

Item no.

Report to: **Development Control and Regulatory Panel**

Date: **6 February 2007**

Report of: **Head of Planning and Building Control Services**

Subject: **Applications under the Town and Country Planning Acts
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Ward: **All**

A INTRODUCTION

Members are advised that in preparing the attached report full consultation responses are not presented. Care is taken to ensure that principal issues of all relevant responses are incorporated into the report. Notwithstanding this Members are invited to view all submitted plans and consultation responses prior to the Panel meeting by contacting the Head of Planning and Building Control Services.

The Easington Local Plan was adopted by the District of Easington on 28th December 2001. Together with the Durham County Structure Plan it is a material consideration in the determination of planning applications. All relevant policies have been taken into account in making recommendations in this report. A view as to whether the proposals generally accord with policies is identified in the relevant section.

Section 54A of the 1990 Town & Country Planning Act (as amended) requires the Local Planning Authority to have regard to the development plan policies when they are relevant to an application and hence are a material consideration. Where such policies are material to a proposal, section 54A requires the application to be determined in accordance with the Development Plan policies unless material considerations indicate otherwise.

The recommendations contained in this report have been made taking into account all material planning considerations including any representations received and Government guidance in Planning Policy Guidance Notes and Circulars. Consideration has been given to whether proposals cause harm to interests of acknowledged importance.

Members attention is drawn to information now provided in respect of time taken to determine applications. Following each recommendation a determination time is provided based on a decision at this Panel. Where a decision time exceeds the 8 week target a reason for this is given in brackets.

In considering the applications and preparing the report the District of Easington has fully taken into account the duties imposed on Local Planning Authorities by the Human Rights Act 2000. In particular, regard has been given to Articles 6, 7, and 8, the First Protocol and Section 6. Where specific issues of compliance with this legislation have been raised these are dealt with within each report.

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B SPEAKING AT THE PANEL

The District Council is one of the few Councils in the country who allows verbal representations when decisions on planning applications are being made. The Panel has to balance listening to views with the efficient conduct of the business of the Panel. The following procedures have therefore been agreed. These procedures will be adhered to in respect of the items within this report. Members of the public will also be expected to follow these both in their own interests and that of other users of the service.

1. The Planning Officer will present his report.
2. Objectors and supporters will be given the opportunity to speak. Five minutes will be given to each speaker. If there is more than one speaker upon an issue, the District Council recommends the appointment of a spokesperson and that speakers register their request prior to the Panel meeting.
3. After registered speakers have had their say the Chair of the Panel will ask if there is any other member of the public who wishes to speak. Those who do may be allowed to speak. The Chair of the Panel will exercise discretion in this regard. Where the number of speakers or the repetitive nature of the points that may be raised may impact on the other business of the Panel then the Chair will restrict the number of speakers and progress the matter.
4. The applicant or representative may then speak for a duration of up to five minutes.
5. At the discretion of the Chair, objectors or supporters or applicants may ask officers questions then may be asked questions by Members and Officers
6. The Members of the Panel will then finally debate and determine the application with the assistance of officers if required.

C RISK ASSESSMENT

A risk assessment has been carried out in respect of individual cases. Overall, it is concluded that any risks to the Council, for example relating to an appeal being lost and costs awarded against the Council, are low, provided that decisions are made in accordance with recommendations. Risks will increase when decisions are made contrary to recommendations, and the degree will vary depending on the particular case.

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D GENERAL APPLICATIONS

05/763

PETERLEE (HOWLETCHE) - Residential Development comprising 18 No. Houses, Nursery & Relocation of Playing Field at Former ITEC Centre, Burnhope Way, Peterlee for The North Blunts Partnership – discharge of planning conditions.

Planning History

Application Site:

05/763 – Residential Development Comprising 18 no. Houses, Nursery and Relocation of Playing Field – Conditional Approval 23.03.2006

Consultations

No public consultation has taken place with regard to the discharge of this condition.

Development Plan Policies

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- 1 General Principles of Development
- 3 The Location of New Development
- 9 Principal Locations for new Housing Development

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- 1 General principles of development
- 10 Trees and Hedgerows
- 35 Design and Layout of Development
- 36 Design for access and the means of travel
- 37 Design for Parking
- 38 Designing out crime
- 66 Provision of outdoor playspace
- P8 Former ITEC Site, Neville Road

The proposal is considered to be in keeping with the relevant development plan policies.

Comment

Planning permission was granted for the erection of 18 No. dwellings, a nursery building and the re-location of a playing field from the Old North Blunts School Site on this site in March 2006. The application was approved subject to various conditions; this report deals with the discharge of conditions 13 and 14 of Decision Notice 05/763.

The conditions were as follows:

13. Notwithstanding the plans submitted with the application, a revised plan showing the re-design of the 8no. linked properties situated on the northern

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part of the application is to be submitted to and approved by the Local Planning Authority before the development commences, unless otherwise agreed with the Local Planning Authority.

14. Notwithstanding the plans submitted with the application, a revised plan showing the removal of the hoggin path from the landscaping area adjacent to the northern boundary of the application site is to be submitted to and approved by the Local Planning Authority before the development commences.

The application was determined at the 14 March 2006 Development Control and Regulatory Panel. At this meeting objectors to the proposed scheme raised concerns relating to the design of houses on the northern part of the site and security issues relating to the proposed footpath along the northern boundary of the application site amongst other issues. Following discussion Members approved the application subject to the above conditions.

The Local Planning Authority has received revised plans in keeping with the requirements of the planning conditions.

Condition No. 13 deals with the re-design of the housing on the northern part of the site. Originally the proposal included eight linked properties backing onto existing properties on Woodfield. Members were concerned that the proposed link properties would appear as an obtrusive feature from the rear of Woodfield to the detriment of residential amenity. The proposed linked properties were also considered to be out of character with the surrounding area, which is predominantly made up of semi-detached and detached houses. The revised scheme is for the replacement of the linked properties with two blocks of semis to the east and west and four detached properties sited in the middle of the row. The revised plan is considered to be acceptable; the proposed dwellings adhere to the requirements of the District of Easington Local Plan, and cover the concerns raised by the objectors and Members to the original scheme.

The revised plans received by the Local Planning Authority also deal with removal of the hoggin footpath that was to run adjacent to the northern boundary of the site. Originally it was proposed that a hoggin footpath run between the existing properties on Woodfield and new dwellings on the northern part of the application site. The revised plans have shown this footpath removed; and are therefore considered to adhere to the requirements of the planning condition.

Conclusion

In conclusion it is considered that the requirements of condition Nos. 13 and 14 of Decision Notice 05/763 have been met.

Recommend

Discharge of condition Nos. 13 and 14 of Decision Notice 05/763.

Decision Time

No statutory requirements relate to the discharge of planning conditions.

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PLAN/2006/0474

EASINGTON VILLAGE (EASINGTON VILLAGE & SOUTH HETTON) – Proposed Wind Turbine at AKS Precision Ball Europe Ltd, Davy Drive, Peterlee for AKS Precision Ball Europe

Planning History

Application Site: No relevant planning history.

Other Relevant Planning History: 04/1126 – For the erection of 2 no. 2.3 MW Wind Turbines with a maximum tip height of 111m at Edder Acres Farm, Shotton – This application was refused for the following reasons: impact on Shotton Airfield; impact on adjacent residential properties; impact on wildlife in the area. This decision was subsequently appealed and assessed by the Planning Inspectorate. The appeal was dismissed on the basis of the impact the development would have on activities at Shotton Airfield. Although this application did not relate to the current application site, it is considered to be relevant to the determination of the current proposal because of the issues involved.

Consultations

The application has been advertised in the local press and by site notices. Neighbouring properties have been consulted. Fifty two (52) letters of representation have been received in relation to this application up to the time of preparing this report. Objections have been made to the application on the following grounds:

- The proposed wind turbine will cause an obstruction to aircraft operating to and from Peterlee Airfield. Any approval of turbine plans within the airfields air traffic circuit would constitute scant regard for the operation of aircraft. Aircraft would be forced to alter their flight paths to and from the Airfield with the effect of increasing noise problems for nearby residents and raising safety issues with aircraft flying over the A19.
- The proposed wind turbine will impact on the continued safe operations of the parachute and aviation operation for the present and future economy of the area and region. The Centre currently offers both a business and recreational amenity that is unique within the region. The proposed turbine would endanger current operations and potential economic expansion of this significant facility.
- It should be possible to agree a suitable position for the wind turbine that will not effect the safe operation of the airfield.
- If the proposed wind turbine were to be allowed and cause the closure of the Airfield and Parachute Centre, it would be unlikely that a suitable replacement site for the facilities could be found in the region.
- The proposed wind-turbine will lead to the loss of Peterlee Parachute Centre an important and unique sporting facility in the region. The development of the wind turbine would therefore be contrary to Policy 90 of the District of Easington local Plan.
- The proposed Wind Turbine will impact upon other businesses operating at the airfield including the Aero Club licensed premises.

