

SEDGEFIELD BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

Council Chamber, Council
Offices, Spennymoor

Friday,
20 June 2008

Time: 10.00 a.m.

Present: Councillor A. Smith (Chairman) and

Councillors W.M. Blenkinsopp, V. Chapman, Mrs. L. M.G. Cuthbertson, D. Farry, T.F. Forrest, P. Gittins J.P., A. Gray, G.C. Gray, B. Haigh, Mrs. S. Haigh, Mrs. I. Hewitson, J.E. Higgin, A. Hodgson, T. Hogan, Mrs. L. Hovvels, Mrs. H.J. Hutchinson, B. Lamb, C. Nelson, D.A. Newell, B.M. Ord, Mrs. E.M. Paylor, J. Robinson J.P, B. Stephens, T. Ward and W. Waters

Apologies: Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, Mrs. D. Bowman, T. Brimm, D.R. Brown, J. Burton, D. Chaytor, Mrs. K. Conroy, Mrs. P. Crathorne, V. Crosby, Mrs. B. Graham, Mrs. J. Gray, D.M. Hancock, G.M.R. Howe, J.G. Huntington, Mrs. S. J. Iveson, Ms. I. Jackson, J.M. Khan, Mrs. E. Maddison, Mrs. C. Potts, K. Thompson, A. Warburton and Mrs E. M. Wood

DC.13/08 DECLARATIONS OF INTEREST

The following Councillor indicated that they would be declaring an interest :-

Councillor D. Farry	-	Personal and Prejudicial – Item No : 5 – Applications – Borough Matters – Application No. 4 - Landowner
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DC.14/08 MINUTES

The Minutes of the meeting held on 30th May, 2008 were confirmed as a correct record and signed by the Chairman. (For copy see file of Minutes).

DC.15/08 TREE PRESERVATION ORDER NO. 54/2008 NORTH CLOSE

Consideration was given to a report of the Head of Planning Services in relation to a provisional Tree Preservation Order (TPO) which had been made at the above site on 12th April, 2008. (For copy see file of Minutes).

It was noted that the Order must be confirmed within six months of being made otherwise the Order would become null and void.

The purpose of the report was therefore to consider whether it would be appropriate to make the Order permanent.

The woodlands, groups and individual trees provided amenity value to the area and were considered worthy of protection to preserve the character of the wider landscape of this part of the Borough.

It was reported that the original use of a woodland designation was considered too restrictive on maintenance of essentially intensively managed garden areas. In order to address this issue specific gardens had been surveyed and large individual specimen trees that made the most contribution to the landscape were identified and protected.

The Committee was informed that a number of objectors were present at the meeting to outline their concerns regarding the TPO.

A petition of non support for the TPO was also distributed to the Committee.

Mr. West, a local resident, was present at the meeting to outline his concerns regarding the proposals. He explained that his garden had never been in woodland and in fact was previously a quarry. Three generations of his family had lived in the property and had planted many of the trees.

He pointed out that although the report stated that the trees subject to this Order stood at the gateways and main corridors, his property was not at the entrance to the settlement as it was within North Close.

Mr. West felt that he had maintained his property to a high standard through hard work and believed that the implication that he needed to be controlled very insulting. He also expressed concern that although he could apply for permission to carry out work in his garden free of charge at the current time, it was difficult to guarantee that there would be no financial cost to these applications in the future.

Reference was also made to the fact that some trees subject to the Order were sycamore trees which were particularly difficult to maintain.

Mr. Marley, a local resident, was also at the meeting to outline his concerns regarding the Tree Preservation Order. His concerns also related to the classification of the site as "woodland".

He expressed concern regarding the selective nature of the Order where several properties, each containing trees worthy of attention, were excluded.

Mr. England, a local resident, raised concerns regarding the consultation process. The provisional Order was made with no consultation with residents.

In response it was explained that this was normal practice. The provisional Order was made whilst consultation on the Order was carried out.

