

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 10 April 2006 at 6.00pm.

PRESENT

Councillor

G K Davidson (Chairman)

Councillors:

K Potts	L E W Brown
W Laverick	D L Robson
R Harrison	D M G Stoker
P Ellis	D M Holding

Officers: T Watson (Planning Services Manager), S Reed (Senior Planning Officer), G Robbie (Senior Planning Officer), D Chong (Planning Enforcement Officer) and K Fletcher (Democratic Services Assistant).

There were also 18 members of the public in attendance

54 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors R Richardson, A Humes, T H Harland and A Turner.

55 MINUTES OF MEETING HELD 13 MARCH 2006

RESOLVED: "That the minutes of the proceedings of the meeting of the Committee held 13 March 2006, copies of which had previously been circulated to each Member, be confirmed as being a correct record."

The Chairman proceeded to sign the minutes.

56 TO RECEIVE DECLARATIONS OF INTEREST

There were no declarations of interest received from Members.

57 CONFIRMATION OF SPEAKERS

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

**58 REPORT FROM PLANNING SERVICES MANAGER
PLANNING MATTERS**

A report from the Planning Services Manager was considered, copies of which had previously been circulated to each Member.

(A) District Matters Withdrawn

Proposal: Erection of 20 metre high telecommunication Flexicell 2 column, including 3 no 3G antennas and ancillary ground based equipment.

Location: Land at Pelton Lane, South Pelaw, Chester-le-Street

Applicant: O2 (UK) Ltd – Reference 06/00110/FUL

The Planning Services Manager advised that the applicant had now withdrawn this application.

(B) District Matters Refused

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

Proposal: Change of use of land for the storage and operation of a concreting business (retrospective)

Location: Twizell Dyke Farm, Twizell Lane, West Pelton

Applicant: Nigel Carris – Reference 06/00070/COU

The Planning Services Manager advised that since publication of the report, a letter had been received from Edmondsley Parish Council which raised no objection to the application.

Furthermore a letter had been received from the local GP of one of the objectors stating that a resident of a property near to the application site suffers from asthma and that if the application was agreed, living in a dusty environment would worsen this condition.

The Chairman invited Mr Potts and Mr Ivers to speak in objection to the application and Mr Moss on behalf of the applicant to speak in support of the application.

Councillor Potts advised of the need to look at the impact that the application would have to the village of Grange Villa. He commented that he felt the development would not benefit the village and that traffic associated with the application site would also prove problematic. He proposed that although the application had been recommended for approval, the application be refused.

The Chairman advised that should Members wish to go against the officers recommendation of approval, firm reasons for refusal would be required.

Councillor Laverick commented that diversity with regard to farming and employment should be encouraged, however he felt the nature of business as described in the application would be better suited on an industrial estate.

Members raised queries with regard to the proposed widening of the access road and also the daily number of movements of works traffic.

The Planning Services Manager advised that the proposed road works would be undertaken by the expense of the applicant.

The Senior Planning Officer (S Reed) confirmed that, as case officer, as part of the assessment of the scheme, surveillance of the site had been undertaken on seven separate occasions and had lasted 30 minutes on each occasion. He advised that during each 30 minute slot no more than 2 lorries had been witnessed serving the site.

Councillor Holding commented that he felt this information may give an inaccurate view of movement of vehicles, however it was highlighted that the report before Members indicated that 20 vehicle movements had been included on the planning application.

The Senior Planning Officer (S Reed) referred to concerns raised with regard to the protection of wildlife on the site and confirmed that no objection to the proposal had been received from English Nature.

He further referred to the amount of objections which had been received in respect of the application, however prior to submission for the scheme the Council's enforcement records indicated a maximum of three official complaints received in relation to the site.

The Planning Services Manager added that no objection had been received from the Environmental Health Department or the Highway Authority and clarified the application was not for a concrete making business but for the storage of wagons which would transport raw materials to sites where the concrete would be made. He also highlighted the site could revert back to an operational farm that could potentially generate a substantial traffic flow.

RESOLVED: "That notwithstanding the recommendation of the Planning Services Manager for conditional approval, the application be refused for the reasons indicated."

Extra 1 The proposal would generate an unacceptable level of traffic, noise and air pollution which would be detrimental to the amenity of nearby residential occupiers, contrary to the aims of Policy AG 8 of the Chester-le-Street Local Plan.

Extra 2 The proposal would constitute over development of the site, providing for a form of development harmful to the character of the surrounding open countryside, contrary to the aims of Policy AG 8 of the Chester-le-Street Local Plan.

Extra 3 That the Planning Services Manager be granted authorisation for enforcement action on the operation site.

(C) District Matters Recommended Approval

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

(3) Proposal: Erection of 12 no town houses

Location: Pelaw Grange Cottage, North Road, Chester-le-Street

Applicant: Mr and Mrs Healer – Reference 06/00123/FUL

The Planning Services Manager advised that the local Councillor, Councillor May, supported the proposed application subject to satisfactory parking arrangements. Furthermore an objection had been received from BOC with regard to noise that would have a detrimental effect on future residents, however the Environmental Health Department had advised that this problem could be overcome by the installation of double or triple glazed windows (as in previous submissions).

The Planning Services Manager advised that if the application were to be approved it would be subject to entering into a S.106 Agreement which would include the provision of £500 per unit for recreational leisure and also a percentage of the development cost to be used for public art installation within the locality.

RESOLVED: "That the recommendation of the Planning Services Manager for conditional approval in respect of the application be agreed, subject to the following conditions."

- 01A time limit (3 years)
- 02A Materials samples – New build residential
- 10A Landscape planting/replanting
- 10B Landscape scheme
- 106 Section 106 condition
- 30 Access Road
- 61 Tree Preservation
- 61A Tree Protection
- 41 Parking and turning space maintained
- 65 Removal of PD Rights (3)

Extra 1: The developer shall engage an independent acoustic consultant to provide a full assessment of ambient noise levels within the site. This report shall also include a scheme for protecting the proposed dwellings from noise from both the adjacent road and the BOC plant, which shall be submitted to, and approved by the Local Planning Authority prior to the commencement of any development on site. Thereafter, all works required by the report shall be fully completed prior to the occupation of any of the proposed dwelling units in the interests of residential amenity and the provisions of Policy HP9 of the Chester-le-Street District Local Plan

Extra 2 The stone boundary wall along the western boundary of the application site, between points A-B and C-D (as illustrated on Drwg 7607/01D) shall be repaired and retained and thereafter safeguarded in perpetuity, in the interests of visual amenity and the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 3 The Developer shall carry out, at their expense, an archaeological excavation of the site prior to the commencement of any development on the site. The excavation is required in order to determine the nature, character, extent and depth of any potential archaeological deposits upon which the hereby approved development may otherwise adversely impact upon in accordance with the provisions of Policy BE11 (Sites of Archaeological interest).

(C) **Planning General**

Planning Appeals Update

Councillor Holding made reference to application number 05/00118/TEL – Erection of 15 metre high streetworks monopole with associated equipment housing and ancillary works at land south west of the roundabout at Waldrige Road, Chester-le-Street and queried what progress, if any, had been made.

The Senior Planning Officer (S Reed) confirmed that a hearing date was awaited from the Inspectorate and Members would be updated in due course.

RESOLVED: “That the content of the Appeals Update list for appeals received during 2005 and 2006 be noted”.

The Meeting terminated at 6.47pm.