

**THE MINUTES OF THE MEETING**  
**OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL**  
**HELD ON TUESDAY 11 OCTOBER 2005**

**Present:** Councillor R Davison (Chair)  
Councillors B Burn, P J Campbell,  
Mrs E M Connor and Mrs A Naylor

Applicants/Agents

Mr Hensher, Mr Jackson and Mr Hughes

Objectors

Mr Rosevinge, Mr Watt, Mr Hughes,  
Mr Hogg, Mr and Mrs Gibbs,  
Mr and Mrs Whitelock, Mrs Taylor  
and Mr White

Supporter  
Mr and Mrs Musgrave

**1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of R Taylor, D J Taylor-Gooby, Mrs G Bleasdale, M Routledge and M Nicholls.

**2 THE MINUTES OF THE LAST MEETING** held on 20 September 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**

**04/1126 HASWELL AND SHOTTON – Proposed Erection of Two Wind Turbines at Edder Acres Farm, Shotton for A7 Energy**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal for the following reasons:-

- (i) the proposals by reason of their scale and location in relation to Shotton Airfield were likely to adversely affect the current operations and future expansion prospects of the airfield, thereby jeopardising the continued operation of the airfield as an important local resource and in turn having a detrimental effect on the local economy, contrary to Policies 1 and 35 of the District of Easington Local Plan;
- (ii) the proposed turbines, by reason of their scale, design and location would be visually intrusive and have an overbearing impact on the occupiers of the nearby residential property, Greenbank, contrary to Policies 1 and 35 of the District of Easington Local Plan;

## Development Control and Regulatory Panel – 11 October 2005

- (iii) the most northerly of the two proposed turbines, by reason of its scale and location, was likely to have an adverse impact on wildlife populating the nearby ancient woodland contrary to Policies 1, 15 and 18 of the District of Easington Local Plan.

The Principal Planning Services Officer explained that Durham Tees Valley Airport had entered into a legal agreement with the applicant and their objection had been withdrawn. Members had visited the site that day and were familiar with the location and setting.

Mr Rosevinge, an objector, explained that the parachute centre had relocated to Shotton 14 years ago. The freehold had been purchased 2 years ago from the Council in order to develop the parachute centre and airfield. He explained that a lot of investment had been spent on the airfield and future developments were now being jeopardised by the proposed wind turbines. He explained that the turbines were within the one and a half mile drop zone for parachutes. He had spoken to the Civil Aviation Authority and the turbine development impinged on the drop zone and severe restrictions would be placed on the airfield.

Mr Rosevinge explained that there was a desire to licence the airfield in the future so the airport could be used by other aircraft. The criteria for the licence would be compromised by the turbine.

Mrs Musgrave, a supporter, explained that she had lived at Edder Acres Farm with her family since 1939 and had always been supported by the community. Farming today was in great difficulties and they were making just enough to pay off the bank and the wind farm would provide enough income to support all her family.

The government had asked farmers to diversify and this was a good way to do this. Mrs Musgrave explained they were too old to start any other methods of diversification. Three families would lose the farm if they could not make sufficient income. She added that she had a handicapped daughter and needed to make provision for her future. The wind turbine would take approximately 2% of the land out of agricultural use. The noise from aircraft that used Shotton Airfield was appalling and many complaints had been made by the residents in Shotton. She added that they were barely able to make a living and they shouldn't have to look for new homes and jobs.

Mr Hensher, the agent for the applicant explained that the Council had given three reasons for refusal. The first reason was that Peterlee Parachute Centre was within the one and a half radius. He circulated a map and explained that both of the existing turbines at Hare Hill Farm were within the one and half mile radius and electricity pylons were within one mile. The turbines at Edder Acres would be 1.32 miles and 1.17 miles. The British Parachute Association Operational Manual stated that there should be a 500 metres radius clear of hazards. He added that the wind turbines were more than double that and met the operations manual guidelines.

With regard to the second reason for refusal regarding the residential property Greenbank, only six residents had written objections and

## Development Control and Regulatory Panel – 11 October 2005

explained that it would be very difficult to find a location that wouldn't have an impact on some residents. Greenbank was 150 metres from the A19 and 350 metres from the turbines. The landscape was occupied by pylons and although there would be some visual impact he didn't feel it was enough to justify refusal.