Upon hearing the objections Members were of the opinion that consideration of this application should be deferred for a site visit to afford Members the opportunity to be acquainted with the area.

RESOLVED : That consideration of the application be deferred pending inspection of the site.

DC.16/08

APPLICATIONS - BOROUGH MATTERS

Consideration was given to a schedule of applications for consent to develop. (For copy see file of Minutes).

In respect of Application No 1 – Erection of 17 No. Light Industrial/Warehouse units with ancillary offices (Use Class B1, B2 and B8) – Land at Salters Lane Industrial Estate, Sedgfield – Plan Ref : 7/2008/0140/DM – it was explained that the Council’s Countryside Officer had raised concerns regarding the lack of detail submitted with the Ecological Survey information provided. Although it had been recommended that additional survey works be carried out on the site to ensure that the potential impact of the development on species and habitats be addressed prior to the determination of the planning application, this had not been done.

Members expressed their disappointment that the application was not acceptable, especially as the proposed development would have created valuable employment.

In respect of Application No 2 – Erection of up to 400 Dwellings (Outline Application) – Land at Eldon Whins, Newton Aycliffe – Plan Ref : 7/2008/0197/DM – it was explained that the application sought outline planning approval to construct up to 400 dwellings on land to the west of Greenfield Way and north of Middridge Road at Newton Aycliffe.

It was explained that Mr. Grant, applicants’ agent, was present at the meeting to outline the proposals. Mr. Grant explained that the proposed development was innovative and would provide much needed affordable housing.

He pointed out that a flood risk assessment had been carried out and the site had not been identified as a flood risk area. However, the Environment Agency had formally objected to the proposal because the flood risk assessment did not adequately consider the flood risks.

With regard to the Ecological Survey, Mr. Grant explained that additional survey work had been commissioned and it was anticipated that this would be completed by the end of June, 2008.

Mr. Grant referred to the fact that the application site had previously been identified for residential development within the Sedgfield Borough Local Plan adopted in 1996. As Policy H2 was saved Eldon Whins remained a valid housing allocation.

In response it was explained that Policy H2 was saved in order to safeguard sites such as Agnew 5 and Whitworth Park but not Eldon Whins. It was also pointed out that the Local Plan was out of date with more recent planning guidance. The Forward Planning Team therefore considered that Eldon Whins was not part of the Borough Local Plan and the housing proposed by this application was on unallocated greenfield land.

Mr. Grant also outlined the proposals for Application No : 3 – Construction of New Roundabout and Access Arrangements – Land at Middridge Road/ Greenfield Way, Newton Aycliffe – Plan Ref : 7/2008/0198/DM.

Mr. Grant highlighted that planning applications for this roundabout had previously been submitted and approved. He explained that the applicant had commissioned a Phase II survey and the Ecological Survey had been considered.

NB : In accordance with Section 81 of the Local Government Act 2000 and the Members Code of Conduct Councillor D. Farry declared a personal and prejudicial in Application No : 4 and left the meeting for the duration of the discussion and voting thereon

RESOLVED : That the recommendations detailed in the report be approved.

DC.17/08

DELEGATED DECISIONS

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

RESOLVED : That the schedule be received.

DC.18/08

APPEALS

Consideration was given to a schedule of appeals outstanding up to 11th June, 2008. (For copy see file of Minutes).

RESOLVED : That the schedule be received.

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 ground that it may involve the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12a of the Act.

DC.19/08

ALLEGED BREACHES OF PLANNING CONTROL

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

RESOLVED : That the schedule be received.

DC.20/08

UNAUTHORISED DEVELOPMENT FENCE ERECTED IN EXCESS OF PERMITTED DEVELOPMENT HEIGHT AT ST JOHNS SCHOOL HOUSE SHILDON REF:H/2008/021

Consideration was given to a report of the Director of Neighbourhood Services regarding the above breach of planning authorisation. (For copy see file of Minutes).

RESOLVED : That the report be received and the recommendations contained therein adopted.

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