

SPECIAL PLANNING APPLICATIONS COMMITTEE

28th March, 2012

PRESENT - Councillor Baldwin (in the Chair); Councillors Cossins, L. Haszeldine, Knowles, Lee, Long, D.A. Lyonette, Macnab, Regan, Stenson and J. Taylor. (11)

APOLOGIES – Councillor Johnson and Landers. (2)

OFFICERS – Roy Merrett, Development Manager, Dave Coates, Principle Planning Officer, Jill Thwaite, Planning Officer and Harry Alderton, Highways Engineer, within Services for Place and Andrew Errington, Lawyer (Planning) within Resources Group.

PA88. DECLARATION OF INTERESTS – (a) In relation to the item on the Central Park Enterprise Zone Adoption of Local Development Order Councillor L. Haszeldine declared a prejudicial interest due to her living within close proximity to the Enterprise Zone site and left the meeting for this item only.

(b) In relation to Planning Application Ref No. 11/00803 Councillor J. Taylor declared a personal and prejudicial interest and spoke as a Ward Member on behalf of the objectors and then left the meeting for the consideration of this application.

PA89. PROCEDURE – The Assistant Director of Resources representative gave a short presentation which outlined the procedure to be followed during consideration of the applications for planning permission before this Committee.

RESOLVED – That the procedure be noted.

NOTE - APPLICATIONS FOR PLANNING PERMISSION – The following standard conditions are referred to in those Minutes granting permission or consent :-

Code No.	Conditions
A3	Implementation Limit (Three Years) The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission. Reason - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.
B4	Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details. Reason - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.
B5	The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted therewith and approved by the Local Planning

	<p>Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason - To ensure the development is carried out in accordance with the planning permission.</p>
E2	<p>A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of such schemes, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be agreed in writing by, the Local Planning Authority, and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.</p> <p>Reason - To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.</p>
J2	<p>The site shall be investigated for landfill gas to the satisfaction of the Local Planning Authority and details of the test, results and measures required to render the development safe shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development.</p> <p>Where measures are required, they shall be installed prior to the development being occupied or such other time as may be required by the Local Planning Authority.</p> <p>Reason - The site lies within 250 metres of a former landfill site and the Local Planning Authority wishes to ensure that the site can be developed and occupied with adequate regard for environmental and public safety.</p>
J5	<p>Prior to the commencement of any on site works (including demolition and site clearance), details of a wheel washing facility for construction traffic shall be submitted to, and approved in writing by, the Local Planning Authority. Such a facility shall be provided, used and maintained on-site until the development is completed.</p> <p>Reason - To ensure that adequate measures are available to prevent the depositing of soils and debris on the adjoining position of the highway and in the interests of road safety.</p>
J5	<p>Prior to the commencement of any on site works (including demolition and site clearance), details of a wheel washing facility for construction traffic shall be submitted to, and approved in writing by, the Local Planning Authority. Such a facility shall be provided, used and maintained on-site until the development is completed.</p> <p>Reason - To ensure that adequate measures are available to prevent the depositing of soils and debris on the adjoining position of the highway and in the interests of road safety.</p>

PA90. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

11/ 00803/FUL - Land North of Eastmount Road Junction, Haughton Road. Erection of 12 no dwelling houses in two and three storey form.

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), eleven letters of objection including a letter from a representative of the Central Community Partnership, two petitions one containing 35 signatories and the other 25 signatories objecting to the development, the comments of the Council's Highways Engineer, the Council's Arboricultural Officer and the Council's Environmental Health Section that had been received and the views of Mr. Barlow, applicants agent, Mrs. Fawcett, applicant, Mr. Norman, an objector and Councillors J. Taylor and Wright, Ward Members, whom Members heard).

RESOLVED - That planning permission be granted subject to the following conditions :-

- (a) A3 - Implementation Limit (Three Years).
- (b) B4 - Details of Materials (Samples).
- (c) B5 - Detailed Drawings (Implementation in accordance with approved plan).
- (d) E2 - Landscaping (Submission).
- (e) J2 - Contamination.
- (f) Notwithstanding anything contained in the application the following details shall be submitted to, and approved by the Local Planning prior to the commencement of development :-
 - (i) A scheme for improvements to the surface of the back lane to the rear of the site;
 - (ii) Details of works to increase the size of the raised bus stop platform area (to ensure the bus shelter is set within the platform);
 - (iii) Signage and road lining works associated with amendments to the Residents Parking Order; and
 - (iv) Relocation of the existing street lighting column on Dundee Street adjacent to the site and details of lighting to the back lane.The development shall not be carried out otherwise than in accordance with the approved details.
Reason – In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of highway safety.
- (g) Prior to the commencement of development a Construction Management Plan shall be submitted to, and approved by, the Local Planning Authority. The Construction Management Plan shall include designating and signing construction vehicle and plant routes, warning signage, construction phasing proposals, road maintenance, and keeping public roads clear of all construction debris. The development shall not be carried out otherwise than in accordance with the approved details.
Reason – In the interests of highway safety.
- (h) J5 – Wheel Washing Facility (Details).
 - (i) Notwithstanding anything shown in the application, acoustic glazing shall be installed to living rooms and bedrooms, precise details of which shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of development and the development shall not be carried out otherwise than in accordance with the approved details.
Reason – To protect the future occupants of the dwellings from excessive noise from passing traffic on Haughton Road.
- (j) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no enlargement, improvement or other alteration of the premises, including any additional structures/building within the curtilage of the site, shall be carried out without the prior

consent of the Local Planning Authority, to whom a planning application must be made.

Reason – In order not to prejudice the amenities of the adjoining properties and in order that the Local Planning Authority is able to exercise control over future development of the site.

PA91. CENTRAL PARK ENTERPRISE ZONE ADOPTION OF LOCAL DEVELOPMENT ORDER – The Director of Place submitted a report (previously circulated) requesting the Committee to adopt the Central Park Enterprise Zone Local Development Order for a three year period commencing 1st April, 2012.

The submitted report highlighted that in January the Planning Applications Committee considered and endorsed the draft Central Park Enterprise Zone Local Development Order and has since been considered by the Secretary of State where they confirmed that they did not wish to intervene in the making of the Order.

The Development Manager highlighted to Members that there had been no significant change to the Order other than those identified and endorsed in the report which they had previously considered in January and that other minor additions and amendments that had been made were to add clarity to the Order and do not change the meaning or operation of the proposed Order.

Particular reference was made in relation to the Central Park Masterplan, which identified areas suitable for different types of development including those where there was more flexibility in relation to the land use and where example either commercial or residential development may be acceptable. In areas where residential or commercial development may be acceptable but where residential development was the preferred use a developer would not be able to rely on the Order to proceed and would need to make an application for planning permission in the standard way.

RESOLVED – That the Central Park Development Order be adopted from 1st April, 2012 for a three year period expiring on 31st March, 2015.