

SEDGEFIELD BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Friday,
6 March 2009

Time: 10.00 a.m.

Present: Councillor A. Smith (Chairman) and

Councillors B.F. Avery J.P, W.M. Blenkinsopp, D.R. Brown, V. Chapman, D. Chaytor, Mrs. K. Conroy, Mrs. P. Crathorne, V. Crosby, D. Farry, T.F. Forrest, Mrs. B. Graham, A. Gray, G.C. Gray, B. Haigh, Mrs. I. Hewitson, A. Hodgson, T. Hogan, Mrs. H.J. Hutchinson, B. Lamb, Mrs. E. Maddison, D.A. Newell, B.M. Ord, Mrs. E.M. Paylor, Mrs. C. Potts, J. Robinson J.P, K. Thompson, A. Warburton and W. Waters

Apologies: Councillors Mrs. A.M. Armstrong, Mrs. D. Bowman, T. Brimm, J. Burton, Mrs. L. M.G. Cuthbertson, P. Gittins J.P., Mrs. J. Gray, Mrs. S. Haigh, D.M. Hancock, J.E. Higgin, Mrs. L. Hovvels, G.M.R. Howe, J.G. Huntington, Mrs. S. J. Iveson, Ms. I. Jackson, J.M. Khan, C. Nelson, B. Stephens, T. Ward and Mrs E. M. Wood

DC.99/08 DECLARATIONS OF INTEREST

The following declarations of interest were received :-

Councillor V. Crosby	-	Item 4(1) – Borough Matters – Personal and prejudicial – involved in discussions at Chilton Town Council
Councillor J. Robinson., JP.,	-	Item 6 – County Matters – Personal and prejudicial – Member of Durham County Council
Councillor B.F. Avery, JP.,	-	Item 6 – County Matters – Personal and prejudicial – Member of Durham County Council
Councillor Mrs. E.M. Paylor	-	Item 6 – County Matters – Personal and prejudicial – Member of Durham County Council

Councillor B.M.Ord	-	Item 6 – County Matters – Personal and prejudicial – Member of Durham County Council
Councillor K. Thompson	-	Item 6 – County Matters – Personal and prejudicial – Member of Durham County Council
Councillor Mrs. C. Potts	-	Item 6 – County Matters – Personal and prejudicial – Member of Durham County Council
Councillor Mrs. B. Graham	-	Item 6 – County Matters – Personal – Member of Durham County Council
Councillor D. Brown	-	Item 6 – County Matters – Personal – Member of Durham County Council
Councillor D. Farry	-	Item 6 – County Matters – Personal – Member of Durham County Council

DC.100/08

MINUTES

The Minutes of the meetings held on 6th February, 2009 and 20th February, 2009 were confirmed as correct records and signed by the Chairman.

DC.101/08

APPLICATIONS - BOROUGH MATTERS

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

Application 1 – Installation and Operation of a Biomass Fired Heat and Power Plant and Ancillary Facilities including offices, storage and processing plant and equipment and reconfiguration of existing wood pellet factory – WPE Site Chilton Industrial Estate – Dalkia Bio Energy Limited, Staines, Middlesex – Plan Ref : 7/2008/0522/DM.

NB : In accordance with Section 81 of the Local Government Act and the Member's Code of Conduct, Councillor V. Crosby declared a personal and prejudicial interest in this item and left the meeting for the duration of the discussion and voting thereon.

It was noted that Members of the Committee had recently received a letter from Dalkia Bio Energy Limited outlining various points and raising various issues in relation to the report on the application.

The Committee considered that, bearing in mind the points raised in the letter and the need to ensure that all relevant information was considered when determining the application, the application should be deferred for further investigation.

RESOLVED : That the application be deferred pending further discussions.

Application 2 – Outline Application for Business Accommodation (Use Class B1) and associated car parking to include ancillary facilities including retail units (Use Classes A1, A3 and A5) Public House (Use Class A4), Hotel (Use Class C1), Day Nursery (Use Class D1), Health and Fitness Unit (Use Class D2) and Health Centre (Use Class D1) with associated car parking, residential development, detailed design of means of access and associated highway work – Black and Decker Limited, Spennymoor – Cast Leeds – Plan Ref : 7/2008/0488/DM.

