

## **THE DISTRICT COUNCIL OF CHESTER-LE-STREET**

Report of the meeting of Planning Committee held in the Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Monday, 11 February 2008 at 6.00 pm

### PRESENT:

Councillor G K Davidson (Chairman)

### Councillors:

R Harrison	P B Nathan
L E W Brown	K Potts
D M Holding	D L Robson
A Humes	M Sekowski
W Laverick	A Turner
M D May	F Wilkinson

### Officers:

S Reed (Development and Building Control Manager), J Bradley (Assistant Solicitor), D Chong (Planning Enforcement Officer), L Willis (Senior Legal Assistant) and D Allinson (Democratic Services Assistant)

Also in Attendance: There were also 26 members of the public in attendance.

### **56. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **57. MINUTES OF MEETING HELD 14 JANUARY 2008**

RESOLVED: "That the Minutes of the proceedings of the Meeting of the Committee held 14 January 2008, be confirmed as being a correct record, subject to Mr Smerdon's title being changed to Planning Policy and Regeneration Manager and the apologies for absence being amended to change P H May to M D May"

The Chairman proceeded to sign the minutes.

### **58. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS**

Declarations of interest were received from Members as follows:

The Chairman, Councillor Davidson declared a personal and prejudicial interest in Item No. 1 as he lives near to the applicant. He advised that he would be leaving the meeting and returning once a decision had been made.

Councillor Turner advised that in relation to Item No. 5 in the report, he was a Member of Sacriston Parish Council and he had no involvement in discussion on this item at a Parish level. He advised that he would be declaring a personal interest in this item but would be remain in the Meeting.

Councillor K Potts declared a personal and prejudicial interest in Item No. 5 of the report as a Member of Durham County Cricket Club.

Councillor R Harrison declared a personal and prejudicial interest in Item No. 5 of the report as wife is a Parish Councillor at Sacriston. He advised that he would be leaving the Meeting and returning once a decision had been made.

Councillor Robson declared a personal and prejudicial interest in Item No.5 as he has family and friends who live in this area.

Councillor Wilkinson declared a personal and prejudicial interest in Item No. 5 as a Member of Durham County Cricket Club.

## **59. CONFIRMATION OF SPEAKERS**

The Chairman referred to the list of speakers and confirmed their attendance.

## **60. PLANNING MATTERS**

A report from the Development and Building Control Manager was considered, copies of which had previously been circulated to each Member.

The Chairman suggested that in recognition of the number of speakers present, the order of the agenda be changed so that the applications were considered in the following order - Item Nos. 5, 3, 1, 2, 4.

**Prior to consideration of the following item, Councillor Harrison and Robson declared their interest and left the meeting.**

### **(A) District Matters Deferred**

**(5) Proposal: Variation of application 07/00222/FUL to remove Condition 16 (To allow footpath link through site to be provided)**

**Location: Persimmon Homes Site, St Cuthbert's Drive, Sacriston**

**Applicant: Persimmon Homes NE Ltd – Reference 08/00021/VAR**

The Development and Building Control Manager advised that he had recently received an objection from Sacriston Parish Council and referred to a copy of the letter that was circulated to each Member.

In addition to the letter of objection from the Parish Council he advised that he had also received 67 letters of objection since the report had been published from people who live in the local area and the main points raised in these additional letters were as follows:

- That the circumstances have not been changed since the last application and Members will recall that this was considered at Planning Committee in August last year therefore this does not warrant the reinstatement of the footpath.
- The objectors consider that there is no sound evidence that this route has been walked for 20 years or more.
- That Durham Constabulary are aware of anti-social behaviour problems in the area and the objectors consider that the installation of the footpath will make it harder to control crime.
- The path in question has never been a public right of way and in their opinion was an informal route.
- They point out that no certainty exists that this route will gain full rights of way status and this could take a number of years before it was clarified.
- There are problems with motor cycles and quad bikes in the area and they have a fear that these motorbikes and quad bikes would use this to gain access to the right of way to the west of the site in the woods.
- There have been instances of anti-social behaviour and vandalism towards the Persimmons development.
- They have concerns that the reinstatement of the footpath will impact on the safety and security of existing residents.

