

## **DURHAM COUNTY COUNCIL**

At a Meeting of **County Planning Committee** held in Council Chamber, County Hall, Durham on **Tuesday 7 June 2011 at 2.00 pm**

### **Present:**

**Councillor K Davidson (Chair)**

### **Members of the Committee:**

Councillors P Charlton (Vice-Chair), D Boyes, M Dixon, G Holland, K Holroyd, O Johnson, G Richardson, J Shuttleworth, D J Southwell, P Taylor, E Tomlinson, Allen Turner, R Young and M Williams (substitute for Councillor C Walker)

### **Apologies:**

Apologies for absence were received from Councillor Alan Shield and C Walker

### **Also Present:**

D Taylor – Property Planning and Projects Manager  
A Dobie – Principal Planning Officer (Central and East Team)  
J Taylor – Principal Planning Officer (Central and East Team)  
C Argent – GVA Consultants

### **1 Declarations of Interest**

Councillor G Holland declared an interest in item numbered 3(a) and took no part in the decision.

### **2 Minutes of the meeting held on 3 May 2011**

The Minutes of the Meeting held on 3 May 2011 were confirmed as a correct record and were signed by the Chair.

### **3 Applications to be determined**

Prior to the commencement of business the Chair explained that applications numbered 3(b) to (e) on the Agenda were schemes which identified the need for a new store in or in the vicinity of Peterlee and would affect similar catchment areas and current shopping patterns in Peterlee, Seaham and East Durham. In view of this it was proposed that the normal procedure of hearing and determining applications individually, be departed from in order to consider the applications together to allow applicants, objectors and supporters a full and fair opportunity to put their views forward. The Chair outlined the revised process.

The Committee also agreed that the order of business on the Agenda be amended to allow applications numbered 3(b) to (e) to be considered first:-

**PL/5/2009/0506 – Former North Blunts Primary School, Tweed Close, Peterlee  
New foodstore (7,222 sq m) with associated service area, car parking, petrol  
filling station and associated external and highways works**

**PL/5/2009/0547 – Former East Durham and Houghall Community College,  
Burnhope Way, Peterlee  
Retail Store (10,246 sq m gross/5,600 sq m net) and replacement library with  
associated car parking, access, landscaping and servicing**

**PL/5/2009/0548 – Dalton Park, Murton  
Retail unit (8454sqm) (Use Class A1), hotel (Use Class C1), cinema (Use Class  
D2), food and drink retail units (Use Class A1, A3, A4 and A5), petrol filling  
station, creation of new access and landscaping (outline application)**

**PL/5/2010/0444 – Castle Dene Shopping Centre, Yoden Way, Peterlee  
Demolition of existing buildings and erection of a 7,990 sq.m food store and  
associated car parking (outline)**

The Principal Planning Officer (Central and East Team) gave a detailed presentation on each of the reports relating to the abovementioned planning applications, copies of which had been circulated. The Officer advised that Members of the Committee had visited all four sites the previous day and were familiar with their locations and settings.

During his presentation he provided the following updates received since the reports had been prepared and provided responses where necessary:-

**Former North Blunts Primary School Site**

42 letters had been received in support of the new store and 'all Morrison's has to offer'. 2 letters of objection had been received which stated that the site was not in the town centre and wouldn't involve linked trips. The objectors considered that other proposed schemes were better located to provide for a new store.

**Former East Durham and Houghall Community College, Burnhope Way, Peterlee**

1 letter of support had been received stating that the proposal would increase customer choice for the residents of Peterlee and had good access to the town centre.

**Dalton Park, Murton**

A letter had been received from G Morris MP stating that the original development envisaged the second phase to include shopping and leisure facilities. The proposals would have limited impact on Peterlee town centre and that the Committee could also approve an application for a supermarket in Peterlee. However, with regard to cumulative impact, if the Committee was minded to approve all three applications in Peterlee, he did not consider that this would be desirable or sustainable. He also questioned the deliverability of the Praxis town centre development, and noted that the Tesco proposals on the college site could be delivered.

