

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

16 May 2007

The meeting commenced at 10.00 a.m. in the Civic Centre, Hartlepool

Present:

Councillor Rob Cook (In the Chair)

Councillors Stephen Akers-Belcher, Shaun Cook, Gordon Henery, Stan Kaiser, John Lauderdale, Geoff Lilley, Carl Richardson, Gladys Worthy and Edna Wright.

Also Present: In accordance with Council Procedure Rule 4.2(ii) Councillor Chris Simmons as substitute for Councillor Robbie Payne.

Officers: Peter Devlin, Legal Services Manager
Stuart Green, Assistant Director (Planning and Economic Development)
Richard Teece, Development Control Manager
Roy Merrett, Principal Planning Officer
Chris Roberts, Development and Co-ordination Technician
Adrian Hurst, Principal Environmental Health Officer
Sarah Scarr, Landscape Planning and Conservation Manager
Gill Scanlon, Planning Technician
David Cosgrove, Principal Democratic Services Officer

186. Apologies for Absence

Councillors Robbie Payne and Dr George Morris.

187. Declarations of interest by members

None.

188. Confirmation of Minutes of the meeting held on 18 April 2007

Confirmed.

189. Planning Application (*Assistant Director (Planning and Economic Development)*)

The following planning application was submitted for the Committee's determination and the decision is indicated as follows:

Number: H/2007/0134

Applicant: J And B Recycling Ltd, Baltic Street Hartlepool

Agent: Derek Stephens, 17 Lowthian Road Hartlepool

Date received: 02/03/2007

Development: Provision of a waste recycling centre including erection of a new building, external storage area, parking and associated plant

Location: Windermere Road/Coniston Road, Hartlepool

Representations: Mr Alan Jackson and Mrs Vicky Jackson Smith (applicants) were present at the meeting.

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid
2. The permission hereby granted relates to the transfer and processing of non-hazardous commercial, industrial and construction waste, including incidental and ancillary quantities of putrescible waste and household waste only and in particular no noxious sludge, chemical, toxic forms of waste or contaminated liquids shall be deposited or processed therein.
In the interests of the amenities of the area.
3. Waste brought to the site shall only be deposited within the building hereby approved and shall not be stacked or deposited to a height exceeding 2.5m. Details of the proposed external storage area shall be first agreed in writing with the Local Planning Authority.
In the interests of the amenities of the area.
4. Recycled materials shall only be stored in the external storage area and shall not be stacked or deposited to a height exceeding 2.5m. Details of the proposed external storage area shall be first agreed in writing with the Local Planning Authority.
In the interests of the amenities of the area.
5. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall

be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

To prevent pollution of the water environment.

6. A wheel-washing facility shall be provided within the site before the use hereby approved commences details of which shall be first submitted to and approved in writing by the Local Planning Authority. The approved facility shall be installed and thereafter remain operational and be available for its intended use at all times during the lifetime of the development.

In the interests of the amenities of the occupants of neighbouring properties.

7. There shall be no burning of materials or waste in the open on the site.

In the interests of the amenities of the occupants of neighbouring properties.

8. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be provided and retained throughout the life of the development unless otherwise agreed in writing by the Local Planning Authority.

To ensure that proper means are provided for the disposal of foul sewage and surface water from the development.

9. Unless otherwise agreed in writing by the Local Planning Authority dust suppression equipment shall be provided in accordance with a scheme to be first approved in writing by the Local Planning Authority. If required, once installed the equipment shall be retained for the life of the waste recycling centre and shall be available for use at all times while the centre is operational.

In the interests of the amenities of the occupants of neighbouring properties.

10. Unless otherwise agreed in writing by the Local Planning Authority screen fencing and litter catch fencing of a height and design to be first submitted to and approved in writing by the Local Planning Authority shall be placed around the boundaries of the external storage area. If required the litter catch fencing and fencing shall thereafter be retained during the life of the development unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the amenities of the area.

11. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface water, whether direct or via soakaways.