Easington District Council, Forward Plans Officer, comments:

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- The general thrust of Planning Policy Statement 22 is for the planning authority to be supportive of renewable energy proposals in locations where environmental, economic and social impacts can be addressed satisfactorily. This is reflected in the current Policy 2 Renewable Energy of the saved District of Easington Local Plan, the policy requires due consideration of the environmental and economic impacts of the proposal and wider impacts assessed in accordance with other relevant policies in the plan.

The application site is within the North West Industrial Estate with the nearest residential property some distance from the site of the proposed wind turbine, it is not considered to have an unacceptable adverse impact on local residents.

However, due to the location, the proposed turbine may impact on the recreational activities associated with Shotton airfield and in this regard, it should be assessed in accordance with the requirements of policy 90, to protect existing outdoor sports facilities. The parachute club operating from the airfield provides a unique facility in the district and adverse impacts on this activity should be avoided.

In summary, both national and local planning policy is generally supportive of the economic benefits of the scheme provided the social and environmental impacts discussed above can be mitigated.

Easington District Council, Environmental Health Officer, comments:

- No comments.

Durham County Council, Highways Authority, comments:

- The proposed wind turbine would not appear to raise any highway/traffic issues and is therefore deemed acceptable.

City Of Durham Council, comments:

- The proposed turbine, by virtue of its size and position, is unlikely to have any material impact upon Durham City.

East Durham Business Service, comments:

- The erection of a wind turbine at Davy Drive will be within 1200m of the centre of the Parachuting Landing Area (PLA) of Peterlee Parachute Centre. There is no feasible movement of the PLA or the wind turbine. My understanding of the effect of this on Peterlee Parachute Centre is that it will undermine the business due to the importance of first time parachuting to the revenues of the company. The likely result will be the closure of the business.
- Should the proposal for a wind turbine not be passed, there are consequences for AKS. The Environmental Report produced by TNEI states that the turbine would generate 8-10% of the plant's annual electricity reducing costs by approximately 15%. I have calculated that this will provide a saving of £68,000, a payback period of 3.2 years. This is based on an annual electricity bill of £600k and estimated capital costs, of £220k depreciated over 10 years. Electricity costs are the third largest after raw materials, and employment costs.
- The company has engaged in cost reduction exercises to improve profitability and believe that the wind turbine is the last significant

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initiative that they can take. This cost reduction effort comes against the background of a significant loss in 2006 and a projected significant but reduced loss in the current financial year. In this context the project makes a significant impact without being of the order of magnitude to turn loss into profit.

- AKS was keen to emphasise the wide impact of this project. AKS Peterlee is seen as an exponent of best practise within the group. Though the Japanese plant is profitable rising material costs has squeezed other plants, including Peterlee. A wind turbine would add to the perception of a flagship plant and it is conceivable that decision makers will take this into account when making decisions about the future of the plant.
- When looking at the wider economic impact of the wind turbine the following points are worth noting:
 - From the perspective of the airfield the business brings in a number of visitors to the district, most as first time parachutists. The airfield is also used by local businesses and emergency services. Its benefits to the local economy are real, though more intangible than tangible: its turnover and local spend is modest by comparison with AKS. Should the airfield close it is by no means certain that it could be re-opened on a different basis.
 - AKS's contribution in purely financial terms is more significant with a turnover of £7m and a wage bill of over £2m. It employs 75 staff.
 - Although AKS is a standalone business with its own accounts it is, nevertheless, part of the NSK group of companies which employs up to 1000 people in Peterlee, though there have been recent redundancies. It supplies balls to the main bearings plant on the South West Industrial Estate, to the Polish plant and to other bearings manufacturers in the UK and Europe. It could be argued that the loss of the AKS plant weakens the position of the other NSK plants (the bearings plant previously mentioned and NSSE which make electronic power steering assemblies) as Peterlee perceptibly becomes a less significant manufacturing centre for NSK; this may be seen as a factor by externally based decision makers when investment decisions are being made about new product lines and capital investment.
- In summary the issues are finely balanced. Should the wind turbine be erected at Davy Drive the airfield operation will be undermined, probably fatally. The refusal of the application will increase the likelihood of closure of AKS, albeit the project does not fundamentally alter the economics of the plant. As AKS is the bigger contributor to the local economy and given the threat posed by the Polish NSK operation it may be thought that granting planning permission is the least worst option.

The Environment Agency, comments:

- No comments.

Health and Safety Executive, comments:

- No comments.

English Nature, comments:

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- English Nature has no objection to the above proposal in respect of species especially protected by law because it would appear to be unlikely that they would be adversely affected by the proposed development. However, the local planning authority may wish to attach an informative to make the applicant aware that such species may be present in the general area and the legal protection afforded to such species.

Durham Wildlife Trust, comments:

- The trust has no objection to the proposal on ecological grounds, as the area in question is part of a well-established industrial estate and the proposal is unlikely to impact on protected species.

The Campaign to Protect Rural England, comments:

- In visual terms the proposed wind turbine is acceptable in this location.
- The proposed wind turbine is likely to force the closure of Shotton Airfield. It would appear that the wind turbine is only economically viable with the hidden subsidy for the renewable obligation certificates, which is under review and therefore could alter the income expected from the wind turbine. The calculations relating to the productivity of the proposed wind turbine are based on an annual load factor of 30%, this is questionable as other wind installations within the region such as Hare Hill, GSK, and Blyth are all performing well under the 30% mark. Therefore, there are questions over whether the proposed wind turbine will actually produce the savings hoped for.
- The CPRE would prefer a solution, which allowed the Parachute Centre and AKS wind turbine to co-exist rather than force the parachute centre to close.

Sport England, comments:

- Sport England has been advised that should the turbine be constructed it would prevent student parachutists using the adjacent parachute landing site safely and result in the Parachute Centre becoming economically unviable and therefore closing. Peterlee Parachute Centre is the only such facility in the north east, with the nearest ones being in Scotland, Bridlington and Grange over Sands – all outside the north east region.
- Sport England therefore considers that the Peterlee Parachute Centre is a significant site for sport in the north east. Should the facility be lost, it could prove difficult to find alternative sites for the facility, as previous parachute centres have been unable to do so in the north east. Therefore the north east region could lose the sporting facility entirely.
- Sport England therefore formally objects to the proposed wind turbine on the grounds that its erection will lead to the loss of a regionally important sports facility contrary to relevant Sport England planning policies and Policy 90 of the District of Easington Local Plan.

The Civil Aviation Authority, comments:

- The development may have a potential impact upon aviation operations at Durham Tees Valley Airport and at Peterlee aerodrome. It is important to note that as this is a planning issue, it is not for the CAA to assume any authority and final decision must remain with the planning authority. The responsibility for safeguarding the operation

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rests with the airfield operator and as they are the local experts, their view, which is based on their expertise and local operating knowledge, is critical. This also applies where a specialist activity is involved.

- I believe the original report by Aeolus (applicant's aviation consultant) addresses the issues from an airfield perspective; however, it will be necessary to consider specific parachuting aspects as raised by BPA and the Peterlee Parachuting Centre. If the siting of the turbine breaches the safety criteria advised by BPA and cited by the airfield operator, then there is no doubt that there is a potential implication for the continued viability for the Parachute Centre.
- With regard to objections received from Durham Tees Valley Airport, given that this single turbine may possibly create radar clutter outside of the airports controlled airspace and that the airport has already agreed to the development of wind turbines likely to produce a greater effect than this small development, it is unlikely that this proposal will have any detrimental effects upon the Airport operation.

British Parachute Association, comments:

- The BPA National Safety Officer and Technical Officer have stated that should the wind turbine be constructed to its current design at the proposed location, or indeed within 1200m of the Peterlee Parachute Centre's Parachute Landing Area, they would be obliged on the basis of a parachuting operations risk assessment, to recommend to the BPA Safety and Training Committee that no student parachuting should be permitted in a SW or NE wind; the prevailing wind at Peterlee is SW. Therefore, the result of construction of the wind turbine would be the curtailment of student parachuting at Peterlee. Student parachuting is both the foundation and the future of our sport, and the bedrock that financially underpins all parachute centres. Should such stringent restrictions have to be imposed on Peterlee, it is more than likely that it would become uneconomic for the Centre to continue, and that it would be forced out of business.
- Parachute Centres are few and far between, and Peterlee is in fact the one and only such centre in the North East of England. It alone serves the major population centres of Tyneside, Wearside and Teesside. Were Peterlee Parachute Centre to be forced out of business parachutists would then be forced to travel to Scotland north of the Firth of Forth – as far south as Bridlington, or as far as Grange-over-Sands.
- In recent years other parachute centres have closed in the North East of England. Previous members of the closed centres have failed to secure an alternative site in the region. This suggests that, were Peterlee Parachute Centre to close it would be difficult or even impossible to find a replacement site.
- The British Parachute Association formally lodges our objection in the strongest possible terms to the proposed wind turbine for the AKS site at Peterlee. We believe that if the planning application for the construction of the wind turbine is approved, it would be likely to force Peterlee Parachute Centre out of business, and thereby deprive the major population centres of the North East of England of their one and only sport parachuting facility.