With regard to the third reason for refusal, that the site was adjacent to an ancient woodland. The objection had originated from the landscape unit and the applicants had been requested to move the turbines 30 metres or more. This had been confirmed in writing and felt this could have been dealt with as a minor amendment or a planning condition.

Mr Hensher advised that £800,000 had been awarded in construction and it was hoped that local companies would tender for the work. Contractors would stay in local hotels and visit public houses and would provide an income for the family of the farm. The application was requested for a 25 year period.

Mr Rosevinge explained that it was correct that pylons had to be 800 metres away from the landing area but wind turbines must not be within 5,000 metres of the site. He added that the criteria was set by the Civil Aviation Authority and the British Parachuting Association.

The Principal Planning Services Officer explained that the report outlined the advice from Government Office for the North East which confirmed the distances. With regard to the impact on Greenbank, this was a potentially less important reason for refusal as there was only one property affected. With regard to the northern turbine and impact on the ancient woodland, the proposal had not been formally amended, and had to be assessed as submitted. He explained that Members had a difficult decision to make and the issues were regarding the economics of the farm as opposed to the value of the airfield and its ceasing in operation if the wind turbines were to be erected. He referred to the map and explained that the wind turbines at Hare Hill wind farm were determined by another local authority and were very close to the 1.5 miles distance. The two for Members consideration were 1.17 miles and 1.32 miles.

A Member asked if the Police used the airfield. Mr Rosevinge explained that the Police were looking at Shotton Airfield to maintain their aircraft and was used as a half way point between Newcastle and Durham Tees Valley Airports. The air ambulance were also looking to use Shotton Airfield.

Members commented that Shotton Airfield was a great asset to the area and the development could jeopardise its future operation.

**RESOLVED** that the application be refused.

**05/325**

### **WINGATE (HUTTON HENRY) – Proposed Seven Terraced Houses at Bridge Terrace, Station Town for Mr K Bailey**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval subject to the receipt of satisfactory revised plans with appropriate

## Development Control and Regulatory Panel – 11 October 2005

conditions attached relating to materials, landscaping and contaminated land. The proposal complied with the relevant policies within the district of Easington Local Plan, in particular Policies 1, 35, 36 and Wi9.

The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting. The site was allocated in the Local Plan and accorded with standards and distance. There was a minor issue to resolve regarding parking layout which was currently being discussed with the highway authority and the application would be subject to agreement being met with the Highway Authority regarding parking.

**RESOLVED** that the application be conditionally approved.

### **AD/05/538 PETERLEE – Proposed Illuminated Signs and External Alterations at 05/539 Reg Vardy, Passfield Way, Peterlee**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval of the external alterations (materials). Advertisement consent for the illuminated signs. The proposal was considered to be in accordance with adopted Local Plan Policies 1 and 35 of the District of Easington Adopted Local Plan.

The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting. The application was for basic changes to the building and external signage. The application was reported to the panel because of the previous history.

A Member asked if the wattage was the same as previous. The Principal Planning Services Officer explained that it was difficult to verify.

Members explained that they would like to suggest that a condition be imposed regarding the wattage on the external lighting.

**RESOLVED** that:-

- (i) the application be conditionally approved;
- (ii) advertisement consent for the illuminated signs be approved (conditions regarding wattage of lights).

### **PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS, COUNCILLOR MRS E M CONNOR DECLARED A PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING**

### **05/616 HORDEN SOUTH – Proposed Residential Development (Outline) at Cotsford Grange Farm, Horden for Mr and Mrs Kieken**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional outline approval, conditions relating to reserved matters, protection of visibility splay, contaminated land risk assessment. The proposal

## Development Control and Regulatory Panel – 11 October 2005

was considered to be in accordance with the statutory Development Plan and related policies, in particular the District of Easington Local Plan Policies 1, 35 and 67 and there were no other material considerations which outweighed the support for the proposal.