In response to the letter the Principal Planning Officer stated that the second phase of Dalton Park was meant to have been leisure-based and funded by the first phase of factory outlet shopping. It had proposed a wider range of leisure facilities, to include ten pin bowling, and did not include general retailing. In particular, it did not rely on a large scale supermarket. Whilst acknowledging the limited impact on Peterlee town centre, officers' concerns related to the significant impact on Seaham. He agreed with the MP's comments with regard to the potential cumulative impact of 3 schemes in Peterlee, and acknowledged his views concerning the deliverability of the Praxis scheme.

A further submission had also been received from Indigo Planning, the agents for Dalton Park, which stated that there was no clear evidence of the loss of jobs or closure of businesses, and that this was purely officer conjecture. With regard to the cumulative impact they acknowledged the reduction in turnover of the ASDA stores in Peterlee and Seaham but did not consider that it would threaten their viability.

In addition they considered that viability of the scheme was a significant material consideration. No viable alternative proposals had been put forward and therefore that was not material to the determination of the current scheme.

Indigo Planning also made reference to the sequential assessment stating that it was impractical to disaggregate component parts.

One of the reasons for refusal outlined in the report was traffic impact yet there had been no objections from the Highways Authority or Highways Agency.

They were also concerned that there had been no mention made of the Section 106 Agreement which outlined a package of measures the applicants would provide.

The Principal Planning Officer responded to Indigo Planning's submissions. With regard to loss of jobs and closure of businesses, he pointed out that the reference to this in the report stated 'it is considered', rather than stating it as a fact. He accepted that the viability of the store in Peterlee would not be threatened but considered that the proposals for Dalton Park would have a significant impact on the ASDA store in Seaham, and also the other shops in the town that benefitted from linked trips.

With regard to the sequential test, he explained that PPS 4 required disaggregation to be assessed. In any event, the Heads of Terms offered did not guarantee development of the hotel or pub/restaurant, only the sale of the sites. The viability of the Dalton Park scheme had not been questioned by the Planning Authority but the delivery of the whole scheme was not guaranteed. The Section 106 Agreement had been detailed in the applicant's statement and referred to in parts of the Officer's report. The highway reason for refusal was based on the site being an unsustainable location, not on specific vehicle numbers.

He continued that a letter had also been submitted by Destination Seaham, a group set up to promote tourism in Seaham and which included local traders. The group supported the proposals which they considered would bring an increase in visitor

numbers that would benefit the town. They expressed concern about the lack of information provision for visitors at Dalton Park, and therefore if the application was approved asked for a condition to require tourist information to be provided there.

On the retail proposals generally, a letter had been received from Thomas Eggar on behalf of ASDA which stated that there was an allocated site for retail development approximately 6 kilometres north west of Dalton Park within the Sunderland City Council area. The site was within an existing centre and was planned investment. ASDA was concerned that if 2 of the proposed stores were approved they would have a significant cumulative impact on ASDA's in-centre stores at Peterlee and Seaham, which significantly contributed to the vitality and viability of those centres.

If Members approved 2 food stores ASDA would question the viability of both submitted schemes coming forward. They considered that there was a risk that this would result in a stalemate position where neither scheme would proceed. If both did proceed then the cumulative impact would seriously harm both Peterlee and Seaham centres.

The Principal Planning Officer responded firstly to the comments relating to the existing site identified in the Sunderland City area which was Hetton Centre. Dalton Park had undertaken an impact assessment on that site, and Sunderland City Council had offered no objections following consultation.

With regard to ASDA's concerns relating to potential impact, he advised that the cumulative impact assessment undertaken on behalf of the Council had indicated that 2 stores could operate without significant adverse impact on the town centre.

