

THE MINUTES OF THE MEETING
OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL
HELD ON TUESDAY 31ST JANUARY, 2006

Present: Councillor M Routledge (Chair)

Councillors G Bleasdale, B Burn, P J Campbell,
Mrs E M Connor, R Davison, M Nicholls,
R Taylor and D J Taylor-Gooby

Agents/Applicants: Mr Gibson, Mr Jones, Mr Weightman and
Mr Marshall

Objectors: Mr Mortimer, Mr Simpson

1. **APOLOGY FOR ABSENCE**

An apology for absence was submitted on behalf of Councillor P Ward.

2. **THE MINUTES OF THE LAST MEETING** held on 10th January, 2006, 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

05/254 SEAHAM NORTH - SEATON WITH SLINGLEY – Proposed Development of Golf Course including Club House, Driving Range, Hotel and Car Parking (Reserved Matters) at Sharpley Springs Golf Course, Sharpley Hall Farm, Seaton for Mr S Weightman

05/255 SEAHAM NORTH – SEATON WITH SLINGLEY – Proposed Club House at Sharpley Hall Farm, Seaton for Mr S Weightman

The Principal Planning Services Officer explained that he had received a request from an objector neighbouring the site asking that the application be deferred. The objector had a number of concerns and was only informed that the application was to be considered by the panel on Thursday of the previous week and had not heard anything from officers for a long time. He also had personal family circumstances and was totally unprepared.

The objector had contacted Durham County Council and spoken to the Highway Engineer who had explained that he had not visited the site since 2003. The Principal Planning Services Officer explained that he had been unable to verify this as the Highway Engineer had been uncontactable. There was also an outstanding planning issue regarding public transport and the location of the bus stops and would prefer this issue to be

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resolved before Members considered the application. The objector had requested a six weeks deferment but he suggested that it would be appropriate for the applications to be considered at the next meeting.

Members explained that they would like all the facts known to them before they made a decision and would defer the application.

RESOLVED that application numbers 05/254 and 05/255 be deferred.

PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM, COUNCILLOR M NICHOLLS DECLARED A PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING

05/777 THORNLEY AND WHEATLEY HILL (WHEATLEY HILL) – Erection of Two Kennel Blocks (Retrospective) on Allotment at rear of Wheatley Hill Workingmens Club, Quilstyle Road, Wheatley Hill for Mr G Jones

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as having regard to the nature and scale of the kennelling activity involved in the proposal and the location of the application site in relation to nearby residential properties, it was considered that the development would be likely to result in conditions seriously detrimental to the amenities of local residents due to noise and disturbance. The proposal was thereby considered to be contrary to Policies 1 and 35 of the District of Easington Local Plan. Enforcement action was to be taken, if necessary, to secure removal of the buildings and cessation of the use.

The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting. The applicant had explained that if the planning application was approved he would introduce a number of proposals in an attempt to eliminate problems. It was explained that if Members were minded to support the application these proposals could be planning conditions.

Mr Gibson explained that he was a friend of the applicant and been a partner in his business for the last sixteen years. After having the opportunity to consider the officer's report he believed that there were significant omissions. It was explained that this application was only retrospective to replace kennels that had been destroyed by fire. This location had been used to kennel greyhounds for 30 years by the applicant and his father had never envisaged that planning permission would be required for an established use. The site was situated in close proximity to a variety of other uses which caused problems and much blame had been attributed to the applicant from other sources.

With regard to neighbour consultation, he queried in total how many neighbours had been consulted and what proportion had

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objected as this could be the result of one malicious complainant. The report claimed that neighbours had been warned off but no one had been to see either himself or the applicant. The main complaint was with regard to noise and the applicant had undertaken whatever measures he could to eliminate any noise and nuisance and it was disputed that the noise was from his dogs.

