

DURHAM COUNTY COUNCIL
AREA PLANNING COMMITTEE (NORTH)

At a Meeting of the **Area Planning Committee (North)** held in the Council Chamber, County Hall, Durham on **Thursday 29 September 2016 at 2.00 pm**

Present:

Councillor I Jewell (Vice Chairman in the Chair)

Members of the Committee:

Councillors B Armstrong, H Bennett, P Brookes, J Cordon, I Jewell (Vice-Chairman), J Maitland, O Milburn, K Shaw, A Shield, O Temple, K Thompson, S Wilson, S Zair, J Alvey and M Davinson (substitute)

Apologies:

Apologies for absence were received from Councillors C Marshall, J Robinson and L Taylor

Also Present:

Councillors C Marshall and T Smith

1 Apologies for Absence

Apologies for absence were received from Councillors C Marshall, J Robinson and L Taylor.

2 Substitute Members

Councillor M Davison substituting for Councillor C Marshall and Councillor J Alvey substituting for Councillor L Taylor.

3 Minutes of the Meeting held on 28 July 2016

The minutes of the meeting held on 28 July 2016 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest (if any)

Councillor B Armstrong declared an interest in Item 5a as a member of Esh Parish Council and Items 5b and c as her partner was a Board member of Derwentside Homes.

Councillor O Milburn declared an interest in Item 5b and c as a Board member of Derwentside Homes.

5 Applications to be determined by the Area Planning Committee (North Durham)

a DM/16/00520/FPA - Wrights Removals, Hedley Terrace, Park Drive, Langley Park, DH7 9TA

The Committee considered a report of the Senior Planning Officer regarding an application for change of use to storage for removal company and siting of ten shipping containers (part retrospective at Hedley Terrace, Park Drive, Langley Park, DH7 9TA (for copy see file of Minutes).

The Senior Planning Officer provided a detailed presentation of the application which included photographs of the site and a plan of the proposed layout. In addition Members had visited the site the previous day and were familiar with the site and surroundings.

Mr I Wright, Applicant, addressed the committee to support the application. He advised that if approved he would ensure that the site would be managed in line with all approved conditions and would continue to do so. All materials used on site were reclaimed and he planned to continue operating in this way whilst ensuring that the site remained tidy.

Councillor Maitland commented that the road leading to the site was extremely narrow and asked whether it would be possible to impose a condition to prevent the applicant parking on the road at any time. In response the Senior Planning Officer advised that this was outside of the remit of the committee.

Councillor Shield added that he saw no reason for the application to be refused but did note his concerns that the application was part retrospective. With that he **moved** that the application be approved subject to the conditions as listed within the report. Councillor Cordon **seconded** the proposal.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the conditions as listed within the report.

b DM/16/02056/FPA - Garage Blocks, Arnold Close, East Stanley

The Committee considered a report of the Principal Planning Officer regarding an application for the conversion of existing garages into residential bungalows at Arnold Close, East Stanley (for copy see file of Minutes).

The Principal Planning Officer provided a detailed presentation of the application which included photograph of the site and a plan of the proposed layout. In addition Members had visited the site the previous day and were familiar with the site and surroundings.

He advised that a petition had been received since the publication of the report containing 123 signatures. This was in addition to those already received. It was noted however that upon inspection those signatures and addresses contained within were not all from residents in the locality.

Councillor C Marshall, local Member, addressed the committee to object to the application. He started by thanking those residents who were in attendance and those who had signed the petition.

He advised that there had been issues relating to consultation however, he along with some 35 residents had attended a meeting with Derwentside Homes to determine whether any of the issues could be overcome. He further raised concerns regarding the use of garages and advised that the current garages were well used despite claims that they were not. The proposed area of land was also regularly used by residents as a turning circle and it was noted that due to the design of the properties, there was no vehicle access to the front of the homes.

He further made reference to the loss of amenity, visual impact and displacement of vehicles which would be caused by the development and felt that if approved the proposals would change the character and appearance of the estate. In conclusion he noted that the application contravened GDP1 and TR2 of the saved local plan and contravenes principles of the NPPF.

Mr G Graham, Stanley Town Council, addressed the committee to object to the application noting that Derwentside Homes had shown disregard for the view of local people and the impact this would have on residents life.

He further raised concerns regarding the impact upon the highway and confirmed that the garages were indeed well used and well maintained by tenants. He asked that the committee take on board the concerns and objections raised by residents.

Mr J Simpson, local resident, addressed the committee to object to the application. He commented that when the estate was designed in the 1970's the developer had the foresight to realise that car ownership would dramatically increase, hence the inclusion of garage blocks. The current garages were well used and maintained. He considered the proposals to be detrimental to the residents of the estate and although he appreciated that there was a need for bungalows in the area he considered the location within a crowded cul-de-sac to be inappropriate.