To prevent pollution of the water environment.

12. Roof drainage downwater pipes shall at all times be sealed at ground level to prevent the ingress of any contaminated run-off.

To prevent pollution of the water environment.

13. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning

Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

14. Any trees/shrubs required to be planted in association with the development hereby approved, and which are removed, die, are severely damaged, or become seriously diseased, within five years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.

In the interests of visual amenity.

15. Unless otherwise agreed in writing by the Local Planning Authority a scheme to limit the breakout of noise from activities within the building hereby approved to levels which would not be discernable at levels which would constitute a nuisance to the occupiers of housing on Kendal Road shall be implemented before the use hereby approved commences in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Any approval scheme shall thereafter be retained during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the amenities of the occupiers of nearby houses.

16. Before the use of the building hereby approved commences details of the siting and method of storage of any incidental and ancillary quantities of putrescible and household waste shall be first agreed in writing by the Local Planning Authority. Thereafter any such waste shall only be stored in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

To ensure such materials are stored in a satisfactory manner in the interests of the amenities of the area.

The Committee considered representation in relation to this matter

190. Conservation Policy Review (*Assistant Director (Regeneration and Planning)*)

The Assistant Director (Regeneration and Planning) reported that the Planning Committee Working Party was established in July 2006 in the light of considering four planning applications relating to the installation of upvc windows in the Grange Conservation Area and had met several times over the last nine months.

The Committee decisions to approve these applications had implications for the existing planning policy on alterations to properties in conservation areas. Such policy was set in the context of legislation and national policy guidance and was expressed within the Local Plan and previous policy statements by the Committee.

The remit agreed at the initial meeting of the Working Party was: -

- Review the existing policy position relating to alterations to residential properties in conservation areas;
- Consider the case for any revision to the policy, taking account of the status of existing policy, experience to date and the implications of any policy revision;
- If it is decided that revision of the policy should be explored, the process to be used to do so;
- Provide recommendations on these matters for consideration by the Planning Committee and, if appropriate the Regeneration, Liveability and Housing Portfolio Holder.

To date the Working Party had visited the predominantly residential conservation areas within the town to consider their character and the degree of change that had occurred. Further to this, representatives of the Conservation Area Advisory Committee came to speak to the Working Party. A small number were then invited to join the group for the subsequent meetings.

The Working Party had reviewed policy at both national and local level. This included inviting English Heritage Regional Director, Carol Pyrah to the Working Party. This was an opportunity to discuss the issue of national policy in conservation areas, especially relating to residential property alterations. Further to this, on the request of the group, research information was provided by English Heritage on timber windows. In addition, policy information was also considered from other local authorities in a similar coastal location.

Whilst recognising the need to review policy, the Working Party acknowledged the need to maintain a framework for decision-making pending the outcome of that review. The Working Party therefore proposed that the policy endorsed by the Committee in March 2004 remain in place in the meantime; a copy of which was set out at Appendix 1 to the report.

The Working Party Members indicated that they wished to consider a three-tier level of control within conservation areas. This would result in the following controls;

- Listed buildings
- Prominent, important and sensitive properties in conservation areas covered by Article 4 Directions
- Other properties in conservation areas not covered by Article 4 Directions.

It was proposed that a review of the existing conservation areas should be carried out to implement this three-tier level of control. The Headland Conservation Area was currently undergoing a full appraisal by consultants. There have been two public consultation events to date with a third event planned. A draft report would be produced and the final

report was anticipated to be ready in June.

The Park Conservation Area is currently attracting a series of potential developments on a number of sites within the area. It was felt that a full appraisal of this area is required to assess the current character of the area. Approval has been given by the Regeneration, Liveability and Housing Portfolio Holder to use Planning Delivery Grant to carry out an appraisal of the area.