Mr Gibson referred to the planning enforcement procedure and queried why the Council had not monitored the noise when the complainant had contacted Environmental Health. He explained that with the close proximity of other mixed uses eliminating disturbance could never be guaranteed. In the vicinity, there were a number of commercial properties, for example, a garage, workingmens club and betting shop and much of the noise had been unfairly attributed to the applicant. If the planning application was refused this would be very distressing as the applicant had been located on the land for so many years and would only leave the route of a planning appeal and an application for certificate of lawful use.

The Principal Planning Services Officer explained that regarding consultation, 40 letters had been distributed and 7 objections received although officers did not know the origins of the objections. He explained that he was not aware that a use had been established as no application had been made for a certificate of lawful use. Noise monitoring would be an issue for the Environmental Health Department.

Members queried how many dogs would be housed in the kennels. Mr Jones explained that 20 dogs were housed. He looked after the dogs and they only barked if there was something wrong.

Mr Gibson explained that the dogs were racing greyhounds which needed to be kept calm and settled and they would only bark when it was feeding time.

Members explained that they felt that the use had been proven as the applicant had operated there for 30 years and they would support the application with the suggested proposals outlined in the report being attached as conditions.

RESOLVED that the application be conditionally approved.

COUNCILLOR M NICHOLLS REJOINED THE MEETING

05/823 SEAHAM NORTH (SEATON WITH SLINGLEY) – Proposed Visitor Accommodation at Seaton Lane Inn, Seaton Lane, Seaton for Mr Marshall

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval (conditions to include materials, means of enclosure, landscaping scheme and parking provisions). The proposal was considered to be in keeping with the relevant development

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plan policies and was acceptable in terms of siting and design and was not considered to have any serious adverse effect on the amenity of people living and working in the vicinity of the site.

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

Mr Marshall explained that himself and his wife had been the Licensees for the past two years and had improved the area surrounding the pub to attract trade. He explained that originally two rooms had been located for bedrooms but because of the size of his family, those rooms were no longer available. He explained that he had had numerous requests for accommodation from businessmen and people visiting the area.

A Member explained that he lived in Seaham and there was not any affordable accommodation in the Seaham area.

A Member explained that he would like to see at least three trees of a more sensible size. The Principal Planning Services Officer explained that he did not know the specifics of the landscaping and what was feasible with the space available.

Mr Marshall explained that he was planning to landscape the area around the decking and the grassed area would be used to extend the car park. He added that he would be prepared to consult on what was feasible.

RESOLVED that the application be conditionally approved.

05/847

SEAHAM (SEAHAM NORTH) – Proposed New Community Facility and Redeveloped Sports Pitches and Wind Turbine (Resubmission) at Land West of New Drive, Seaham for One North East

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval (final location of the wind turbine, means of upgrading the sports pitches, amended highway details, surface and foul water disposal, final external materials and landscaping). The development accorded with Policies 1, 35, 89, 90 and S24 of the Easington District Local Plan.

The Principal Planning Services Officer explained that there were no major issues regarding this application although the stage that was proposed was not adequate for some groups within Seaham. This had been raised with the applicant and it was a matter for them to take on board.

RESOLVED that the application be conditionally approved.

4. **ADDITIONAL URGENT ITEMS OF BUSINESS**

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In accordance with the Local Government Act, 1972, as amended by the Local Government (Access to Information) Act 1985, Section 100B(4)(b) the Chair, following consultation with the Proper Officer, agreed that following item of business, not shown on the Agenda, be considered as a matter of urgency.

5. PLANNING CONDITIONS (AOB)

A Member explained that the Panel had attached a number of planning conditions to various applications, but never received any feedback if they had been applied and adhered to. He suggested that some system of reporting back to the panel be introduced.

The Principal Planning Services Officer explained that planning conditions were something that the Council had not pursued vigorously but this was down to staffing levels. A new computer system had been installed which highlighted applications with conditions. It had been agreed for two additional enforcement staff and this could be one aspect of their job. He explained that some thought needed to be given on how to report back to Members.

A Member queried if appeals could be included in the report and commented that the Enforcement Officers did a terrific job.

If Members had any suggestions on how they would like these items reporting in future they were to contact the Principal Planning Services Officer.

RESOLVED that the information given, be noted.