

# **DURHAM COUNTY COUNCIL**

## **AREA PLANNING COMMITTEE (NORTH)**

At a Meeting of the **Area Planning Committee (North)** held in the Council Chamber, County Hall, Durham on **Thursday 29 June 2023 at 9.30 am**

### **Present:**

**Councillor E Peeke (Chair)**

### **Members of the Committee:**

Councillors W Stelling (Vice-Chair), J Blakey, K Earley, L Fenwick, J Griffiths, D Haney, P Jopling, J Purvis, I Roberts, K Shaw, M Stead, A Sterling, A Watson and S Wilson

### **Also Present:**

Councillor S Robinson

## **1 Apologies**

Apologies for absence were received from Councillors G Binney and L Brown.

## **2 Substitute Members**

Councillor L Fenwick substituted for Councillor G Binney and Councillor M Stead substituted for Councillor L Brown.

## **3 Minutes**

The minutes of the meeting held on 18 May 2023 were confirmed as a correct record and signed by the Chair.

## **4 Declarations of Interest**

Councillor Sterling declared an interest in item 5b explaining that she had spoken on the item in her capacity as Local Member at the meeting held on 27 April 2023. Councillor Sterling confirmed that she was now a member of the Area Planning Committee (North) and intended to speak on behalf of residents. L Ackermann, Legal Officer advised that Councillor Sterling could speak as Local Member for the Delves Lane division but must leave the Chamber prior to the debate.

In respect of item 5c, Councillor Earley explained that he had requested the item be brought to Committee in conjunction with Councillor Robinson but confirmed that he was independent.

## **5 Applications to be determined by the Area Planning Committee (North Durham)**

### **a DM/22/01929/OUT - Land To The Rear Of 1 To 8 Wesley Terrace, Castleside Industrial Estate, Castleside, DH8 9QB**

The Committee considered a report of the Senior Planning Officer regarding outline consent for Use Class C3 residential development of up to 18 units with access (with all other matters reserved) (for copy see file of Minutes).

S Henderson, Senior Planning Officer provided a detailed presentation of the application which included a site location, aerial photographs, photographs of the site and proposed plans.

J Blackmore addressed the Committee in objection to the application. He confirmed that he was a local resident and, in his opinion, an extensive consultation regarding the application had not taken place with residents. He advised Members that the front of his property was currently overlooked and the proposed houses, particularly plots 13,14 and 15 would directly overlook the rear of his property due to the raised level of these houses. He referred to the photographs displayed by the Senior Planning Officer and stated that whilst the road was wide, the photographs did not show the heavy goods vehicles (HGVs) which were often parked on the road. He went on to highlight that drainage in the area was a problem and Northumbrian Water had been dealing with issues of backfilling for five years and additional houses would put further strain on drainage exacerbating the problem.

In response to comments from J Blackmore, the Senior Planning Officer apologised that the consultation had not been considered sufficient and clarified that it had been publicised by way of press, site notices and that letters had been sent to all neighbouring properties. He also noted that Mr Blackmore had been invited to the meeting and given the opportunity to make representations. The Planning Officer went on to advise that the application was for outline consent and gave assurance that minimum separation distances could be achieved on site.

Councillor Sterling asked if local members had raised any objections. She had great sympathy with residents but gave assurance that concerns of being overlooked would be considered in more detail at the planning stage. She commented that she drove past the site daily and had no objection to

the application for outline consent and believed it would be a good addition to the village.

In respect of the Section 106 legal agreement to secure £28,620.00 towards open space and green infrastructure within the Electoral Division, Councillor Haney noted it was standard practice to allocate this money to the Electoral Division but asked if it was possible to allocate this to the parish instead. The Senior Planning Officer commented that open space contributions were being sought for the additional housing being created and whilst he was unsure of the precise policy, he stated that the money needed to benefit the future residents of the site. The Legal Officer advised that if there was not a suitable place within the parish to spend the contribution towards open space, then funds could be cascaded to the wider Electoral Division. Councillor Haney supported this.

Councillor Earley confirmed that concerns of overlooking were raised during the site visit, but he felt the fall of the land provided an opportunity to minimise the impact to residents and asked if it was possible for the build level to be reduced. L Dalby, Principal Planning Officer advised that the issue of overlooking was a reserved matter and if Members approved the application, this issue would be considered at the next stage of the planning process along with design and layout. The Senior Planning Officer went on to explain that the Residential Amenity Standards Supplementary Planning Document (SPD) provided guidance on separation and privacy explaining that for every metre difference in land level, a further meter of separation was required.

