

**THE MINUTES OF THE MEETING OF THE
DEVELOPMENT CONTROL AND REGULATORY PANEL
HELD ON TUESDAY, 13 DECEMBER, 2005**

Present: Councillor M Routledge (Chair)

Councillors Mrs G Bleasdale, B Burn,
P J Campbell, Mrs E M Connor, R
Davison, R Liddle, M Nicholls, Mrs
A Naylor, R Taylor and P G Ward

Applicants/Agents
Mr Andrews

Objectors
Mr Grigg

1 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor D J Taylor-Gooby.

2 THE MINUTES OF THE LAST MEETING held on 22 November, 2005, a copy of which had been circulated to each Member, were confirmed subject to Councillor M Routledge being added to the apologies for absence.

**3 APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATIONS AREAS) ACT 1990**

**05/729 WINGATE (TRIMDON FOUNDRY) – Proposed Residential
Development at Cinnamon Drive, Trimdon for George Wimpey
NE Limited**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that subject to the completion of a Section 106 Agreement relating to open space provision and a satisfactory flood risk assessment, the development be approved subject to conditions relating to landscaping, contaminated land assessment, archaeological site evaluation. The development accorded with current planning policy guidance including Local Plan Policies 1, 35, 66 and 67 and did not harm the amenities of local residents and would positively contribute to the character and vitality of the locality.

The Principal Planning Services Officer explained that the Highways Authority had requested amended plans. They had now been received and were satisfied with the layout. There was still some concern regarding Plot 10 and some consideration or changes to the layout was required.

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Mr Grigg explained that he was a Member of the Parish Council and Chair of the Regeneration Partnership for Trimdon and explained that their concerns were regarding the traffic situation and potential flooding problem. There was already traffic problems on the road and the chicane had been damaged on numerous occasions. There was also a risk of flooding especially in the winter months. 71 houses had been proposed and this would impact on the village which had a small school. He explained that there were enough play facilities in the village as a £40,000 scheme had just been installed. There was a lack of shops in the village and he felt the financial contribution would be better utilised elsewhere.

Mr Grigg explained that a lot of residents who faced the development had not been consulted on the application and the Parish Council had not received the letter regarding the proposal until four days before the end of the consultation period. He added that his main concern was regarding the traffic and felt that a feasibility study should be carried out.

The Principal Planning Services Officer explained that Durham County as Highway Authority had advised that they were satisfied with the layout of the site and the traffic that would be generated. The issue of flooding would be addressed as there was a condition proposed regarding completing a satisfactory flood risk assessment before any works were commenced. With regard to off-site facilities being provided, there was a requirement for play facilities or a sum of money in lieu. He added that he accepted that there were not many shops in the village but a development of this scale could lead to more shops being provided. He explained that the Parish Council had been consulted using the usual procedures for consultation on planning applications.

The Principal Planning Services Officer explained that a number of neighbours had been consulted and site notices were displayed as well as a press notice in the local press.

Mr Andrews, the Agent for the applicant explained that he had worked with the District Council and Durham County Council on the application. The application had been particularly difficult due to the topographical nature of the site and there had been five or six re-designs of the layout in order for it to be acceptable to both authorities. He explained that he had taken stock of what was in the area and utilised the best housing stock on the site. There would be three storey houses to the front and two storey to the back and a variety of house types. There had been a problem with Plot 10 and had received several letters from the Planning Officer. He explained that he had looked at this again and felt that there was no problem as overlooking was at the gable end of the property and was within the 13 metres required. He felt that the applicants had gone far beyond what was required with regard to privacy distances.

The Principal Planning Services Officer explained that Plot 10 was still an issue that needed to be rectified and negotiated with the developers.

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A Member referred to the Flood Risk Assessment and asked who undertook this. Mr Andrews explained that Wimpey were required to inform the Environment Agency and send them a layout of the site and they would inform them of any comments.

A Member explained that this was the fourth application on this site and one of the largest. There had been a problem at the entrance to the site with flooding when the residential home was built. He added that it had taken a number of years to have a chicane installed to slow the traffic down and there would be a lot of cars accessing the site. The sewerage and water issues needed to be rectified before any houses were built on the land.

