

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST DURHAM)

AT A MEETING of the **AREA PLANNING COMMITTEE (CENTRAL AND EAST DURHAM)** held at Council Offices, Easington on **Tuesday 4 August 2009**

PRESENT

COUNCILLOR C. WALKER in the Chair

Members

Councillors A Bell, J Blakey, R Liddle and M Simmons

Apologies for absence were received from Councillors G Bleasdale, J Cordon, J Moran, S Iveson, P Charlton and B Wilson

A1 Minutes

The Minutes of the meeting held on 14 July 2009 were confirmed as a correct record by the Committee and signed by the Chair.

A2 Declarations of Interest

There were no declarations of interest submitted.

A3 Applications to be determined by the Area Planning Committee (Central and East Durham)

PL/5/2009/0200 – Additional Hangar at the Airfield, Shotton Colliery

Consideration was given to the report of the Principal Planning Services Officer (Easington Area Office) which recommended conditional approval. The Principal Planning Services Officer explained that Members had visited the site that day, were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report.

The Principal Planning Services Officer explained that additional responses had been received from consultees who had not commented prior to the preparation of the report. Environmental Health and the Health and Safety Executive had offered no objections to the proposal. East Durham Business Service also offered no objections as long as the proposal would have no adverse impact on any future applications for wind turbines on the industrial estate.

Councillor Bell referred to planning permission that had previously been granted for a hangar elsewhere on the airfield which was further away from the school premises than the proposed hangar, and asked if it was possible for the airplane to be housed there instead. Mr Rosenvinge, the applicant responded that this would not be possible because the dimensions of the approved hangar were too small.

Mr Cochrane, an objector and Chair of the Governing Body for Shotton Primary School read out a letter of objection written by the Head Teacher of the school. The letter stated that the school's concerns related to the proximity of the hangar to the school playground and nursery outdoor learning environment. The new hangar would be in close proximity to the playground used by 300+ children daily and also the nursery outdoor learning environment which was used continually throughout the day. Staff had reported that only this week Key Stage 2 children had their end of year tests disrupted by the noise of aircraft during their lessons and had to close windows and doors, although the noise still called a halt to some tests. Nursery children aged 3 and 4 were frightened by the loud noise whilst they were outside. They had an early years foundation stage framework entitlement which centred on equal access to indoor and outdoor learning. The noise level of just one aircraft was unacceptable for such young children.

Mr Cochrane continued that parachutists had passed over the school grounds and playground areas at quite low heights sufficient for children to become very aware of the noise of the parachute against the air. During the school's annual Healthy Fun Day last year a parachutist passed over the playground whilst the children were participating in a skipping workshop which had frightened some children. If there was an additional aircraft hanger then this would mean an increase in the number of aircrafts flying thereby increasing the noise level. Having children's lessons disrupted due to extremely high noise levels as had happened during the week beginning 8th June 2009, was unacceptable.

In addition, an increase in aircraft would also mean an increase in the fuel stored on site. The proximity of such a hangar gave cause for concern should a fire arise and wind levels blew fumes and smoke across onto school premises and the nursery outdoor learning environment. Shotton Primary School provided education for over 380 children from the villages of Shotton and Haswell. It's priorities were to ensure children had the best education possible in the best environment it could offer. The Head Teacher, fully supported by the school's governing body, wished to make strong representation and objection to the planning application to build an additional hanger. Current noise levels were already a disruption to the children's learning.

Mr Robinson, an objector, stated that he considered that there was a conflict of interest between the airfield and the local school and industrial estate, and he also felt that residents were inconvenienced by the activities on the airfield. The Centre was the biggest noise polluter in the area, adding that on occasions the activities had affected the local farming community when off-course parachutists landed in their fields.

He referred to proposals by the Council to carry out a wind farm study and suggested that this should be completed prior to the application being determined.

Mr Rosenvinge, the applicant, stated that when the business relocated to Shotton the Centre was limited to a set number of movements and this would not be affected by the application submitted. When the land was purchased an agreement had been reached whereby any planning applications for development within the area bordered by the school and the allotments would not be unreasonably withheld. He added that the Centre was the only one of it's kind between the Humber and the Firth of Forth.

He continued that the application was for a hangar for an aircraft that was already tethered at the site. Currently the aircraft was tethered closer to the school than where the hangar would be situated. In the last 23 years he had not received any objections from the school with regard to the activities on the airfield. The sole purpose of the application was to store

the aircraft indoors. There would be no increase in the number of movements and therefore no increase in noise levels, nor would there be a need for additional fuel to be stored on site. With regard to the comments made in respect of wind turbines he stated that the Centre did not have any objections to the erection of smaller turbines for residential properties or industrial units. The Centre's objections were against larger wind farm schemes.