Mr Watt, an objector asked if consideration had been given to the disruption to other residents and believed that the area should have been assessed at peak times. There had been four traffic incidents in the past and thought these would increase if the development was to go ahead as the entrance would be blocked by a wall. There was quite a large junction opposite and it was used as a turning circle by school buses. There was also an increase in traffic from the Alexander Development further down the road.

Clarification was requested on which buildings fell into brownfield as residents felt the proposals would be built on greenfield land.

The Principal Planning Services Officer explained that the District Council sought advice from Durham County Council's highway authority and engineers would have assessed the site and would be aware of other developments in the vicinity. The access point was required to create adequate visibility from both directions.

With regard to a good frontage, these would be down to design issues and the intention would be to require the houses to face out to the main road. The buildings and land were previously in agricultural use and there had been a similar issue raised in Thornley regarding a disused farm. Initially, the Council had been reluctant to allow development and sought legal advice. Unless the Council could prove that the land was still in agricultural use then it was classed as brownfield.

Mr Staples explained that 2 – 300 primary school children crossed the road and there were three schools in the space of 200 yards from each other.

Mrs Watt explained that there would be added danger to schools and traffic waiting at the school entrance. Vision would be blocked and children used the shop opposite. Caravans were also stored at the farm and this was an added hazard when they were trying to leave the entrance. She explained that she had seen a caravan become unhitched in the middle of the road when leaving the site.

The Principal Planning Services Officer explained that the District Council relied on highway engineers advice and they would be aware of the area.

Members expressed concern regarding the entrance to the site and felt that the highway authority should consider the access arrangements further.

**RESOLVED** that application no 05/616 be deferred and the highway authority be asked to complete further investigation on the access to the site.

**COUNCILLOR MRS E M CONNOR REJOINED THE MEETING**

**05/651 HASWELL AND SHOTTON – Proposed Poultry Storage and Stable Building at North Pesspool Farm, Haswell for Mrs Williamson**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval. (Conditions relating to materials and landscaping together with a specific condition restricting the use to non-commercial only.) The proposal complied with the relevant policies within the District of Easington Local Plan in particular Policies 1, 35 and 41.

Mr Hughes explained that he was objecting on behalf of Haswell Parish Council and advised that this had been brought to the attention of the Parish Council by members of the public. The area was in close proximity to residential homes and concern was raised regarding the odour that could come from it as well as the size of the building. Concern had also been expressed that this could be extended in the future.

The Planning Services Officer explained that impact had not been raised as an issue and this was a low key development. If approved, Environmental Health would be advised and would monitor the situation. If there was an application to extend the building then this would be investigated further.

Mr Hughes asked if somebody could look at the site and see if there was anyway this could be improved. The Planning Services Officer explained that there seemed to be some unauthorised buildings and he would investigate this further.

Members felt that it was difficult to make a decision without viewing the site.

**RESOLVED** that application 05/651 be deferred pending a site visit.

**05/668 PETERLEE (PASSFIELD) – Proposed Front, Rear and Side Extensions and Addition of First Floor to Bungalow at 1 Marwood Grove, Peterlee for M Hughes and K Benson**

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

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

Mr Gibbs, an objector explained that the report advised that six letters of objection had been submitted and it was in fact seven plus a fax. The neighbours of Marwood Grove objected to the height of the extension and would overlook the lounge and bedroom of No 4 Marwood Grove. The high gable would be facing No 2 and would take a lot of light from it. He felt that the applicant was wanting to extend the property for financial gain. He explained that the road

## Development Control and Regulatory Panel – 11 October 2005

was cracking in front of No 1 and the area was block paving with no footpath. He felt that there would be unnecessary waste when the Council was promoting recycling.

Mr Gibbs explained that he felt that there should be a balanced relationship through bungalow to bungalow or house to house. The applicant had moved from an existing four bedroom bungalow with double garage that backed onto Castle Eden Dene and had chosen to buy a two bedroomed bungalow to convert and was sure that he would move on. The report explained that No 4 had a similar roof with dormer windows but this did not affect any of the other bungalows in Marwood Grove. No 5 backed onto another two storey property. He felt that if the development went ahead there would be much disturbance and queried if there would be a rate rebate. He queried if every Members had read every letter of objection.

The Chair explained that the letters had been summarised by the planning officers.

