

Item 3

SEDGEFIELD BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Friday,
30 March 2007

Time: 10.00 a.m.

Present: Councillor A. Smith (Chairman) and

Councillors Mrs. A.M. Armstrong, W.M. Blenkinsopp, Mrs. B.A. Clare, Mrs. K. Conroy, Mrs. J. Croft, V. Crosby, M.A. Dalton, Mrs. A.M. Fleming, T.F. Forrest, Mrs. B. Graham, A. Gray, Mrs. J. Gray, B. Hall, J.E. Higgin, A. Hodgson, M.T.B. Jones, J.M. Khan, B. Meek, J.P. Moran, G. Morgan, D.A. Newell, K. Noble, B.M. Ord, R.A. Patchett, Mrs. E.M. Paylor, Mrs. I. Jackson Smith, Mrs. C. Sproat, T. Ward and J. Wayman J.P

Apologies: Councillors B.F. Avery J.P, D.R. Brown, J. Burton, R.S. Fleming, G.C. Gray, D.M. Hancock, K. Henderson, Mrs. L. Hovvels, G.M.R. Howe, J.G. Huntington, M. Iveson, J.K. Piggott, Mrs. C. Potts, Ms. M. Predki, J. Robinson J.P, G.W. Scott, J.M. Smith, Mrs. L. Smith, K. Thompson and W. Waters

DC.117/06 DECLARATIONS OF INTEREST

Councillor W.M. Blenkinsopp indicated that he would be declaring a personal and prejudicial interest in Item 4 – Application No : 2 – Relative lives in the street relating to the application.

DC.118/06 MINUTES

The Minutes of the meeting held on 16th March, 2007 were confirmed as a correct record and signed by the Chairman.

DC.119/06 APPLICATIONS - BOROUGH MATTERS

NB : **In accordance with Section 81 of the Local Government Act 2000 and the Member's Code of Conduct, Councillor W.M. Blenkinsopp declared an interest in Application No : 2 and left the meeting for the duration of the discussion and voting thereon.**

In respect of Application No : 2 – Erection of 1 No. Dwelling – Land Rear of 13 – 24 Durham Road, Aycliffe Village – Mr. G.B. Icton, 20, Burn Lane, Newton Aycliffe – Plan Ref : 7/2007/0004/DM – it was explained that the proposal related to permission for the erection of a detached dwelling on the land to the rear of 13 – 24, Durham Road, Aycliffe Village currently used as a paddock. The site was between the rear gardens of existing properties which fronted Durham Road and the A167 to the west with access currently being gained directly from the A167. The applicant, the owner of 13, Durham Road, intended to use the property as access to the proposed development site.

The County Highways Department considered parking arrangements to be acceptable and advised that the existing access onto the A167 should be closed in line with Condition 11 of the previous outline planning permission.

In terms of design it was considered that the development was acceptable in terms of location and that the proposal would not adversely affect the street scene.

Dealing with landscaping etc., it was explained that, if approved, a tree survey would be required and a condition imposed re : protective fencing.

It was explained that there had been thirteen letters of objection from neighbouring properties and a 15 signatory petition from Durham Road Residents Association.

The objectors concerns included :-

- Loss of view
- Loss of privacy and amenity
- Disruption during construction
- Access to A167
- Damage to foundations
- Parking, etc

It was noted that three letters of support had also been received in relation to the application.

The Committee was reminded that those factors which could be taken into account as planning considerations were :-

- Loss of amenity
- Access
- Parking
- Landscaping, and
- Design

The development fell within the residential framework boundary and was considered backland development. The distance from other properties would be in excess of the minimum requirement. The proposal was considered to accord with Policies H8 and H17 of the Borough Local Plan.

Mrs. Millington, a local resident, was present at the meeting and outlined her concerns in relation to the development. She explained that her concerns related to disruption during construction work, the size of the development in relation to other properties in Durham Road, access to the development site, parking provision for No. 13 Durham Road and also loss of privacy and intrusion particularly for properties immediately adjacent to the access. Mrs. Millington also was concerned about the impact on the trees and loss of greenery.

Miss Burley, a resident of Durham Road, was also present at the meeting to express her objections and concerns with the development. She explained that her concerns related to the access onto Durham Road and the replacement parking for the property. Parking would be close to a bus stop and access would be onto Durham Road which experienced a considerable amount of traffic. Miss Burley also was concerned regarding access for emergency vehicles and whether the proposed access would be suitable. She explained that the front boundary did not have a condition relating to the replacement of the boundary fence. It was pointed out to Members of the Committee, that the grass verge at the front of the property was Council land.

Mr. Iceton, the applicant, then addressed the meeting and outlined the proposals. He explained that, in relation to the issue of access this needed to be from Durham Road. Planning permission existed for one dwelling on the site and had been approved. The issue of parking had been addressed by allocating parking outside the property. The access would not be used by construction traffic so there was no danger to the foundations of the neighbouring properties, trees, etc. Landscaping, etc., was to take place and no felling of trees was foreseen. All the tree roots would be adequately protected.

It was explained that disruption would be kept to an absolute minimum.

The design of the dwelling met Council standards, was aesthetically pleasing and would enhance the area.

Officers explained that, in relation to privacy and amenity, the proposed development was within the specified minimum with regard to distance from other properties. The design of the property was such that the hipped roof would reduce the bulk of the property and the proposals met privacy guidelines. With regard to traffic, the outline planning application had been approved with no highway objections. Fencing was covered in the conditions of any approval. The proposed development was traditional in design and size.