At this point the Principal Planning Services Officer referred to the wind farm study as mentioned by Mr. Robinson. He advised that this was solely an application for an additional hangar and as such did not impact on the current number of movements on the airfield nor would it impinge upon any future applications for wind turbines. The wind farm study referred to would be carried out in the future.

RESOLVED that the application be approved subject to the conditions outlined in the report.

PL/5/2009/0250 – Detached Dwelling (Resubmission) at Forest Lodge, Sand Hills, Davison Crescent, Murton

Consideration was given to the report of the Principal Planning Services Officer (Easington Office) which recommended refusal. The Principal Planning Services Officer explained that Members had visited the site that day, were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report.

Mr Naylor, applicant, noted that Murton Parish Council had objected to the application and stated that he had tried to contact the Parish Council both verbally and in writing to discuss the application without reply. In response to a question from Councillor Liddle relating to recorded incidents of vandalism he advised that he worked closely with the Police and Street Wardens who would be able to provide information in this regard. He added that until he purchased the land it was regularly frequented by drug users and youths consuming alcohol.

He continued that when he commenced the project six years ago he had demolished garages on the site. The site also housed a drainage system for properties in Murton and he therefore considered that it could not be used for agricultural purposes.

Mr Naylor provided details of the project. The land was used as allotments which were looked after by local children and their parents, together with people with learning disabilities. A small petting zoo was also on-site with planning permission for a gym, communal shed, toilet block, polytunnel and schoolhouse. The project had regular visits from local schools and Sherburn Hospice and a number of schools had also expressed an interest in starting after school classes on the site. There had been 3,000 visitors since the project had started.

With regard to the objections submitted in relation to loss of views he did not think this was relevant as the trees in the location were already 12 feet high. In addition access to the proposed development would not affect the footpath.

The Principal Planning Services Officer acknowledged the good work done on site and the significant developments made over the years, however he did not consider that this justified the erection of a dwelling. Planning policy stated that special justification for development in the countryside was required which could relate to the essential need for a

worker to live permanently on site. However, site security was not an adequate justification and therefore the application did not overcome the planning policy concerns.

Councillor Bell asked if the land would be classed as a brownfield site as the applicant had stated that there had been garages located there previously. The Principal Planning Services Officer advised that records showed that the land was for agricultural use and there were no historical maps showing garages on the site. The garages referred to by the applicant had been erected on allotments.

Councillor Bell considered that this was a much-needed project and he felt that the dwelling would ensure the security and sustainability of the project in a sustainable location.

RESOLVED that in view of the service the project provided to the community and on the grounds of stewardship, security and the sustainable location of the development, the application be approved subject to conditions relating to materials, fencing and landscaping.

4/09/00412/FPA – Erection of Detached Bungalow (Revised and Resubmitted) at 7 Warwickshire Drive, Belmont

Consideration was given to the report of the Development Control Manager (Durham Office) which recommended conditional approval. The Development Control Manager explained that Members had visited the site that day, were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report.

In presenting the report the Development Control Manager referred to objections relating to a dispute in the accuracy of the proposed street scene plan which showed the related heights of the proposed bungalow to surrounding dwellings. He explained that the variance in dispute was no more than six inches.

Councillor Blakey referred to recent flood problems caused by adverse weather conditions in locations across the County and asked if any safeguards had been made to mitigate the risk of flooding on this site.

The Development Control Manager advised that Northumbrian Water had offered no objections to the application in terms of flood risk or capacity of the existing drainage system. The proposals allowed for a significant area of garden which would help to drain excess water and the property would link to the existing drainage system on the estate.

Councillor Holroyd, an objector, stated that he was the ward Member for Belmont, had been a Member of Belmont Parish Council for six years and Chair of the Parish Council for two years. This was the twelfth application to be received since January 2007 in relation to this site, the first four having been made by a different applicant. The last four had been recorded as revised and resubmitted and he considered that these were minor revisions. The objections put forward to those applications remained relevant to the current application in that they related to the scale and proportions of the proposed building which was out of character and significantly taller than neighbouring bungalows.

He continued that residents had spoken against the proposals at Parish Council meetings and accordingly the Parish Council had made representations to Durham County Council. The current application made no significant changes to the application which was refused in March 2009 and the Parish Council had forwarded their concerns to the Council.

Councillor Holroyd referred to the letters of support and objections received. Of the sixteen letters of objection, thirteen lived in the vicinity directly affected by the proposal. Of the twelve letters of support only five resided in Belmont, the others were from elsewhere in the country who he stated would not be affected by the development.