Further to the concerns expressed by J Blackmore regarding drainage, Councillor Blakey asked whether pressure could be put on Northumbrian Water. The Senior Planning Officer advised that Northumbrian Water would need to be involved at the next stage of the planning process and that minimum standards would need to be met before development could commence. Councillor Blakey confirmed that she was minded to approve the application for outline consent. This was seconded by Councillor Jopling.

In response to a question from Councillor Watson regarding the public consultation, the Senior Planning Officer advised that they had exceeded the statutory guidelines for consultations noting the team had issued press notices, site notices, in addition to 39 letters to residents.

Councillor Shaw disagreed that a good mix of housing was proposed, he considered the houses to be exclusive and pointed out that no bungalows were included in the proposal. In his opinion, the current need for housing was not being met in County Durham and he asked whether it was within Members gift to influence the types of properties at this stage or at the next stage of the planning process. In response to Councillor Shaw, the Principal

Planning Officer advised whilst local need was important, the application put forward was solely to determine if the land was appropriate for residential use and confirmed the detail, including the types of houses, would be considered at the next stage of the planning process.

The Principal Planning Officer further advised that Condition 17 stated at least 10% of the total number of units approved will be constructed to a design and type which meet the needs of older people. Councillor Shaw felt 10% would not meet the demand going forward. The Principal Planning Officer explained that 10% was set out in Council Policy as a requirement.

The Chair confirmed that Councillor Blakey had **moved** the application for approval and this had been **seconded** by Councillor Jopling.

Upon a vote being taken it was:

### **Resolved**

That the application be **APPROVED** subject to a 106 legal agreement with the adjustment of £28,620.00 towards open space and green infrastructure be allocated to the Parish Council, cascading to the Electoral Division if necessary, and subject to the conditions listed in the report.

### **b DM/22/03273/FPA - Explorer House, Butsfield Lane, Knitsley, Consett, DH8 7PE**

The Committee considered a report of the Senior Planning Officer regarding the erection and use of a temporary warehouse building (70m x 30m) until December 2024 and three permanent welfare units (for copy see file of Minutes).

S Henderson, Senior Planning Officer provided a detailed presentation of the application which included a site location, aerial photographs, photographs of the site, proposed elevations and proposed welfare canteens.

Councillor Sterling thanked the Chair and members for allowing the item to be brought back to the Committee. She expressed her disappointment when the applicant did not attend the previous meeting of the Committee and hoped that the applicant would listen to the concerns raised. As Local Member for the Delves Lane division, Councillor Sterling valued Erwin Hymer as a major employer and understood their business need given the challenges over previous years but emphasised the need to be a good neighbour. Councillor Sterling explained that residents were not unreasonable. Their main issue was that the structure had been built without permission and had created significant problems, particularly relating to noise

and light. Councillor Sterling believed that if the application had gone through the correct planning process from the outset, then officers would have considered the impact on residents in detail.

Councillor Sterling noted that mitigations had recently been proposed, however residents had continued to hear noise after 10.00pm and their concerns regarding lighting remained. Councillor Sterling questioned why mitigations had not been introduced earlier and queried whether the mitigation for lighting was sufficient given that residents properties were bungalows. Residents felt that their trust had been broken and were concerned that these issues would continue should the Committee approve the application. Councillor Sterling felt it was important for residents to have a named contact and telephone number at both Erwin Hymer and the Local Authority so that any future issues could be reported immediately. Whilst Councillor Sterling welcomed the mitigations that had been proposed, she emphasised how distressed residents had been and the need for them to be given re-assurance going forward.

Councillor Sterling left the Chamber.

Ms Jackson Brown, local resident, addressed the Committee in objection to the application. She stated that requesting an extension on a building where planning permission was not applied for in the first place was not right. The temporary warehouse was originally planned to be dismantled the previous year but had remained standing. Constant noise from delivery trucks was causing anxiety and had affected the wellbeing of residents. Ms Jackson Brown confirmed that she had moved into her bungalow in 2019 and work by the company at that time was between the hours of 8.00am and 5.00pm and did not occur right on her doorstep. However, over time excess traffic noise and light had become an issue, particularly noise which had been heard between the hours of 6.00am and 11.00pm. Ms Jackson Brown explained that she could withstand the temporary warehouse until 2024 but needed assurance that it would come to an end at this time, and should a new structure be required, it be situated elsewhere. She advised that young family members had been unable to sleep because of the noise and although Erwin Hymer had been behaving well recently, she expressed concern that their behaviour would revert should the application be approved. Ms Jackson Brown appreciated the needs of the business but stressed that she wanted a quiet life in peace, something that she had worked hard for.