Further to these full appraisals, it was suggested that briefer assessments should be carried out in the other, predominantly residential, conservation areas to assess the level of change and propose controls, if any. These areas are Elwick, Greatham, Grange and Seaton Carew. The briefer assessments would include a photographic survey of each area by the Council's photographer. Officers would then carry out surveys of the area to analyse their special character. Two conservation areas are not included in these assessments; these were Stranton and Church Street Conservation Areas. Both have only a few residential properties within their boundaries and, therefore, it was not considered necessary at this stage to carry out surveys.

The issue of conservation policy had been under consideration for some time. As a result, there was a great deal of uncertainty around planning applications in conservation areas and works to listed buildings. Alongside the applications, there are some 29 outstanding identified enforcement cases, 23 of which relate to upvc windows. Time limits on enforcement action mean that one case that could have been considered for action has lapsed.

English Heritage is the government's advisor on heritage. In the past Hartlepool has benefited from various schemes funded by English Heritage. Most recently, the Heritage Economic Regeneration Schemes in both Seaton Carew and the Headland offered some £420,000 funding towards commercial properties and public realm works. Further to this English Heritage is currently acting as a monitor on the Headland Townscape Heritage Initiative Scheme that has a budget of £1 million. The scheme is providing grant assistance on various schemes including works to key buildings, some residential grant repairs and a railings restoration scheme.

The Assistant Director indicated that the Planning Committee was requested to consider the review of conservation policy as proposed by the Planning Committee Working Party which included a three tier level of control comprising;

- Listed buildings
- Prominent, important and sensitive properties in conservation areas covered by Article 4 Directions (to be identified via appraisals/assessments of each conservation area as described in this report)

- Other properties in conservation areas not to be covered by Article 4 Directions.

Members voiced concern that there appeared to be a bias in the working group and the consideration of these issues against upvc and towards traditional wood windows. Members were concerned that this adversely impacted on families in conservation areas who were trying to make their homes warm and secure, particularly when there was a government backed campaign to protect the environment through increased home efficiency. Members also considered that the costs of installing traditional wood solutions for doors and windows were significantly more expensive.

Members considered that design should play a more significant role in determining the applications. If the proposed upvc solution looked the same as a traditional wood solution and was of a high quality design, then it should be allowed. Members accepted that in listed buildings, different considerations applied. Members also expressed concern about English Heritage's perceived stance of very limited flexibility.

After discussing the matters in detail, Members indicated their wishes for a policy that placed the quality of design and installation of paramount importance. Members acknowledged there were bad examples of upvc installations and these should still be addressed. However, as long as criteria were established to focus on the quality of design and installation, then the issue of whether the material was soft wood, hard wood or upvc should not be significant.

Decision

That the Working Party be requested to consider a revised policy on the design, detailing and materials in conservation areas with a view to a further report being submitted to an early meeting of the Committee based on the comments outlined by Members at this meeting.

191. Planning Applications (*Assistant Director (Planning and Economic Development)*)

The following planning applications were submitted for the Committee's determination and the decisions are indicated as follows:

Number:	H/2007/0220
Applicant:	Mr A Hussain, 21 Clifton Avenue Hartlepool
Agent:	Mr A Hussain 21 Clifton Avenue Hartlepool
Date received:	03/04/2007
Development:	Replacement of front windows
Location:	21 Clifton Avenue Hartlepool

Decision: **Members took the view that as the proportions of the proposed windows were comparable to those they would replace and similar to those on the immediately adjoining property Planning Permission should be Approved**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid

The Committee considered representations in relation to this matter.

Number: H/2007/0207

Applicant: Endeavour Housing, St Marks Court, Thornaby

Agent: BB Burgess Grainger Chambers, 3-5 Hood Street, Newcastle Upon Tyne

Date received: 13/03/2007

Development: Erection of 10 semi-detached dwellings

Location: Land in GREENOCK ROAD HARTLEPOOL

Decision: **Minded to approve subject to the following conditions and no further adverse comments from outstanding publicity (before the appointed date) or consultations. However as the land is Council owned and the proposal represents a departure from the adopted Hartlepool Local Plan the application be referred to GONE for consideration**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall not be commenced until:
 - a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk

Assessment (or state if none required). Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority. If identified as being required following the completion of the desk-top study, b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority, c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority, d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme, e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.

