

THE MINUTES OF THE MEETING
OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL
HELD ON TUESDAY 25 APRIL 2006

Present: Councillor M Routledge (Chair)

Councillors Mrs G Bleasdale, B Burn,
P J Campbell, R Davison, R Liddle,
Mrs A Naylor, M Nicholls, B Quinn,
D J Taylor-Gooby and R Taylor

Also Present:

Objectors

Mr Fooks, Mr and Mrs Lennox,
Mr Nutter, Mr and Mrs Smithson,
Mr Beatty and Ms Carter

Applicants/Agents

Mr Moss, Mr and Mrs Birks

1 **THE MINUTES OF THE LAST MEETING** held on 4 April 2006, a copy of which had been circulated to each Member, were confirmed.

2 **MATTERS ARISING FROM THE MINUTES**

(i) **05/665 SEAHAM NORTH (SEATON WITH SLINGLEY) – Paintball Business and Associated Earth Mounds and Structures and Car Park at Land South of Sharpley Hall Farm for Mr I Weightman**

This item had been deferred to allow a further meeting with the Applicant and the neighbour Mr Mortimer. The Principal Planning Services Officer advised that further information was awaited and a report would be submitted to the next meeting, subject to this information being received.

RESOLVED that further information, be awaited.

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 ITEMS OF BUSINESS, COUNCILLOR MRS A NAYLOR DECLARED A PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING

03/231 SEAHAM NORTH (SEATON WITH SLINGLEY) – Proposed Residential Development (Outline) (Resubmission) at Disused Reservoir Site, Stotfold Farm, Seaton for Mr Bulmer

04/1097 SEAHAM NORTH (SEATON WITH SLINGLEY) – Proposed Highway Works Including Passing Places, Footpath, Junction Improvements and Cycle Link at Access Road to Stotfold Farm, Seaton for Mr M Bulmer

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On the advice of the Principal Planning Services Officer Members agreed that as they were linked, the abovementioned applications be considered together.

Consideration was given to the reports of the Planning and Building Control Services Officer relating to the applications. Refusal of application 03/231 was recommended as the proposals would result in an inappropriate and prominent residential development in the open countryside without an appropriate agricultural or similar justification, adversely affecting the character and appearance of the area. As such the proposals would be contrary to policies 2, 4 and 14 of the County Durham Structure Plan and policies 1, 3, 35, 67, 68 and 69 of the Easington District Local Plan. The proposals did not provide for a safe pedestrian access from the development to Seaton Village, contrary to policies 1 and 36 of the District of Easington Local Plan.

In relation to application 04/1097 refusal was recommended as the proposals, by reason of providing a pedestrian/cycle link to Seaton via the National Cycle Network Route and failing to provide a footway alongside the unclassified road leading to the proposed housing development access, would lead to conditions prejudicial to the safety of pedestrians, particularly during the hours of darkness, contrary to policies 1 and 36 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. He gave a detailed presentation on the main issues that were outlined in the report.

He advised that as stated in the report, the reservoir site appeared to have the potential for providing appropriate habitat for bats and a survey of the walls would have to be carried out. Therefore, if Members were minded to approve the application the results of this would have to be awaited.

Mr Fooks, an objector considered that the proposals ignored the main objections conveyed over the last four years. It was considered that Hillrise Crescent was unsuitable for additional traffic. The road was described as a two way carriageway but cars parking in the street in effect reduced this to single lane. Speed humps and prominent signs should be introduced if the development proceeded.

With regard to the reference made in the report that the proposed development would result in a reduction in movements by large and slow moving vehicles from the farm, Mr Fooks advised that other non-farm traffic used the road including horse boxes, caravans, and vehicles accessing the public house and stables. Members on their site visit would have seen that the road narrowed considerably which could cause accidents. If the proposals were to go ahead he suggested that an alternative access route be found.

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Mr Lennox, an objector made reference to recent planning guidance relating to brownfield sites and stated that whilst brownfield status had been granted for reservoirs this was subject to adequate infrastructure being in place. He also understood that in accordance with planning guidance environmental and sustainability issues should be at the forefront of any application process.

A further issue was the traffic survey and that this had been based on an estimate by Mr Bulmer. This was not an accurate survey as it did not take into account all traffic. For example Seaton Springs productivity had doubled in recent years and their vans now delivered six days a week.

