated to the satisfaction of the Local Planning Authority, in

the interests of visual amenity as it is considered that the temporary building is unacceptable on a permanent basis.

Extra 5: No development shall be commenced until a plan showing the provision of 4 parking spaces on the site and 5 drop off spaces to a scale of 1:100 has been submitted to and approved in writing by this Local Planning Authority. Subject to such approval, the parking spaces and drop off bays shall be laid out on a metalled surface to the satisfaction of this Local Planning Authority before the building is utilised by visiting members of the public and retained to the like satisfaction, to ensure adequate provision of off-street parking and dropping off facilities are available to prevent highway congestion. This scheme shall also include details of the signage and/ or surface marking proposed to mark out the dropping off bays, so that this proposal accords with Policy T15 of the Chester-le-Street Local Plan.

Extra 6: No development shall be commenced until a plan showing the location and method of provision of secure on site cycle parking has been submitted to and approved in writing by this Local Planning Authority. Subject to such approval, the cycle parking shall be laid out to the satisfaction of this Local Planning Authority before the building is utilised by visiting members of the public and retained to the like satisfaction, to ensure adequate provision is made for other modes of transport other than the private car, so that this proposal accords with Policy T12 of the Chester-le-Street Local Plan.”

Prior to consideration of the proposal, the Acting Planning Services Manager referred to photographs in relation to the proposal, which were displayed for Members information.

(5) Proposal: Proposed residential development of 7 no town houses and associated vehicular access.

Location: Ship Inn, Front Street, Perkinsville

Applicant: Ms S McAlear – Reference 07/00015/FUL

Members raised concerns on the highway safety aspect of the proposal and the fact that vehicular access was at the front of the proposal, which would require residents to reverse onto the busy main road. Members were in support on the closure of the public house.

Councillor Brown queried whether the views of the Regeneration Manager and the Police had been received. The Acting Planning Services Manager advised that although he had not received official written notification from the Police he had been verbally reassured by the Licensing Sergeant for the area that the police would support the closure of the pub and the resulting residential scheme. He confirmed that the Technical Services Officer within the Regeneration Team had been consulted to see if there were any sewers within the site and that there had been no response.

Councillor Turner advised that although he agreed with the proposal in principle he had concerns on the separation distances, which were below the minimum requirement.

The Acting Planning Services Manager advised that he appreciated the concerns raised in relation to the highways issues, however Durham County Council Highways Authority had commented that in their opinion parking provision was adequate and although vehicular access would have been more desirable to the rear this was not a practical option because of the level differences.

In response to the concerns expressed by Councillor Turner on the separation standards, he advised that the Local Plan does advise that 21 metres is the normal acceptable minimum separation distance, however he felt it was important to look at each site on its own merit. He explained that the reason that he was minded to recommend approval for this particular scheme was because the existing building was already further below the 21 metres separation standard and that as such the site had the benefit of having a fall back position.

It was noted that Councillor Stoker proposed to move the Head of Planning and Environmental Health's recommendation, which was seconded by Councillor Brown. Members were in agreement with this decision.

RESOLVED: "That the recommendation of the Head of Planning and Environmental Health for conditional approval in respect of the application be agreed, subject to the following conditions.

01A The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

02A Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and/ or roofs of the building (s) have been submitted to, and approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

63 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order with or without modification), no walls, fences, palisades or other means of enclosure shall be erected forward of the main front (or side in the case of corner sites) walls of dwellings, in order to ensure the satisfactory appearance of the development upon completion in the interests of visual amenity and the preservation of the open-plan character and appearance of the development.

