

THE MINUTES OF THE MEETING
OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL
HELD ON TUESDAY 27 FEBRUARY 2007

Present: Councillor R Davison (Chair)
Councillors Mrs G Bleasdale, B Burn,
Mrs E M Connor, J Haggan, R Liddle,
Mrs J Maitland, M Nicholls, R Taylor
and D J Taylor-Gooby

Objectors – Mr and Mrs Howarth,
Mr Salt

Applicant – Mr Thirlaway

1 AN APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor M Routledge.

2 THE MINUTES OF THE LAST MEETING held on 6 February 2007, a copy of which had been circulated to each Member, were confirmed.

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

**2006/0554 HORDEN (HORDEN SOUTH) – Development of 15 No Private
Apartments together with Associated Works at Land at
Former Vicarage, Dene Terrace, Horden for Mr G Edwards,
Redwood Homes (North East)**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to time limit, materials, means of enclosure, contaminated land, landscaping, revised access arrangements in accordance with the amended plan received on 6/12/2006. The proposal was considered to be in accordance with the Statutory Development Plan Policies in particular Policies 1, 35, 36 and 66 of the District of Easington Local Plan and there were no material considerations which outweighed the support for the proposals.

The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report. An additional condition was to be attached relating to the existing access. The access was to be closed off prior to the development commencing, in line with the previous application approved in June 2005.

A Member explained that she had requested that the entrance be closed off in the previous application and had also asked for

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closure of the entrance onto the A1086. This had now been fenced off and she wanted to make sure this was permanent.

A Member referred to the access onto Yoden Way and explained that there had been discussions regarding development on the field adjacent to the development site. If traffic became a problem would Durham County Council revisit the issue in future. If the road layout had to be amended who would be financially responsible.

The Principal Planning Services Officer explained that Durham County Council would be responsible if the traffic improvements were not related to any specific development. When assessing a particular development, if the highway authority felt that traffic improvements were necessary then the developer would be responsible for funding any improvements.

A Member queried how many parking spaces were proposed. The Principal Planning Services Officer explained that there were 19 bays and there should not be any need to reverse onto the main road.

RESOLVED that the application be conditionally approved.

2006/0833

SEAHAM (SEAHAM NORTH) – House at Plot 11, East Shore Village, (Self Build Area), Seaham for Design Build Develop

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to external materials and amended plans. The application was in compliance with the relevant statutory Development Plan policies, in particular Policies 1 and 35 of the District of Easington Local Plan and there were no material considerations which outweighed the support for the proposal.

The Senior Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report.

A Member commented that some of the houses were too near to Denehouse Road.

RESOLVED that the application be conditionally approved.

2006/0882

HASWELL (HASWELL AND SHOTTON) – Residential Development (Outline) at Land North of Lorinda Cottage, 8 Front Street West, Haswell for Mrs D Greaves

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that:-

- (i) the Panel be minded to grant outline planning permission subject to conditions relating to reserved matters including layout, no vehicular access to

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B1280, mitigation for protected species, housing density;

- (ii) authority to determine the application at the end of the press publicity period shall be delegated to the Head of Planning and Building Control Services as long as no significant objections had been received.

The proposal was considered to be in accordance with the statutory Development Plan and Policies 1, 3, 67 and Ha2 of the District of Easington Local Plan.

RESOLVED that:-

- (i) the Panel be minded to grant outline planning permission subject to the conditions outlined;
- (ii) authority to determine the application at the end of the press publicity period be delegated to the Head of Planning and Building Control Services as long as no significant objections were received.

2006/0908

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

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to materials, boundary enclosures, landscaping, contaminated land and amended design. The proposal was 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.

The Principal Planning Services Officer explained that Members had visited the site that day were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report.

The Principal Planning Services Officer explained that at the site meeting that morning the Highway Officer was in attendance and advised that two pinch points were to be installed on the B1285. One 130m west of the application site and the other 400m to the east. The Highways Officer felt that the one near the garage would have a positive impact in terms of slowing traffic down near to the site. An injury accident check had been carried out and there had been twelve injury accidents on the road in the last three years. With the exception of three, all were non speed related. Of the three relating to speed, two were young inexperienced drivers and one excessive speed. The Highway Officer therefore endorsed previous comments that the application would have no detriment to highway safety.

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A Member commented that she felt the application would have an overpowering effect on the bungalow adjacent to the site. The village green had received funding for improvements and felt that the design would be out of character and not complement it. She referred to the junction adjacent to the site and explained that this was very hazardous when people were trying to access the B1285.

A Member commented that on site that day she felt the cars were going faster than 30 mph and the pinch points would have no effect whatsoever. This was one of the worst roads in Murton and thought it was very dangerous.

A Member referred to the previous planning application for barn conversions and queried how many units could be converted. The Principal Planning Services Officer explained that the previous application was to convert buildings to three dwellings. The Conservation Officer at Durham County Council had been consulted and she had advised that the application was acceptable and felt it would be an improvement and not detract from the character and appearance of the area.

Members commented that the application would have an overbearing impact on the adjacent bungalow and an adverse impact on the village green and highway safety.

RESOLVED that the application be refused.