In conclusion he commented that the proposals would result in emergency services having difficulties when entering and existing the estate.

Mr R Edwards, Applicants Agent, addressed the committee to support the application. He advised that an assessment of sites had shown that there was high demand for bungalows within the area which were both sustainable and affordable and would support healthy communities. The location of the development within the housing estate provided passive security for its residents and would be integral to the wider community.

Regarding the loss of garages, he advised that of the 30 garages on site 14 were occupied by residents within the proximity. Alternatives had been offered to those tenants affected. He further advised that pedestrian access would be unaffected, as was vehicular access. Furthermore the scheme did not require the removal of any trees.

In conclusion he added that he felt the concerns of residents had been addressed and the development being both innovative and sustainable, would be of positive impact to the area.

In response Councillor Wilson raised a number of points regarding access, parking, existing garage usage and loss of amenity space. Councillor Maitland further asked whether the properties would be for sale or rent. It was confirmed that the dwellings would be for rent only.

Councillor Cordon commented that he was aware that there was a shortage of bungalows in the area and considered the Husk principle to be extremely innovative. He acknowledged that the developer had worked with residents to resubmit revised plans and felt that he could see no material reasons for the application to be refused.

Councillor Shield added that he was somewhat troubled by the report, making reference to a similar project which had been undertaken in his area. He furthermore added that he felt that the application contravened Part 4 of the NPPF and TR2 of the saved Derwentside Local Plan, however, was overridden by the lack of objection made by the Highways Officer.

Councillor Temple queried why a new build proposal on the same site would be deemed unacceptable. In response the Principal Planning Officer advised that a new development would be seen as introducing new relationships rather than the conversion of an existing structure. Further discussion and debate took place regarding this issue and Councillor Temple further agreed that the application should be refused.

Further to discussion regarding reasons for refusal the Solicitor advised that TR2 of the local saved plan would not be a valid reason for refusal, however did note that suggestions made to use GDP1 of the local saved plan and Part 4 of the NPPF would be acceptable.

At this point the Highways Officer provided an overview of the position of the highways department regarding the application, noting that the highway ended at the start of the garage land and the council could not dictate what happened on the private area of land. Furthermore assessments of the site had shown that there was adequate space for vehicles to manoeuvre with clear sight lines and roads which were above the standard road width.

Councillor Wilson at this point **moved** that the application be refused on the grounds of GDP1 of the Derwentside local saved plan. Councillor Thompson **seconded** the proposal.

Upon a vote being taken it was

Resolved:

That the application be refused on the grounds that:-

1. The proposal would result in the loss of a number of garages which represent an important, established and valued amenity of the neighbourhood resulting in displacement of parking onto estate roads and to remote locations, hindering the free movement of pedestrians and vehicles therefore adversely changing the character and appearance of the area contrary to Policy GDP1(A) and GDP1(H) of the Derwentside District Local Plan.
2. The development would result in an unacceptable relationship in terms of the residential amenities that the occupiers of the proposed new dwellings could reasonably expect to enjoy contrary to policy GPD1(H) of the Derwentside District Local Plan.

c DM/16/02057/FPA - Garages Adjacent To 27 To 31 Betjeman Close, East Stanley

The Committee considered a report of the Principal Planning Officer regarding an application for the conversion of existing garages into residential bungalows at land adjacent to 27 to 31 Betjeman Close, East Stanley (for copy see file of Minutes).

The Principal Planning Officer provided a detailed presentation of the application which included photograph of the site and a plan of the proposed layout. In addition Members had visited the site the previous day and were familiar with the site and surroundings. He further noted that Councillor Marshall had withdrawn his objection.

Councillor Davinson in referring to page 43 of the report added that there was an adequate supply of garages in the close proximity and therefore did not have as many concerns regarding displacement as in the previously heard application.

Councillor Thompson added that in order to remain consistent the application should be refused given that car parking spaces would be lost.

Councillor Shaw added that although the applications were similar the concerns were not as great. He therefore **moved** that the application be approved subject to the conditions as listed within the report. Councillor Cordon **seconded** the proposal.

Councillor Temple commented that he had concerns that the application was being treated differently because of relationships and parking, however noted that he was in favour of the application.

In conclusion the Team Leader North provided some clarification regarding conditions imposed and hours of operation on site.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the conditions as listed within the report.

e DM/16/01446/FPA - Land Adjacent To Conyers Road, South Pelaw, Chester-le-Street

The Committee considered a report of the Principal Planning Officer regarding an application for the proposed demolition of existing garages and erection of seven 2-streys terraced houses (for copy see file of Minutes).

The Principal Planning Officer provided a detailed presentation of the application which included photograph of the site and a plan of the proposed layout. In addition Members had visited the site the previous day and were familiar with the site and surroundings.