Peterlee Parachute Centre, comments:

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- We regret that we must object to the application. We appreciate that the applicant has made some effort to research the effects of their proposal on the airfield at Shotton Colliery and perhaps on other neighbours, however, we feel that our very existence will be threatened if this development were allowed to go ahead.
- Peterlee Parachute Centre is the only facility between the Firth of Forth in Scotland and Flamborough Head in North Yorkshire. The Airfield at Shotton Colliery is financially underpinned by the parachuting operation, without the parachuting activity the Airfield would be forced to fold. The parachuting activity is financially underpinned by income from the 1st time parachuting student, indeed if the ability to cater with 1st time parachuting students was restricted or removed the Airfield Business would have to fold.
- The Airfield has a wide range of users including: fundraisers for charity; the military and emergency services - have used and still use the Airfield for both ground based and Airfield dependent Training; local Industry has utilised the Airfield facilities as has the Royal Flight during Royal Family visits in the area. Additionally the Airfield also provides direct employment within the area.
- The applicant has stated that at 52m high the proposed wind turbine does not protrude into the take off or landing envelopes for aircraft using Shotton Airfield, however other factors are also of concern: the turbines rotating blades may serve to put off pilots and parachutists from using the Airfield; the rotating motion of the blades may cause turbulence well above the effective height and present a hazard to parachutists and aircraft; the rotating motion of the blades may cause a varying glare hazard making it hard for pilots to focus on their flight path; ice throw from the blades may cause hazards for people using the industrial estate, pilots and parachutists; and, Sea Fret is prevalent in the area and may on occasions enshroud the blades so occluding any hazard they present.

Further to a site meeting on the 03/11/2006 between the Airfield operator, the Applicants for this application, British Parachute Association representatives and Planning Officers, the following further comments were received from the airfield operator:

- If the proposed turbine were to be built within 1,200m of the centre of the Parachute Landing Area (PLA) neither the BPA, nor could I imagine any safety conscious parachuting operator, could allow student parachuting to take place in a SW wind, which at Peterlee is the prevailing wind direction. Given such a restriction I could not realistically or morally take bookings for student parachute training if for the majority of time students were not able to jump. The income from student parachuting financially underpins most if not all UK parachute centres and without that income the Peterlee Parachute centre would fold. The parachute business financially underpins the Airfield and it in turn would fold. Peterlee parachute Centre is the only remaining parachute centre between Firth of Forth in Scotland and Flamborough Head in Yorkshire and if caused to fold would leave a huge section of the country without a Parachute Centre. If the proposed wind turbine were to be sited a minimum distance of 1,200m from the centre of the PLA we would not foresee an objection on parachuting grounds.
- Whilst the currently proposed size of design of wind turbine at the currently proposed site may not protrude into the Airfields flying elevations we feel that such a wind turbine will have influence beyond

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its physical reach and is likely to induce pilots to extend their circuits causing on some occasions some low level over flying of the A19 and urban Peterlee rather than the clear areas to the north of the Peterlee NW industrial Estate.

- We feel that there may be some scope to accommodate both the turbine and the current Parachute operation. We have looked at moving the PLA and whilst there is some scope for this we feel that there is more scope for the turbine to be located further away and whilst we accept that a suitable site would need to be made available with suitable provision for a cable supply from it to the AKS factory we would ask that this be investigated.

Durham Tees Valley Airport, comments:

- We have carried out a preliminary assessment of the proposal and concluded that we have no option other than to submit an objection on the grounds of possible degradation of primary radar returns. Such degradation would have an impact on Air Traffic Services and therefore has implications for aircraft safety.

Peterlee Town Council, comments:

- The Town Council express concerns regarding the impact a structure of this size may have on the people who work on the industrial estate not just in terms of environmental or visual impact, but potential health and safety issues brought about by the operation of such a turbine.
- The Town Council are also concerned that the proposed structure could affect users of Shotton Airfield, and asks if there is any risk to parachutists from this structure.

Haswell Parish Council, comments:

- No comments received.

Easington Village Parish Council, comments:

- The council does not object to the turbine in principle, however, it is concerned that it could have a detrimental effect on the safety, and thus viability of the Parachute Centre, which has been a success story. Provided that this can be safeguarded the Council does not object.

Development Plan Policies

Durham County Council Structure Plan

CSP01 - General Principles for Development
CSP80 - Development Associated with Energy Generation
CSP81 - Renewable Energy

District of Easington Local Plan

GEN01 - General Principles of Development
ENV02 - Renewable Energy
ENV35 - Environmental Design: Impact of Development
IND53 - Existing General Industrial Estates
REC90 - Protection and Provision of Outdoor Sport Facilities

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Comment

The Location:

Planning permission is sought for the erection of one wind turbine with associated infrastructure within the existing site of AKS Precision Ball Europe Ltd on the North West Industrial Estate in Peterlee.

The AKS Site is within an area allocated as an existing prestige industrial estate as outlined in the District of Easington Local Plan. The site is situated to the west of the A19 and Peterlee Town Centre. There are no existing residential properties within, or immediately adjacent to the AKS site. The residential areas of Peterlee are situated 650m to the east of the site. The A19 lies between the proposed turbine and those residential areas. The edge of Shotton lays approximately 1km to the southwest of the site. The nearest residential properties are found at Whitehouse Crescent, on the fringe of the industrial estate located 600m to the south of the site.

The proposed wind turbine would be of a modern design with a three bladed rotor mounted on a tubular metal tower. The installed capacity of the turbine is expected to be in the region of 300kW. The turbine proposed on the site would have a hub height in the order of 32m and a rotor diameter of 40m, therefore giving a maximum height to tip of 52m. The turbine will be connected underground to the AKS plant where the power generated from the turbine would be fed into the AKS on-site electrical grid.

The Proposal

The proposed wind turbine will have an installed capacity of 0.3MW, which according to established formulae for calculating the benefits of wind power, would provide sufficient energy to meet the domestic requirements of up to 188 households. In relation to AKS, it is anticipated that the wind turbine will generate approximately 8-10% of the plants annual electricity consumption. In addition to the environmental benefits, the wind turbine would reduce AKS Precision Ball Europe Ltd plants operating costs and thereby assist in securing economic viability and long-term future. This would not only be beneficial to the company but also to its 76 local employees and approximately 10 – 12 indirect sub-suppliers employees.

The turbine has an operational life of 25 years after which the site would be fully restored in accordance with the requirements of the Local Planning Authority. Therefore, if planning permission for the proposal were forthcoming, in line with the supporting text of policy 17 of Easington District Local Plan, it would be appropriate to impose a planning condition, which requires that the site is restored to its present condition once the facility has ceased producing energy.

Policy considerations

The main issues in assessing a proposal of this nature are whether the development complies with national and local planning policy and its impact on the site and surrounding area.

Policies contained within both the Durham County Structure Plan and Easington District Local Plan reflect Government planning guidance as

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contained in planning Policy Statement 22 – Renewable Energy (PPS22) and promote the generation of energy from renewable resources.

In relation to the siting of wind turbine development, PPS22 recognises that turbines can have extensive visual and landscape effects. Photomontages have been provided which indicate the visual impact of the proposed wind turbine upon the site and surrounding area. Although the turbine will inevitably be visible from many locations simply because of its size, it is considered that it will not have any significant adverse impact on the landscape generally.

The application site is located some distance from the nearest sites of ecological importance and within a well-established industrial estate. It is considered that the proposal will not impact upon local ecological interest. English Nature and Durham Wildlife Trust have no objections to the scheme, although an informative has been suggested to highlight the developer's responsibilities in terms of protected species.

Few dwellings are located within the general vicinity of the proposed wind turbines. PPS22 notes that, compared to other everyday activities, wind turbines are generally quiet in operation. Technical information submitted in support of the application confirms that subject to a planning condition to limit the level of operational noise from the turbine noise levels for the turbine would be in accordance with the recommended guidance set out in PPS22.