At the conclusion of his presentation the Officer reported that Councillor J Maslin, Ward Member for Wingate had advised that she had considered the arguments given within the report, together with feedback received from the constituents of the Wingate ward, and supported all three recommendations relating to Peterlee.

At this point the Chair invited each of the applicants to speak for up to 10 minutes in support of their own application and to put forward any comments they wished to make on the other three applications. This was done in the order that they appeared on the Agenda.

M Ralph, agent in respect of the former North Blunts Primary School site stated that this was a multi-million pound regeneration proposal which would create 350 jobs. It was in an easily accessible location and was the right size for the town, without overwhelming the traditional shopping within the centre.

In addition to the proposals outlined in the application the applicant would also provide improved sports and leisure facilities at Helford Road and Eden Lane, and residential development on the former ITEC site, for which planning permission had been granted in 2010. These would be linked with the development of the foodstore etc.

Whilst he acknowledged that it had been a challenge for Officers to condense the information into the report, the applicant disagreed that the additional benefits

proposed in the form of leisure and residential developments should not be given significant weight. He contended that residents groups would also disagree with this and reiterated that the proposals would be directly and wholly part of the overall development.

He stated that it was clear that the application was acceptable in design terms, highways had offered no objections subject to conditions, and a tree retention plan would be implemented in accordance with the Tree Officer's comments. The report also noted the comments of Economic Development relating to the economic benefits it would generate. In addition there was direct and clear support from Morrison's supermarket. The scheme would not be detrimental to the town centre.

He referred to the results of the sequential assessment but maintained that it was more important to consider how the store would operate as an integral part of the town centre.

M Ralph continued that they objected to the Dalton Park proposal as it failed to accord with national policy in PPS4 and would have an impact on Peterlee.

He referred to the difference in distance to the town centre between the North Blunts site and the college site and stated that it was less than had been suggested by the Planning Authority.

The distance stated in relation to the North Blunts site had increased considerably from when it was previously measured under the Retail Park application in 2003, and at that time the woodland copse had been described as an attractive route, where now it was deemed to be a physical barrier to the town centre.

Morrison's store was food focused and therefore residents would walk into town for other goods.

In terms of impact of the 2 proposals on the town centre as a whole, he stated that the sale of non-food goods in Tesco was substantial and the floor space devoted to comparison goods was three times greater than Morrison's. Tesco would therefore greatly impact on existing shopping provision in Peterlee town centre.

With regard to Castle Dene Shopping Centre, they had recorded their objection to the viability of the scheme. They remained of the view that the legal issue surrounding the restrictive covenant would prevent the development of a large foodstore in Peterlee town centre, and the development and relocation costs were significant. He considered that the scheme was undeliverable in the foreseeable future. The report acknowledged and dismissed these issues, stating that it was likely to come forward in a 'reasonable time frame'.

To conclude he advised that their own case was simply that their scheme was right for Peterlee and would not have an adverse impact on the town centre.

D Wilson from Tesco, spoke in relation to the former College site. He stated that their scheme would provide jobs and investment in the area and increase choice for

shoppers. The scheme also included the provision of a library. The building would be carbon neutral and had many innovative features.

From the outset the applicants had wanted to build a major new store and were able to deliver immediately. 99% of respondents to a public consultation exercise had been in favour of the proposal. The company would employ local people and once open a community champion would be appointed. In addition employees would help to raise money for their chosen charity. Tesco offered value for money and choice, and would encourage shoppers back to Peterlee.

P Pritchett, agent stated that they had looked at all potential sites and had decided that the former college site was the most deliverable, in accordance with planning policy. The site was in urgent need of regeneration and the scheme would provide a lasting functional positive benefit to the town. There would be 600 free car parking spaces and the store entrance would be situated at the closest point to Castle Dene shopping area. A new pedestrian plaza would encourage interaction with the town centre. The pedestrian crossings and underpasses would be upgraded ensuring that all businesses would benefit from increased footfall.