His final concern was in respect of the land remaining which was no longer farmed. He did not consider that this would be left fallow. Horses were kept on the land and, for example a new business had been established to convert horseboxes. Half the farm had been turned over for forestry which would generate additional vehicles for maintenance purposes. Members of the public could also walk across the fields which would also result in an increase in the number of cars by visitors.

Mr Moss, the applicant's agent appreciated the views of the objectors but stated that this was a brownfield site and planning policy encouraged the use of previously developed land. He considered that Easington District had a shortage of good quality, low density housing. One North East had reiterated this. The provision of new larger executive housing would also encourage regeneration.

He believed that the applicants had responded to the highway concerns and the only issue remaining was that of the footpath. On balance it was felt that the link to the National Cycle Network Route was the preferred solution bearing in mind when it was likely to be used.

The developer sought to enhance the amenity of the area, a large part of the land was to be planted and legal agreements were suggested to secure the cessation of uses and operations benefiting from planning permission and Certificates of Lawful Use. In response to concerns relating to children playing on the reservoir walls he advised that these walls could be removed.

In summary, he considered that this was a small, modest development of 8 houses which would integrate well with the surrounding area. The proposals would secure the future of the site.

The Principal Planning Services Officer responded that the issues raised by the objectors and applicant's agent were largely covered in the report. It was a matter of balancing the material considerations against the location of the

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development. He felt that the site was too isolated and was unsustainable. It was acknowledged that the legal issues may be resolved with agreements but he did not feel that this outweighed the reasons for refusal.

A Member stated that he considered that the development was some distance from Seaton and added that if the Panel was minded to approve the application a condition be imposed that the roads and infrastructure must be in place before building commenced.

A Member asked why the applicants were against providing a footway and Mr Moss advised that on balance the applicant had felt that to provide a safe access to the village it was sensible to link to the national cycle facility where there was no traffic.

A further comment made by a Member was that there was housing of this type within the District.

RESOLVED that applications 03/231 and 04/1097 be refused.

COUNCILLOR MRS A NAYLOR RETURNED TO THE MEETING

2005/0928

HUTTON HENRY (CASTLE EDEN) – House at Land Adjacent Ivy Cottage, Castle Eden for Mr K Birks

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval of the application (conditions relating to realignment of bus shelter in accordance with approved plans prior to commencement of development, external materials to be agreed, means of enclosure to be agreed, landscaping scheme to be submitted and approved, existing trees on site to be protected during construction of the development, the use of obscure glazing on windows in the eastern elevation of the property).

The Principal Planning Services Officer advised that Members had visited the site and were familiar with the location and setting. At the site visit, the Panel Members specifically visited the adjacent bungalow and viewed the application site from there. He gave a detailed presentation on the main issues that were outlined in the report and stated that this was a revised proposal to the application approved in 2002. It was felt that the impact on the adjacent property was not significantly different.

Mr Nutter, an objector on behalf of Castle Eden Parish Council thanked Members for visiting the site and reiterated his comments made at the last meeting that to erect a house on this site represented an over-development and was not in keeping with the character and size of housing in the area. He referred to the traffic problems in the location and whilst a house of this size would not generate much more, the Parish Council felt that it would have a substantial impact. Finally he

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considered that this was not an amendment to the previous application but a new application.

Mrs Smithson, an objector also thanked Members for visiting the site. She made reference to the section in the Council's Local Plan relating to design and layout of residential development which stated that a minimum distance of 13.5m was required between properties. She asked the Officer to clarify the distance between the conservatory at Ivy Cottage to the proposed development.

With regard to the comments in the report relating to the Panel meeting on 4 April 2006 that the proposals would not lead to any significant reduction in daylight, she referred to the original application report made on 24 June 2002 that there were 'little habitable windows which faced onto the site', and stated that Members would have seen that there were actually many windows facing onto the proposed development. The end elevation of Ivy Cottage was habitable.

She urged the Panel to be mindful of the invasion of privacy. The height of the new development would dwarf Ivy Cottage and was out of proportion.

In response, the Principal Planning Services Officer advised that the distance from the side elevation to the gable of the new house was 9.5 metres and he regarded the main elevation of Ivy Cottage as front and rear. The previous decision in 2002 had been the subject of a site visit and the windows had been taken into account. The Planning Officer's view was that the development was not significantly different.