Large structures including wind turbines can interfere with telecommunication systems by reflecting and scattering electromagnetic signals. The applicant has carried out consultation with Ofcom, the independent regulator for UK communication industries; no objection to the development has been raised. Wind turbines as a result of the multi-path effect can also negatively affect television signals, where there is corruption or distortion of the received signal. However, due to the nature of the development, it is impossible to measure the exact interference to television reception, if any, caused by the wind turbines. Although the development may result in limited interference to Television reception, it is considered that these problems can be overcome by a planning condition, and are not sufficient to warrant refusal of the application.

The issue of 'shadow flicker' is the effect created when rotating turbine blades are located between the sun and residential or other properties. The Local Planning Authority is content to accept the applicant's conclusions that this should not be a sufficient problem to warrant refusal of the application.

The proposal to erect the wind turbine in this location, is, therefore, generally in accordance with national, regional, and local planning policies and is considered to have very limited direct environmental effects on local residents and/or businesses.

Aviation Considerations

A wind turbine such as that proposed by virtue of its height can have detrimental effects on aviation in the area in which it is sited. The CAA have been consulted on the application: confirming that the operators of Airfields in the area would need to be consulted, and their views taken into account. Objections have been received from Durham Tees Valley Airport and Peterlee Parachute Centre based at Shotton Airfield.

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The applicants commissioned an aeronautical assessment of the proposed wind turbine, which concluded that provided the turbine height was restricted to not more than 52 metres there would be no infringement of the aerodrome safeguarding recommendations published in Civil Aviation Authority Guidance.

With regard to the objection received from Durham Tees Valley Airport, which states that the proposal could possibly lead to degradation of primary radar returns, however, no evidence has been submitted to substantiate this argument. The proposed turbine is approximately 29km from the airport and lies beyond the control zone and terminal area associated with the airport. There is already an existing wind farm in the area, The Hare Hill wind farm near Shotton consists of two turbines 100m to tip, which are located in a similar position in relation to Durham Tees Valley's operations, as the AKS proposal. There is no evidence that the Hare Hill wind farm has any adverse effect on the operation of the airport, therefore, it is not considered that the erection of one relatively small wind turbine as proposed would have any demonstrable effect on the airport, sufficient to justify refusal of the planning application.

Parachuting Considerations

Peterlee Parachute Centre, based at Shotton Airfield has objected to the application. The proposed turbine is to be sited within the 1.5 miles radius drop zone of the Peterlee Parachute Club. Measurements suggest the proposed turbine is to be sited approximately 750 metres from the centre of the drop zone. The Parachute club have stated that the turbine is not compatible with the continued safe existing use of the Peterlee drop zone and that the construction of such a wind turbine with blades rotating to a height of 52m above ground level at such a distance from the centre of the Parachute Landing Zone would be likely to lead to some restrictions being place on the use of the site. Furthermore they have stated that the resultant consequences of such restrictions could force the current operator out of business. The British Parachute Association were consulted regarding this application, and have stated that additional Turbines within the 1.5 mile drop zone radius at Peterlee would be of great concern. Furthermore following a site meeting the BPA stated that if such a turbine were to be constructed it would have to recommend that no student parachuting be permitted to take place if the wind is blowing in a North Easterly or South Westerly direction. At Peterlee the prevailing wind is South Westerly. The BPA further stated that the Association would not wish to see any BPA centre offering student parachute courses when for the majority of the time the students would in effect be unable to jump. In response to the BPA's comments Peterlee Parachute centre stated that given such a restriction bookings for student parachute training could not realistically be accepted, if for the majority of time students were not able to jump. The income from student parachuting financially underpins most if not all UK parachute centres and without that income the Peterlee Parachute centre would fold. The parachute business financially underpins the Airfield and it in turn would fold. On these grounds the British Parachute Association have objected to the current proposal or any other that would prejudice the continuing well-established operations of Peterlee Parachute Centre

In response to the objections received relating to the effect the proposed turbine would have on the Parachute Centre's operations the applicant has stated that the proposed wind turbine is not in breach of any aviation regulations relating to either the operation of the aerodrome or the parachute

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activities that are undertaken there. Furthermore, it is argued that the original report produced by Aeolus Aviation addressed the potential impacts of the wind turbine on Shotton Airfield, the conclusion of which were concurred by the CAA. It is also stated that Shotton Airfield operator has agreed that the proposed wind turbine installation will not breach any regulations/guidelines governing the operation of unlicensed aerodromes. Given the above the applicant has argued that the key dispute relates to the impact upon parachuting activities at the aerodrome. The applicant has stated that the BPA have said it would be likely that restrictions would be placed upon student parachuting activities for safety reasons if the proposed turbine were to be erected. It is argued that as the British Parachute Association would still allow parachuting activities to take place at the site should the turbine be erected that a decision to refuse the application on the grounds of “impact upon safe parachuting operations” cannot be justified.

Economic Considerations

The applicant is aware that the possible BPA restrictions on operations at Shotton Airfield could have an economic effect on future operations of the facility and have offered the following comments in support of the economic case for the erection of the wind turbine:

- AKS has proudly operated in Peterlee for some 17 years. Our parent company NSK has been here for 30 years and was in fact the first Japanese manufacturing company to set up in the region. Our employees are local people, our key engineering support companies are local, and our ventures of working within the community realise real local benefits. However AKS has recently found itself operating with increasing costs in an increasing competitive market and in order to survive it has sometimes had to make difficult decisions. Decisions that have realised themselves in the building of Polish Ball Plant and the relocation of some plant equipment and product range; a worrying fact of life that is gathering pace across all our UK manufacturing plants.
- AKS Peterlee posted an operational loss in year 2005 and will post a consecutive financial loss in year 2006. Such losses cannot be continued and we strenuously endeavour to reduce our cost base in order to ensure a long-term presence in Peterlee. Electricity is a major cost to AKS Peterlee, and our proposed Wind Turbine installation is a key initiative in our battle to significantly reduce our losses, in our battle to survive and in our task to eventually thrive.
- This wind turbine project demonstrates that AKS Peterlee is willing to make significant investments in order to sustain its local operations. It strengthens our commitment to find ethical, environmentally conscious and sustainable solutions, and it gives a clear message to our parents overseas that AKS in Peterlee is worth committing to.

The economic arguments put forward by AKS in order to justify the need for the wind turbine and by Shotton Airfield relating to the effect the proposed wind turbine would have on their operations have been investigated by East Durham Business Service. East Durham Business Service considers the issues to be finely balanced. Should the wind turbine be erected at Davy Drive the airfield operation will be undermined, probably fatally. The refusal of the application will increase the likelihood of closure of AKS, albeit the project does not fundamentally alter the economics of the plant. As AKS is the bigger contributor to the local economy and given its links with the NSK group of

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companies which employs up to 1000 people it may be thought that granting planning permission is the least worst economic option.

Other Considerations

Further objections raised by Peterlee Parachute Centre related to the possibility of the proposed wind turbine representing an obstacle to planes and parachutists, by causing turbulence, causing a 'glare' hazard, causing ice throw, and causing an additional hazard when obscured by sea fret. The Council are satisfied with the information provided by the applicant in response to these issues and does not consider that they represent reasons for refusal of planning permission.

Sport England has objected to the proposed wind turbine on the grounds that the proposal will result in the closure of the Peterlee Parachute Centre. Sport England considers Peterlee Parachute Centre to be a regionally important sports facility. As such they consider the proposed development to be contrary to Sport England's *Planning for Sport and Active Recreation, Objectives and Opportunities – Planning Policy Objective 2* which seeks to prevent the loss of facilities or access to natural resources which are important in terms of sport development, as such Sport England also consider the proposed development to be contrary to Policy 90 of the District of Easington Local Plan – Protection and Provision of outdoor sports facilities. The Local Planning Authority accept that as a result of the erection of the proposed wind turbine restrictions will be placed on the parachute centre which would be likely to curtail the use of the centre by novice jumpers. It is argued that the economics of the Airfield are such that the likely restrictions will ultimately lead to the closure of the Shotton Airfield as a whole thus causing the loss of what is recognised as being an important sports facility. However the Local Planning Authority are of the opinion that the possible closure of the Parachute Centre will not be as a direct result of the erection of a wind turbine in the position proposed, but of secondary economic effects of the Parachute Centre losing the ability to cater for novice jumpers. It is argued that Peterlee Parachute Centre would be a viable facility for parachutists even if the proposed wind turbine were to be erected.