To conclude he stated that of all the schemes proposed, this was the only development that was guaranteed to proceed.

T Waring, agent for Dalton Park stated that there was a broad mix of land uses proposed for the site, and food was only part of that broad mix. ING purchased the site 10 years ago and those initial proposals had significant and overwhelming community and Secretary of State support. To date only the outlet centre had been developed, and despite current economic fragility, there was demand for the facilities proposed. The supermarket was required to deliver the leisure developments as the leisure uses alone would be unviable. Planning Officers had not challenged the viability of the scheme.

He outlined the key elements of the scheme, stating that with the exception of the foodstore all the uses had Secretary of State consent and he believed that they remained appropriate today.

The foodstore was the linchpin to the scheme and it accorded with the Government's Plan for Growth which made it clear that unless it could be demonstrated that there was 'clear harm', such proposals should be approved.

He continued that the scheme would bring economic and social benefits, and would provide an opportunity to 'upskill' local people, providing substantial new employment in sales, management and clerical work. It would also provide a wide range of leisure and retail facilities for local communities.

Economically the scheme would create 550 direct jobs and 80 indirect jobs. Economic benefits included £13.5m GVA per annum in the former Easington District and £15.4m GVA in the North East Region. In addition there would be 100 temporary construction jobs for 1 year.

As part of the application the developers would enter into a Section 106 agreement which included a package of measures; cinema and food and drink units to be completed prior to the foodstore opening, the hotel and public house sites to be sold to operators prior to the foodstore opening, a local labour agreement to be entered into, and highway works and town centre enhancement works to be carried out.

He reiterated that the foodstore was an enabling development which would bring the other leisure uses. He considered that the catchment area differed to Peterlee and there was currently limited choice of main foodstore provision. This would enhance consumer choice and reduce leakage to more distant facilities. It was important to note that evidence on impact should be unequivocally significant. Stores operated at 50% above average in Seaham and 100% above in Peterlee.

He anticipated that the proposals would bring 34% of existing store trade to Dalton Park.

To conclude he stated that the scheme would complete the regeneration of the site, would deliver a broad range of uses previously found acceptable, there was no viable alternative and it would bring about significant social and economic benefits.

M Harrison spoke on behalf of the Castle Dene Shopping Centre application. He stated that he was a private developer and whilst Praxis were an off shore property company it was not faceless. He had set up a business in a northern town similar to Peterlee 27 years ago. In the current economic climate where many businesses were closing his company had invested 10's of £millions in Peterlee. Significant improvements had been made since the company had acquired the Shopping Centre.

Any decision made today had the potential to destroy Peterlee town centre. There was room for only 1 other foodstore in Peterlee and the surrounding area and the other 3 schemes put forward were fundamentally designed to 'suck' trade from the town centre.

Out of town developments had a severe impact on town centres and he made reference to the impact retail parks had on Bishop Auckland, Newton Aycliffe and to a lesser extent Seaham.

Their scheme was about the wholesale regeneration of the town centre. The proposals did not resemble the Kenmore scheme and he was personally authorising all funding for its delivery. He considered that the restrictive covenant was a non-issue and would not prevent the scheme from coming forward. Future plans included a brand new medical centre, offices and library demonstrating that Praxis were concerned with the wider regeneration of the town centre, not just in making profit. Any decision made should be about what was best for Peterlee which in his view meant not allowing the other operators to dictate what should be provided. In addition their's was the only scheme that did not need to be referred to the Secretary of State if the application was approved.

The foodstore could be operational in 3 years and if one of the other schemes was granted it would be a 'de facto' refusal of the scheme put forward by Praxis. Only a town centre scheme could attract people back into a town centre.

At this point Members were invited to ask questions.

In response to a question from Councillor Southwell relating to the Dalton Park application, the Principal Planning Officer advised that no reference had been made to Seaham Town Council's initial objection as it had been withdrawn.