To ensure that any site contamination is addressed.

3. The development hereby approved shall be carried out in accordance with the amended plan(s) no(s) 20033-GA-G72-101 E received on 3 May 2007, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
4. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.
In the interests of visual amenity.
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.
6. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced.
In the interests of visual amenity.
7. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.
In the interests of visual amenity.

8. Notwithstanding the submitted details, unless otherwise agreed in writing by the Local Planning Authority the final design of the house on plot 1 shall be first agreed in writing by the Local Planning Authority. Thereafter if required the development shall be carried out in accordance with the final approved details.
In the interests of the amenities of the occupiers of nearby houses.
9. Before the development hereby approved is commenced, the dwelling(s) shall be pegged out on site and its/their exact location agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties.
10. The developer shall give the Local Planning Authority two weeks written notification of the intention to commence works on site.
To ensure the development proceeds in a satisfactory manner.

The Committee considered representations in relation to this matter.

Number: H/2007/0218

Applicant: J D Wetherspoon

Agent: Tuffin Feraby Taylor, Strand House, 169 Richmond Road, Kingston Upon Thames

Date received: 02/04/2007

Development: Provision of outside seating area to front for eating and drinking

Location: 3 to 9 Church Square, Hartlepool

Decision: **Planning Permission Refused**

REASONS FOR REFUSAL

It is considered that the use of the proposed outside seating area could lead to noise and general disturbance to the detriment of the amenities of the occupiers of nearby residential properties and the area generally, which forms part of the Church Street Conservation Area, contrary to policies GEP1, Com12 and HE1 of the adopted Hartlepool Local Plan.

The Committee considered representations in relation to this matter.

Number: H/2007/0259

Applicant: Spirit Group, Station Street, Burton On Trent

Agent: dea Partnership LLP, Summerfield House, 22 Woodlands Road, Middlesbrough

Date received: 02/04/2007

Development: Erection of a steel framed shelter with timber cladding

Location: Travellers Rest, 363 Stockton Road, Hartlepool

Decision: **Planning Permission Refused**

REASONS FOR REFUSAL

It is considered that the use of the proposed smoking shelter would encourage people to congregate and drink in the area leading to noise and general disturbance there to the detriment of the amenities of the occupiers or nearby housing which backs onto the site contrary to policy GEP1 of the adopted Hartlepool Local Plan.

The Committee considered representations in relation to this matter.

192. Update on Current Complaints (*Assistant Director (Planning and Economic Development)*)

The Assistant Director (Planning and Economic Development) reported that during the recent three-week period, fifty-one (51) planning applications had been registered as commencing and checked. Thirty-nine (39) required site visits resulting in various planning conditions being discharged by letter. Member's attention was drawn to a number of ongoing issues, which were being investigated.

Decision

That the report be noted.

193. Untidy Land and Derelict Buildings – A Coordinated Approach to their Improvement (*Assistant Director (Planning and Economic Development), Director of Neighbourhood Services and Chief Solicitor*)

The Assistant Director (Planning and Economic Development) reported that following previous reports, officers had been pursuing a comprehensive and co-ordinated approach of action against untidy and derelict buildings and land throughout the town.

At the meeting of the Planning Committee on 21 February 2007, Members requested an update report on the issues relevant to such buildings and land with particular emphasis on the scope for demolition to resolve related problems. They also asked for an update on action taken to date

and the scope for further action. Accordingly, similar reports were submitted to the Regeneration, Liveability & Housing Portfolio Holder meeting on 20th April, 2007.