The Campaign for the Protection of Rural England have also raised an objection to the proposal. Although they are happy with the visual impact the proposed turbine would have, concerns have been raised with regard to the economic benefits the turbine will actually have for the applicant company. They have questioned the expected output of the proposed wind turbine citing examples of other wind installations within the northeast region, which have failed to meet similar performance levels to those, expected of the current proposal. The Campaign for the Protection Of Rural England are therefore concerned that the proposed benefits of the installation will not be met, which they believe will weaken the economic arguments for the development meaning that the potential loss of Shotton Airfield would not be justified. The Local Planning Authority consider that the levels of economic benefit that the proposed wind turbine will bring to the applicant company are a consideration for the applicant rather than an issue to be discussed in determining this application.

In a related planning decision permission was refused last year for the erection of two wind turbines at Edder Acres Farm, Shotton (see relevant planning history). This planning permission was refused amongst other reasons on the grounds that the proposed turbines would impact on the

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operations at Shotton Airfield, specifically Peterlee Parachute Club; and if allowed could cause the Airfield to close. This decision was appealed by the applicant, and later dismissed by a government inspector. The inspector considered that because of their size and positioning the proposed wind turbines would impact upon the operations at Shotton Airfield. In his decision the Inspector noted that the Peterlee Parachute Centre was the only such facility in the northeast, and that it acts as a base for a number of clubs and fund raising activities. Furthermore the Inspector noted that there appeared to be no alternative locations for another parachute centre in the locality, and that the closest centres are at the Firth of Forth and at Flamborough Head; the Inspector therefore considered there to be sound reasons for seeking to protect the activities at the airfield.

Practicalities of re-locating the Turbine

Several letters of representation have been received from interested groups and individuals. Objections have been raised regarding many of the issues discussed previously. However, it has been suggested that an alternative site could be found for the proposed wind turbine that would be in keeping with safety requirements referred to by the BPA and therefore negate the potential loss of Peterlee Parachute Centre. In relation to the possible relocation of the proposed wind turbine the applicant has confirmed that careful consideration has been given to the siting of the turbine. The turbine is proposed specifically to supply the AKS Davy Drive plant with electricity and offset rising operating costs. Moving the turbine further to the east/north-east to achieve a 1.2km separation distance is not possible or practical. In the highly unlikely event that an alternative site could be found several hundred metres of cabling would be required back to the generator at the AKS plant. Agreements would be required with neighbouring landowners and/or the highway authority's to dig up their land/roads and install this cabling. Additional expenditure would be incurred through the additional ground survey works, searches and other associated works required to install the cable. The applicants state that the additional costs borne by relocating the turbine would result in a scheme that is not financially viable.

Summary

- It is considered that the determining factor in assessing this application is the effect the proposed Wind Turbine may have on the existing operations at Shotton Airfield in particular relating to Peterlee Parachute Centre against the economic benefits that the proposed installation will have for the applicant company. It is accepted that the proposed turbine will have clear financial benefits for the applicant company by way of: cutting costs; improving the Peterlee factory's position as a 'flagship' plant within the AKS group; and due to AKS's role as a part of a larger operation there are also wider economic benefits. With regard to Shotton Airfield, the impact is not direct, but indirect in the sense that restrictions recommended by the BPA as a result of the proposed turbine being erected will lead to the loss of novice parachuting and in turn the loss of the associated finance; it is accepted that without the finance the Airfield is likely to close.
- The airfield operator is willing to consider moving the PLA but the applicants have indicated that they are unable to relocate the proposed wind turbine sufficiently to meet airfield requirements and still have a viable proposal. The Council must therefore decide whether to approve the wind turbine in its current location with the likely result of loss of Shotton

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Airfield and associated parachuting facilities; or refuse, with potential adverse effect on financial viability of the applicant company and wider implications for the local economy.

- There is clearly significant support for the airfield as demonstrated by the significant number of letters received objecting to the proposed wind turbine. However, the application site is situated within an established industrial estate; and the proposal is directly associated with improving the applicant company's operations. The application site is an appropriate location in terms of visual impact and it is not considered that there will be any detrimental effects on adjacent occupiers or other users of the industrial estate; the proposal therefore complies with the relevant development plan policies in terms of supporting renewable energy, supporting local business and in terms of its siting and appearance. Questions have been raised by objectors about whether alternative locations would satisfy the requirements of the airfield and still be financially viable, the applicants have indicated that this would not be the case; the Council is not in a position to dispute this.
- The Peterlee industrial estates are significant to the economic wellbeing of the District, and one of the Council's main priorities is to ensure that there are sustainable jobs for everyone. Taking all available information into account, it is considered that the applicants have clearly applied for the turbine on the basis that it will assist their future viability and sustain jobs at the site. The Council needs to create an economic environment that is attractive to existing and prospective business, and therefore it is important to support existing economic activity, and to allow businesses to adapt to changing technologies to help create a modern economic environment.. The Airfield is a well- established recreation facility and itself contributes to some business activity in the District. Overall, however, impact on the airfield is not considered to provide sufficient reason to justify refusal of planning permission, when balanced against increased likelihood of closure of the applicant company, an important local employer and integral part of the wider local economy.

Conclusion

The factors to be taken into account in this application are finely balanced.

The key impact of this proposal is likely to be upon activities at Shotton Airfield, but in other planning respects, this application can be considered to be an acceptable form of development. Both AKS and Shotton Airfield point to the economic impact of the proposal upon their businesses and these impacts have been taken into account in making a recommendation.

The NW Industrial Estate is part of the Districts most important employment zone; indeed, this is one of the most significant employment zones in the region. It is important that Industry is able to adapt to modern operating circumstances should these be consistent with planning considerations. This is particularly true in an area that is still recovering from its industrial past and still suffers from high unemployment. In this context, AKS have explained how they have sought to adapt their operation to a new operational climate.

In a finely balanced judgement, the economic risk to the future of AKS and Shotton Airfield is acknowledged. In the case of Shotton Airfield, it is

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acknowledged that approval of the application is likely to place restrictions on the airfield which would put it at risk of closure. It is also acknowledged that AKS is an important part of the economy of the District and an important part of the NSK Group which is a major local employer. The company has sought to use modern technology to increase its viability and it is not considered reasonable to refuse planning permission for a development such as this, within an existing industrial area.

Shotton Airfield provides an important facility within the District, for users across the region, but in this context, the likely curtailment of recreational activities at the airport and the risk of the closure of the airport are not considered to outweigh the risk of undermining the viability of a company which employs substantial numbers of people in the District, by limiting the proposed operation. On this basis, the proposal is considered to be acceptable.

Recommend Approval subject to the following conditions:
Conditions to include Time limit 3 years, Finish/Colour of Wind Turbine, Life of Turbine 25 years, Operations noise limited, T.V. Receptors.

Reason for recommendation

The proposal is considered to accord with national planning guidance contained within PPS22; Renewable Energy. The proposal is in keeping with the relevant Durham County Structure Plan Policies and Easington District Local Plan Policies. In particular policies 1, 2 35 and 53. There are no material considerations sufficient to outweigh the support for this proposal.

Decision time Over 8 weeks. Consultation requirements, further comments requested.

PLAN/2006/0772

PETERLEE (PASSFIELD) – Proposed Front Porch and rear Two Storey Extension at 11 Barnard Wynd, Peterlee for Mr F Watson

Planning History

Original house built under New Towns Act, 1965 – Approved 1980.
5/92/334: First floor extension at side to provide games room – Approved 06/92.

Consultations

Town Council: No observations or objections.

Neighbours: Two letters of objection from adjacent residents:

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1. The occupier of the bungalow on an adjoining plot objects “on the grounds that both the extension and the porch are too large and overpowering and as such are not in keeping with the rest of the properties in the surrounding area”; the two-storey gable of the property would “effectively double in size and would stand out in stark contrast” to the bungalow; the property is poorly maintained; the proposal “would detract from the character and amenity of the area and would have a considerable detrimental impact upon the surrounding properties”. The objector requests that, if it is considered that the principle of the extensions cannot be refused permission, the projection of the new porch should be “limited to the natural building line”, that the rear extension should be “limited to single-storey” and that it should not project beyond the rearmost elevation of the bungalow. A second letter adds a further objection on the grounds of loss of privacy on the basis that the lounge on the upper floor of the proposed extension “would totally overlook our entire garden area and would be an intrusion into our privacy”.
2. The occupier of the property opposite the front of the application site objects because the house has already had a conservatory and a games room added; the “current extension is extensive”; “for such a large building project there is going to be a lot of noise and disturbance” inevitably leading to damage and trespass to his property when large delivery vehicles manoeuvre in and out of the narrow Barnard Wynd carriageway “leading to confrontation”; the property is already unkempt and poorly maintained.

Development Plan Policies

District of Easington Local Plan

ENV35 - Environmental Design: Impact of Development

GEN01 - General Principles of Development

HOU73- Extensions and/or alternations to dwellinghouses.

