

**At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 28<sup>TH</sup> JULY, 2009 at 5.30 p.m.**

**Present:-**

Councillor Fletcher in the Chair

Councillors Charlton, Scaplehorn, Snowdon and Wakefield

**Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Copeland, I. Cuthbert, Miller and I. Richardson

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

The Director of Development and Regeneration submitted a report (copy 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).

**09/02127/REN – Continuation of planning permission 08/00712/FUL – change of use from domestic use to commercial with replacement boundary wall and gates**

The representative of the Director of Development and Regeneration advised the committee of the details of the Delivery Management Plan which had been required by condition under planning approval 08/00712/FUL finally discharged on 11.3.09. The plan was as follows:

- Monday/Wednesday/Friday – deliveries of general goods from cars and light vans at the rear of the premises.

- Daily – deliveries of bread and milk to the front of the premises from cars and light vans
- Thursday/Friday – deliveries of general goods to the front of the premises from HGVs.

There were to be no deliveries at any time to the rear of the premises from HGVs and there was a requirement for this to be signed.

Councillor D. Richardson spoke against the application on behalf of the local residents. He advised that their concerns were that:-

- The instructions for deliveries had been totally ignored
- Children were using the gates as goal posts
- Residents were woken up in the mornings to move their cars to allow delivery vehicles to access the rear of the premises
- There were regular deliveries to the rear of the premises
- The applicant had told residents that he had no intention of complying with the Delivery Management Plan
- The applicant had been reporting residents cars which were parked in the back lane
- There had been an asbestos garage removed from the site and there was no record of it being properly disposed of
- There was a wide footpath at the front of the premises and it would be easier for the applicant to receive deliveries from the front.
- Gentoos had a covenant on the land where the garages were situated which stated that the land could not be used to access the shop.

John Smith, Environmental Health Manager, confirmed that a complaint had been investigated during the removal of the garage. The inspector had been advised that the garage had been removed by a local firm who had used the asbestos panels to repair their own garage. In regard to the allegations relating to the times and method of deliveries Mr Smith recommended that residents record when deliveries were taking place to enable environmental health to monitor the situation. Mr Smith pointed out that granting a temporary planning consent allowed officers the opportunity to intervene if it was shown that the applicant was not operating the premises in accordance with the agreed delivery management plan.

Keith Lowes, Head of Planning and Environment, suggested that if Members were so minded that the consent be granted for six months rather than the one year recommended in the report.

Councillor Wakefield advised that in the past deliveries had always been made to the front of the premises; he did not see why the applicant had felt the need to receive deliveries to the rear of the premises. He did not understand why the applicant had not complied with the delivery management plan especially as they had only received a temporary planning consent. He would originally have suggested refusing the application but was happy to accept a six month consent.

Councillor Snowdon agreed with Councillor Wakefield's comment regarding the six month consent and stated that there should be action taken if the applicant did not comply with the delivery management plan.

The representative of the Director of Development and Regeneration advised that the applicant's agent had argued that residents deliberately block the gates and that six of the objections had come from one household.

He then went on to advise that the "No HGVs beyond this point" sign had little effect as HGV's could not physically get beyond that point. It would be preferable to have a sign requesting that HGVs use the front of the premises. It was advised that the applicant did not have control over the HGV drivers and could only seek their cooperation. This sign would only be advisory but the applicant was happy to install such a sign.

Councillor Snowdon moved that the consent be granted for six months and a condition be added that a polite sign be erected advising HGV drivers that they needed to load and unload at the front of the premises.

This motion was unanimously agreed and as such it was:

1. RESOLVED that the application be approved for the reasons set out in the report for a period of six months subject to the four conditions set out in the report and the inclusion of an additional condition that a sign be erected requesting that HGV drivers load or unload at the front of the premises only.

### **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> June, 2009 to 30<sup>th</sup> June, 2009.

(For copy report – see original minutes).

2. RESOLVED that the report be received and noted.

(Signed) J. FLETCHER,  
Chairman.