Mrs Birks, the applicant stated that she had purchased the land with planning permission and reiterated comments made at the previous meeting that these amended plans were to make better use of the space without extending the footprint. With regard to the design and impact of the property, she advised that it remained a two storey dwelling, the ridge height was only half a metre higher and there were now bay windows. The design had been modified to incorporate features in keeping with the character of the area, window sizes had been reduced and the use of obscure glazing agreed to the east elevation to protect the privacy of residents. Planning Officers were satisfied with the design and impact of the dwelling.

Mrs Smithson considered that the obscure glazing would make no difference in terms of invasion of privacy. As 13.5m was well below the Council's own directive she urged Members to refuse the application.

Mr Beatty, an objector asked how long the original permission would stand and stated that there was some dispute over the land.

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In response the Principal Planning Services Officer advised that work must commence on site within 5 years and any dispute over the land was not relevant to the application.

The Chair asked Members to bear in mind that this was an amended application and the previous decision would stand regardless of the decision made at this meeting.

A Member made reference to the comments from the Highways Section and the Planning Services Officer advised that Durham County Council had recommended approval subject to a visibility splay and the relocation of the bus stop 2m back into the front curtilage of the proposed dwelling.

Mr Smithson asked that the application be deferred as residents were in communication with the highways section because of the traffic congestion and were awaiting a response.

The Principal Planning Services Officer reminded Members that this application had been deferred at the last meeting because of the need to assess the impact on the adjacent Ivy Cottage.

RESOLVED that the application be conditionally approved.

2005/0938

WINGATE (HUTTON HENRY) – Proposed Detached House (Outline) at Beaumont Nursery, Trimdon Road, Station Town for Mr and Mrs D Levington

Consideration was given to the report of the Planning and Building Control Services Officer which recommended conditional approval (conditions relating to reserved matters to be approved, occupancy condition linking dwelling to existing business, amended plans showing required visibility splays in relation to the proposed access, contaminated land risk assessment to be carried out). The proposal was considered to be in keeping with policies 1, 35, 36, 68 and 69 of the District of Easington Local Plan and was to meet a functional need identified to serve an established business.

RESOLVED that the application be conditionally approved.

2006/0182

WINGATE – Proposed Garden Room Extension at 33 Ingram Way, Wingate for Mr and Mrs G Collins

Consideration was given to the report of the Head of Planning and Building Control Services which recommended conditional approval (condition relating to materials to be used). The proposal was considered to be in accordance with local plan policies, particularly policies 1, 35 and 73 of the District of Easington Local Plan as there was not considered to be a significant adverse impact on adjacent properties.

RESOLVED that the application be conditionally approved.

06/0092

PETERLEE (ACRE RIGG) – Proposed Two Storey Side and Single Storey Rear Extension at 23 Barsloan Grove, Peterlee for Mr and Mrs D Yorke

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal of the application as the proposed development by virtue of its design, footprint, scale and in turn its overall massing would adversely affect the amenities of the adjacent residents in terms of visual intrusion and overbearing impact contrary to policies 1, 35, 73 and appendix 7 of the District of Easington Local Plan. The proposal was considered to be contrary to the intention of Policies 1, 35, 73 and Appendix 7 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. He gave a detailed presentation on the main issues outlined in the report.

Mr Yorke, the applicant explained that the proposed extension was for personal reasons and not to sell the property. He considered that the extension had been designed to compliment the character of the street. Other similar extensions had been built in the area and he referred to one in particular in the street which had been approved by the Council.

In response the Principal Planning Services Officer advised that the extension was well designed and would compliment both the property and the street scene however the reason for the recommendation for refusal was because of the impact on the neighbouring property. The other extension referred to was erected in line with the existing building and the adjacent property was not set back as was the case in this application. A smaller design may be more acceptable.

A Member made reference to objections from neighbours who were not present at the meeting. The Principal Planning Services Officer advised that the neighbours had objected by letter.

A Member asked if Mr Yorke would consider erecting a smaller extension which would not have such an impact on the neighbouring property. Mr Yorke stated that the outlook of residents in the adjacent property was of the housing opposite and not his own. In addition, the Highways Section had not objected to the proposals.

RESOLVED that the application be refused.