It is considered that the proposed development does not conflict with any of these policies.

Comment

The application site is a residential plot in a small cul-de-sac in Oakerside, Peterlee, which is characterised by an eclectic mix of quite large single and two-storey detached dwellings, generally sharing few unifying features or similarities of design. The properties on this side of Barnard Wynd back directly onto Castle Eden Dene.

There are three aspects to the proposed extensions. An amended plan has been submitted which shows the projection of the front porch reduced from 3m to 1.5m from the present forward-most walls of the house and this is considered to be wholly acceptable in terms of its size, position and design. Part of the rear extension is only two-storey in that it has a ground floor kitchen extension and an open balcony above, which is wholly obscured from the adjacent properties on either side by the full two-storey part of the extension and high boundary hedging respectively and so does not pose any problems from the point of view of neighbouring amenities.

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The main two-storey part of the proposed extension works would continue the east-facing gable wall of the property southwards into the rear garden for a distance of 6.5m, at which point the rear wall of the extension would project by approximately 0.5m beyond the rearmost wall of an extension already constructed on the adjacent bungalow. It would have a double-pitched roof gabled in at right angles to the roof on the existing house with its ridge height being some 0.75m lower than that on the existing house. This extension would be visible from the main frontage of Barnard Wynd but only when viewed through the approximately 4m wide gap between these two properties. The site's location adjoining Castle Eden Dene means that the rear garden area is not overlooked by other properties from the south; and high fences, hedges and trees ensure that the proposed extension will have no visual impact from that direction. It is considered that the massing of the extension is not out of keeping either with the scale of the existing house or the character of the area generally.

The only aspect of the proposed extension which needs careful consideration is its possible effect on the amenities of the occupiers of the adjacent dwelling at 10 Barnard Wynd. Although No. 10 is of single-storey construction at the end adjacent to the application site, it is considered that the size and design of an existing garden room extension in the same position relative to the plot boundary as the proposed works at No. 11 will prevent the proposed extension being prominent from much of the rear garden area of No.10. The ridge height of No. 10's garden room is some 4.25m, whereas that of the proposed extension would be 6.5m., so the difference in overall heights is not as markedly different as might be expected. Consequently and because of the sloping ground in the gardens, it is considered that the extension will not be apparent as an excessively large structure in relation to the height of No. 10.

The extension will be visible from the western part of No. 10's garden and the roof will be noticeable above the garden room from points some 20m away, nearer the eastern plot boundary. The main elevation of the proposed extension will be visible from most of the rear garden of No. 10 but it is considered that it will not have an unduly intrusive impact as a structure.

The proposed extension does contain an unusual feature in that the main rear elevation is intended to be almost entirely glazed in order to afford views over Castle Eden Dene. It might be felt that this could also have an impact on the privacy of neighbours but because of the location and orientation of the extension, the only potentially affected property is, again, No. 10 Barnard Wynd and any undue effects would be limited to views from the upper floor of the extension. However, the internal design of the extension is such that the upper floor is actually set back from the glazing by some 2.5m. leaving a two-storeys high space adjacent to the windows. Outward views from the upper floor to the sides and over the neighbouring garden will thereby be severely limited. However, it is suggested that it would be reasonable to condition any planning permission which may be issued in such a way as to prevent any alteration to the internal arrangement of the upper floor in order to maintain this situation.

Although the original application also showed a 1.75m. wide, two-storey height area of glazing in the side wall facing the side of No. 10's garden room, which itself contains a more usual sized window, the applicant has submitted a letter in which he proposes to replace that area of glazing with glass bricks in order to prevent any direct overlooking of the pathway alongside the neighbouring property and the garden room window.

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Two objections have been received to the proposals and most of the specific points of objection have been covered earlier in this report. The remaining points, relating to the perceived unsatisfactory maintenance of the existing property and the concern that discourteous and careless delivery and construction traffic activities could lead to unfortunate confrontations in the cul-de-sac are not material planning considerations. Similarly, the potential for noise and disturbance during construction works is not a matter which would amount to a reason for refusing planning permission.

Taking all the relevant matters and circumstances into account, it is considered that there are no sound reasons why planning permission should be refused and, therefore, this report concludes with a recommendation of approval.

Recommend Approval subject to the following conditions: materials; no windows in east-facing elevation; positioning of the southern limit of the upper lounge shown on the submitted drawing 2027/05/06 not to be any closer to the glazing in the south-facing wall of the extension and, thereafter, no alterations.

Reason for recommendation

The proposal is considered to be in accordance with the Statutory Development Plan and policies 1, 35 and 73 of the District of Easington Local Plan.

Decision time 16 weeks – target not achieved due to negotiations.

PLAN/2006/0866

WHEATLEY HILL (THORNLEY & WHEATLEY HILL) – Proposed Stables (Resubmission) at Land West of Lynn Terrace, Wheatley Hill for Mr A Harvey

Planning History

03/0674	Trotting track and stables – Refused on visual impact of stable location grounds.
03/0906	Trotting Track approved.
05/0377	Stables approved
06/0353	Retrospective application for stables withdrawn.

Consultations

A site notice was posted and local residents consulted.

Comments have been received from two residents raising the following issues:

- Building will be an eyesore in the locality.

Parish Council – Comments awaited.
Highway Authority – Comments awaited
Environmental Health – Comments awaited.

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Development Plan Policies

District of Easington Local Plan

CSP68 - Wildlife Corridors
ENV03 - Protection of the Countryside
ENV17 - Identification and Protection of Wildlife Corridors
GEN01 - General Principles of Development
Policy 41 – Buildings in the countryside.

Comment

This application relates to the erection of a concrete block and green profiled sheet stable building on agricultural land to the north of Wheatley Hill, in association with the applicant's hobby.

Members may recall the approval of a trotting track on this site in 2003, but the associated stable and storage building was refused permission in view of its proposed location being away from existing buildings and contrary to policy 41 of the Local Plan.

A subsequent application in 2005 to erect stables in a revised position (on the site of the current application) was approved.

Last year the applicant started to erect stables in an unauthorised location and made a retrospective application but this was withdrawn in July 2006.

The current application is for a larger stable building on the same site as was approved in 2005.

Whilst the building will be visible within this rural location, it is considered appropriate in this instance bearing in mind its proposed use and the previous planning permission on this site.

It is considered that the design and scale of the proposed building are appropriate to this location and its siting in the vicinity of existing buildings is in line with the requirements of the local plan. On this basis, and taking into account the comments from residents, it is considered that the proposal is acceptable.

Recommend Approval subject to the following conditions: Use of building and external materials.

Reason for recommendation

The proposed development complies with the planning policies referred to above.

Decision time 6 weeks – Target achieved.

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PLAN/2006/0874

SEAHAM (SEAHAM NORTH) – Proposed Residential Development at Plot 4 East Shore Village, Self Build Area, Seaham for Mr D Thomas

Planning History

2006/0595 – One house refused permission October 2006 on grounds of scale and proximity to adjacent properties.

Consultations

Local residents were consulted – One resident commented on the proposals raising the following issues :

- Building is still too high – only one metre less than before.
- Ground is higher on the new build side.
- Loss of privacy and quality of life.
- Loss of natural light.

Development Plan Policies

District of Easington Local Plan

Gen 01 – General principles of development.
Policy 35 – Design and layout of development.

Comment

Members may recall recently refusing permission for a dwelling on this site because of its height and close proximity to the boundary, and its effect on the neighbours property. A site visit was made to establish this viewpoint, and Members were aware that a bungalow had been built nearby.

This is a revised detailed application to erect a detached dwelling within the “self build” area of the East Shore development in Seaham. Most of the new development on this site has gained planning permission without objections from third parties however some of the new dwellings back onto existing development nearby and concerns have again been raised by a local resident to this application.

The previous proposal was for a 5/6 bedrooomed house, 9 metres to the ridge to be erected on a 700 square metre plot. It was situated towards the front of the plot but its side boundary abuts gardens to properties on Dene Way. The current proposal has a very similar footprint and location on the site, but the ridge height has been reduced to 7.5 metres. It still proposes 5/6 bedrooms.

The disposition and size of the gardens to the existing properties adjacent are such however that whilst there will be some reduction in overshadowing from the revised proposal, in this instance it is not considered to be sufficient to enable a positive recommendation, bearing in mind Members’ concerns previously. On this basis, the revised proposal is still considered to be unacceptable due to its adverse impact on the adjacent properties.