Mr C Short, Erwin Hymer Group addressed the Committee. He stressed his passion for residents and the North East and explained that a previous leadership team had closed down facilities in Sweden to continue business in the North East to help the local economy. He apologised on behalf of the previous leadership team and agreed that planning permission should have been sought prior to the erection of the temporary warehouse. Mr Short

advised that he sought advice as soon as he was aware of this and gave his apologies on behalf of the previous leadership team for the issues that had arisen since 2019.

Mr Short advised that he had worked for the business for one year and wanted it to be an employer of choice and therefore Erwin Hymer had put in significant investment of over £15m to address the concerns that had been raised. He advised that as the Managing Director he was happy to be the named contact for residents and suggested that the Senior Planning Officer be the named contact at the Local Authority. Mr Short stressed the importance of bringing the business back to where it used to be and for this to happen there needed to be volume and that this involved materials and storage. He explained that the warehouse was needed until December 2024 at the latest and without the warehouse, the volume could not be met. Mr Short advised that Erwin Hymer Group had started production in Poland and it was important for the business to work as a team to keep the volume going and protect 600 jobs.

The Senior Planning Officer asked Mr Short if the lighting cowls had been installed. Mr Short confirmed that small cowls around the floodlights had been erected. The Senior Planning Officer suggested it would be helpful to have a discussion to see if anything further could be done to help mitigate light spill.

The Senior Planning Officer went on to advise that the application for a temporary warehouse was until December 2024 and the Planning Team had the power to act if the warehouse was not removed by this time. The Senior Planning Officer confirmed that he would be the named contact at the Local Authority should residents have any further concerns.

Councillor Jopling appreciated the difficulties faced by business over the last few years and the need to help a large manufacturer but advised that Members must also care for the needs of residents. She urged residents to contact their local councillor should they have any future concerns and noted that Erwin Hymer Group needed to plan for the temporary warehouse coming down. Councillor Jopling **moved** the application to be approved in line with the officer's recommendation.

Councillor Earley believed there was an expectation for large businesses to be good neighbours. He felt Mr Short from Erwin Hymer Group had a good hand on the job and hoped the next application for a permanent structure would be a better solution. Councillor Earley **seconded** that the application be approved.

Councillor Blakey was concerned regarding the level of noise residents had experienced and asked if it was possible for this to be monitored so that it

was clear where the bulk of the noise was happening. The Senior Planning Officer advised that noise levels had significantly reduced recently and was due to the new method of moving materials, which was a condition in the report. He advised that noise monitors were unnecessary and future concerns of noise could be reported to Environmental Health.

Councillor Stead stated that although the planning application was in retrospect, he felt the business was there for the community and had addressed the concerns of residents.

Councillor Wilson felt that Erwin Hymer Group had worked well to mitigate the concerns that had been raised and noted some of these concerns related to Environmental Health. Councillor Wilson was satisfied with the application providing that the conditions in the report mitigated the issues in relation to operation times, light and noise.

The Senior Planning Officer clarified that conditions 1 and 5 within the report referred to the temporary warehouse only.

Upon a vote being taken it was:

### **Resolved**

That the application be **APPROVED** subject to the conditions listed in the report.

### **c DM/22/01445/FPA - Land Adjacent to 4-5 Shotley Grove Road, Shotley Bridge, Consett, DH8 8SF**

The Committee considered a report of the Planning Officer regarding the replacement of existing septic tank with a domestic sewage treatment plant (for copy see file of Minutes).

C Robinson, Planning Officer provided a detailed presentation of the application which included a site location, aerial photographs, photographs of the site and the proposed tank specification. The Planning Officer explained that the applicant had provided an up to date management plan and therefore condition 5 was no longer required.