The Principal Planning Services Officer explained that he would contact Northumbrian Water for a response and could seek further clarification on the sewerage and water problems.

Mr Andrews explained that he understood the concerns regarding the flooding. At the moment there was no drainage on the site and once the houses were built, drainage would be installed. The Local Authority would not adopt the site unless this was done correctly.

Members explained that the sewerage and water problems must be completely rectified before any houses were built.

RESOLVED that the application be conditionally approved.

05/843 SEAHAM/DAWDON – Change of Use from Retail to Taxi Booking Office (Retrospective) at 136b Princess Road, Seaham for W Kennedy

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval operation of a taxi hire business specifically as described in the application particulars. The development accorded with current planning policy guidance including Local Plan Policies 1, 35, 36 and 63 and did not harm the amenities of local residents or businesses.

The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting. He added that the three local Members had registered their strong opposition to the application on the grounds of additional traffic and implications for safety of children attending the nearby school.

Members queried how it was discovered that there was no current planning permission to operate the business. The Principal Planning Services Officer explained that complaints had been received and the operators had notified the licensing department at the Council that they had moved premises. The Licensing Officers had advised them to submit a planning application but in the meantime because they were an existing

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business they would be allowed to operate. A full licence would only be granted if the planning application was approved.

Members raised concerns regarding the additional traffic congestion, the adverse impact on pedestrians, especially school children, and the adverse impact on access for the emergency services.

RESOLVED that the application be refused.

4 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that in accordance with Section 100A (4) of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 the press and public be excluded from the meeting for the following items of business on the grounds that it involves the disclosure of exempt information, as defined in Paragraph 14 Part 1 of Schedule 12A of the Act.

5 PLANNING INVESTIGATION REPORT

Consideration was given to the report of the Head of Planning and Building Control Services in connection with the following planning investigation report.

Land situated immediately to the Front of Londis Premises at 75-76 North Road East, Wingate

RESOLVED that:-

- (i) Enforcement action be taken by means of the issue of a Summons under the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Control of Advertisement) Regulations 1992 to remedy the breach of Planning Control and to facilitate the removal of the advertising unit.
- (ii) Enforcement action be taken against the owners of the land and the advertising firm responsible for the installation of the unit and negotiating the agreement with the land owner.
- (iii) The Head of Planning and Building Control Services be authorised to take any further action deemed necessary.

6 ADDITIONAL URGENT ITEM OF BUSINESS

In accordance with the Local Government Act, 1972, as amended by the Local Government (Access to Information) Act 1985 Section 100B (4b) the Chair, following consultation with the Proper Officer agreed that the following items of business, not shown on the agenda, be considered as a matter of urgency.

7 PLANNING AND BUILDING CONTROL COMPUTER SYSTEM (AOB)

The Head of Planning and Building Control Services explained that the Planning and Building Control computer system went live at the end of the previous week and the unit were still struggling to come to terms with new working practices. The Case Officers had started using the system that day and were still becoming familiar with it. There had been a three week period when no planning applications had been dealt with and this would impact on

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the statistics this quarter which was disappointing because performance had improved over the last six months.

Consultants had been helping with the introduction of the system and conducting a Business Plan Review. A meeting had been arranged for 10.30 am on the 12 January, 2006 when the consultants would discuss the system with Members and give a presentation on their recommendations.

A Member asked if the computer system would affect the IEG 4 targets. The Head of Planning and Building Control Services explained that one of the reasons the system had been implemented was to meet IEG 4 and the public access should be available by the end of December.

8 REGIONAL SPATIAL STRATEGY (AOB)

A Member asked if there was any update on the Regional Spatial Strategy.

The Head of Planning and Building Control Services explained that County Durham Planning Officers continued to meet every two weeks and a joint response had been prepared for the whole of County Durham. Joint working would continue over the coming months and at the 'Examination in Public' in March/April 2006.

RESOLVED that the information given, be noted.