Councillor Boyes asked for clarification in relation to the restrictive covenant which covered part of the application site. D Taylor, Property, Planning and Projects Manager advised that the applicants were confident that it would not prevent the development from proceeding, and any issue with regard to the covenant would be resolved by Salford Estates and the parties involved, outside the planning process.

M Harrison re-iterated that the covenant was a non-issue, it was not binding and the applicants had taken extensive legal advice to ensure that it would not prevent the development.

In accordance with the agreed procedure, the Chair invited Ward Member Councillor Laing to speak.

She commenced by explaining that as one of the ward councillors for Peterlee East she wished to speak in support of the East Durham Retail and Mixed Use proposals and the proposals for Castle Dene in particular. The majority of residents in her Division who had contacted her regarding the application were fully supportive of the development and saw it as a vital link to the much needed regeneration of the town centre. This view was previously stated during a major consultation event held in 2006. The provision of new and improved facilities was deemed to be, and continued to be, the community's biggest priority. Regeneration in the area was much needed, and approval of this planning application would help address this, and help meet the community's needs. Approval would demonstrate that the Council listened to and valued public opinion.

Economic benefits included the creation of much-needed jobs and training. Historically unemployment in the area was high and the creation of jobs in both the construction and retail industries would help redress this problem. The community and environmental benefits from this development would give a much needed boost to the area, and she believed would provide a springboard to attract future investment. The provision of an additional supermarket would allow greater consumer choice and help generate competitive prices which would help low income families cope with rising food prices.

Her priority remained to be the economic health of the town and to support existing retailers. She believed that the Praxis proposal would inject vitality into Peterlee, not only with the creation of 400 new jobs, but also through the provision of new health facilities, football and youth facilities. This opportunity to provide these much needed facilities in Peterlee could not be missed.



The former college and North Blunts sites had benefits but the Castle Dene Shopping Centre proposals brought about the broadest benefit in terms of regeneration and change for the town.

With regard to deliverability, it was clear that the town centre proposal brought the most challenges but as had been heard, these were not regarded as insurmountable.

Councillor Hewitson from Peterlee Town Council stated that the Town Council wished to make clear that as part of the statutory consultation process it did not provide any written response to the County Council that it was 'supportive' of the Tesco proposals for the former college site.

In addition, the Town Council had no objection to the North Blunts application. Peterlee was a town of over 30,000 residents and the proposals contained very significant community and economic benefits that the Town Council felt were important, such as new sports pitches and facilities at both Eden Lane and Helford Road, as well as new and affordable housing at the former ITEC site and an improved highways layout that would significantly improve access in this part of the town.

There was a need for as much regeneration in Peterlee as possible and this was part of the overall vision for Durham. Peterlee Town Council considered that the Dalton Park proposal was a 'stand alone' application.

In accordance with the revised procedure the Chair invited registered speaker C Temple from Planning Potential to speak against 3 of the applications.

She commenced by stating that Planning Potential's objections related to the former North Blunts Primary School site, the former East Durham and Houghall Community College site and Dalton Park, Murton. In line with Government Policy and the sequential assessment she did not object to the Castle Dene Shopping Centre application.

With the exception of the Castle Dene Shopping Centre scheme, the cumulative impact of any one of the other applications would be significant on the ASDA stores in Peterlee and Seaham.

Government policy sought to protect town centres and she therefore respectfully requested that the 3 applications be refused. She noted that Tesco had objected to the Castle Dene scheme on the grounds of suitability, availability and viability. However whilst she accepted that there were constraints she considered that it was fully deliverable.

At this point the Chair invited registered supporters of the applications to speak.

#### **Former North Blunts Primary School Site**

Mr L Measer, Chairman of Peterlee Football Club referred to the existing sports facilities and the problems experienced in winter months when the youngsters were

unable to train because of inadequate lighting. He therefore wished to support the application in view of the improved sports facilities proposed by the applicants.