He had also received comments from the police's Architectural Liaison Officer who in their opinion state that there has been no change since the last application that reinstating the footpath would have in relation to crime and disorder in the area. They advise that there is an existence of crime related problems with the footpath as it stands at present.

There had been one additional letter of support submitted in which stated that the path would provide a direct link to local country walks and that the lack of access at present was causing problems.

He also referred to a letter from Kevin Jones MP who upheld his previous objection that the path was not needed and would be potential to generate anti-social behaviour within the area. Kevin Jones MP feels that the development would be better without the footpath.

The Development and Building Control Manager advised that he had received a statement from the Rights of Way Department at the County Council who consider that a footpath link is likely to have been established across this route. This view is taken after having had the opportunity to consider the evidence of long usage, which has been submitted by residents of the area following the decision to grant planning permission at Committee in August.

They also state that no evidence has been offered to rebut the presumption that a public footpath has been established in the area. As Highways Authority their role is to protect and assert rights of highways users and for this reason they feel that a footpath link between the two areas of the site needs to be secured. They confirm that what is proposed by Persimmon Homes would appear to satisfy the needs of highways users as it would be of an adoptable standard. The Rights of Way Authority have gone on to levy some criticism in respect of the additional condition that was attached at Committee in August. They point out that under Law a footpath can only be stopped up under a legal order not a condition of approval.

The Development and Building Control Manager referred to photographs in relation to the proposal, which were displayed for Members information.

**Mrs Edwards, Mrs Blakey (the objectors) and Mr Ritchie, Mrs Wilson (the supporters) spoke in relation to the application.**

The Development and Building Control Manager referred to the comments raised by the speakers. He stated that it was not the purpose of this Committee to make a definitive decision on whether or not this footpath should be given rights of way status. He advised that there was a separate process for this, which the County Council as a Public Rights of Way Authority were undergoing at present.

The Development and Building Control Manager felt that it was material for Members to take into account some of the extra evidence that has been submitted since Committee in August, which included the 59 people who had contacted Officers since the August Committee to say that they have walked the path. In his opinion, he felt there was some merit in improving the linkages between communities even though he did have sympathy with the concerns in relation to anti-social behaviour. He felt there was a need to strike a balance and persuade car users to use other means of transport.

In his opinion, he felt that there were people on the estate who would find it difficult without the link to get to friends and relatives which may not be in easy walking access and therefore this may cause them to use the private car to make these visits.

The Chairman asked that Members bear in mind that there was a path and it had been used however this was not at present a public right of way.

Members discussed in great length the footpath link proposal taking into account the comments put forward by both the objectors and the people in support of the application.

Councillor Turner suggested that an alternative route could be explored by relocating the pathway to the north west of the site, which would help resolve the issue for both the objectors and the supporters. He expressed his disappointment that alternative solutions had not already been looked at by the Rights of Way Officer and the Developer.

The Development and Building Control Manager explained the risks of delaying a decision on this proposal and the affect this would have on the application.

Members expressed their concerns on the difficulties of making a decision on this application and it was felt that this proposal needed to be explored further before a decision could be reached.

Councillor Sekowski referred to the suggestion made by Councillor Turner and proposed that this item be deferred pending investigation of alternative routes and discussions between the Rights of Way Officer and other interested parties. This proposal was seconded by Councillor Humes. This proposal was carried.

RESOLVED: "That this item be deferred pending investigations and discussions on an alternative route for a footpath link further to the north."

**Councillors R Harrison and D L Robson returned to the Meeting.**

**(B) District Matters recommended Approval**

Prior to consideration of the following item, the Chairman referred to correspondence received from the objectors and the applicant, which had been circulated prior to the Meeting and gave Members time to digest the information.

**(3) Proposal: Resubmission of 07/00494/FUL for the erection of 1 no dormer bungalow**

**Location: Land West of the Poplars, Arcadia Avenue, Chester-le-Street**

**Applicant: Mr and Mrs Fletcher – Reference 08/00003/FUL**

The Development and Building Control Manager advised that since the report had been produced an additional letter of objection had been received from the occupiers of 21 Arcadia Avenue who had raised the following points:

- The new application shows even greater disregard to the outline planning permission and conditions that were attached to comply with policy HP9.
- That the new dwelling is no longer in keeping or proportion with any of the adjacent single storey properties or within the size of the existing building plots along Arcadia Avenue.
- It has been deliberately been altered from a single storey bungalow into a two storey house.
- It extends well beyond the North East corner of No. 28 Arcadia Avenue.

