

## DURHAM COUNTY COUNCIL

### AREA PLANNING COMMITTEE (CENTRAL & EAST DURHAM)

AT A MEETING of the **AREA PLANNING COMMITTEE (CENTRAL & EAST DURHAM)**  
held at County Hall, Durham on **Tuesday 2 June 2009**

#### PRESENT

**COUNCILLOR C. WALKER** in the Chair

#### Members

Councillors A. Bell, J Blakey, G. Bleasdale, J. Brown, D. Freeman, J. Moran, M. Plews and B. Wilson.

#### Other Members

Councillor A.M. Williams.

Apologies for absence were received from Councillors J. Cordon and C. Potts.

#### A1 Minutes

The Minutes of the meeting held on 12 May 2009 were confirmed by the committee as a correct record and signed by the Chairman.

#### A2 Declarations of Interest

Councillor J. Blakey declared a personal interest in applications 09/00188/FPA and 09/00254/FPA, both applications being within her Division.

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

- (a) **09/00188/FPA – Land at Tail Upon End Lane, Bowburn, Durham**  
**Application for substitution of house types on plots 28, 29, 32, 33, 37, 38, 41, 42, 47, 49, 50, 51, 53, 54, 66, 68, 69, 71, 72 and 74 pursuant to planning permission 07/00311/FPA**

Members had visited the site of this application on 2 June 2009 and the Development Control Manager (Durham City Area Office) presented his report (for copy see file of minutes) recommending the application for approval.

**Resolved:** That the application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out only in accordance with the approved plans, specifications and conditions hereby imposed.

3. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

**(b) 09/00254/FPA – 10 St Mary's Close, Shincliffe, Durham  
Demolition of existing porch and rear extensions and  
erection of single storey pitched roof extension to front,  
two storey pitched roof extension to side/rear and two and  
single storey pitched roof extensions to rear of existing  
dwellings**

The Development Control Manager (Durham City Area Office) presented his report (for copy see file of minutes) on this application, Members of the Committee having previously inspected the site on 2 June 2009.

Mrs Currie, a local resident, addressed the committee to object to this application. She commented that the property was situated in a Conservation Area and that St Mary's Close was a long established residential area and must be preserved and conserved. She claimed the very striking windows proposed would break the continuity of the properties in the cul-de-sac and the floor to ceiling window in the study would upset the street scene. She considered that this application should be refused.

Mr Morant, another local resident, also spoke in opposition to the application. He considered that the porch extended too far into the weather boarding, and that the proposed porch should be constructed with a flat roof. Additionally, he maintained the curved wall to the porch was out of keeping with the other properties in the area, properties which were an example of 1960s design and had been preserved for almost 50 years. He did not object to the modernising of the property, but felt that development must be in keeping with the existing street scene.

Councillor Hudson, Chairman of Shincliffe Parish Council, addressed the committee. The Parish Council were unanimous in feeling that to approve this application would be a mistake. The Parish Council considered that the development was out of keeping with the area and the building would 'stick out like a sore thumb'. If approved, this application would result in a dreadful design mistake.

Mrs Gibson, the applicant, spoke in support of the application, she claimed this application was not just about the design, but about making the property into a practical family home. The downstairs extensions would assist in accommodating family members with medical conditions. The family had spent a long time looking for a property to turn into their home. This area had been designed as a community and they wanted to retain that.

Mr Cooper, a local resident, also addressed the committee in support of the application. His property was directly opposite 10 St Mary's Close and he considered the revised plans to be sympathetic and an enhancement to the existing property and the improvements to the porch area were both functionally and aesthetically superior. He commented that the majority of residents in the cul-de-sac had not commented on the proposals and asked the committee to bear in mind that most residents had not objected.

Mr Anderson, the agent, explained to the committee that he had designed the extensions. He was experienced in dealing with Conservation Areas. He said that none of Durham's streets were in their original form – all had been altered at one time or another. A lot of time had been spent working with the planners to produce this scheme, which he considered to be a modern take on the existing house design. He requested Members approve the application.

Councillor Williams, the local member, commented that the curved porch would not enhance the property. This aspect was out of character with the areas, although he had no objections to the remainder of the scheme. Councillor Blakey echoed these comments.

Councillor Moran highlighted the number of properties in the street with upvc windows and that these could be considered as out of keeping. The plans for this application had been amended in response to comments and therefore moved the recommendation to approve.

Councillor Freeman suggested that this application would damage the character of the Conservation Area and this development should be resisted.

The Development Control Manager (Durham City Area Office) advised members that this was a sensitive application, hence it being reported to committee. He considered it to be an interesting design and bespoke development. He explained that Conservation Areas were not simply about retaining the past, but involved preserving and enhancing the area. In this application, essential features were retained and it was an acceptable development.

**Resolved:** That the application be approved subject to the following conditions:-

1. The development hereby approved shall be carried out only in accordance with the approved plans, specifications and conditions hereby imposed.
2. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
3. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
4. Notwithstanding the submitted details, no development shall take place until full details of conservation type rooflights to be inserted into the proposed extension and existing front and rear elevations have been submitted to, and approved by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

**(c) 09/00282/FPA – Land adjacent to Magdalene Avenue and High Street, Carrville, Durham  
Erection of War Memorial involving excavation, contouring, landscaping of existing public open space, and erection of plaque on stone plinth adjacent existing footpath**

The Development Control Manager (Durham City Area Office) presented his report (for copy see file of minutes) on this application which recommended approval. Members had undertaken a visit to the site on 2 June 2009, prior to the Committee meeting.