Councillor Robinson, Local Member for the Benfieldside division addressed the Committee. He stressed that the report lacked information regarding the maintenance of the tank and pointed out that there had been 16 spillages over the last 6 years. He explained that when the sewage wagon arrives to empty the tank, residents are unable to access the road for a period of one hour. Councillor Robson noted that 4 and 5 Shotley Grove Road were now

commercial premises and were used continuously seven days a week and that by law that the tank should have been replaced in 2022 and therefore the proposal for replacement was 18 months out of date. Councillor Robinson stressed that the applicant did not own the land and highlighted that the covenant was for domestic use and not for commercial use.

Mr M Farrell addressed the Committee in objection to the application. He explained that he had made the applicant aware when the tank had overflowed and had stressed to the applicant that they were unable to build on his land without planning permission. Mr Farrell informed Members that he had significant evidence of the tank overflowing which had caused contamination to the River Derwent and emphasised the foul smell when this occurred. Mr Farrell believed, given the number of people at 4 and 5 Shotley Grove Road and Mill House, that the proposal was not fit for purpose and pointed out that the footprint of the proposal was ten times larger than the footprint of the 1968 tank. Mr Farrell explained that he had offered to sell the land at the bottom of his garden where the existing septic tank was currently situated and stated that he was unable to put up a fence in this area due to the ongoing maintenance that was required. Mr Farrell explained that an alternative option for the proposal would be for the applicant to utilise the land at 4 and 5 Shotley Grove Road where an unused garage was located.

S Deegan, Associate Director, Cambrian Group addressed the Committee on behalf of the applicant. The proposal for a domestic sewage treatment plant would be installed in the same location as the current tank and would service 4 and 5 Shotley Grove Road only, with a new separate tank to service Mill House. He confirmed that two tanks would address the issues with capacity. Mr Deegan advised that a legal easement had been in place since 1968 which permitted legal right of access onto the site where the tank was currently located for the purpose of maintenance. He confirmed that the deed served no other purpose. He stated that the existing system was failing and a new improved facility was required. Whilst he understood the concerns of those that had objected, he advised that the underground infrastructure was already in place and the proposal had been accepted by the environment agency and was the most appropriate method to address the current issues. He noted the domestic sewage treatment plant could serve up to 12 people and as the number of people who reside/work at 4 and 5 Shotley Grove Road was 11, the proposal was deemed sufficient. S Deegan confirmed that no objections had been received following submission of the management plan which included a six week cycle of cleaning and flushing, annual tank maintenance and the installation of an alarm to prevent overflowing. S Deegan confirmed that all measures would be secured by conditions and advised that the domestic sewage treatment plant had received sign off from all statutory consultees.



L Dalby, Principal Planning Officer responded to Councillor Robinson's comment regarding land ownership and confirmed that this was outside the scope of the Area Planning Committee and could not be considered. With regards to maintenance, the Principal Planning Officer confirmed that as he was in receipt of a satisfactory management plan from Cambrian Group, condition 5 was no longer necessary.

In response to a question from Councillor Jopling, the Principal Planning Officer explained that three properties were currently connected to the existing tank and none of the properties could be disconnected until Mill House had its own tank, and for this to happen a separate application would need to be submitted demonstrating that Mill House had adequate capacity to deal with their waste.

Councillor Jopling went on to ask how efficient the domestic sewage treatment plant was in treating waste. The Principal Planning Officer explained that the traditional septic tank stored waste but the new domestic sewage treatment plant processed waste and its discharge was 97% clean. He further explained that the maintenance of the new plant was required once per year.

Councillor Earley commented on the complexities of the application and praised Councillor Robinson in supporting residents. He emphasised the contamination that had occurred in the River Derwent and stated that it would be beneficial to have someone present at the meeting who had commitment to the local area. He believed that the business at 4 and 5 Shotley Grove Road needed to behave in a responsible manner and felt that they could afford a proper solution to the issues suffered by residents. Councillor Earley asked for further clarification on how the domestic sewage treatment plant worked particularly the separation of fresh and foul water and if it was possible for the tank to overflow in the event of a flash flood. He asked for further clarification regarding the maintenance of the tank, whether this would be every 6 weeks or once per year and asked who would be alerted by the alarm that was to be installed. He stressed that Members needed to do their best for the residents and for the River Derwent to prevent any further pollution.