- The new application is almost identical to the previous application except that it has been rotated through 180 degrees.
- All the dormer windows of this new two-storey house continue to cause an evasion of privacy into adjoining homes.
- The objector considers that the withdrawal of the oversized garage on the previous application has resulted in a new and additional provision of a secondary boundary wall to the Southern boundary of the site which in the objector's view is unnecessary and is an attempt to bypass planning regulations in order to establish a building line for the future submission of a double garage.
- If planning permission is approved it should be a condition of any approval that any single or double garage cannot be granted planning permission included by way of a temporary structure.

The Development and Building Control Manager advised that he had also received an additional comment of no objection from the occupiers of 15 Arcadia Avenue.

A letter had been received from Kevin Jones MP, who advises that he had met with the applicants who feel that the resubmission in comparison to their early refused application now offers in their view a reasonable compromise, which recognises and responds to the concerns, which lead to Committee refusing the previous application. He also points out that the applicants feel that the design of the development fits well in the context of the surrounding area and also to point out that the detached garage has been removed from this revised application.

The Development and Building Control Manager referred to photographs in relation to the proposal, which were displayed for Members information.

**Mr Middlemast, Mrs Willis, Mr Beck, Mr Robinson (the objectors) and Mr Fletcher (the applicant) spoke in relation to the application.**

The Development and Building Control Manager spoke in response to the comments raised by the objectors as to why the last application was refused. He advised that at the last Meeting there was some discussion as to the desirability of getting the footprint put back beyond the corner line, which would admittedly comply with the outline approval. However he advised that the decision to refuse the previous application had not been taken on issues of scale or design or by virtue of the fact that it was forward of the line as such, rather it was due to the harm to the neighbouring occupiers of 28 Arcadia Avenue. He explained that the reason why Officers felt they could recommend approval for this revised scheme was that the amendment shown had overcome the refusal reason of the last application, by removing the proposed part of the dwelling closest to number 28, and to ensure that the separation distances are maintained.

In relation to the comments on how the proposal would fit into the street scene and the building lines he advised that the forward most part would sit behind the neighbouring properties to the east, this was a point picked up in the last

application in that the street scene impact was considered acceptable. He felt it was a key material planning consideration whether Members feel that this revised scheme has overcome the concerns raised against the last application ie. the impact on number 28 Arcadia Avenue.

Members gave their comments in relation to the application and were of the opinion that the applicant had met the criteria and made the necessary amendments to overcome the objections raised by the Planning Committee when it had last been considered. Members therefore supported the Officer's recommendation to approve the application. Councillor Nathan proposed to move the recommendation of approval, which was seconded by Councillor May. This proposal was carried.

RESOLVED: "That the recommendation of the Officer to approve the application be agreed, subject to the following conditions."

01A The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

01C The development hereby approved shall be carried out wholly in accordance with the details contained in the application as submitted to the Council on the date specified in Part 1 of this decision notice and as amended on 28<sup>th</sup> January 2008 unless otherwise firstly approved in writing with the Local Planning Authority; in order to ensure the development is carried out in complete accordance with the approved plans.

02A Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and/or roofs of the building(s) have been submitted to, and approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

20A Notwithstanding the details shown on the hereby approved plans and elevations, full details of all means of enclosure of the site (including any internal means of enclosure to sub-divide individual plots) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual and residential amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

65 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) any external alterations to the dwelling (except painting and repairs) and any development within the

curtilage of the dwelling (ie development permitted under Schedule 2, Part 1 (Class A-H inc.) and Part 2 (Class A) of the Town and Country Planning (General Permitted Development) Order 1995 shall require the benefit of planning permission in order to ensure the satisfactory appearance of the development upon completion and in the interests of visual and residential amenity.

