

## City of Durham

At a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** held in the Town Hall, Durham, on Wednesday, 6<sup>th</sup> August, 2008, at 5.30 p.m.

**Present:** Councillor Norman (in the Chair)  
and Councillors Carr, Holland, Howarth, Kinghorn, Laverick, Marsden, Pitts, Rae, Simmons, Simpson, D Smith, Southwell, Stoddart, Taylor, Walker and Young.

**Also Present:** Councillors Kellett, Turnbull and Wolstenholme.

### 152. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bell, Crooks, Guy and Plews.

### 153. MINUTES

The Minutes of the Meeting held on 9<sup>th</sup> July, 2008, were confirmed as a correct record and signed by the Chair.

### Report of Head of Planning Services

### 154. 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 M Cornish – Site at 18 St Nicholas Drive, Whitesmocks, Durham, DH1 4HH
  - (ii) Appeal by M Cleary – Site at 3 Mowbray Street, Durham, DH1 4BH
  - (iii) Appeal by JC Decaux UK – Site at Taj Mahal Tandoori, 51 High Street South, Langley Moor, Durham, DH7 8EU
  - (iv) Appeal by A Whitley – Site at Bracken Cottage, Bank Foot, High Shincliffe, Durham, DH1 2PD
  - (v) Appeal by D Brown – Site at 2 Auton Close, Bearpark, Durham, DH7 7BJ
  - (vi) Appeal by D Hird – Site at 3 Auton Close, Bearpark, Durham, DH7 7BJ
  - (vii) Appeal by R Young – Site at land adjoining 4 Auton Close, Bearpark, Durham, DH7 7BJ
  - (viii) Appeal by T Lawson – Site at land at North Street, Hett, Durham, DH6 5LR
  - (ix) Appeal by Claypath Dental Practice – Site at Claypath Dental Practice, 71 Claypath, Durham, DH1 1QT
  
- (b) Notice of the Outcome of Planning/Enforcement Appeals which had been lodged with the City Council:
  - (i) Appeal by F Parker – Site at 15 St Oswalds Drive, Durham, DH1 3TE
  - (ii) Appeal by I Foster – Site at land east of Paradise Cottages, Shadforth, Durham, DH6 1NJ
  - (iii) Appeal by D Pepper – Site at 113 Musgrave Gardens, Gilesgate Moor, Durham, DH1 1PJ
  - (iv) Appeal by Harrison Properties Ltd – Site at Units 46, 47 and 48 - 51 Dragonville Industrial Park, Dragon Lane, Durham, DH1 2XU

- (v) Appeal by S Williams – Site at land adjacent to 5 Mayorswell Field, Durham, DH1 1JW
- (c) Applications – Determined under Plenary Powers
- (d) Building Control Applications

**Resolved:** That the reports be noted.

#### **155. DECISION MADE BY THE COUNTY COUNCIL**

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

**CM4/08/459  
Framwellgate Moor  
Primary School**

**Framwellgate Moor Primary School, Newton Drive,  
Framwellgate Moor, Durham, DH1 5BG  
Erection of timber parent waiting shelter**

The above application was considered by the City Council under delegated powers on 17<sup>th</sup> June, 2008, when it was resolved to raise 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.

#### **156. RECOMMENDATIONS ON OTHER APPLICATIONS**

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

**Note:** Councillor Carr declared a prejudicial interest in the undermentioned item and remained in the Meeting during consideration thereof.

**(a) 08/00160/FPA  
West Rainton &  
Leaside Community  
Partnership**

**Playing Field, Adventure Lane, West Rainton,  
Durham  
Erection and installation of children's play  
equipment, 15 no. lighting columns, seating,  
footpaths, BMX track, skate park, fencing with gates,  
relocation of changing room block, extension of car  
parking area and removal of bowling green**

**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) - Before the development commences full details of the lighting columns and the illumination from the lighting columns shall be submitted to the Local Planning Authority and approved in writing.

(b) 08/00256/FPA  
08/00257/CAC  
M Toye

**RWD Motor Body Repairs, Back Western Hill,  
Durham, DH1 4RG  
Erection of 5no. dwellings with associated parking  
and landscaping through demolition of existing  
buildings at northern and southern ends of the site  
and change of use and conversion of main building  
block together with extensions and alterations  
(Resubmission)**

ITEM WITHDRAWN

(c) 08/00396/FPA  
S Walton

**Sherburn Sports Centre, Front Street, Sherburn  
Village, Durham, DH6 1QX  
Change of use of open space into playground with  
siting of associated play and exercise equipment**

**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) - Notwithstanding the information shown on the submitted plans details of the surface treatment of the exercise areas to be provided on 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.
- (3) - Details of any fences, walls, gates 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 implemented in accordance with the approved details.
- (4) - Notwithstanding the information shown on the submitted plans before development commences agreement shall be reached in writing with the Local Planning Authority regarding a scheme for the precise location of the exercise equipment and the development shall thereafter be implemented in accordance with the agreed scheme.
- (5) - the existing trees on the site shall be retained and shall not be felled, lopped, topped or pruned without the prior written consent of the Local Planning Authority.
- (6) - Notwithstanding the information shown on the submitted plans before development commences and following agreement upon the precise location of the exercise equipment relating to condition 5 of this approval, a scheme detailing methods for the protection of the trees and tree roots within

the site in accordance with BS5837:2005 including details of all appropriate tree protection measures for each tree for the entire duration of the course of the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved scheme.

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

(d) **08/00440/FPA  
Durham Villages  
Regeneration**

**Land to the rear of Front Street, Sherburn Hill, Durham, DH6 1PA  
Erection of one and two storey community centre with associated vehicular access, parking and landscaping, all weather pitch and sports apparatus, relocation of adjacent children's play facilities and erection of wind turbine height 15m to hub  
(Amended description)**

**Resolved:** That in accordance with the Town & Country Planning (Development Plans and Consultation) (Departures) Directions 1999 the application be referred to the Government Office for the North East with a recommendation that it be **MINDED TO APPROVE**, 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) - 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 scheme.
- (5) - 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.
- (6) - No development shall commence until a scheme for the protection of trees to be retained on site has been agreed in writing with the Local Planning Authority, in accordance with BS59837:2005 (Trees in Relation to Construction). This scheme shall accord with the most recent plans and particulars shall include:
- (i) Indication of the Root Protection Area and necessary special protection works within this area;
  - (ii) Protections works including details of means of enclosure/protection; and,
  - (iii) Such a scheme as agreed in writing with the Local Planning Authority shall be implemented before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.
- (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 position 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) - There shall be no floodlighting erected on the site without an application first having been made to the Local Planning Authority.
- (9) - The community centre hereby approved shall not be brought into use until the ground source heat pump and associated wind turbine have become fully operational.

The Meeting terminated at 6.00 p.m.

Chair