### **Dalton Park, Murton**

Mr Walton, a resident of Murton stated that he had been involved in the development of Murton in Phase 1. Unemployment in the area was high following pit closures and Dalton Park had presented a golden opportunity for the former District of Easington Council to work with a developer who was keen to invest in the area. There were problems of social exclusion in the village, and a lot of youths were unemployed with no hope of getting work. For these reasons he wished to see the scheme and all its benefits delivered.

### **Castle Dene Shopping Centre**

Mr Taylor-Gooby spoke in support of the Castle Dene Shopping Centre application. He stated that he had lived in Peterlee all his life. The town had its problems but the area was improving. The town centre was old-fashioned and in need of redevelopment. The centre was a community hub and it was pleasing that there was a developer who wanted to invest in its future by bringing about improvements to ensure its sustainability. Current developments within the NHS meant there was an increasing need for health services to be provided in the community.

Following the comments made by the supporters the Chair invited the applicants to respond to any new criticism made in relation to their own application. He provided each applicant the opportunity to speak in reverse order to how the applications appeared on the Agenda.

M Harrison and T Waring had no additional comments to make. P Pritchett stated that whilst he had no dispute with regard to the proposal for 2 stores in Peterlee centre, Tesco could deliver immediately. He agreed with T Waring that ASDA had a monopoly in the area, and he considered that healthy competition was needed. He did not consider that there would be any destruction of the town centre as a result. Tesco was not out of the centre and there was no reason why Castle Dene scheme and Tesco couldn't work together to ensure Peterlee was vibrant and vital.

M Ralph stated that none of the other proposals were at such an advanced state. Morrisons had signed an agreement to proceed and were committed to bringing the store to the town. Development Agreements were in place with regard to the other proposals.

The Principal Planning Officer responded to the representations made.

He reported that reference had been made to the similarity between the Tesco and North Blunts schemes in relation to the town centre. The Council assessed the different schemes and concluded that Tesco was preferable because of what was offered in terms of its connection to the town centre. It had a closer physical and functional relationship with the centre. Furthermore, the college site was still operational in 2003, such that North Blunts was the only sequentially preferable site available at that time.

With regard to comments made in relation to Dalton Park he stated that it would be useful to explain how Phase 1 came about. At that time economic circumstances were different following recent colliery closures,, and the scheme had been agreed on the basis that it would be a 2 phase development. It was proposed that a wider range of leisure uses would be provided in addition to outlet shopping but this never came forward. The Secretary of State had restricted the retail use to factory outlet and it was therefore complementary to other shopping in the area, not in competition. It was considered that a supermarket would be in competition with the shopping centres of Seaham and Peterlee. In planning terms, the emphasis was on supporting town centres, not to reduce their function.

He invited C Argent to speak from GVA Consultants who had been commissioned by the Council to undertake a cumulative assessment of the applications. C Argent stated that the applicants had specified that the impact would be in the order of 34% - ie a third of all shoppers would go from Seaham to Dalton Park. In his view this impact would be significantly adverse, in accordance with PPS4. The Principal Planning Officer added that there had been significant investment in Seaham Town Centre and the Planning Authority did not want this to be undermined by the Dalton Park proposals.

With regard to Castle Dene, the developer had given an impassioned speech about how they considered that their development would be prejudiced if the others proceeded. Planning Officers could not judge this as part of the planning process, their role was not to assess the viability of the proposal as it could be calculated in different ways. This was demonstrated by the example that Praxis and Tesco had conflicting views about the viability of the town centre scheme. There was an identified need for new retail development in Peterlee, ASDA was over-trading and there was a lot of trade leakage to other areas. He did feel that there were obstacles to the immediate delivery of Praxis, and Tesco could be on-site immediately. GVA Consultants had undertaken an assessment of cumulative impact and had concluded that 2 stores could trade alongside the existing ASDA store.