Extra 1 The hereby approved development shall be carried out in accordance with a scheme of landscaping to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site, and which scheme may provided for the planting of trees and/ or shrubs (including species, sizes, numbers and densities), the provision of screen fences or walls, the movement of earth, the formation of banks or slopes, the seeding of land with grass, or other works for improving the appearance of the development. The landscaping scheme shall include the retention of the existing conifer trees to the south west corner of the site, as shown on the approved plans and shall all so make provision of additional planting along this boundary, adjacent to the turning head. The works agreed to shall be carried out within the first planting season following completion of development of the site (or of that phase of development in the case of phased development) and thereafter be maintained for 5 years, in the interests of visual amenity, the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

**At this point Councillor Humes left the Meeting at 7.35pm.**

**Prior to consideration of the following item, the Chairman Councillor Davidson declared his interest and left the meeting.**

**Councillor R Harrison took the Chair.**

**(1) Proposal: Resubmission of 07/00396/FUL – proposed erection of 1 no dwelling on land to West of property**

**Location: 2 Carrowmore Road, Chester-le-Street**

**Applicant: Ms R Miller – Reference 08/00004/FUL**

The Development and Building Control Manager advised that he had received a letter from Kevin Jones MP in respect of this application. The MP advises that he has been contacted by Mr Pyke the objector in relation to this application and notes that he and other residents are still concerned in relation to the position of the proposed dwelling and the fact that it would be only 4.5metres from the front of Mr Pyke's property. The MP feels that it would affect Mr Pyke's privacy and block light entering into his home. He is also concerned that if a house was to be constructed here that the future resident would be likely to park on Carrowmore Road, which is in very close



proximity of the junction at Sheelin Avenue and as a result there is a concern that this may obstruct the traffic using that junction.

The Development and Building Control Manager referred to photographs in relation to the proposal, which were displayed for Members information.

**Mr Pyke the objector spoke in relation to the application.**

Members expressed their concerns in relation to the application as follows:

- That the open aspect of these areas of land should remain on open plan estates.
- That this development could set a precedent for other applications of a similar nature.
- The proposal would be overbearing to 1 Sheelin Avenue and would result in a loss of privacy.
- The proposal would be harmful to the character of the street scene.
- The proposal was contrary to Policy HP9 of the Local Plan.
- Some Members raised concern as to how any additional dwelling could be satisfactorily positioned on the plot, without harming the street scene.

The Development and Building Control Manager advised that if Members were minded to refuse the application, and had particular concerns as to how the development may harm the street scene, he could add a second refusal reason that the development would be harmful to the character of the street scene contrary to policy HP 9.

Councillor Brown proposed to move the Officer's recommendation of refusal with the extra refusal reason as recommended by the Development and Building Control Manager, which was seconded by Councillor Wilkinson. Members were in agreement with this decision and the proposal was carried.

RESOLVED: "That the recommendation of the Development and Building Control Manager to refuse the application be agreed for the following reasons.

Extra 1 The proposed dwelling would, by virtue of its proximity to and relationship with No 1 Sheelin Avenue and No 2 Carrowmore Road, represent an unacceptable form of development which would appear unduly overbearing in relation to these properties and would also result in unreasonable overshadowing of these properties, detrimental to residential amenity and thereby contrary to Policy HP9 of the Chester-le-Street District Local Plan.

Extra 2 The proposed dwelling is, by virtue of its scale and siting, considered to have a detrimental impact upon the form and character of the surrounding streetscene and as such is considered to be contrary to the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

**Councillor Davidson returned to the Meeting and re-took the Chair,**

**(C) District Matters Recommended Approval**

**Prior to consideration of the following item, Councillors Wilkinson and K Potts declared their interest and left the Meeting.**

**(2) Proposal: Extension/alteration to existing South-East stand**

**Location: Durham County Cricket Club, Riverside, Chester-le-Street**

**Applicant: Durham County Council – Reference 07/00397/FUL**

The Development and Building Control Manager referred to photographs in relation to the proposal, which were displayed for Members information.

Councillor Brown advised that although he was not against the proposal, he had concerns on the lack of car parking at the Riverside and the problems encountered by residents of people parking in residential areas near to the Riverside and surrounding areas. He referred to the travel survey, which had been promised to be undertaken by the Highways Authority within 9 months of the proposal being approved and suggested that this be carefully monitored.