The Principal Planning Services Officer explained that he would need to check if seven letters had been submitted instead of six. The proposed extension complied with distances of 21 metres. Members had visited the site that day and knew the general layout of the area and the relationship with other properties. With regard to bungalow to bungalow relationship, the situation at Oakerside was that there were a number of self build plots with individual designs and there was a variety of different designs of houses and were no hard and fast rules that it should remain a bungalow. The applicants motives for the extension was something that Members could not take into consideration.

Mr Dawson explained that No 4 Marwood Grove was on a lower level compared to No 1. He explained that when he viewed the plans there was no height on the size of the roof although there was six metres from the gable and the extension would overshadow two properties.

Mrs Whitelock explained that she lived in No 7 and her bungalow was the lowest in the area and felt that if the extension was approved it would darken the rooms in her property and four rooms out of eight would be affected. She explained she had no personal grudge against the applicant but plans to extend the bungalow were submitted immediately after the purchase. She queried why the applicant did not buy a property that suited his needs. She explained that she had purchased the property with original building plans and plots 1 and 7 were to be known as two bungalows although she was aware that plot 1 had a slightly higher position. She added that there was no problem with the extension on ground level.

Mr Hogg explained that he lived in No 3 and purchased his property in 1988 on the strength that 75% would be bungalows. He felt that if No 1 was extended, it would tower over No 3 as well as No 7 and queried how wagons would access the site to remove demolition materials.

## Development Control and Regulatory Panel – 11 October 2005

The Principal Planning Services Officer explained that members of the public applied every week to extend their properties and every application was considered on its own merits. It may well have been the original idea for the street to be bungalows but times had moved on and the extension must be assessed in the overall context. Construction traffic would be no more than any other project.

Mr Hogg explained that the District Council had a duty of care on the Health and Safety at Work Act.

Mr Jackson, the agent for the applicant explained that he had read the letters of objections and was very surprised that little of their content was relating to planning and a lot were personal attacks. The applicant was a full time employee of the District Council and was no more a property developer than anyone who had altered their homes.

With reference to the impact on the adjacent property, the planning officer had explained the distances and believed the issue had been analysed correctly and would not take sunlight off the patio window or impact on sunlight or daylight on any other property in Marwood Grove. He explained that a bungalow around the corner had been taken down and rebuilt with a two storey house and therefore a precedent in the area had been set. This was not a demolition of the existing property but a straight forward extension of ground floor and re-roofing to create a large pitch for dormer windows.

Mr Jackson explained that the proposals were virtually identical to that of No 4. The applicant had considered all variations to extend the property and felt this application was the most economic and the right way to utilise the roof space.

**RESOLVED** that the application be conditionally approved.

**05/672      WINGATE – Proposed Bungalow at Rear of Gatenby House, North Road East, Wingate for J Hockaday**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval (conditions relating to materials and landscaping.) It was considered that the application complied with the appropriate policies within the Local Plan in particular Policies 1, 35 and 67.

**RESOLVED** that the application be conditionally approved.

**05/694      WINGATE – Proposed Bungalow (Outline) at Land Rear of Averley, North Road East, Wingate for Mr J Wade**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that the Council be minded to approve the application (conditions relating to submission of reserved matters, contaminated land investigation) and delegate the decision to the Head of Planning and Building Control to issue the decision on the expiration of the consultation period. The proposal was considered to be in accordance with Local Plan policies

## Development Control and Regulatory Panel – 11 October 2005

particularly Policies 1, 35 and 67 of the District of Easington Local Plan.

**RESOLVED** that the Council be minded to conditionally approve the application.

**05/696**

**PETERLEE DENEHOUSE – Proposed Sectional Building to Contain Home Shopping Storage at Asda, Surtees Road, Peterlee for Asda Stores Limited**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval. Conditions relating to landscaping, materials, use of forward gear for vehicles entering and leaving the site. The proposal was considered to be in accordance with the Local Plan policies particularly Policies 1, 35 and 101 of the District of Easington Local Plan.

Members raised concerns regarding the landscaping to the rear of the Asda store and suggested that a condition be attached to the application regarding landscaping.

**RESOLVED** that the application be conditionally approved.

JC/MA/com.dev./051001  
24 October 2005