

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 27 October 2016 at 2.00 pm**

Present:

Councillor C Marshall (Chairman)

Members of the Committee:

Councillors B Armstrong, H Bennett, J Cordon, I Jewell (Vice-Chairman), J Maitland, O Milburn, K Shaw, A Shield, L Taylor, O Temple and S Zair

1 Apologies for Absence

Apologies for absence were received from Councillors P Brookes, K Thompson and S Wilson

2 Substitute Members

There were no substitutes in attendance.

3 Minutes of the Meeting held on 29 September 2016

The minutes of the meeting held on 29 September 2016 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest (if any)

Councillor Shield declared an interest in Item 5b. As a local member he advised that he did not have a prejudicial interest in the application nor had pre-determined the application although he was predisposed to a particular view.

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

a DM/16/02703/FPA - Land at Anthony Street, Stanley

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of a two-storey residential building containing 16 self-contained one-bedroom supported living apartments and two additional single-storey buildings containing five one-bedroom supported living dwellings, with ancillary staff area and associated open space and car parking (Use Class C3) at Land at Anthony Street, Stanley (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. He further advised that recommended condition 6 regarding contaminated land was subject to further discussion and he therefore further sought delegated authority for planners to determine the wording of this condition should they be minded to approve the application.

The Chairman added his thanks to the applicant who had undertaken extensive consultation with residents in the Stanley area prior to the submission of the application.

Councillor Cordon added that he considered the application to be a good scheme and one which would benefit the area. He further asked who the landlord of the properties would be. In response the Applicant advised that Inclusion Housing would be the company who would manage the site day to day. Councillor Cordon subsequently **MOVED** that the application be approved subject to the conditions as listed within the report.

Councillor Jewell added that he considered the development to be appropriate for the area. The applicant had given careful consideration to all concerns and would inevitably benefit the area of Stanley and with that **SECONDED** that the proposal.

Resolved:

That the application be **approved** subject to the conditions as listed within the report and that officers be given delegated authority to re-word the condition relating to contamination.

b DM/16/02381/FPA - Land to the west of Highsteads, Medomsley

The Committee considered a report of the Principal Planning Officer regarding the continuation of use of former agricultural field for equestrian purposes and the retention of a field shelter at land to the west of Highsteads, Medomsley (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. She further advised that the application had been brought to committee at the request of Councillor Stelling, local Member on the grounds that residents had concerns in relation to access and egress, change of use from countryside, the location of the building and the visual impact that it would have on the surrounding area.

In referring to paragraph 46 of the report the Principal Planning Officer advised that the distance quoted in the report were inaccurate and should read as follows:-

The field shelter is approximately 24m from the boundary of the properties in Highsteads and 40m away from the nearest house.

Councillor Jewell commented that he considered the application to be fully justified and appropriate for its setting, however noted that some of the objections which had

been made were not fully justified. He added that any concerns raised had been mitigated against and with such **MOVED** that the application be approved subject to the conditions as listed within the report.

Councillor Shield added that as one of the local members he totally disagreed with the comments made. He commented that the location of the shelter would have been better placed on the bottom elevation of the site which was less prominent. He further added that the tree belt which separated the site from the Highsteads development was made up of deciduous trees and as such during winter months did not provide the level of screening suggested.

With regard to the cumulative impact of equestrian development in the vicinity he added that he was extremely disappointed to learn that the application at Broom Hill, Ebchester within a short distance had been allowed at appeal.

Councillor Shield went on to note that adjacent residential properties would be subjected to vermin and odour as result of the shelter and equestrian facilities and there was also no guarantee that people would use the access as intended, which could cause further issues on the 60mph road. He therefore concluded that as a local member with knowledge of the area that he could not support the application and with such **MOVED** that the application be refused on the grounds that the development was contrary to policy EN1 of the saved local plan in that the development would not benefit the rural community nor enhance or maintain the rural landscape.

Councillor Cordon added that he could see no reason to refuse the application and therefore **SECONDED** that the proposal made by Councillor Jewell.

As a point of clarification, Councillor Temple asked whether the committee had any powers to reject the application in favour of a more logical siting at the bottom of the site. The Principal Planning Officer advised that although the alternative location would be deemed acceptable, the application had to be considered on its own merits and although the propose site was slightly elevated, it was considered to be well screened from the highway and therefore could not justify refusal in that basis.

In response Councillor Temple commented that he fully appreciated the concerns of the local members and acknowledged his concerns however appreciated that should the committee refuse the application that the Planning Inspectorate would take a similar view to that of the recent decision on Broomhill South Farm. With that he added that it was with regret that he supported the application.

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 determined.

Resolved:

That the content of the report be noted.