The Development and Building Control Manager advised that the extra seating capacity that this proposal contained had always been envisaged to be part of the development when the original grant of planning permission for this development was approved. He advised the proposals did not amount to a net addition to seating capacity at the ground.

He advised that the extra conditions that Councillor Brown had referred to was an opportunity to get the Cricket Club to encourage alternative use of transport on match events which he hoped would lead to a significant improvement.

It was suggested that the Development and Building Control Manager raise the parking problems, which were occurring in residential estates with Durham County Cricket Club, Durham County Council and the police.

The Development and Building Control Manager suggested that if Members were minded to approve the application he would put an informative on the certificate to say that Members did express their concern about the present practices and he would make it quite clear that he would ensure compliance with the recommended conditions.

Councillor Harrison also raised the problems encountered by the Sea cadets on match days, which the Development and Building Control Manager noted for inclusion in his comments.

Councillor Turner proposed to move the Officer's recommendation of conditional approval, which was seconded by Councillor Laverick. This decision was carried.

**Councillors Wilkinson and K Potts returned to the Meeting.**

RESOLVED: “That the recommendation of the Development and Building Control Manager for approval in respect of the application be agreed, subject to the following conditions.”

01A The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

01B The development hereby approved shall be carried out wholly in accordance with the details contained in the application as submitted to the Council on the date specified in Part 1 of this decision notice unless otherwise firstly approved in writing with the Local Planning Authority; in order to ensure the development is carried out in complete accordance with the approved plans.

Extra 1 Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and/or roofs of the building(s) have been submitted to, and approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity and in accordance with the provisions of Policies RL8 and NE6 of the Chester-le-Street District Local Plan.

Extra 2 The retail facilities hereby approved shall only be used on ‘match days’ (that is to say events during which the land edged red on the application is in use), in order to ensure the proposals adequately mitigate against flood risk and to accord with the aims of policy 37 of the RSS.

Extra 3 Unless otherwise agreed, a detailed travel survey shall be undertaken within 9 months of the approved seating area being first brought into use. Thereafter the results of this survey shall be provided to the Local Planning Authority and Highway Authority and shall be used to agree appropriate mode share targets, outcomes and corresponding timescales, which shall be agreed in writing with the Local Planning Authority. To ensure the development meets the aims of sustainable transport and to accord with the aims of policies 2 and 54 of the RSS and policies T6 and T15 of the Chester-le-Street Local Plan.

Extra 4 Unless otherwise agreed, a detailed travel survey shall be undertaken every 3 years following the approved seating area being first brought into use. Thereafter the results of this survey shall be provided to the Local Planning Authority and Highway Authority and shall be used to agree appropriate mode share targets, outcomes and corresponding timescales, which shall be agreed in writing with the Local Planning Authority. To ensure the development meets the aims of sustainable transport and to accord with

the aims of policies 2 and 54 of the RSS and policies T6 and T15 of the Chester-le-Street Local Plan.

Extra 5 Prior to the bringing into use of the development hereby approved a flood evacuation plan shall be available for implementation at all times the development hereby approved is in use. In order to minimise flood risk and to accord with the aims of policy 37 of the RSS.

Extra 6 Prior to the bringing into use of the development hereby approved the developer shall submit a Green Travel Plan (to include the appointment of a named Travel Plan co-ordinator) to demonstrate proposed measures to reduce the reliance on the use of the private motorcar to access the development. Thereafter the development shall be carried out in complete accordance with the measures approved as part of the said plan, unless otherwise first agreed in writing with the Local Planning Authority. To ensure the development meets the aims of sustainable transport and to accord with the aims of policies 2 and 54 of the RSS and policies T6 and T15 of the Chester-le-Street Local Plan.

**(4) Proposal: Demolition of library and erection of 4 no. new dwellings**

**Location: Former Library, Front Street, Grange Villa**

**Applicant: Mr T Parker – Reference 08/00009/FUL**

The Development and Building Control Manager advised that the Council's Environmental Health Team had confirmed that they had no objections to this proposal.