Extra 1: Notwithstanding the details shown on the hereby approved plans and elevations, the development shall be carried out in accordance with a scheme of landscaping to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site, and which scheme may provide for the planting of trees and/or shrubs (including species, sizes, numbers and densities), the provision of screen fences or walls, the movement of earth, the formation of banks or slopes, the seeding of land with grass, or other works for improving the appearance of the development. The works agreed to shall be carried out within the first planting season following completion of development of the site (or of that phase of development in the case of phased development) in the interests of visual amenity, the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 2: Unless otherwise agreed in writing, the approved planting scheme, to be agreed in writing with the Local Planning Authority, shall be implemented within the first planting season following completion of the development (or of that phase of the development in the case of phased developments) and any trees, shrubs or planting which becomes dead, dying, diseased or is removed, shall be replanted to the satisfaction of the Local Planning Authority, within the first 5 years of the planting being planted, in the interests of the satisfactory appearance of the development upon completion and to ensure a successful and robust landscaping scheme, in accordance with the provisions of Policy HP9 of the Chester-le-Street Local Plan.

Extra 3: Notwithstanding the details shown on the hereby approved plans and elevations, full details of all means of enclosure of the site (including any internal means of enclosure to sub-divide individual plots) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development upon completion, in the interests of visual and residential amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 4: Notwithstanding the details shown on the hereby approved plans and elevations, full details of the proposed design of the garage doors shall be submitted to and approved, in writing, by the Local Planning Authority, prior to the commencement of any works on site. The garage doors shall thereafter be installed in accordance with the details approved, in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 5: Prior to the occupation of the dwellings hereby approved the existing northern vehicular entrance to the site shall be reinstated to footway, as per details shown for the existing southern vehicular entrance. In the interests of highway safety and pedestrian amenity, in accordance with Policy HP9 of the Chester-le-Street Local Plan.

Extra 6: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) any development permitted under Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 1995 shall require the benefit of planning permission in order to ensure the satisfactory appearance of the development upon completion and in the interests of visual and residential amenity.”

(6) Proposal: Proposed change of use of premises to hot food takeaway

Location: 16A Front Street, Pelton, Chester-le-Street

Applicant: Recep Kilckap – Reference: 07/00029/COU

Mr Mansour the objector spoke in relation to the application.

The Chairman referred to page 41 of the report and advised that the views of Durham Constabulary were awaited at the time of writing this report although verbal indications were that they had no objections to the proposal.

Councillor Turner referred to the comments made by the objector in relation to the CCTV cameras not working within the village and suggested that this be checked. In his opinion, the Planning Committee were not in a position to restrict business operations and therefore he was in agreement with the Officer’s recommendation of conditional approval.

Councillor Laverick advised that as Local Member he was aware of the issues that had been raised and confirmed that the CCTV camera had been in a fixed position, however from 1 April there would be new staff appointed to operate the cameras throughout the District and observe the activities on the Front Street. He advised that unfortunately there had been a definite increase in the anti-social behaviour in Pelton, which the police were well aware of and were taking action. He felt that once the camera was operating there would be an improvement in the village. He agreed with the speaker’s comments that Pelton was known as the takeaway village and advised of previous objections that had been made, however he agreed that as the Planning Committee were not in a position to monitor business activities.

Councillor Humes also spoke in relation to the proposal and referred to similar operations in other Districts, which could not be restricted, and therefore he was in agreement with the recommendation of conditional approval.

The Chairman spoke in relation to the concerns raised and advised that he was in agreement with Members that the Planning Committee were not in a position to restrict commercial trade and should only be considering the application in Planning terms.

It was noted that Councillor Turner proposed to move the Head of Planning and Environmental Health's recommendation of conditional approval, which was seconded by Councillor Humes. Members were in agreement with this decision.

RESOLVED: "That the recommendation of the Head of Planning and Environmental Health's recommendation of conditional approval in respect of the application be agreed, subject to the following conditions.

01A The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

Extra 7: The hot food takeaway hereby permitted shall not remain open for business after 23.30 hours Sunday to Thursday, nor after 00.00 hours on Friday to Saturday, in order to ensure that adjoining and nearby properties are not adversely affected by this development and to accord with Policy R19 of the Chester-le-Street Local Plan.

Extra 8: No development shall take place until a scheme to control the emission of cooking odours from the use hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The approved ventilation and extraction system shall be installed before the use hereby permitted commences, and shall thereafter be operated and maintained in accordance with the manufacturer's instructions. In accordance with the requirements of Policy R19 of the Chester-le-Street Local Plan."

At this point Councillor A Humes left the Meeting at 7.45pm.

