

THE MINUTES OF THE MEETING
OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL
HELD ON TUESDAY 30 AUGUST 2005

Present: Councillor M Routledge (Chair)
Councillors Mrs G Bleasdale, B Burn,
P J Campbell, Mrs E M Connor, R Davison,
Mrs A Naylor, B Quinn and R Taylor

Applicants – Mr Akenhead, Mr Sinclair,
Mr Gott and Mr and Mrs Maw

Objector – Ms T O'Brien

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors M Nicholls, D J Taylor-Gooby and P Ward.

2 THE MINUTES OF THE LAST MEETING held on 26 July 2005, a copy of which had been circulated to each Member, were confirmed.

**3 APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

**PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS,
COUNCILLORS MRS G BLEASDALE, P J CAMPBELL AND B BURN DECLARED A
PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING**

**03/350 SEAHAM NORTH – Proposed Calf Shed at Ryhope Dene for Mr
Akenhead – Amendment to Plans for Increased Height**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that the requested increase in height was not accepted as an amendment to the approved plans and that the walls as built were reduced to the approved height within a period of three weeks from notification of the decision, or such other period as may be agreed with the Local Planning Authority.

The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting.

Mr Akenhead explained that he had been advised by his architect that there was no height restriction on the building. The architect later advised that he had made a mistake and there was a height restriction. He explained that the site was tidy and the whole building would be rendered upon completion and he wanted the building completed as soon as possible. The building of the calf shed had been delayed for over two months. The extra space was required in the roof of the calf shed for a hay lock. The floor supports were already installed

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and if the height was to be reduced, scaffolding would need to be hired and this would be a major expense that he was not sure could be met.

The Principal Planning Services Officer explained that there was no measurement on the plans but the plans were scaled drawings and the increase in height was not acceptable. The intended use for the extra height did not justify approval.

Mr Akenhead explained that he had been told by the architect that there was no height restriction. Mr Davison who lived across the road had a barn that was higher and a lot larger than the calf shed and he felt that when the building was completed and rendered and trees planted it would not be prominent from the road.

RESOLVED that the request to increase the height be refused as an amendment to the approved plans.

COUNCILLORS MRS G BLEASDALE, P J CAMPBELL AND B BURN REJOINED THE MEETING

05/431 **MURTON EAST – Substitution of House Types and Increase of Apartments from Three to Four Storey at Plots 13-19, 26-30, 42-45, 48-50, 90-92, 104-117, 121-127 at Land North of Murton Street (Thomas Brothers Site), Murton for G Wimpey NE Limited**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval (materials). The proposal was considered to be in accordance with Local Plan Policies particularly Policies 1, 35 and M8 of the District of Easington Local Plan.

RESOLVED that the application be conditionally approved.

PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS, COUNCILLOR R DAVISON DECLARED A PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING

05/468 **EASINGTON VILLAGE AND SOUTH HETTON – Proposed Two Storey Rear Extension, Garage and Conservatory (Resubmission) at 87 Charters Crescent, South Hetton for Mr Sinclair**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as the proposals by reason of their scale, design and location would have an adverse impact on the adjacent residential properties in terms of unacceptable visual intrusion, loss of light and overbearing impact and would have a detrimental effect on the appearance of the area contrary to Policies 1, 35 and 73 of the District of Easington Local Plan.

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The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting.

The Chair explained that Mr Sinclair had circulated to Members his comments on the planning officers report. Mr Sinclair explained that he would prefer Members to read his comments rather than speaking to the Panel.

A summary of Mr Sinclair's submission was as follows:-

- adjacent and nearby residents had been consulted without response;
- on the grounds of adverse impact on adjacent residential properties and the appearance of the area - there was no landscaping at the Wimpey site between the houses or at the lorry yard at Burns yard, South Hetton. District of Easington Local Plan Policy SO4 referred to two hectares of land south of Fallowfield Terrace. This was allocated for housing in order to protect residential amenity development and proposals should include a landscaping buffer between new dwellings and the haulage yard or depot;
- queried whether planning permission was given to the haulage yard at South Hetton for a new garage. This would be large and queried if it would have an adverse impact on the adjacent residential properties and the appearance of the area;
- the highway authority had withdrawn their objections regarding the private road to the rear of the property;
- the Parish Council objected on the basis that there appeared to be no authorised access;
- there was no loss of light and the proposal did give privacy. The Wimpey site had a side extension on the houses. A Council garage site at Charters Crescent had a detrimental effect on the appearance of the area. The substation at 87 Charters Crescent could cause loss of light and view.

The Principal Planning Services Officer explained that he accepted that there had been no neighbour objections. The adjacent Wimpey site related to a different site and the application was for a specific extension to a property. With regard to the site for the garage, he had no details of the development and the proposals would be considered on their merits. It was accepted that the highway authority had withdrawn their objections. With regard to the loss of light, he explained that the conservatory was higher than the adjacent boundary fence and the length of the extension and height would cause loss of light.

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Mr Sinclair queried if it was loss of light that the authority objected to. Each house in the street had a brick outer house and he could not see how the Council could have loss of light as a reason for refusal as each house had a 13ft extension and his next door neighbour had a fence 6ft high.