Following the decision, Mr Elliott, Anthony Watson Architects explained that the applicant had satisfied all requirements from the planning and highway authorities. There was a planning permission in existence and the only reason his client had resubmitted the application was to help the Council because of the previous administrative error.

The Head of Planning and Building Control Services explained that Members were aware of the background of the application and had determined the application following submissions from all parties concerned.

2006/0919

SEAHAM (DAWDON) – 14 No Dwellings at Land at Embleton Street, Seaham for Mr J Harley

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that:-

- (i) Members be minded to approve the application subject to the completion of a Section 106 agreement relating to off site open space provision and conditions relating to materials, means of enclosure, revised highway details, landscaping. 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;

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- (ii) Members be minded to refuse the application if a satisfactory Section 106 agreement relating to off site open space provision was not agreed by the application expiry date of 20 March 2007. The application would then be contrary to Policy 66 of the Local Plan and delegated authority be given to the Head of Planning and Building Control Services to issue the decision.

The reasons for the recommendations were:-

- (i) the proposal was considered to be in accordance with the statutory Development Plan policies in particular Policies 1, 35, 36, 37, 66, 67 and Section 4 of the District of Easington Local Plan;
- (ii) the proposals failed to provide the required open space play facilities in accordance with Policy 66 of the District of Easington Local Plan.

RESOLVED that:-

- (i) Members be minded to approve the application subject to the completion of a Section 106 agreement relating to off site open space provision. Authority be delegated to the Head of Planning and Building Control Services to issue the decision;
- (ii) Members be minded to refuse the application of a satisfactory Section 106 agreement relating to off site open space provision was not agreed by the application expiry date of 20 March 2007. The Head of Planning and Building Control Services be authorised to issue the decision.

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

2007/0014 SEAHAM (DENESIDE) – Environmental Improvements including New Footpaths at Deneside School Allotment Site, Graham Way, Seaham for Seaham Town Council

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval as the proposed development was in accordance with the Statutory Development Plan in particular Policies 1 and 35 of the District of Easington Local Plan and there were no material considerations which outweighed the support for the proposals.

The Senior Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report.

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Mr Howarth, an objector explained that he was representing the residents of Weymouth Drive. He had not had a lot of time to prepare as he had only received notice of the meeting on Saturday after the Council had been prompted.

He had evidence of misuse of the pathway which he felt would increase if the barriers were installed which would allow people to congregate. The footpath was around the edge of a dirt track and recently anti-social behaviour had been very little because the access was poor. The area had been fenced off and made a public right of way. If the area was cleared and the path widened, anti-social behaviour would become a massive problem and was a big issue to the residents.

The police had done a tremendous job in clearing youths from the site which had become gradually overgrown over the years and was not used as often because it was unaccessible. He felt anti-social behaviour would increase and did not want to take the risk by developing the application site. Other areas of Seaham were experiencing anti-social behaviour and East Shore Village had been on the front page of the Sunderland Echo.

The Town Council had stated that they would erect picnic tables in the future. The Planning Officer had stated that it would enhance the appearance of the area but he felt that it would have the reverse effect. The report stated that local residents were asking for the area to be tidied up but the majority of people at the meeting that evening had all signed a letter of objection. The Allotment Association and Dalton le Dale Parish Council also objected to the application. He felt that if the application was to go ahead it would increase anti-social behaviour and reduce the quality of life for residents. Although the area did look untidy at present, he felt that doing nothing would be the best solution. The funding that would have been used on the area should be spent on closing the pathway or re-routing it so it did not encourage anti-social behaviour.

Mr Salt explained that he lived in 81 Weymouth Drive and Seaham Town Council Parks Department did a great job but by developing this site would create a club for yobs and anti-social behaviour. The area was very secluded and could not be seen from the road, only from the upstairs windows of residents. Seaham Town Council intended to put picnic tables and a seating area and this would create mayhem.

He referred to the relocation of the existing footpath and commented that this would create a new right of way which was not on the definitive map. As far as he was aware this would have to be agreed by Durham County Council. Once the metal fence was removed this would create a new escape route for youths and the residents near the alleyway would also experience anti-social behaviour. The area of land was returning to its natural state, bird life had improved, kestrels roosted there and it was good for voles as well as a colony of bats which were a protected species. Development would

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destroy the natural habitat and create an artificial place although the main problem for residents was the anti-social behaviour.

The Senior Planning Services Officer explained that the public rights of way was between Seaham Town Council and Durham County Council and was not an integral issue.

Mr Salt explained that Durham County Council had sent a letter to Seaham Town Council explaining that there was no reason why the existing footpath should not be realigned but he felt that this was a creation of a new rights of way.

The Senior Planning Services Officer explained that Seaham Town Council had explained that they may install picnic tables at a later date in their Design and Access Statement but had confirmed that they were not going to do that.

Mrs Anderson explained that she had lived in Kingston Avenue for 3½ years and had a lot of problems with anti-social behaviour. She had spent a lot of money making her property safe. She had requested to take additional space from the Allotment Association but this had not been authorised. She had only found out about the meeting that evening and thought that the application was to take the rubbish away. She had gone out on numerous occasions with hose pipes to put fires out and would like the area tidying up.

Members explained that issues had been raised that they were not aware of and there had been no consultation with residents. More information was needed to be provided before the application was determined.

RESOLVED that application no 2007/0014 be deferred.