Permission was being sought for the relocation of the existing war memorial which was currently sited in the churchyard at St Mary Magdalene church.

**Resolved:** That the application be approved subject to the following conditions:-

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced and thereafter implemented in accordance with the approved scheme.
3. No development shall commence until a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.
4. The development hereby approved shall be carried out only in accordance with the approved plans, specifications and conditions hereby imposed.

**(d) PLAN/2008/0645 – Sinkers Garage, Wingate Grange Industrial Estate, Wingate, Durham Residential development**

The Senior Planning Officer (Easington Area Office) presented his report (for copy see file of minutes) on this application. A site visit had taken place on 2 June 2009.

The site was situated in Wingate Grange Industrial Estate, and outline permission was sought for residential development. Refusal of the application was recommended on the grounds that the site was a designated industrial site, the impact of the industrial estate on occupiers of the proposed dwellings, inadequate access arrangements and insufficient information being provided on whether the proposed development would have an adverse affect on species protected by law.

The Environmental Health Officer had raised concerns regarding the proximity of the proposed residential properties to the existing industrial estate, and the likely impacts on future residents from noise, odour and dust.

Regeneration officers also objected due to the loss of designated industrial land and affects of the development on existing companies and the viability of the industrial estate.

**Resolved:** That the application be refused for the following reasons:-

1. The proposal represents the residential development of part of the Wingate Grange Industrial Estate. The site cannot be considered as a Windfall Housing site as the site

is designated as an Industrial Estate, such that the proposed development is contrary to policies 54 and 67 of the District of Easington Local Plan.

2. By virtue of the adjacent existing industrial estate the proposed residential use is considered to be inappropriate land use in this location due to the undue impact the industrial estate would have on the occupiers of the proposed dwellings in terms of noise and the discharge of fume, soot, vibrations, dust and grit. As such the proposal is considered to be contrary to the provision of policies 1, 35 of the District of Easington Local Plan and advice contained within PPG24: Planning and Noise.
3. The proposed new access road for the development is too narrow to safely accommodate industrial traffic and as the proposed access arrangements do not adequately provide for the segregation of residential and industrial vehicular traffic the proposal is unacceptable on highway safety grounds. As such the proposed development is contrary to policy 36 of the District of Easington Local Plan.
4. Insufficient information has been provided to allow the Local Planning Authority to consider whether or not the proposed development would have an adverse effect on species especially protected by law. The proposal is therefore considered to be contrary to Policy 18 of the District of Easington Local Plan.

**(e) PL/5/2009/0120 – Argyle Place, South Hetton  
11 no. substitution of house types**

The Senior Planning Officer (Easington Area Office) presented his report (for copy see file of minutes) on this application. Planning permission had been granted in March 2008 for the development of 24 houses and 9 bungalows. This application sought to change the design of 11 of the approved houses by incorporating porches to the rear elevations.

**Resolved:** That the application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the approved details.
3. Prior to the commencement of the development details of means of enclosure shall be submitted to and approved in writing by the Local planning authority. The enclosures shall be constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate.
4. Within one month of the commencement of the development, or other such time period as may be agreed in writing with the Local planning authority, a detailed landscaping scheme shall be submitted to and approved in writing by the Local planning authority. The scheme of landscaping shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local planning authority gives written consent to any variation.
6. Notwithstanding the provisions of Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any enlargement, improvement or other alteration to the dwelling(s) hereby approved and any buildings, including sheds, garages and glass houses to be erected within the curtilage of the dwellinghouse(s) shall be submitted to and approved by the Local planning authority.

**(f) PLAN2009/0134 – Land at Moore Terrace, Shotton Colliery  
Residential development comprising 33no. units**

The Senior Planning Officer (Easington Area Office) presented his report (for copy see file of minutes) on this application, members having visited the site on 2 June 2009.

The application was for the erection of 33 mixed residential dwellings with gardens that would be available for social rent. Car parking would be provided in accordance with County Council parking guidelines.

Councillor Blakey indicated her view that the estate road was too narrow and questioned whether the generous footpaths could be reduced in width in order to widen the road. Members were advised that the adopted highway was outside the applicant's control and that the road was actually 5 metres wide. A road of 4.8 metres width would be considered acceptable for development of up to 100 dwellings.

**Resolved:** That the application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.
3. Prior to the commencement of the development details of means of enclosure shall be submitted to and approved in writing by the Local planning authority. The enclosures shall be constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate.
4. Prior to the commencement of the development details of bin stores shall be submitted to and approved in writing by the Local planning authority. The bin stores shall be constructed and available for use prior to the occupation of the dwelling to which they relate.

5. No development shall commence until a detailed landscaping scheme shall be submitted to and approved in writing by the Local planning authority. The scheme of landscaping shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local planning authority gives written consent to any variation.
7. Prior to the commencement of the development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local planning authority. The scheme shall include at least 10% decentralised and renewable energy or low carbon sources unless otherwise agreed in writing by the Local planning authority. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to first occupation and thereafter retained in perpetuity.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no extensions shall be constructed at any time to the dwelling house(s) without the grant of further specific permission from the Local planning authority.
9. Development shall not commence until a detailed scheme for the diversion or abandonment of Northumbrian Water's apparatus to avoid building over by the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall be carried out in accordance with the approved details.
10. Development shall not commence until a detailed scheme for disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall be carried out in accordance with the approved details.

#### **A4 Appeal Update**

There were no appeal decisions to be reported.

#### **Chair**