

Planning Services

COMMITTEE REPORT

APPEAL UPDATE (EASINGTON AREA OFFICE)

APPEAL DECISION:

Appeal by Mr Simon Weightman

Site at land south of Sharpley Hall Farm, Seaton, Seaham, Durham, SR7 0NP.

An appeal was lodged by Mr Simon Weightman against the Council's Refusal to grant planning permission for a timber frame and timber clad entrance way, two lock up 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, Durham. The application was recommended for approval by planning officers but refused by members on the basis that the proposal would have an adverse impact on the countryside setting and surrounding residents.

The appeal has been **allowed** and planning permission granted for the development.

The inspector considered that the main issues were the effects of the development on the character and appearance of the area and on the living conditions of the occupiers of nearby dwellings in terms of outlook.

The inspector concluded that given the level of screening provided by the mounds and the subsequently secluded nature of the compound, the development did not adversely affect the character and appearance of the area. It was also noted that the mound between the compound and the road provided effective screening from the opposite side of the road and neither the compound nor the structures within it are visible from the garden of the dwelling opposite, and given the distance between the dwelling and the appeal site it was concluded that the development does not adversely affect the living conditions of the occupiers of the nearby dwellings in terms of outlook.

The inspector noted the wider concerns of the occupier of Sharpley Hall in relation to the paintball activity, but concluded that these concerns related to activity already permitted and the enforcement of conditions and were not relevant to this appeal.

Recommendation:

That the appeal decision be noted.

APPEAL UPDATE (EASINGTON AREA OFFICE)

APPEAL DECISION:

Appeal by Mr T Singh

Site at 73 Seaside Lane, Easington Colliery, County Durham, SR8 3LJ.

An appeal was lodged by Mr T Singh against the Council's Refusal to grant planning

permission for a change of use from A1 (retail) to A5 (hot food takeaway) at 73 Seaside Lane, Easington Colliery, County Durham. The application was refused on the basis that the proposal was located outside of any designated shopping centre and would adversely impact upon the amenity of adjacent and surrounding occupiers through the creation of odours, noise and disturbance, particularly during evening hours.

The appeal has been **dismissed** and planning permission refused for the development.

The inspector concluded that the proposal would contravene policy 111 of the District of Easington Local Plan which states that hot food takeaways should only be allowed within designated shopping areas provided no serious problems of amenity of traffic hazard would arise, no adverse impact on the vitality of the shopping area would occur and where residential accommodation would not be immediately above, behind, beside or opposite. It was found that this proposal would not meet those requirements as the premises lie beyond the local shopping centre and are surrounded by residential properties.

Recommendation:

That the appeal decision be noted.

APPEAL UPDATE (DURHAM CITY AREA OFFICE)

APPEAL DECISIONS:

Appeal by Mr And Mrs Walker

Site at land fronting Pit House Lane, adjacent Lilac Cottage, Leamside, Durham

The appeal was made against the Council's decision to refuse outline planning permission for the erection of a single dwellinghouse with all matters reserved, on land fronting Pit House Lane, and adjacent to Lilac Cottage, Leamside, Durham.

Planning permission was refused in October 2008, with four grounds being cited. These included, that the proposed dwelling amounted to inappropriate development in the Durham City Green Belt, that the proposed dwelling would represent new housing in the countryside without special justification, that the dwelling by virtue of its scale, siting and cramped appearance would be harmful to the loose-knit and sporadic nature of development in the area, and finally, no satisfactory details for the disposal of foul and surface water were provided.

The Inspector found that the proposal would constitute the erection of a new dwelling that would consolidate the straggle of sporadic development in a rural area and reduce the openness of the Green Belt, thereby undermining a fundamental purpose of the applicable Green Belt policy. The Inspector concurred with the Council's view that none of the justifications provided by the appellants amounted to the very special circumstances required to justify otherwise inappropriate development.

Consequently, the Inspector **dismissed** the appeal.

Recommendation:

That the report be noted.