To conclude he stated that the Parish Council wished for any development to be in proportion to existing buildings in the vicinity and asked that Durham County Council ensure that the estate remained a well balanced urban area.

The Development Control Manager responded that there had been ten applications to develop this site. The additional two referred to by Councillor Holroyd were for notification of demolition of the existing buildings. Of the ten applications, two applications for two dwellings had been refused and the others had either been withdrawn or invalidated. Details were given in the planning history section of the report. This latest application was the first resubmission of the application refused in March 2009.

Mr Smith, an objector, stated that this was the third time that Officers had recommended approval of applications to redevelop 7 Warwickshire Drive. On the first occasion in 2007 the Committee rejected the advice and refused an application for two dormer bungalows because they considered the development to be inappropriate to the scale and character of the cul-de-sac, and because the proposed separation distances between facing windows would not allow the privacy and amenity that existing and proposed residents could reasonably expect to enjoy. The Planning Inspector upheld both of these grounds for refusing the application on appeal. In March 2009 the Committee again rejected the Officers' advice and refused an application for a detached bungalow on the grounds that it was inappropriate to the scale and character of the cul-de-sac by virtue of its size, height and massing. The applicant had appealed this decision and the Planning Inspector's determination was expected in the near future.

Apart from the roof design, he considered that this new application was almost identical to the one refused in March. The height was more or less the same but the footprint had been increased and the design no longer incorporated hipped roofs which were the very feature championed in the application refused in March as a means of reducing bulk and visual impact. Therefore he considered that the applicant had failed to address any of the issues of size, height and massing which were the reasons for refusing the earlier application. The Committee in March did not refuse the application because it considered the proposed building to be out of character with the street scene on account of the hipped roof design. He therefore considered that Officers had performed an 'about turn' in relation to the changes to the roof design.

He continued that the roof design proposed remained complex and was hardly in keeping with the simple roof arrangement of the cul-de-sac regarded by the Planning Inspector in the first appeal as an attractive aspect of the street scene. He accepted that the site was comparatively large, however, the applicant had sought to cram as much floor space as possible on the site with the result that the proposed building was considered by the objectors to be incongruous in its setting.

In addition, the separation distance between windows which faced 122 and 124 Devonshire Road fell well below the distance standard of 21 metres set out in the Local Plan and below the distance of 18 metres deemed unacceptable by the Planning Inspector in the first appeal.

Councillor Bell stated that he understood that the previous application refused in March 2009 had a complex hipped roof arrangement and that the current application sought to simplify this by adopting the simple roof arrangement of the cul-de-sac. The Development Control Manager confirmed this.

Mr. Macallan, the applicant, stated that he had acquired the plot less than twelve months ago. The site was three times the size of adjacent plots and he wished to build a retirement home utilising 72% of the area for living space, excluding the garage. The application met national, regional and local planning policies and two separate surveys had been carried out on the site on 2nd April and 2nd July 2009.

With regard to separation distances he considered that this plot had the largest of any on the estate. In his opinion none of the recommended distances had been adhered to elsewhere. When the bungalows were originally built they had all been identical but many now had extensions with changes to materials adding to the diversity of the estate.

He continued that the proposed dwelling would be set back in the plot, minimising its visual appearance from the front, adding that the frontage measured 15 metres – the frontage of the adjacent bungalow measured 16 metres. The pitched roof matched all the surrounding properties and the building would be traditional red brick. The property did not overlook surrounding buildings and five out of seven of his immediate neighbours were in favour of the proposal. There was no loss of amenities and there had been no objections from consultees or the Planning Officers.

RESOLVED that the application be approved subject to conditions outlined in the report.

A4 - Appeal Update

Appeal Decisions

The report gave details of the following appeals which had been considered by the Planning Inspectorate:-

- (i) Appeal against the Council's refusal to grant planning permission for a timber frame and timber clad entrance way, two lockup storage equipment containers, steel container for CCTV, timber frame and clad lean to seating area and an office at land south of Sharpley Hall Farm, Seaton, Seaham.

Appeal allowed.

- (ii) Appeal Against the Council's refusal to grant planning permission for change of use from A1 (retail) to A5 (hot food takeaway) at 73 Seaside Lane, Easington Colliery.

Appeal dismissed.

- (iii) Appeal against the Council's decision to refuse outline planning permission for the erection of a single dwelling house with all matters reserved on land fronting Pit House Lane and adjacent to Lilac Cottage, Leamside, Durham

Appeal dismissed.