To conclude he took Members to the contents of the summary report at item numbered 3(f) on the Agenda, a copy of which had been circulated. He outlined briefly the main planning considerations that led to the recommendations on each of the four applications.

Councillor Shuttleworth stated that he considered that all operators were responsible and were all going to create jobs. On the site visit he had noted that there were already other stores operating in the town centre such as Aldi and Lidl. Dalton Park would also create jobs and he considered that North Blunts was far enough from the Tesco development to be able to compete.

Councillor M Dixon referred to Newton Aycliffe as it had been mentioned about major supermarkets having a detrimental effect on town centres. The superstore there had helped the regeneration of the town centre, therefore he did not envisage a problem with Tesco – he considered that one would help the other.

With regard to Dalton Park, he considered that the leisure facilities were an important aspect of the overall development and the hotel would encourage tourism. He asked if it was possible to include a condition that the leisure facilities must come forward. The Principal Planning Officer responded that the developers agreement only guaranteed the cinema and food uses. The other sites would be sold.

Councillor D Southwell commented that Dalton Park was the jewel in the crown, and the vitality of it was dependent on Phase 2. The development was 6 miles from Peterlee and 4 miles from Seaham. The whole development was well used and a cinema would be 'manna from heaven' for local residents. He also supported the North Blunts and College sites as they were guaranteed to be delivered. However he felt that all 3 would be too many and was therefore opposed to the Castle Dene proposals.

Councillor P Charlton expressed her support for them all as she considered it would be good for competition. Bishop Auckland had 6 big stores and this had driven prices down. She did not see why Peterlee should be deprived of a similar opportunity.

Councillor Holland considered that Members had to decide whether or not to agree to the Tesco application in the first instance. If it was approved he considered that there would be commercial fall-out. Dalton Park's leisure facilities were driven by the opening of a food outlet. Castle Dene applicants had indicated that it could not proceed if Tesco was approved and he questioned whether Morrison's would wish to develop in such close proximity to a Tesco store.

Councillor A Turner referred to the statement from the applicants for the Castle Dene Shopping Centre that only 1 store was viable and asked for the consultant's advice on this.

C Argent advised that a cumulative impact assessment had been undertaken to look at the potential impact of 2 new stores. 2 new stores were unlikely to achieve their full trading potential given the existing ASDA store and the competition arising from 3 stores operating in close proximity. The stores would trade slightly under their benchmark but there would be an increase in main food retention in the Peterlee catchment, and inflows from adjoining areas. Therefore there would not be an adverse impact on Peterlee town centre.

Councillor E Tomlinson asked if there would be a duplication of the type of goods sold by the Tesco supermarket and by those stores in the town centre.

The Member was advised that Tesco did have non-food products, therefore there was likely to be some replication.

Councillor G Richardson asked if Tesco and Morrison's would submit an application at Dalton Park if their applications were refused for Peterlee. C Argent responded that commercial decisions would be made by the major supermarkets depending on the outcome of today's meeting.

Councillor Boyes asked for clarification in relation to the possibility of the decisions being called in if all four applications were approved.

The Principal Planning Officer clarified that if Members were minded to approve all applications, then with the exception of the Castle Dene Shopping Centre proposals, the applications would have to be referred to the Secretary of State.

Following the debate, Members proceeded to vote on the applications in order of their sequential merit:-

**(a) PL/5/2010/0444 – Castle Dene Shopping Centre, Yoden Way, Peterlee  
Demolition of existing buildings and erection of a 7,990 sq.m food store and associated car parking (outline)**

**RESOLVED**

That the application be approved subject to the conditions detailed in the Officer's report to the Committee.

**(b) PL/5/2009/0547 – Former East Durham and Houghall Community College, Burnhope Way, Peterlee  
Retail Store (10,246 sq m gross/5,600 sq m net)and replacement library with associated car parking, petrol filling station and associated external and highways works**

**RESOLVED:**

That subject to the Secretary of State not exercising his power to call in the application, it be approved subject to the conditions detailed in the Officer's report to the Committee.