Recommendation Refusal for the following reason:

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The proposed development by virtue of its scale, design and close proximity to existing adjacent residential properties on Dene Way is considered to form a visually dominating feature which if built will result in unacceptable loss of light and outlook to those residents' properties. In particular the impact on the gardens to the adjacent properties will be considerable in view of the height of the proposed dwelling and its close proximity to the boundary. Accordingly the proposal is considered to be contrary to Policies 1 and 35 of the District of Easington Local Plan.

Decision time 10 weeks – Target not achieved due to application being brought to Panel for a decision.

PLAN/2006/0875

PETERLEE (DENE HOUSE) – Proposed Rear Conservatory at 91 O’Neill Drive, Peterlee for Mr Smith

This applicant is an employee of the Council.

Planning History

No previous applications.

Consultations

Nearby neighbours notified about the proposal but no representations received.

Development Plan Policies

District of Easington Local Plan

ENV35 - Environmental Design: Impact of Development

GEN01 - General Principles of Development

HOU73 - Extensions and/or alterations to dwellinghouses

Comment

The proposal concerns the erection of a conservatory measuring 3 metres x 3.6 metres at the rear of the dwelling; it requires planning permission solely because of a detached garage in the curtilage of the house which is within 5 metres thereof. The conservatory is situated adjacent to the detached garage in the adjoining plot to the north (no.90 O’Neill Drive) and because of this layout, relationship and arrangement it does not have any adverse impact for the amenities enjoyed by the occupants of that dwelling. In the circumstances approval is recommended.

Recommend Approval

Reason for recommendation

The proposal is considered to be in accordance with the Statutory Development Plan and the following related District of Easington Local Plan policies 1, 35 & 73.

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Decision time 6 weeks – target achieved.

PLAN/2006/0883

MURTON (MURTON WEST) – Proposed Residential Development Comprising 20 No. Dwellings at Wellfield House, Wellfield Road, Murton for Mr ED Alder, Broseley Homes Ltd

Planning History

06/0486 – Prior Approval for demolition of existing buildings – no objections July 2006.

Consultations

A press notice was issued, a site notice posted and local residents were consulted.

One resident has commented on the proposals raising the following planning related issues –

- Access to the site is restricted and additional traffic generated will cause problems locally.

Parish Council – Comments awaited at the time of drafting.

Highway Authority – Requests conditions.

Development Plan Policies

District of Easington Local Plan

GEN01 - General Principles of Development

HOU66 - Provision of outdoor play space in new housing development

Policy 67 – Housing development on previously developed land.

Policy 35 – Design and layout of development.

Comment

This application relates to the erection of 20 two storey houses on land in the centre of Murton, previously occupied by Wellfield House residential care home. The site is currently cleared of all buildings.

The proposed dwellings are a mixture of 2 and 3 bedroomed detached, semi detached and terraced houses, some with garages and others with parking spaces.

Whilst bungalow development adjoins the site to the south and west, houses predominate elsewhere, and it is considered that the design and form of the proposed dwellings will be appropriate for this area.

A Section 106 Agreement will be necessary relating to the provision of off site play/open space facilities.

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Local concerns relating to access to the site are noted, however the highway authority are content with the density of the development and do not feel that road safety will be compromised by the development.

Taking all relevant matters into account, it is considered that the proposal represents an acceptable form of development.

Recommend That Members be minded to approved the application subject to the completion of a Section 106 Agreement relating to off site open space provision, and subject to the following conditions: Landscaping, highway details, materials; and that delegated authority be given to the Head of Planning and Building Control Services to issue the decision on satisfactory completion of the Section 106 Agreement.

Reason for recommendation

The proposed development is in accordance with the relevant planning policies referred to above.

Decision time 9 weeks – Target achieved.

PLAN/2006/0899

WINGATE (WINGATE) – Proposed House at Former Wellfield House, Moor Lane, Wingate for Mr D Graham

Planning History

2006/0098 – Replacement Dwelling (Resubmission) – Approved 04.04.2006.

Previously Planning permission was refused for outline permission to develop a house and garage on this site under delegated powers in November 2005. The current application is a re-submission of this previously refused scheme.

Consultations

The application has been advertised by a site notice and in the local press. No letters of representation have been received in relation to this application.

Durham County Council, Highways Authority, comments:

- Concerns have been raised with regard to the width of the driveway and the lack of passing spaces on the proposed drive.
- The access onto Moor Lane should incorporate suitable sight visibility splays to observe other vehicles using Moor Lane. Visibility lines of 2.4m x 45m would be acceptable.
- The applicant will need to ensure that the Public Rights of Way Public Footpaths to the north and east of the site remain unobstructed throughout the construction period associated with this proposal.

The Environment Agency, comments:

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- objects to the proposal as insufficient information has been submitted to enable adequate consideration of the proposed means of foul drainage.

Development Plan Policies

District of Easington Local Plan

ENVO3 - Protection of the Countryside

ENV32 - Community Woodlands

GEN01 - General Principles of Development

Comment

Planning permission is sought for the erection of a large detached dwelling, to be sited to the south of Moor Lane near Wingate. Outline planning permission was granted in April 2006 for the erection of a single dwelling on this site.

Outline planning permission was approved contrary to Officer Recommendation. Officers considered the development to represent a new dwelling within the open countryside, outside the existing settlement boundaries contrary to the relevant development plan policies. The reason given by the Panel for approving the outline application was "The site is considered to be previously developed and suitable for a single dwelling. The application site is relatively close to the settlement of Wingate and is not considered to be isolated in the open countryside".

Although this application is not for reserved matters linked to the previous outline consent, it is considered that the previous grant of outline planning permission on this site sets the precedent for residential development. It is considered therefore that the principle of residential development in this location has been accepted.

Although the proposed dwelling is quite large, it is considered to be acceptable in the proposed location. The proposal is for a dormer bungalow style dwelling with attached double garage. The proposed dwelling is considered to be acceptable in terms of design and because of its location it will not have any detrimental effects on neighbouring occupants. It is considered that if due care is given to landscaping the application site and the means of enclosure to be used, the proposed dwelling can be considered acceptable in this location.

Durham County Council have raised concerns relating to the access of the site, and visibility splays onto Moor Lane. It is proposed that the application is approved subject to a condition to request an amended site plan showing revised access arrangements for the residential development to satisfy these concerns.

The Environment Agency has objected to the proposal as insufficient information has been submitted to allow an adequate assessment of the proposed means of foul drainage to be made. The applicant has submitted this information; it is expected that a response will be received prior to the Development Control and Licensing Panel Meeting.

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Conclusion

The principle of a single dwelling on this site has already been set by the previous planning approval. The proposed dwelling is considered to be acceptable in terms of design and scale, and subject to the suggested conditions should be approved.

Recommend Approval subject to a satisfactory response from the Environment Agency relating to the means of foul drainage. Conditions - materials; means of enclosure; landscaping scheme; landscaping timing; revised site plan access arrangements.

If a satisfactory response has not been received from the Environment Agency prior to the Panel Meeting, the Panel is requested to grant delegated authority to the Head of Planning and Building Control Services to approve the application once agreement has been reached with the Environment Agency.

Reason for recommendation

The site is considered to be previously developed land suitable for the erection of one dwelling. The application site is relatively close to the settlement of Wingate and is not considered to be isolated in the open countryside.

Decision time 8 weeks - target achieved.

PLAN/2006/0903

SHERATON WITH HULAM (HUTTON HENRY) – Agricultural Building at Sheraton Hall Farm, Hurworth Burn Road, Sheraton for Mr D Todd

Planning History

2006/0547 – Erection of Grain Storage Building – Approved.
2006/0549 – Conversion of Agricultural buildings to Residential – Approved.

Consultations

The application has been advertised by site notices and in the local press. Neighbouring properties have been consulted. No letters of representation have been received in relation to this application.

Easington District Council, Environmental Health Officer, comments:

- I have no comments to make in relation to this proposal.

Durham County Council, Highways Authority, comments:

- The junction radii to the proposed access have been shown as 12 metres, to comply with the requirements outlined under the previous planning application ref. PLAN/2006/0547.
- However as requested under Condition 5 of ref. PLAN/2006/0547, 2.4 x 120 metres sight visibility splays are required at the proposed access onto the C24. The site location plan shows 2.1 x 120 metres

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sight visibility splays, which needs to be amended to 2.4 x 120 metres to comply with condition No.5 referred to above.

Development Plan Policies

District of Easington Local Plan

ENV03 - Protection of the Countryside
ENV12 - Protection of Agricultural Land
ENV35 - Environmental Design: Impact of Development
GEN01 - General Principles of Development
IND56 - Industry and Business in the Countryside: Agriculture and Forestry

Comment

Planning permission is sought for the erection of an agricultural building on land to the west of the existing Sheraton Hall Farm buildings. The building is required to replace the existing structure situated to the east of the farm house which is to be lost to make way for a residential conversion (see relevant planning history). Planning permission has previously been granted for the erection of a grain storage building to the west of the current application site (see relevant planning history). Sheraton Hall Farm is an established agricultural business.