Councillor Watson commented that sewage was an issue throughout the country. He questioned why the domestic sewage treatment plant had to be next to the riverbank noting that several portable units were located across the countryside and were not in close proximity to a river and asked if a portable tank that did not require discharge into the river was an option where the unused garage was. He stated that the contamination caused to the river poisoned fish and prevented children from using the river. Councillor Watson went on to state that the land in question was private and should not be used to serve a commercial enterprise. He also felt that a video

presentation would have been beneficial for this application to demonstrate to Members how the treatment plant worked. Councillor Watson confirmed that the application should be refused.

Councillor Wilson noted the covenant that was introduced in 1968 and highlighted that 4 and 5 Shotley Grove Road were now being used as commercial premises and given that appliances had developed over the years, the usage now would be considerably more than 1968. He asked what calculations had been used to deem the domestic sewage treatment plant fit for purpose.

In response to concerns expressed by Councillor Blakey in relation to sewage discharged into the river being an offence, the Principal Planning Officer clarified that it was not a like for like septic tank explaining that a package treatment plant carries sewage as opposed to storing it and discharges 97% pure water. Councillor Blakey seconded that the application be refused.

Councillor Roberts commented that during the site visit she observed the unused garage on the land of 4 and 5 Shotley Grove Road and believed this was a better location for the domestic sewage treatment plant.

As the current septic tank was continuing to overflow, Councillor Sterling was concerned of the consequences if the application was to be refused.

Responding to comments from Members, the Principal Planning Officer reiterated that the proposed replacement was not a like for like septic tank and confirmed that the existing tank would be replaced with a package treatment plant. He gave assurance that the new tank was designed to accommodate waste for up to 12 people and would therefore meet the capacity need. With regards to the River Derwent and discharge, the Principal Planning Officer confirmed that the environment agency had deemed the proposal to be acceptable and had confirmed that this system for dealing with waste was one they advocated. He clarified that 4 and 5 Shotley Grove Road were a residential dwelling, not commercial premises, explaining that a children's home did not require planning permission.

Councillor Robinson stated that looked after childrens homes were considered commercial premises. The Principal Planning Officer clarified that in terms of planning, 4 and 5 Shotley Grove Road were classed as residential dwellings and no change of use had been required.

In response to a question from Councillor Peeke regarding the number of people residing at 4 and 5 Shotley Grove Road. S Deegan confirmed that a total of 11 people resided across the two properties and this was a

combination of children and staff. He clarified that the properties catered for a maximum of three children.

Councillor Wilson noted that the existing tank should accommodate the waste for up to 12 people and argued that as the new domestic sewage treatment plant could also only accommodate the waste for up to 12 people, whether the size of the new tank was sufficient given the reports of over spillage from the existing tank.

L Ackermann, Legal Officer clarified that the existing septic tank was to be replaced with a package treatment plant and would serve one dwelling less.

Councillor Haney stated that the questions asked earlier by Councillor Earley in relation to the regularity of the maintenance of the new tank and whether it could overflow had not been answered by officers and felt that additional conditions may be necessary to ensure adequate maintenance. The Principal Planning Officer explained that the initial period for maintenance following installation of the new tank would occur on a 6 week cycle until the tank was established. With regards to whether the tank was capable of overflowing, he advised that he was unsure whether the tank was a sealed unit but that a condition had been agreed for an alarm to be installed to monitor the capacity and would alert the appropriate person should capacity levels be reached.

Councillor Stead commented that larger septic tanks did not cost a great deal and questioned whether a package treatment plant was the correct solution or whether a larger septic tank would be a better solution.

The Legal Officer clarified that Members must consider the application in front of them. The Principal Planning Officer further added that the environment agency was satisfied and had raised no objections to the scheme.

Councillor Earley asked again if rainwater could go into the new tank and whether the tank had the potential to overflow. He further stressed that the condition regarding Mill House having their own separate tank installed first before any works commence must be adhered to. He went on to ask what reasons officers could suggest for Members to refuse the application.

Councillor Shaw left the meeting at 11.40am.

Councillor Jopling felt that Members would be doing a disservice to residents if they did not agree a solution.

In response to Councillor Earley's question regarding rainwater, S Deegan confirmed that the plant would only pick up foul water from 4 and 5 Shotley

Grove Road and the current drainage systems would deal with rainwater separately. Councillor Earley disagreed with this comment stating that in most cases, fresh water joins foul water and has the potential to create problems with flooding. The Principal Planning Officer stated that there was no further information available regarding this issue.

