

**At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 1<sup>st</sup> DECEMBER, 2009 at 5.30 p.m.**

**Present:-**

Councillor Fletcher in the Chair

Councillors Heron, T. Martin, Miller, Scaplehorn, J. Scott, Snowdon, Wake and Wakefield

**Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

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

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

The Chief Executive submitted a report and a report for circulation (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)

The representative of the Chief Executive suggested that the first two applications on the agenda be considered together as they both related to the same site and were linked. Members felt that each application should be heard and resolved as separate applications as they spanned different time scales and referred to very individual requests.

**07/05522/VAR – Variation of conditions 7 and 8 of planning permission no. 99/0791/FUL to extend the period for mineral extraction to July 2013 and to extend the period for restoration to overburden level to December 2013 at Eppleton Colliery, Downs Pit Lane, Hetton le Hole**

1. RESOLVED that the application be referred to a future meeting of the Planning and Highways Committee for consideration, for the reasons as set out in the report.

**07/05523/MID – Eppleton Quarry extension. Extraction of sand and limestone, importation of soils for restoration of existing quarry inly. Restoration as extension to Hetton Lyons Country Park, at Eppleton Quarry, Down Pits Lane, Hetton le Hole**

2. RESOLVED that the application be referred to a future meeting of the Planning and Highways Committee for consideration, for the reasons as set out in the report.

**09/02813/FUL – Change of use from scrapyard to waste transfer station to include relocation of crusher, screener and stockpile and erection of attenuation bund at 5b Freezemoor Road, New Herrington Industrial Estate, Houghton le Spring (Retrospective)**

Councillor Speding spoke against the application, advising that he was in receipt of a petition signed by 36 residents of Langley Street but was speaking on behalf of residents from Lanton Street and Fenton Terrace also. The main areas of concern included:-

- Residents of Langley Street, Lanton Street and Fenton Terrace had not been consulted, yet residents who lived in Travers Street which was a further distance away had been;
- With regard to the planning policy, there had been no landscape assessment or offered solution, no impact assessment on the bund or site and queried if there had been a screening process to decide not to have an environmental assessment;
- The business had been operating for up to the past twelve months without the relevant permissions;
- They had been operating without a wheel wash, causing environmental deficit to the surrounding areas;
- There had been numerous registered complaints made with elected ward Members with regard to traffic from the site;
- The application does not meet the planning guidance under PPS 1 / 13 / 23

In closing, Councillor Speding felt that the report to the Committee was flawed in that the residents of Langley Street, Lanton Street and Fenton Terrace had not been given the chance to give their comments as they had not been included as part of the consultation process.

The representative of the Chief Executive replied to the points raised by Councillor Speding indicating that the consultations with residents was in excess of the statutory requirements and the scheme was not one which was of a scale that it

raised sufficient environmental issues to warrant an Environmental Impact Assessment.

The Chairman then asked Mr Michael Trott, who was present on behalf of the applicant to speak in support of the application. He stated that:-

- The recycling site did not deal with household waste and did not have any objections to a condition being included with effect to this;
- The site had a recycle level of 95% of materials it received which they saw as a remarkable amount;
- The firm had invested over £100,000 on new machinery to reduce any noise / disruption from equipment;
- The Environment Agency had issued a permit in March and inspected the site at least once a week;
- The last occupants of the site had surrendered the license to the firm in March 2009 and not been taken from the site as referred to;

The representative of the Chief Executive replied to the points raised by Mr. Trott and Members further discussed the issues raised by Councillor Speding, Mr. Trott and the Officer.

Councillor Scott commented that the estate was used for light industry and offices and that no plant works should be allowed to be on the site. He referred to previous problems that residents in the surrounding had experienced when there had been a similar waste disposal site. There were constant complaints over smells, noise, dust, traffic issues and general disruption from the plant.

Councillor Wakefield sought clarification of the tonnage of waste taken onto the site. Mr. Trott confirmed that the figure of 6,000 tonnes in the supporting information related to an average 3 month period and not one week.

Councillor Scott moved that the application be deferred until all residents had been fully consulted, and having been seconded by Councillor Wakefield the decision was put to the vote. With 3 Members having voted for, 5 Members having voted against, and 1 Member abstaining from the vote, the decision to defer the application was defeated.

The Chairman having then moved that the recommendation be agreed the decision was put to the vote, and with 6 Members having voted for, 2 Members having voted against and 1 Members abstaining from the vote, it was:-

3. RESOLVED that the application be approved subject to the six conditions as set out in the report and further conditions in relation to the following be included:-
  - Wheel wash facility;
  - Landscaping of the bund;
  - Completion of a further noise assessment; and
  - Only inert materials to be dealt with and no household waste.

**09/03250/FUL – Erection of single/two storey extension to western elevation at Westbourne Surgery, Kelso Grove, Shiney Row, Houghton le Spring**

Councillor Speding spoke against the application on behalf of local residents, and started by thanking Members of the Committee for having previously deferred the application until a site visit could be undertaken.

Councillor Speding stated that the application did not accord with policy T8 of the UDP with regard to the circulation of pedestrians, as there was no footpath at the front of the property where pedestrians used the public highway to access the site. Putting a gate in the fencing would not improve access as it would still cause problems for any wheelchair users as the access would be on an incline. Overall residents were opposed to the further development and did not feel that it would help address the issues surrounding parking and access on the site.

Members raised concerns over the perimeter fence as it was felt to be of an inappropriate design and not pleasing to look at for residents and asked if anything could be done to reduce the height and appearance of the fence whilst the works relating to this application were being carried out. The Officer explained that as consent for the fence had been granted previously under delegated powers and that this application was not referring to the fencing it would be difficult to impose a condition in relation to it. At the time of the original application the fencing had been seen as appropriate for the site and similar fencing was in place around other developments in the city.

The representative of the Chief Executive replied to the points raised by Councillor Speding and Members of the Committee, and it was:-

4. RESOLVED that the application be granted permission subject to the six conditions as set out in the report. Further it was requested that the representative of the Chief Executive negotiate with the applicants in order to attempt to obtain improvements to the perimeter fencing.

**09/03824/LAP – Erection of a wind turbine adjacent to the south west elevation of Washington School, Spout Lane, Washington**

5. RESOLVED that the application be approved subject to the six conditions as set out in the report.

**Items for Information**

Councillor Wakefield referred to the application relating to the Russell Foster League and Staddon Way, Houghton Le Spring and commented that works had commenced on the site and asked if the item should be removed from the table. The representative of the Chief Executive advised that the Forestry Commission had given consent and Officers had asked the applicant to withdraw his application.

6. RESOLVED that the items for information be received and noted.

## **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> October, 2009 to 31<sup>st</sup> October, 2009.

(For copy report – see original minutes).

7. RESOLVED that the report be received and noted.

(Signed) J. FLETCHER,  
Chairman.