He also advised that the County Council as Highways Authority had advised that they were concerned about the level of car parking provision proposed for this development and had pointed out that the majority of terraced properties in the surrounding area have little potential for incurtiledge parking. They also advise that the bus stop to the front of the site would severely eliminate the possibility for future residents to be able to park on the street to the front. The County Council did advise however that notwithstanding the above comments they would raise no objections as long as a sixth car parking space was provided as part of this development which were shown on the pre-application drawings.

He advised that Officers had considered this request and felt that it would be within the powers of the applicant to reconfigure the car parking space shown at the rear to provide six spaces as opposed to five and therefore he proposed to add an extra condition to this affect.

The Development and Building Control Manager advised that he had also received two additional letters of objection from surrounding residents who raised concerns that there was no justification for further residential

development, as there was an existing supply of vacant properties within the area. They consider the Development is not in keeping with the surrounding area. Concerns had also been raised that the new dwellings would impede traffic flows through the village. The objectors point out that in their view there is insufficient parking provision and that this is already a local issue within Grange Villa, especially with vehicles which relate to the social club, which is opposite the site. Concerns are also raised that there would be an adverse impact upon residents at the construction phase.

The Development and Building Control Manager referred to photographs in relation to the proposal, which were displayed for Members information.

Members took into account the concerns raised by the objectors and spoke in great length on the potential problems of car parking and traffic flows through the village. The Development and Building Control Manager reassured Members in relation to these concerns and advised that it would be difficult to go against the proposal when Durham County Council's Highway Authority had raised no objections and the fact that six car parking spaces were now proposed.

Councillor Laverick advised that he was in support of this application and therefore proposed to move the Officer's recommendation of conditional approval, subject to the extra condition to require 6 parking spaces as opposed to 5, which was seconded by Councillor Robson. This proposal was carried.

RESOLVED: "That the recommendation of the Development and Building Control Manager for approval in respect of the application be agreed, subject to the following conditions."

01A The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

01C The development hereby approved shall be carried out wholly in accordance with the details contained in the application as submitted to the Council on the date specified in Part 1 of this decision notice and as amended 25<sup>th</sup> January 2008 (drawing No.3 Rev A) unless otherwise firstly approved in writing with the Local Planning Authority; in order to ensure the development is carried out in complete accordance with the approved plans.

02A Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and/or roofs of the building (s) have been submitted to, and approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

20A Notwithstanding the details shown on the hereby approved plans and elevations, full details of all means of enclosure of the site (including any internal means of enclosure to sub-divide individual plots) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual and residential amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 1 No development approved by this permission shall be commenced until:

- a) the application site has been subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved by the LPA;
- b) should contamination be found, detailed proposals for the removal, containment or otherwise rendering harmless such contamination (the 'contamination proposals') have been submitted to and approved by the LPA;
- c) for each part of the development, contamination proposals relevant to that part (or any part that would be affected by the development) shall be carried out either before or during such development;
- d) if during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA; and
- e) if during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

Notwithstanding the information, submitted development shall not commence before a scheme of the arrangement of vehicular parking has been submitted to and agreed in writing with the Local Planning Authority. The vehicular parking scheme shall then be carried out in accordance with this approved scheme thereafter. In accordance with Policy HP9 of the Chester-le-Street Local Plan.

**(D) Planning General**

**1.0 NOTIFICATION OF PLANNING APPEAL DECISION**

**1.1 APPEAL AGAINST REFUSAL TO GRANT PLANNING PERMISSION FOR THE CONSTRUCTION OF A REPLACEMENT DWELLING AT TWIZELL DYKES FARM COTTAGE, TWIZELL DYKES FARM, GRANGE VILLA**

RESOLVED: "That the decision of the Planning Inspectorate to dismiss the appeal be noted."

## **2.0 LIST OF PLANNING APPEALS**

RESOLVED: "That the list of Planning Appeals and the current status be noted."

**The Chairman took the opportunity on behalf of the Planning Committee to thank Sara Bough, Planning Officer who was leaving the Authority for all her hard work over the years and conveyed best wishes for the future.**

The meeting terminated at 8.20 pm