With regard to Application No : 3 – Erection of 52 bedroom nursing home – Former Aycliffe Arms, Silverdale Place, Newton Aycliffe – Gainford Care Homes, c/o Ms. S. McAlear, 25, Front Street, Perkinsville, Chester-le-Street, Co. Durham – Plan Ref : 7/2007/0030/DM – it was explained that a letter of objection had been received from the Area Manager of Bond Care North East Limited which was read out to the Committee. In his letter Mr. Taylor explained that as Regional Manager of Aycliffe Care Homes, his objection was on the grounds that there was not a need for additional provision in the area at this time. A competitor analysis had shown that all private homes currently had empty beds across the full range of services to older people including residential, nursing and EMI Care. Social service trends indicated that the area was already overprovided for.

Members were reminded that commercial competition was not a material planning consideration.

It was noted that, if the application was proved, Condition 6 outlined in the schedule would need to be amended to read as follows :-

“Site works (including deliveries and temporary site generators) shall not be carried out on the premises outside the hours of 08.00 hours to 18.00 hours Monday to Friday and 09.00 to 14.00 on Saturday nor at any time on Sundays, Bank Holidays or public holidays.

Reason : To ensure that occupants of nearby properties are not adversely affected by noise from the premises and to comply with Policy B10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

RESOLVED : 1. *That in respect of Application No 3 – Erection of 52 bedroom nursing home – Former Aycliffe Arms, Silverdale Place, Newton Aycliffe – Gainford Care Homes, c/o Ms. S. McAlear, 25, Front Street, Perkinsville, Chester-le-Street, Co. Durham – Plan Ref : 7/2007/0030/DM – Condition 6 be amended to read as follows :*

“Site works (including deliveries and temporary site generators) shall not be carried out on the premises outside the hours of 08.00 hours to 18.00 hours Monday to Friday and 09.00 to 14.00 on Saturday nor at any time on Sundays, Bank Holidays or public holidays.

Reason : To ensure that occupants of nearby properties are not adversely affected by noise from the premises and to comply with Policy B10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

2. *That the remainder of the recommendations detailed in the schedule be adopted.*

DC.120/06 DELEGATED DECISIONS

Consideration was given to a schedule detailing applications which were to be determined by officers by virtue of their delegated powers. (For copy see file of Minutes).

RESOLVED : *That the schedule be received.*

DC.121/06 APPEALS

Consideration was given to a schedule detailing outstanding appeals up to 21st March, 2007. (For copy see file of Minutes).

RESOLVED : *That the schedule be received.*

DC.122/06 RECENT PLANNING APPEAL DECISION

Consideration was given to a report of the Director of Neighbourhood Services in respect of a recent planning appeal decision. (For copy see file of Minutes).

Members noted that the appeal in relation to an enforcement notice alleging non-compliance with approved plans in respect of the erection of two dwellings – Land at 2 and 3 Vine Street, Spennymoor – Plan Ref : 7/2003/0586/DM had been dismissed.

DC.123/06 TREE PRESERVATION ORDER NO.43/2006 HAWKSHEAD PLACE, NEWTON AYCLIFFE

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) the purpose of which was to consideration whether it would be appropriate to make the above Tree Preservation Order permanent.

It was explained that the provisional Tree Preservation Order had been made at the above site on 10th January, 2007. The Order must be confirmed within six months of being made or would be null and void.

Members were informed that the trees that were the subject of the Order provided amenity value to the area and were considered worthy of protection to preserve the street scene.

RESOLVED : That the above Tree Preservation Order be confirmed.

DC.124/06 REVOCATION OF TREE PRESERVATION ORDER, GYPSY LANE, FERRYHILL 1981

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) regarding the Council's review of Tree Preservation Orders in accordance with Government guidance.

As part of the review a Tree Preservation Order relating to 23 trees, 5 areas of trees and 1 group of trees at Gypsy Lane which had been made in November, 1981 had been reviewed.

Since the Order had been made many of the trees had died, been removed or suffered storm damage. The amendment of the Order is not therefore considered expedient.

RESOLVED : That the above Tree Preservation Order be revoked.

DC.125/06 REVOCATION OF TREE PRESERVATION ORDER, THE VICARAGE, TUDHOE VILLAGE 1978

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) relating to the Council's review of Tree Preservation Orders in accordance with Government guidance.

The above Tree Preservation Order related to 27 individual trees and was made in June 1978. The Order had been made to protect the landscape at the entrance to Tudhoe Village.

Since the Order had been made Tudhoe Village had been designated as a Conservation Area and the trees therefore enjoyed a degree of protection due to this status. The amendment of the Order is not therefore considered expedient.

RESOLVED : That the above Tree Preservation Order be revoked.

DC.126/06 REVOCATION OF TREE PRESERVATION ORDER, INGLES GARTH HOUSE, SPENNYMOOR 1973

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) regarding the Council's review of Tree Preservation Orders in accordance with Government guidance.

It was explained that a Tree Preservation Order relating to one individual tree and six groups of trees had been made in November, 1973 to protect trees prior to the sale of the site during development.

The site was in the ownership of the Borough Council and was a Carelink facility. It was not considered expedient to remake the Order.

RESOLVED : That the above Tree Preservation Order be revoked.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That in accordance with Section 100(a)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12a of the Act.

DC.127/06 ALLEGED BREACHES OF PLANNING CONTROL

Consideration was given to a schedule detailing alleged breaches of planning control and action taken. (For copy see file of Minutes).

RESOLVED : That the schedule be received.

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Liz North 01388 816166 ext 4237 enorth@sedgefield.gov.uk