**(c) PL/5/2009/0506 – Former North Blunts Primary School, Tweed Close, Peterlee  
New Foodstore (7,222 sq m)with associated service area, car parking, petrol filling station and associated external and highways works**

**RESOLVED**

That the application be refused on the grounds that the site was situated outside the established town centre of Peterlee. It was considered that other sequentially preferable sites existed that would be more appropriate to meet the identified need for additional retail development to compete with existing foodstore provision in Peterlee town centre. The cumulative effect of the proposed development being approved alongside other more sequentially preferable schemes would be to adversely impact on the vitality and viability of Peterlee town centre and prejudice planned "in centre" investment in the town. As such the proposed development would fail to maximise the benefits to the town centre and is contrary to policies EC15, EC16 and EC17.1 of Planning Policy Statement 4, and policies 101 and 104 of the District of Easington Local Plan.

**(d) PL/5/2009/0548 – Dalton Park, Murton**

**Retail unit (8,454 sq m)(Use Class A1), hotel (Use Class C1), cinema (Use Class D2), food and drink retail units (Use Class A1, A3, A4 and A5), petrol filling station , creation of new access and landscaping (outline application)**

## **RESOLVED**

That subject to the Secretary of State not exercising his power to call in the application and subject to entering into of a section 106 agreement covering issues identified in the report, the application be approved on the following grounds:-

- (i) the significance of the Dalton Park site to the area;
- (ii) the development was much needed;
- (iii) the proposals would protect and increase the vitality of the area;
- (iv) the development was 'stand alone' from the other 3 applications;

## **FURTHER RESOLVED**

That the Principal Planning Officer be granted delegated authority to impose conditions, in consultation with the Chair and Vice-Chair of the Committee.

## **4 Application number 2/10/00074/COU - Durham County Cricket Club, Riverside, Chester le Street**

**Variation of condition 4 of planning approval 08/00488/FUL (erection of new stands, scoreboards, replay screen, function suite, and associated works including erection of 149 bed hotel (outline) to include changes to visual appearance of south west stand to allow erection of electricity substation adjacent gate no.1 and amendment to section 106 agreement removing the requirement to undertake a survey of existing linkages between the application site and Chester-le-Street Town Centre and the implementation of a scheme of measures to improve these linkages) (amended 31/3/11) (part retrospective)**

The Principal Planning Officer (North Team) gave a detailed presentation on his report in relation to the abovementioned application, a copy of which had been circulated.

Councillor J Shiell spoke against the application on behalf of local residents. He stated that they were disappointed that the Section 106 Agreement was recommended for modification to remove the requirement to undertake a survey of existing linkages between the site and Chester-le-Street town centre. Residents in the local area were still experiencing problems with vehicles parking outside their homes on match days because of parking charges imposed. He asked if the Cricket Club could explore possible options to resolve this, such as the introduction of a

residents parking scheme which could be funded through a Section 106 Agreement.

Councillor Richardson reiterated the comments of the ward member. Councillor B Bainbridge had discussed with him the problems caused by vehicles parking around the children's play areas there.

The Principal Planning Officer advised that a Travel Survey was undertaken annually and he would refer the concerns of local residents to the Travel Plan Co-ordinator for incorporation in the Survey.

Councillor Dixon stated that parking issues should be addressed, adding that the potential for 20,000 visitors would be rare.

## **RESOLVED**

That the application be approved, subject to the conditions detailed in the Officer's report to Committee and to residents concerns concerning parking being referred to the Travel Plan Co-ordinator for inclusion in the annual Travel Survey. The Section 106 Agreement accompanying planning permission 2/08/488 be modified by removing the requirement to undertake a survey of existing linkages between the application site and Chester-le-Street Town Centre, and the implementation of a scheme of measures to improve these linkages.