Councillor D Rand declared a personal and prejudicial interest in the following item and left the Meeting.

Prior to consideration of the proposal, the Acting Planning Services Manager referred to photographs in relation to the proposal, which were displayed for Members information.

(7) Proposal: Proposed change of use from dwelling to dental surgery

Location: Roseberry School House, Pelton Lane, Chester-le-Street

Applicant: Mr S Frampton – Reference 07/00022/COU

Councillor Laverick the local Member advised that he attended the local resident groups when this application was discussed and confirmed that he had took no part in the discussion. He advised that residents had expressed

major concerns in relation to parking around this property and the adjoining street. It was noted however that Durham County Council Highways Authority had raised no objection to this proposal and had commented that this property was on the bus route.

He referred to a suggestion made to park in the large car park opposite the proposal and confirmed that this was in the ownership of Pelton Community Sports College who do not encourage anyone to park there apart from a Local Business who pays for the privilege. He stated that even though residents had concerns on the parking they did feel this would be a good facility for the local area. Councillor Laverick felt that without the support of the County Council on Highway grounds he could foresee no reason to refuse this application.

Councillor Ellis advised that this proposal was good news for the area and spoke in relation to the current lack of provision for accessible NHS facilities.

Councillor Stoker spoke in relation to the application and proposed to move the Head of Planning and Environmental Health's recommendation of conditional approval, which was seconded by Councillor Turner. Members were in agreement with this decision.

RESOLVED: "That the recommendation of the Head of Planning and Environmental Health for conditional approval in respect of the application be agreed, subject to the following conditions.

01A The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended)."

Councillor D A Rand returned to the Meeting.

Prior to consideration of the proposal, the Acting Planning Services Manager referred to photographs in relation to the proposal, which were displayed for Members information.

(8) Proposal: Proposed construction of 1 no. detached bungalow in garden area of existing dwelling – resubmission of 06/00475/FUL

Location: Y B Dol Tyzack Street, Edmondsley

Applicant: Mr D Moor – Reference 07/00036/FUL

Councillor Turner referred to the wording on page 51 of the report in relation to the separation distances being below the minimum standard and advised that because of this he would not support the proposal.

Councillor Laverick suggested that this only applied to windows in habitable rooms and therefore it would not apply in this instance. The Acting Planning Services Manager clarified that the minimum separation distance only normally applied when windows would face each other and spoke in relation to the design of the scheme where there would be no windows along the wall and that the only glazed areas would be in the roof plain with the velux roof lights therefore the 21 metres separation standard would not be relevant for this application.

Members sought clarification on the layout of this proposal, which was clarified by the Acting Planning Services Manager. Following confirmation of the layout of the proposal Councillor Turner withdrew the comments he had made previously in the Meeting.

Councillor Brown proposed to move the Head of Planning and Environmental Health's recommendation of conditional approval, which was seconded by Councillor Ellis. Members were in agreement with this decision.

RESOLVED: "That the recommendation of the Head of Planning and Environmental Health for conditional approval in respect of the application be agreed, subject to the following conditions.

01A The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

02A Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and/ or roofs of the building (s) have been submitted to, and approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street Local Plan.

20A Notwithstanding the details shown on the hereby approved plans and elevations, full details of all means of enclosure of the site (including any internal means of enclosure to sub-divide individual plots) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual and residential amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

(C) Proposed Implementation of a Multidisciplinary Team Approach to Major Development Proposals

The Head of Planning and Environmental Health briefed Members on the introduction of a new Multidisciplinary Team Approach to Major Development Proposals to be used when dealing with major development proposals. She suggested that Members endorse the report, which would help to improve the Planning Service's Best Value Performance Indicators.

Councillor Turner proposed to move the Head of Planning and Environmental Health's recommendation to endorse the adoption of the MTA within the Planning Service, which was seconded by Councillor Robson. Members were in agreement with this decision.

RESOLVED: "That approval be granted to endorse the adoption of the Multidisciplinary Team Approach to Major Development Proposals within the Planning Service."

The Meeting terminated at 8.12pm.