

**At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 30<sup>th</sup> JUNE, 2009 at 5.30 p.m.**

**Present:-**

Councillor Fletcher in the Chair

Councillors Charlton, Copeland, I. Cuthbert, Heron, T. Martin, Miller, Scaplehorn, J. Scott, Snowdon and Wakefield

**Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor Chamberlin.

**Applications made under the Town and Country Planning Acts and Regulations made thereunder**

The Director of Development and Regeneration submitted a report together with a supplementary report (copies circulated) which related to Hetton, Houghton and Washington areas, copies of which had also been forwarded to each Member of the Cabinet upon applications made under the Town and Country Planning Acts and Regulations made thereunder.

(For copy report – see original minutes).

**09/01286/VAR – Removal of condition No. 11 of planning permission 98/00514 for residential development (known as Biddick Woods) and the making of a financial contribution towards the upgrade of play facilities at Grangewood Park in lieu of improvements to the football field to the north of Claremont Drive.**

The representative of the Director of Development and Regeneration advised that to allow the variation of the Condition there was a full new consent required. As such the application included 29 conditions however the majority of these had already been discharged.

The planning obligation had been completed and the funds, totalling £50,000 had been transferred into the Council's bank account.

Councillor Heron stated that he had always been concerned over play areas being installed after developments had been completed; he felt that they should be installed before any houses on the development are occupied as this would reduce complaints from residents as they would be able to see where the play areas were before they moved into the houses.

The representative of the Director of Development and Regeneration advised that there had been various ways of attempting to get developers to install play provision tried however it was now the opinion of Community and Cultural Services that small play areas within developments were not preferable. The original condition attached to the consent was not precise and had no specific reference to children's play.

Councillor J. Scott asked what was wrong with improving the football field.

The representative of the Director of Development and Regeneration advised that upgrading the field had been suggested however it could not be decided what form the upgrades would take. In 2002 it had been decided that it would not be appropriate to upgrade the pitch and a section 106 agreement had been suggested. The football pitch is still there.

Councillor I. Cuthbert provided some background information to the application. He stated that residents had approached him with concerns regarding the lack of play provision. He had approached Development and Regeneration and found that the conditions were not in place, a contravention order had been served and the matter had also been looked at by the scrutiny committees.

The representative of the Director of Development and Regeneration advised that it was the late 1990's before there were attempts made to get Section 106 agreements as prior to then the developers had said that it would not be worth them building if they needed to pay contributions. He also advised that Section 106 agreements covered more than just play provision.

Councillor J. Scott then queried whether condition 2 had been completed and what treatment the shafts had been given.

The representative of the Director of Development and Regeneration advised that the condition had been completed; the shafts had been capped and there would not be any houses built on top of them.

Councillor I. Cuthbert expressed concerns over the way Section 106 agreements were used. He stated that if a park was not part of the Play Pathfinder scheme then it would be allowed to fall into disrepair while the money was spent elsewhere. He was concerned that the football pitch may not be used.

The representative of the Director of development and Regeneration advised that the last time he had visited the site there had been a five a side football match taking

place on the football field. Consultation had taken place and it was found that the majority of young people in the area used Grangewood Park.

Councillor Wakefield commented that there were currently consultants looking at football facilities, he suggested that this consultation should be looked at before a decision was made on this application.

The representative of the Director of Development and Regeneration advised that without knowing when this consultation was finishing it would be unreasonable to delay this application any further.

1. RESOLVED that the application be approved subject to the 29 conditions set out in the supplementary report.

### **09/01280/SUB – Erection of extension to existing Industrial Unit, (Eastern Elevation) and associated ground works and landscaping.**

Ms Faith Bailey, from DPP, spoke on behalf of the applicant. She stated that:

- The tree survey carried out by the applicant had shown that there were many poor quality and self seeded trees. The replacement trees would be of a much higher quality.
- The underplanting would grow naturally.
- This site was on industrial land not on the greenbelt.
- There had already been a precedent set along the A1290 by Nissan which had a major impact on the area.
- This proposal would allow a more effective use of the site.
- There would be long term benefits provided including new employment opportunities. There had been a £1.5million turnover last year and these plans involved reinvesting this into the area.

