

Item 3

SEDGEFIELD BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Friday,
10 October 2008

Time: 10.00 a.m.

Present: Councillor A. Smith (Chairman) and

Councillors W.M. Blenkinsopp, V. Chapman, D. Chaytor, Mrs. P. Crathorne, V. Crosby, T.F. Forrest, P. Gittins J.P., Mrs. B. Graham, A. Gray, G.C. Gray, Mrs. J. Gray, B. Haigh, Mrs. S. Haigh, A. Hodgson, T. Hogan, Mrs. L. Hovvells, J.G. Huntington, Mrs. S. J. Iveson, J.M. Khan, Mrs. E. Maddison, D.A. Newell, B.M. Ord, Mrs. E.M. Paylor, J. Robinson J.P, B. Stephens, A. Warburton, T. Ward, W. Waters and Mrs E. M. Wood

Apologies: Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, Mrs. D. Bowman, T. Brimm, D.R. Brown, J. Burton, Mrs. K. Conroy, Mrs. L. M.G. Cuthbertson, D. Farry, D.M. Hancock, Mrs. I. Hewitson, J.E. Higgin, G.M.R. Howe, Mrs. H.J. Hutchinson, Ms. I. Jackson, B. Lamb, C. Nelson, Mrs. C. Potts and K. Thompson

DC.50/08 **DECLARATIONS OF INTEREST**

The following declarations of interest were received:

Councillor Mrs. P. Crathorne	Personal & prejudicial interest - Item 6 – Consultations from Durham County Council - Application No. 3 – School Governor
Councillor T.F. Forrest	Personal & prejudicial interest - Item 6 – Consultations from Durham County Council - Application No. 2 – School Governor
Councillor P. Gittins, JP	Personal & prejudicial interest - Item 4 – Borough Matters – Application No.2 and Item 6 – Consultations from Durham County Council - Member of Durham County Council
Mrs. B. Graham	Personal & prejudicial interest - Item 4 – Borough Matters – Application No.2 and Item 6 – Consultations from Durham County Council - Member of Durham County Council
Mrs. J. Gray	Personal & prejudicial interest - Item 4 – Borough Matters – Application No. 2 and Item 6 – Consultations from Durham County Council - Member of Durham County Council

Councillor Mrs. L. Howvels	Personal & prejudicial interest - Item 4 – Borough Matters – Application Nos.2 and 4 and Item 6 – Consultations from Durham County Council - Member of Durham County Council – Member of Durham County Council and Board Member of Sub-Group/ merger
Councillor J.G. Huntington	Personal & prejudicial interest – Item 6 – Consultations from Durham County Council - Member of Durham County Council
Councillor Mrs. S.J. Iveson	Personal & prejudicial interest - Item 4 – Borough Matters – Application No. 2 and Item 6 – Consultations from Durham County Council – Member of Durham County Council and Fire Authority
Councillor B.M. Ord	Personal & prejudicial interest – Item 6 – Consultations from Durham County Council - Member of Durham County Council
Councillor Mrs. E.M. Paylor	Personal & prejudicial interest – Item 4 – Borough Matters – Application No. 2 and Item 6 – Consultations from Durham County Council - Member of Durham County Council.
Councillor J. Robinson, JP.	Personal & prejudicial interest- Item 4 – Borough Matters – Application No. 2 and Item 6 – Consultations from Durham County Council – Member of Durham County Council and Fire Authority
Councillor B. Stephens	Personal & prejudicial interest- Item 4 – Borough Matters – Application No. 2 and Item 6 – Consultations from Durham County Council – Member of Durham County Council

DC.51/08

MINUTES

The Minutes of the meeting held on 12th September 2008 were confirmed as a correct record and signed by the Chairman.

DC.52/08

APPLICATIONS - BOROUGH MATTERS

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

With regard to Application No: 1 – Proposed extension to provide enlarged dispatch facility, new receipt of goods facility, extended product/covered storage area, rationalisation of existing vehicular access to site, formation of additional car parking, new fencing and partial re-cladding of existing building – Thyseenkrupp Tallent Limited, Groat Road, Aycliffe Industrial Park – Plan Ref: 7/2008/0216/DM, it was reported that the Environment

Agency had originally objected to an earlier scheme that had included the construction of two buildings at Skerne Road and Groat Road as no information had been provided regarding potential land contamination within the eastern part of the site. The buildings had subsequently been deleted from the application by the applicant and the Environment Agency had confirmed in writing the withdrawal of its objection, subject to the inclusion of the following condition:

'If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment through the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Unsuspected contamination may exist at the site which may pose a risk to controlled waters and to comply with PPS23 (Planning and Pollution Control).'