The proposed building is considered to be acceptable in terms of design and scale. However there are some concerns over the siting of the building in relation to the existing farm, the proposed structure is not well linked to the existing building being sited some 50m west from the existing farm house. The relevant development plan policies state that new development in the countryside will only be allowed providing that: it is adjacent to existing development; incorporates adequate screening; and does not have any serious adverse effect upon the amenity, character or appearance of the land.

Planning permission has recently been granted for a Grain Storage Building to be sited to the west of the current application. Although this structure is yet to be built, it is considered that as the previous application was approved, there is no reason not to allow a smaller building to be sited in this position. Furthermore, the siting of the proposed and approved buildings within a small dip in the landscape will reduce the prominence of the proposal, and will not affect the general character of the area sufficiently to warrant refusal of the application. The siting of the proposed and approved buildings has been chosen to provide ample site visibility for vehicular traffic entering the site; the proposed site visibility will offer an improvement to vehicles over the existing site to the east. On balance it is considered that the proposed siting of the building is acceptable; extensive planting around the proposed buildings will further lessen the buildings' impact on the open countryside, a condition will be attached to the grant of planning permission ensuring that such planting takes place.

Durham County Council, Highways Authority raised objections to the scheme relating to junction visibility and radii. It is proposed that a condition is attached to the grant of planning permission to ensure that the correct site visibility splays are provided.

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Conclusion

In principle, although the proposed building is to be sited a good distance from the existing farm house to the east of the application site, it is not considered that the proposed development will have any serious adverse effect upon the amenity, character or appearance of the land. On this basis the proposal is considered to be acceptable.

Recommend

Approval subject to the following conditions: materials; means of enclosure; landscaping; landscaping – timing; visibility splays at entrance to site from C24, Hurworth Burn Road.

Reason for recommendation

The proposal is considered to accord with the relevant development plan policies, in particular policies 1, 3, 35 and 56 of the District of Easington Local Plan.

Decision time

8 Weeks. Target Achieved.

PLAN/2006/0908

MURTON (MURTON WEST) – Proposed 6 No. Houses and 4 No. Apartments at Murton House Farm, The Village, Murton for Mirrored Leisure Ltd

Planning History

04/0814 – Convert buildings to three dwellings – Approved January 2005.
06/0558 – Planning permission issued in September 2006 for six houses and four apartments, as currently proposed. It was subsequently discovered to have been incorrectly issued under delegated powers, and without the necessary publicity having been carried out. The applicants were advised of the risk of legal challenge to that decision, and have submitted this current application to enable the Council to determine the application through the appropriate procedures.

Consultations

A press notice has been published, a site notice posted and local residents have been informed.

A letter has been received from the adjacent occupier objecting to the proposal, and raising the following issues:

- supports the approved barn conversions
- considers the site to be Greenfield as it was recently used for keeping livestock
- the previous planning permission was incorrectly dealt with and issued
- new development should not be allowed on greenfield land
- the access is in an unsafe position, and the additional traffic would create hazards
- the front doors are too close to the footpath and visitors are likely to park on the main road

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- the rear of the block of six dwellings would overlook the main bedroom window, causing privacy problems
- both front and rear blocks would be too close to the bungalow, causing serious overshadowing, with the rear building only three metres from a bedroom window
- the proposal would overlook and overshadow the war memorial and land opposite
- the architecture is unsympathetic to this ancient and rural village
- existing empty houses in Murton are not selling.

A second letter considers that this proposal should be rejected as it is not in keeping with the layout of Murton Village, and suggests the consultation period should be extended because of difficulties in viewing the plans.

Six pre-printed letters have been received, objecting on the basis that the development is not in keeping with the rest of the village and is unsympathetic to the existing architecture and layout.

Parish Council – Concerns over the likely increase in traffic on this busy road.

Highway Authority – No objections to the proposals.

Environmental Health – Contaminated land risk assessment should be carried out.

Northumbrian Water – No objections.

Design and Conservation Officer - considers the layout and scale to be appropriate, but has some concerns about individual design features. These issues are being taken up with the applicants at the time of preparing this report, and Members will be updated accordingly.

Development Plan Policies

District of Easington Local Plan

GEN01 - General Principles of Development
Policy 35 – Design and layout
Policy 70 – Reuse of buildings.
Policy 67 – Development within settlements.

Comment

This application relates to the demolition of a number of disused outbuildings on this village centre site, and the erection of six houses and four apartments. An identical planning application to this was approved under delegated powers in September 2006 – (see below).

This site was the subject of a proposal to convert the buildings to three dwellings in 2004. Planning permission was granted with conditions in January 2005.

In 2006 a planning application was submitted to clear the site and erect 10 units of accommodation. Planning permission was granted under delegated powers in September 2006, however subsequent to that decision it was noted

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that proper publicity of the application was not carried out, possibly jeopardising the validity of the decision. Accordingly it was therefore decided to seek a fresh application from the developers with a view to issuing a “safe” decision based on correct procedures being followed.

The current proposal is identical to the earlier scheme, and all formal and statutory publicity and consultation has been carried out.

Regarding the Greenfield/brownfield status of the site, information has been produced by the applicants as to the previous and current use of the site, and whilst not conclusive, does indicate that the site could be considered as brownfield and the development would therefore accord with Policy 67 of the Easington Local Plan. The adjacent occupier has disputed this, however, indicating that the site was recently used for the keeping of livestock. In any event, officers are satisfied that the proposed development will positively contribute to the character of the locality and will be a visual improvement to the street scene compared to the existing somewhat plain structures. Such considerations may be seen to outweigh any doubts on the status of the site.

The development itself consists of a grouping of two and three storey dwellings formed around a courtyard with some units immediately fronting the Village. Access will be as now, and shared with an agricultural use to the rear. External materials will be brick and concrete tile.

The highway authority have secured amendments to the access layout and turning head and are now satisfied that the development, whilst representing an increase in traffic at this location, will not be likely to cause road safety issues sufficient to warrant objecting to the proposals.

Immediately to the west of the site is a detached bungalow, which will be directly affected by the development. The applicants have taken into account the reduced height of this dwelling and have accordingly reduced the ridge height of the new dwelling immediately adjacent at the front. To the rear of the bungalow, a new garage block with apartment over is proposed. This will be visually quite dominant when seen from the bungalow bedroom, kitchen and garden, however, there already exist a number of unattractive buildings forming the mutual boundary, together with an unsightly boundary wall/fence immediately outside the bedroom window and it is considered that whilst some loss of natural light will occur, it will be compensated for by the replacement buildings which will improve the appearance of the local environment.

A number of concerns have been raised by local residents and the Parish Council. The Highway Authority has assessed the proposal in terms of access and highway safety, and considered the development to be acceptable. Concerns have been raised about the development not being in keeping, however, the Design and Conservation Officer considers the proposal to be generally acceptable for this prominent site. Whilst the issue of whether the site is Greenfield or brownfield is not clear-cut it is considered that the proposals would result in an improvement on the character and appearance of the existing development, and are thus acceptable. The potential impact on the adjacent bungalow has been taken into account, and whilst there would be some overshadowing, this is not considered to be sufficient to justify a refusal of planning permission.

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The Design and Conservation Officer does not consider that the setting of the war memorial would be adversely affected. The issue of existing empty houses is a matter for the applicants to consider, and would not form the basis of refusal. In terms of consultations, the application has been properly publicised by means of press and site notices and individual letters, and there is not considered to be any justification for extending the consultation period.

Taking all relevant matters into account, it is considered that the proposals are appropriate in terms of layout and access, with consideration being given to some design issues. The proposals are considered to represent an acceptable form of development which would improve the appearance of this prominent main road site, and which does not have a serious adverse impact on adjacent occupiers to justify refusal of planning permission. On this basis, the proposals are considered to be acceptable.

Recommend Approve – subject to the following conditions:
materials, boundary enclosures, landscaping,
contaminated land, amended design.

Reason for Recommendation :

The proposal are considered to represent an acceptable form of development which would improve the character and appearance of the site, in accordance with relevant development plan policies, particularly Policies 1, 35 and 67 of the District of Easington Local Plan.

Decision Time : 7 weeks – target achieved.

E Background Papers

The following background papers have been used in the compilation of this report.

Durham County Structure Plan
District of Easington Local Plan
Planning Policy Guidance Notes
Planning Policy Statements
Regional Spatial Strategy
DETR Circulars
Individual application forms, certificates, plans and consultation responses
Previous Appeal Decisions



Graeme Reed
Head of Planning and Building Control