It was explained that the application sought outline planning permission for the redevelopment of the site currently occupied by Black and Decker Limited for a mixed development of business use, ancillary uses including retail, public house, hotel, day nursery and health centre, health and fitness unit and residential development.

Members were informed that the application had been accompanied by a comprehensive range of documents which were outlined in the report. The application included comprehensive details of access arrangements within the application site boundary. It was noted that if the application was approved matters including appearance, landscaping, layout and scale would be reserved for future consideration. It was likely that there would be a significant number of reserved matters applications during the next few years.

It was considered that the proposal represented a scheme of local and regional significance in its potential to regenerate that part of Spennymoor and to create employment opportunities.

It was reported that the provision of affordable housing had been agreed in principle, subject to assessment of need and viability at the beginning of the scheme, and subsequently at key points throughout this long term development project. This matter is intended to be embodied within a Section 106 legal agreement. It was also reported that the Council's appointed consultants had indicated that there might be a need for an affordable housing condition attached to any consent granted. As this matter was raised immediately prior to the meeting, Committee were asked for authority to add an appropriate condition if this proved necessary.

It was also noted that if the application was approved it would need to be referred to Government Office for the North East for the Secretary of State to determine whether the application should be called in for determination.

The Committee was informed that Mr. MacMillan, of Carillion the Project Architect, was present at the meeting to outline the project. He explained that the developers had the confidence and commitment to deliver the project which would bring new businesses to the site. The site location was at the southern gateway to Durham close to transport links etc., which would attract businesses to the area.

Mr MacMillan explained that the quality of the development was imperative and paramount to the developers.

The development would include the reconfiguration of highways to allow access to the site.

In relation to employment the development would create around 2,800 jobs in the long term. There would also be opportunities for construction training apprenticeships.

In terms of sustainability the development would take place on a phased basis over the next 15 years and represented an efficient use of the land. Discussions were being held with One North East regarding funding.

The infrastructure/highway works were key to the development.

In conclusion he considered that the development provided a potential unique vision and would be of regional significance. There would be an opportunity to increase the employment base and the infrastructure works were to be welcomed.

RESOLVED : That the application be approved subject to the conditions detailed in the report and an additional affordable housing condition if considered necessary.

Application 3 – Reserved Matters Application for the Approval of the Means of Access, Appearance, Landscaping, Scale and Layout for the Erection of 182 Dwellings – Land at Watson Court, Green Lane Industrial Estate – Persimmon Homes, Newcastle-upon-Tyne – Plan Ref : 7/2008/0639/DM.

The Committee was reminded that on 19th December, 2005 outline planning permission had been granted for residential development on land at Watson Court, Spennymoor. This decision was made following a Public Inquiry after the Committee had originally refused the proposal on the grounds that it would be a noise sensitive development in an industrial area which would be incompatible with its surroundings.

The Secretary of State granted outline planning permission subject to a variety of conditions including a condition requiring details of the siting design and external appearance of the buildings to be submitted together with details of the means of access and landscaping of the site.

Persimmon Homes had sought approval in January, 2008 for the siting, design and external appearance of 232 residential units. This application was subsequently withdrawn by the applicant and ongoing negotiations had taken place between officers and the developers which had culminated in the submission of a revised proposal.

The revised proposal sought reserved matters approval for the appearance, scale and layout, landscaping and means of access. The scheme entailed 146 houses and 36 apartments.

The application was accompanied by a design and access statement and also a detailed landscaping scheme.

It was suggested that if the application was approved the following additional condition would need to be included:-

Prior to the occupation of 75th Dwelling the existing access road from Enterprise Way shall be removed and the area top soiled and seeded in accordance with details to be submitted to and approved by the Local Planning Authority

Reason: In the interests of highway safety and to comply with Policy T6 (Improvements in Road Safety) of the Sedgefield Borough Local Plan.