Councillor T. Martin commented that the investment was a valid point however when the site had been visited it had been obvious that expansion could have been accommodated without any need to affect the trees. The removal of the trees would set a precedent which could result in the loss of trees from elsewhere in the city.

Councillor Miller commented that the bund was an unstable shape however he was happy that it would be suitable.

Councillor Scaplehorn agreed with Councillor T. Martin and stated that there would be a drastic effect on the area if the trees were removed.

Councillor Wakefield asked what the purpose of the bund was. He queried whether the trees could just be planted at ground level, he felt uncomfortable refusing the application as there would be an effect on the economy.

The representative of the Director of Development and Regeneration advised that the bund was to increase the height of the trees to create a more effective screen. Some of the other units were visible over the top of the trees and if the bund was removed these would be even more visible.

The Chairman stated that she was uncomfortable with the other units being visible. She also advised that this was the smallest unit.

Councillor Heron stated that he wanted to see jobs created when possible however there was a need to follow good planning principles. He felt that the bund was required and that if it was removed then all of the tree lines may as well be removed as there would be a major visual impact. It would have a major negative impact on the city if this happened.

Councillor I. Cuthbert stated that he had listened to both sides of the argument. He felt that it was important to encourage businesses, especially in the current economic climate however it was important not to destroy the tree lines. He felt that in this case the only option would be to refuse to grant the application as it would set a precedent if it was allowed.

Councillor Miller stated that he was surprised at the recommendation; there were major economic factors to consider. He stated that all of the other buildings on the industrial estate could be seen from the greenbelt. He was not convinced by the precedent issue.

This area of greenbelt was unimpressive it was just fields with a road running through it towards a motorway; he would have an issue with amenity if there was something there. The development site is on industrial land and the bund was there to provide screening until the trees grew. He did not want to see trees hiding an empty warehouse and felt that it could be appropriate to approve the application.

Councillor Copeland commented that if the trees were removed then there would need to be hundreds of replacement trees planted.

Councillor J. Scott commented that there would not be a precedent set as each application should be considered on its own merits.

Councillor I. Cuthbert stated that he felt that Councillor Miller's argument was flawed as there was another application had already been given permission so jobs would not be lost. There could be a precedent set which could have an effect on a site where there were houses and there could be an unacceptable amount of loss of visual amenity. He did not want to see the trees destroyed.

The representative of the Director of Development and Regeneration addressed the issues raised.

In response to Ms Bailey he stated that while the individual trees were not good quality specimens it was the importance as a group which was being considered, the mix of tree types and the self seeded trees only served to add to the bulk of the tree screen.

In response to Councillor Miller he advised that the bund would have a one in one slope. The UDP sought the retention and enhancement of strategic planting put in by the Washington Development Corporation. The benefits of the application had been

examined and it was felt that in this case the economic benefits did not outweigh the environmental costs. He had considered approving the application but it would not be possible due to the balance between preserving the trees and improving the economy. There was already consent in place for a different extension to the building which would not damage the tree line. He had heard nothing that could make him change his mind and as such the application was still to refuse planning permission.

Councillor Miller stated that Washington was the economic wealth generator for the city and the greenest part of the city. Industrial estates were there to make money and while this site was on the edge of the greenbelt he did not see a problem with approving the application. He did not see how the application could set a precedent if approved as each application was supposed to be looked at individually.

The representative of the Director of Development and Regeneration advised that a precedent could be set as when deciding on applications relevant considerations needed to be looked at and these could include past developments. The UDP stated that green belts should be retained where possible. Approving this application would result in the UPD policies being damaged.

Councillor Miller agreed that the UDP policies should not be damaged and accepted the officer's recommendation. He asked that in future the reports be more explicit regarding the implications of going against the recommendations.

The Chairman moved that the recommendation be put to the vote and with:  
8 Members voting for the refusal of the application; and  
3 Members abstaining

It was:

2. RESOLVED that the application be refused for the reasons set out in the supplementary report.

### **Town and Country Planning Act 1990 – Appeals**

The Director of Development and Regeneration submitted a report (copy circulated) concerning the above for the period 1<sup>st</sup> May, 2009 to 31<sup>st</sup> May, 2009.

(For copy report – see original minutes).

3. RESOLVED that the report be received and noted.

(Signed) J. FLETCHER,  
Chairman.