The purpose of a Section 215 Notice, was to provide a Local Planning Authority with a discretion to issue a Notice upon the owner and occupier of land, to take “such steps for remedying the condition” of that land, where its condition adversely affects the amenity of the area. Whilst this might appear to be a broadly based power for a Local Planning Authority to issue a Notice to require land to be effectively “cleaned up” this is somewhat tempered by the right of appeal available to the recipient(s) of a Notice, and the grounds specified within that appeal. It was highlighted that using S.215 to demolish a building was extremely rare and could only be used in extreme circumstances. Officers indicated that, to their knowledge, demotion under this order had only been used once in the town.

The report included updates on the buildings previously reported to the Committee and highlighted what discussions/actions had been agreed with owners. Members commented that pursuing the owners of these buildings was consuming a significant amount of office time, however, ensuring that the owners fulfilled their responsibilities was an important issue for the town.

The report suggested that consideration of CPO powers might be appropriate in two cases (Morrison Hall and United Reform Church) and members acknowledged and supported this approach in principle. They also authorised the use of Section 215 powers if necessary in respect of Jacksons Landing and Morrison Hall. In the case of Morrison Hall they agreed that the building should be made secure by blocking up openings.

Decision

That the report be noted.

194. TPO 180 – Woodland West of Naisberry Park *(Assistant Director (Planning and Economic Development))*

On 12th May 2006, a Tree Preservation Order was made under the Council's delegated powers to protect the woodland west of Naisberry Park, Hartlepool. The order was produced as a proactive measure to ensure the retention of the area of woodland, which was identified as being of high visual amenity and wildlife value. Subsequent to the Council issuing the Order, representations were received from Northumbrian Land Limited, the freehold owner of the woodland, and the freehold owners of 15 Glenston Close, 4 & 5 Riverston Close and numbers 20, 25 & 28 Hillston Close.

A further public meeting, involving relevant Council and Police officers, the agent for the landowners, and residents was held on 18th October 2006. At the meeting, the agent for the landowner indicated his client's

intention to prepare a management plan for the woodland. Much of the meeting focussed on identifying the key factors from residents' perspectives to be taken into consideration within any such management plan. A copy of an outline management plan for the woodland, produced by the agent for the landowner and serving to address the community concerns and preserve the amenity of the woodland, was received by the Council on 14th November 2006 and was submitted as an appendix to the report.

More recent discussions had led to the production of detailed proposals by the residents concerned, which were now being considered by the owners agent for incorporation in the management plan.

The Assistant Director (Planning and Economic Development) indicated that in the light of the outline management plan and the requirement to obtain a felling licence, there is no practical justification for confirmation of the TPO.

Decision

That Tree Preservation Order No. 180 is not confirmed.

195. Appeal Ref APP/HO724/A/06/2028579:H/2006/0565 Change of Use to a Hot Food Takeaway (As Use), 122 Oxford Road, Hartlepool, TS15 5RH (*Assistant Director (Planning and Economic Development)*)

The Development Control Manager reported on the outcome of a recent planning appeal at 122 Oxford Road, Hartlepool for the change of use to a hot food takeaway (A5 use). The Planning Inspector has now determined the appeal. The appeal was allowed by the Inspectorate and a copy of the Inspector's report was attached in full as an appendix to the report. Officers were currently reviewing the merits of the decision.

Decision

That the report be noted.

196. Appeal by Mrs Melanie Goodwin, 9 Guillemot Close, Bishop Cuthbert, Hartlepool (*Assistant Director (Planning and Economic Development)*)

The Development Control Manager reported that a planning appeal had been lodged against the refusal of the Planning Authority to grant planning permission for the erection of a rear two storey extension comprising a family room with bedroom over and a first floor extension above an existing garage to provide an enlarged bedroom at 9 Guillemot Close. The appeal is to be decided by the written procedure and authority was requested to contest the appeal.

Decision

That the Assistant Director (Planning and Economic Development) be authorised to contest the appeal.