The Principal Planning Services Officer explained that the reason for refusal was with regard to visual intrusion, loss of light and overbearing impact. The conservatory was on the boundary of the property and was beyond the Council's guidelines of 2.4 metres. The two storey extension that was proposed would have an overbearing impact on the neighbouring properties resulting in loss of light.

A Member queried if the Council could not come to some compromise with Mr Sinclair.

Mr Sinclair explained that he had asked for a letter of recommendation but had been told by the planning officer that the Council did not inform applicants of what design to submit.

The Principal Planning Services Officer explained that this was the second application which had only been amended so far as the conservatory. The case officer had written to Mr Sinclair asking him to consider a reduction to 2.4 metres for the conservatory and to reduce the length of extension from 9.2 to 5.2 metres. The case officer had made clear to Mr Sinclair what the Council would accept.

RESOLVED that the application be refused.

COUNCILLOR R DAVISON REJOINED THE MEETING

05/515

THORNLEY AND WHEATLEY HILL – Proposed Dormer Bungalow in Garden of Garden Lodge, Thornley for Mr and Mrs Gott

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval (materials and contaminated land). The development was considered to comply with relevant Local Plan policies in particular numbers 1, 35 and 67 and would not cause material harm to the amenities of local residents or the character of the locality.

The Principal Planning Services Officer explained that Members had visited that site that day and were familiar with the location and setting.

Ms O'Brien, an objector, explained that the residents of Garden Terrace had been concerned regarding the outline application for residential development in 2003 when Mr Gott had planned to build 8 houses on the greenfield land. The planning application had been refused and permission had been approved for a double garage in March 2005. She felt that now there were plans for a bungalow, this would lead to a

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development of the greenfield site adjacent to Garden Lodge. She explained that the access would be from the main road and the greenfield site would be used for the entrance. She added that 27 houses in the street were very concerned regarding the development.

Mr Weatherall explained that he lived in Garden Terrace and explained that the development would block out the view of No 3 and 4 Garden Terrace.

The Principal Planning Services Officer explained that the proposal was not to convert the garage to a bungalow but was a new application to build a bungalow on the site within the existing boundary. The bungalow would be in line with the boundary. The Council had strong policies not to develop in the open countryside.

Mr Gott, the applicant, explained that he only wanted to build one bungalow and had no intention of building in the field. He explained that he had recently been in ill health and needed to down size into a smaller bungalow.

Members queried where the access would be to the bungalow. The Principal Planning Services Officer explained that the access would be from the main road and along the greenfield site.

Mr Gott explained that this access had been available for 40 years and was approved with the application for the double garage in March 2005.

The Chair referred to the plans and explained that they clearly showed the access in the field.

Members felt that there needed to be a condition attached to the application that the access arrangements be confirmed.

RESOLVED that the application be conditionally approved.

PRIOR TO THE CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS, COUNCILLOR MRS A NAYLOR DECLARED A PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING

05/520

MURTON WEST – Proposed Erection of Conservatory at Front of Dwellinghouse at 54 Short Grove, Murton for Mr and Mrs A H Maw

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as the proposal by reason of its scale, design and location would have an adverse impact on adjacent residential properties in terms of visual intrusion, loss of light and overbearing impact and would have a detrimental effect on the appearance of the area contrary to Policies 1, 35 and 73 of the District of Easington Local Plan.

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The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting.

Mrs Maw, an objector, explained that she did not intend to build a dwarf wall around the front garden. Out of 12 houses, 6 already had fences and another 2 were to be completed in the near future. She explained that she had no outlook at the back or the side of the property. When she submitted the formal planning application the conservatory was for 5.5 x 2.5 metres. She explained that 15 of her neighbours had signed a petition in support of the application and there were a number of different shapes and sizes of porches in the surrounding area.

Mrs Maw queried Council guidelines and asked if they varied from area to area. She explained that she knew that on the Deneside estate in Seaham and the Cornwall estate in Murton, conservatories exceeded 1.5 metres and had photographic evidence.

Mrs Maw explained that she had lived in the house since it was built in 1971 and maintained it to a high standard. When looking at various showrooms for a conservatory, one salesman had advised her that a conservatory had been built on the Deneside estate with planning permission that exceeded 2 metres. She explained that she knew a person on the Deneside estate that had a conservatory built without planning permission. She added that she had spoken to the Enforcement Officer who had advised that unless the Council received a formal complaint they would not investigate further.

The Principal Planning Services Officer explained that there were larger extensions in the Deneside area. The policy on conservatories had been introduced in 2001, prior to this policy being in place, the Council adapted to circumstances in each area. In the Deneside area, there were already conservatories up to 2 metres in depth and with so many examples in existence, it would be unfair to refuse neighbouring properties.

It was explained that in Murton there were no conservatories of that size and the guidelines had to be applied. If a formal complaint was made then the Enforcement Officer would investigate and Members would be aware that enforcement action had been taken previously for unauthorised developments.

A Member queried if there could be many extensions throughout the district that had no planning permission. The Head of Planning and Building Control Services explained that he felt that there would not be any significant amount without planning permission but it was not impossible.

Mr Maw explained that the porch was 1 metre in depth and he wanted to extend a further 1.5 metres out for the conservatory.

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RESOLVED that the application be refused.

JC/MA/com.dev./050802
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