Councillor Purvis felt more information was needed before an informed decision could be made and asked if it was possible to defer the application until this was received. The Principal Planning Officer confirmed that technical officers were present at the meeting and asked what additional expertise was required to alleviate Members concerns.

Councillor Stead was mindful to approve the application if there was proof of separation of fresh and foul water. The Legal Officer asked Councillor Stead if he would be satisfied with an additional condition that secured separation of rainwater. Councillor Stead agreed that he was happy to move the application on this basis.

Councillor Sterling believed that there was no legal material reason to refuse the application and agreed with Councillor Jopling that a solution was needed for residents. Councillor Sterling noted the comments by Mr Farrell regarding selling his land and made a personal plea to the applicant to re-consider this.

Councillor Stelling expressed concern regarding contamination of the River Derwent and gave an example of a group of young people who had been admitted to hospital after swimming in the river. He explained that the quality of the water had been affected by sewage.

In response to a question from Councillor Watson, the Senior Planning Officer confirmed that the applicant could submit a further application free of charge providing it was within the 12 month period.

Councillor Wilson asked if it was possible for someone to attend a meeting of the Area Planning Committee to fully explain the workings of the domestic sewage treatment plant stating this would give him confidence to make a decision on the application.

Councillor Wilson left the meeting at 11.55am.

In response to a question from Councillor Jopling regarding rainwater, S Deegan explained that the domestic sewage treatment plant was a sealed system and did not accept rainwater, he confirmed that it only accepted foul waste from the properties it served. He went on to explain that Cambrian Group were not proposing a septic tank that stored waste, it was a new system that treats water and would include the installation of an alarm which would sound if capacity levels were reached. S Deegan explained that

installation of the same tank would not be accepted by policy and confirmed that the domestic sewage treatment plan met policy 36 of the County Durham Plan.

Councillor Earley stressed that the report did not clearly state that rainwater would be separated and believed 11 people on site at 4 and 5 Shotley Grove Road had the potential to push the tank to its limits. He was also concerned that the number of children residing at the properties could increase from 3 to 5.

The Chair confirmed that a motion had been put forward by Councillor Watson to refuse the application, this had been seconded by Councillor Blakey.

A further motion had been put forward by Councillor Griffiths to defer the application, this was seconded by Councillor Roberts.

N Carter, Lawyer advised that the applicant had confirmed that rainwater could not go into the domestic sewage treatment plant and stated that this could be secured with an additional condition. With regards to whether the plant could overflow, the Lawyer advised that whilst this had not been confirmed, officers and agencies had not expressed any concern and reiterated the alarm system. He believed that adequate information had been presented for Members to determine the application.

Councillor Sterling moved the application to be approved in line with the officer's recommendation with an additional condition to secure rainwater is separated. This was seconded by Councillor Jopling.

Upon a vote being taken, the motion to approve the application was lost.

The Council's Lawyer explained that proper refusal reasons would need to be put forward before the motion to refuse could be voted upon. He asked Cllr Watson to explain these. In response, Cllr Watson referred to part 15 of the NPPF and expressed concern about the environment as well as stating that the applicant should accommodate the PTP within his own land.

The Council's Lawyer advised that if the proposed refusal reasons were the risk of a pollution incident into the River Derwent and a better alternative location on the applicant's own land, these would not be sustainable on appeal. He asked Cllr Watson if he wished to reconsider or continue with these reasons in light of this advice.

Whilst Cllr Watson was of the view that the applicant would not appeal and would instead re-submit under the free go provisions, further discussion

ensued regarding the best way to proceed and Members concluded that insufficient information was available to determine the application.

Councillor Watson and Councillor Blakey withdrew the motion for the application to be refused.

A motion to defer the application was previously put forward by Councillor Griffiths and had been seconded by Councillor Roberts.

Upon being asked by the Council's Lawyer, Councillor Earley explained the reasons for deferral on behalf of Members. He stressed that it had not been confirmed whether rainwater could be separated. He asked for further information regarding the washing arrangements for the three properties. Finally, he stressed that it needed to be clarified if the children that reside in 4 and 5 Shotley Grove Road could increase to 5 in the future as reflected in the Care Quality Commission report and if this were to occur, the impact this would have on the domestic sewage treatment plant.

Upon a vote being taken it was:

**Resolved**

That the application be **DEFERRED**.