197. Complaint Files to be Closed (*Assistant Director (Regeneration and Planning)*)

The Assistant Director (Planning and Economic Development) reported on five complaint files that it was now proposed should be closed. Members raised an issue in relation to the case of the Golden Lion Public House development, which had not provided an acoustic fence as indicated on the approved plans. The Council's Senior Public Protection Officer does not consider that it is necessary for an acoustic fence to be provided in this instance, and it was therefore requested that no further action be taken. Members indicated that when the application for an outside drinking area at the public house was considered, nearby residents complained of the noise from the premises. It was suggested that the nearby residents be contacted and asked if they considered there to be any problems such that the fence should be provided.

Decision

1. That a consultation exercise in relation to the provision of an acoustic fence at the Golden Lion Public House be undertaken.
2. That the remaining complaints files reported be closed.

198. Any other exempt items which the Chairman considers are urgent

The Chairman ruled that the following two items should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

199. Enforcement Action – The Seaton Hotel, The Front Seaton Carew, Hartlepool (*Assistant Director (Regeneration and Planning)*)

The Assistant Director (Regeneration and Planning) reported that the Seaton Hotel Public House is a grade II listed building which has fallen into a state of disrepair. The general untidy appearance of the public house is having an adverse impact upon the amenity and general appearance of the street scene.

Under Section 215 of the Town and Country Planning Act 1990, the Borough Council has the power to require the proper maintenance of land and buildings where it is considered that the condition 'adversely affects the amenity of the area'. The Notice must specify the steps that need to be

undertaken to abate the harm to the amenity of the area and the period within which they are to be taken.

Given that the owner of the site has not taken any suitable steps to halt the deterioration of the existing building and given the buildings' status as a grade II listed building situated in a prominent position within the Seaton Carew Conservation Area, it is considered expedient in the public interest for the Council to seek a satisfactory resolution to the problem. A letter has been sent to the owners expressing concern and asking for works to be undertaken, but to avoid unnecessary delays the Assistant Director considered it expedient to secure Member agreement to enforcement action should this prove necessary.

Decision

- 1 That in the event that the site owner will not agree to voluntarily undertake remedial actions, the Development Control Manager, in consultation with the Chief Solicitor, be authorised to issue a section 215 notice requiring the landowner to undertake the following steps to abate the harm that is being caused to the amenity of the area:
 - Repaint each elevation of the building using a colour to match existing
 - Repaint the roof fascia and ornate fascia features using a colour to match existing
 - Repaint all window and door frames using a colour to match existing
 - Repaint all exterior doors using a colour to match existing
 - Repaint the external fire escape staircase using a colour to match existing
 - Repair and repaint all damaged signage
 - Repair all damaged roof felt
 - Cut back all overgrown vegetation on site and clear the roof guttering and window ledges of all debris
- 2 that a period of three months from the date the notice takes effect be given for compliance with the steps specified.

200. Proposed Art Feature – Former Seaton Carew Baths Site *(Assistant Director (Planning and Economic Development))*

Members will recall that at the Planning Committee meeting on 26 April 2006 that planning permission was granted for a development comprising two restaurants and a bar on the former Baths site at Seaton Carew. The permission was subject to a number of planning conditions and a planning agreement to secure a financial contribution to the provision of bus stop improvements in the locality and the provision of an art feature. A proposed art feature had been subsequently discussed at the meeting on 22 November 2007. The developer was now proposing that an alternative art feature be installed and an artist's impression of the feature was

circulated at the meeting.

Decision

That the report be noted.

201. Local Government (Access to Information) Act 1985

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006

Minute 202 – (Para 3) – This item contains exempt information under Schedule 12A Local Government Act 1972, namely, information relating to the financial or business affairs of any particular person (including the authority holding that information)

202. Minutes of the Planning Sub-committee held on 23rd April 2007

The minutes of the meeting of the sub-committee held on 23 April 2007 were submitted for the Committee's consideration. The Assistant Director (Planning and Economic Development) proposed some amendments to the exempt section of the sub committee minutes to reflect the process agreed by the Sub Committee.

The amended Sub Committee minutes were then confirmed.

CHAIRMAN