Councillor T Smith, local Member, addressed the committee to object to the application. She advised at this point that she was a board member of Cestria Homes and with such declared an interest.

She advised that there was deep sense of feeling against this application in the area mainly on the grounds of parking and highway safety. The application would result in the displacement of a number of cars and vans and would ultimately cause friction in the community due to lack of parking. To highlight the parking issues within the estate she reported that to date she had spent £35,000 of her Neighbourhood Budget on creating hardstanding parking on grass verge areas.

In addition to resident's concerns, a Mental Health Drop-in Centre was also nearby and the land proposed for development was often used by visitors to the centre.

She added that there had been a lack of consultation with residents and felt this had also negatively impacted upon residents views. She added that the site was surrounded by old people's bungalows and vehicular access was required at all times for accessing these properties. There was concerns that the displacement of vehicles would result in emergency service vehicle access being restricted.

In conclusion she added that she would like to see a condition included in any approval requiring the creation of hardstanding areas to alleviate parking issues.

Mr G Myers, local resident, addressed the committee to object to the application and provided a number of slides highlight parking within the estate at various times throughout the day. He reiterated the objections previously raised and added that carers regularly visited properties adjacent to the site and meant that vehicles were coming and going all day. In addition the proposed site was regularly used by visitors to Mind and often used as a turning circle.

In addition he raised concerns regarding potential sink hole issues on the site and asked what assurances could be given by the developer that this would not cause wider problems.

He further commented that the development would result in overlooking into the side of his neighbours property and the proposed pathway would also impinge upon his privacy.

In conclusion he added that he was not completely opposed to the development but felt that Cestria Homes had not given sufficient consideration to the impact of the proposals or existing residents.

The Principal Planning Officer in response to comments made noted that parking problems caused by mental Health facility were an issue which would have to be taken up by them and was not a concern for Cestria Homes. In addition Highways had visited the site throughout varying times of the day to record data and therefore had based their opinion on the data recorded.

He further acknowledged that private drives at tenants properties would alleviate parking issues however this was not currently permitted by Cestria Homes.

With regard to comments made relating to overlooking he advised that pedestrians were currently able to walk across the site and it was considered that any overlooking would not be to a detrimental level.

Mr S Riding, Cestria Homes, addressed the committee to support the application. He advised that there was a demand in the area for this type of property. Furthermore he commented that Cestria Homes would be unable to create any hardstanding areas as this would essentially be providing private residents with parking paid for by the rent payer.

In conclusion he added that he was surprised that Councillor Smith was in attendance to object to the application given that the decision to proceed with the application had been taken at a Cestria Homes Board meeting which she had attended.

Councillor Shield added that although he had sympathy for the residents he felt there were no grounds to refuse the application. With such, he **moved** that the application be approved subject to the conditions as listed within the report. Councillor Cordon **seconded** the proposal.

Further discussion took place regarding proposed parking for the new dwellings and whether these would be designated. The Principal planning officer advised that 10 spaces within the site would be for general use replacing 12 garages. In response to a further query regarding the sink hole, he advised that the planning conditions would ensure that adequate foundations were provided and addressed during the build process.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the conditions as listed within the report.

d DM/16/01426/FPA - Land North Of Both 85 Pelaw Crescent & 1 Cedars, Beechwoods, Chester-le-Street

The Committee considered a report of the Principal Planning Officer regarding an application for the proposed demolition of existing garages and erection of 6no. 2 storey houses and external works at land to the North of both 85 Pelaw Crescent and 1 Cedars Beechwoods, Chester-le-Street (for copy see file of Minutes).

The Principal Planning Officer provided a detailed presentation of the application which included photographs of the site and a plan of the proposed layout. In addition Members had visited the site the previous day and were familiar with the site and surroundings.

Councillor Cordon commented that the garages were extremely run down and the area was in need of development. He therefor **moved** that the application be approved subject to the conditions as listed within the report. Councillor Maitland **seconded** the proposal.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the conditions as listed within the report.

f DM/16/01472/FPA - Land Adjacent To 32 Beechwoods, Chester-le-Street, DH2 2HR

The Committee considered a report of the Principal Planning Officer regarding an application for the proposed erection of 4no 2 storey houses and external works at land adjacent to 32 Beechwoods, Chester-le-Street, DH2 2HR (for copy see file of Minutes).

The Principal Planning Officer provided a detailed presentation of the application which included photograph of the site and a plan of the proposed layout. In addition Members had visited the site the previous day and were familiar with the site and surroundings.

Councillor Maitland added that there was ample room and adequate space on this site for development and **moved** that the application be approved subject to the conditions as listed within the report. Councillor Milburn **seconded** the proposal.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the conditions as listed within the report.

6 Appeal Update

The Committee received a report of the Team Leader North, which provided an update regarding appeals received and determined.

Resolved:

That the content of the report be noted.