NB : In accordance with Section 81 of the Local Government Act 2000 and the Members' Code of Conduct, Councillor B. Stephens declared an interest in Item 4, Application No: 2 and Item 6 and Councillor Mrs. L. Hovvels declared an interest in Item 4, Application Nos. 2 and 4 and Item 6 and both left the meeting.

Councillors P. Gittins J.P., Mrs. J. Gray, Mrs. S. J. Iveson, Mrs. E. M. Paylor and J. Robinson, JP., declared an interest in Item 4, Application No. 2 and left the meeting for the duration of discussion and voting thereon.

Councillor Mrs. B. Graham declared an interest in Item 4, Application 2 and addressed the Committee in her capacity as ward member and then left the meeting for the duration of voting on the item.

With regard to Application No. 4 – Erection of new 2 storey workshop training building with classrooms, ancillary and staff facility, refurbishment of existing training centre and construction of internal road and car parking and associated drainage and landscaping – Coulson Street, Spennymoor - Bishop Auckland College – Plan Ref: 7/2008/0384/DM – it was reported that Condition No: 2 needed to be amended to read as follows :

'The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans:

- Amended site layout plan drawing no: 116 revision P11 (received on 30th September 2008)
- Amended ecology report by Baker Shepherd Gillespie dated September 2008 (received on 26th September 2008).

- Landscape plan drawing no: 2360(P3)(received on 30th September 2008)

Reason: To ensure that the development is carried out in accordance with approved documents.'

RESOLVED : 1. *That Application No. 1 - Proposed extension to provide enlarged dispatch facility, new receipt of goods facility, extended product/covered storage area, rationalisation of existing vehicular access to site, formation of additional car parking, new fencing and partial re-cladding of existing building – Plan Ref : 7/2008/0216/DM be approved subject to the inclusion of the following condition:*

'If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment through the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Unsuspected contamination may exist at the site which may pose a risk to controlled waters and to comply with PPS23(Planning and Pollution Control).'

2. *That Application No. 4 – Erection of new two storey workshop training building with classrooms, ancillary and staff facility, refurbishment of existing training centre and construction of internal road and car parking and associated drainage and landscaping – Plan Ref : 7/2008/0384/DM be approved subject to condition no. 2 being amended to read as follows :*

The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans.

- *Amended site layout plan drawing no: 116 revision P11 (received on 30th September 2008)*
- *Amended ecology report by Baker Shepherd Gillespie dated September 2008 (received on 26th September 2008).*
- *Landscape plan drawing no : 2360(P3)(received on 30th September 2008)*

Reason: To ensure that the development is carried out in accordance with approved documents.

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

DC.53/08 CONSULTATIONS FROM DURHAM COUNTY COUNCIL

NB : In accordance with Section 81 of the Local Government Act 2000 and the Members' Code of Conduct Councillors P. Gittins J.P., Mrs. B. Graham, Mrs. J. Gray, Mrs. S.J. Iveson, J.G. Huntington, B.M. Ord, Mrs. E.M. Paylor and J. Robinson, J.P., declared an interest in the above item and left the meeting for the duration of discussion and voting thereon.

Councillor Mrs. P. Crathorne declared an interest in Application no. 3 of the above item and left the meeting for the duration of discussion and voting thereon.

Councillor T.F. Forrest declared an interest in Application no. 2 of the above item, however, he remained in the meeting but took no part in the discussion or voting on the item.

Consideration was given to a schedule of applications which were to be considered by Durham County Council upon which the Council had been invited to comment. (For copy see file of Minutes).

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

DC.54/08 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.55/08 APPEALS

Consideration was given to a schedule of appeals outstanding up to 2nd October 2008 (For copy see file of Minutes).

RESOLVED: That the schedule be received.

DC.56/08 TREE PRESERVATION ORDER 55/2008 1 GILPIN ROAD NEWTON AYCLIFFE

The Committee considered a report of the Head of Planning regarding a provisional Tree Preservation Order which had been made at the above site on 24th July 2008 (For copy see file of Minutes).

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

It was explained that the Order must be confirmed within six months of being made or it would be null and void.

The tree which was subject of the Order, provided amenity value to the area and was considered worthy of protection to preserve the character of the area.

RESOLVED : That Tree Preservation Order No : 55/2008 1, Gilpin Road, Newton Aycliffe be confirmed.

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.57/08

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 Gillian Garrigan 01388 816166 ext 4237 email:ggarrigan@sedgefield.gov.uk