RESOLVED : That the application be approved subject to the conditions detailed in the report and the following additional condition:-

Prior to the occupation of 75th Dwelling the existing access road from Enterprise Way shall be removed and the area top soiled and seeded in accordance with details to be submitted to and approved by the Local Planning Authority

Reason: In the interests of highway safety and to comply with Policy T6 (Improvements in Road Safety) of the Sedgefield Borough Local Plan.

Application 4 – Erection of New Research and Development Facility Incorporating Ground Floor Reception, Production and Clean Room Areas with Associated Office and Conference Facilities to First Floor – Plot 3 Netpark, Sedgefield – County Durham Development Company – Plan Ref : 7/2009/0001/DM

The application sought full planning permission for the erection of a new research and development facility incorporating ground floor reception, production and cleaning room areas with associated office and conference facilities at First Floor level.

The application site was located within the grounds of the former Winterton Hospital site on Netpark. The site was located to the south of Thomas Wright Way and was bounded to the east, west and south by a combination of footpaths and cycle route. Existing premises were located to the north and west of the application site whilst St. Lukes Church was located to the south of the application site with residential located to the south west.

The application was accompanied by a design and access statement, biodiversity report, economic statement, foul sewerage and utilities assessment, a tree survey and supporting information relating to land contamination and a site waste management plan.

The Committee was informed that Mr. Karney was present at the meeting to outlined his concerns with the application.

Mr. Karney explained that the site was green land next to an area used for recreational purposes and was close to St. Lukes Church – a listed building. He was concerned regarding noise, pollution and also the parking situation which was limited.

It was also pointed out to the Committee by Mr. Karney that a number of trees had already been cut down and building materials placed on site.

Mr. Karney explained that local residents were not against the development merely the site that had been chosen.

RESOLVED : That the application be approved subject to the conditions detailed in the report.

DC.102/08 APPLICATIONS - COUNTY MATTERS

NB : In accordance with Section 81 of the Local Government Act and the Member's Code of Conduct, Councillors D. Brown, D. Farry and Mrs. B. Graham declared a personal interest in this item and remained in the meeting. Councillors J. Robinson, JP., B. F. Avery, JP., Mrs. E.M. Paylor, B.M. Ord, K. Thompson and Mrs. C. Potts declared an interest in this item and left the meeting for the duration of the discussion and voting thereon.

Consideration was given to a schedule of applications which were to be determined by Durham County Council and upon which this Council had been consulted (for copy see file of Minutes).

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

DC.103/08 DELEGATED DECISIONS

Consideration was given to a schedule detailing applications which had been determined by officers by virtue of their delegated powers.

RESOLVED : That the schedule be received.

DC.104/08 APPEALS

Consideration was given to a schedule of appeals outstanding up to 25th February, 2009 (for copy see file of Minutes).

RESOLVED : That the schedule be received.

**DC.105/08 TOWN AND COUNTRY PLANNING ACT 1990 - CORNFORTH
CONSERVATION AREA - REVISED CONSERVATION AREA
CHARACTER APPRAISAL AND CORNFORTH CONSERVATION AREA
MANAGEMENT PLAN**

Consideration was given to a report of the Director of Neighbourhood Services (for copy see file of Minutes) seeking Committee's approval of the revised Cornforth Conservation Area Character Appraisal and the Cornforth Conservation Area Management Plan which had recently been produced by consultants in consultation with the Council and the local community.

In relation to the Appraisal the draft Appraisal had been subject of a public meeting and consultations in July, 2008 and observations and comments were made by the local community.

Following completion of the area appraisal and public consultation in September, 2008 a management plan was prepared having taken into account views arising from the consultation exercise.

RESOLVED : That the Committee approve the revised Cornforth Conservation Area Character Appraisal and management plan.

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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Schedule 12a of the Act.

DC.106/08 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.

**DC.107/08 AUTHORITY TO SERVE A NOTICE UNDER SECTION 215 OF THE
TOWN AND COUNTRY PLANNING ACT FOR REMEDIAL WORKS**

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

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 email:enorth@sedgefield.gov.uk