

MINUTES OF THE MEETING
OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL

HELD ON TUESDAY 10 APRIL 2007

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

Objectors: Mr. Marley, Mr. Legg, Mr. Lowery,
Mr. & Mrs. Harding, Mr. Mann,
Ms. Dyke, Mr. Foots, Mr. Clark

Applicants/Agents: Miss K. Welsh, Mr. Worsfold
Mr. Wilkin

1. **THE MINUTES OF THE LAST MEETING** held on 20th March 2007 a copy of which had been circulated to each Member, were confirmed.

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

2007/0029

MONK HESLEDEN (BLACKHALLS) - RESIDENTIAL DEVELOPMENT COMPRISING OF 64 DWELLINGS AT LAND AT PATTISON GARDENS, BLACKHALL FOR MR KEVIN RICHARDSON, BARRATT, NEWCASTLE

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that Members be minded to approve the application subject to the completion of a Section 106 Agreement relating to off site open space provision and subject to conditions relating to materials, means of enclosure, revised highway details, landscaping, contaminated land, noise impact assessment, limit hours of construction. 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. The proposed development was considered to accord with the relevant Development Plan Policies, in particular Policies 1, 35, 36, 37, 66 and 67 of the District of Easington Local Plan.

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

Mr. Marley, an objector, explained that the development would cut off the access to the rear of his property, a bungalow on the Coast Road. He understood that a four

Development Control and Regulatory Panel - 10 April, 2007

bedroomed house would be built at the rear of his property and was concerned about privacy and light.

The four bedroomed house would have a rear garden right up to the boundary fence. It would have a fall of approximately 12 ft to the existing road. There was also a main sewerage manhole approximately 12 ft from his boundary fence. He queried how this would be overcome as he thought safety issues would arise.

Mr. Legg, an objector, explained that he wished to raise concerns regarding the access to the rear of his property. The explanation given by the Council was that permission had never been granted to any of the affected properties. Surely that would mean that every resident was trespassing on private property. If that was the case, then why weren't the residents informed of this. This could also apply to the front of his property, as his land stopped at the front wall, and all land thereon belonged to the Council. This could mean that some time in the future, the road outside of the front of his house could be widened up to the border of his property and he could not complain.

Mr. Legg explained that there had been a colony of bats which had been habitating in Pattison Gardens for some considerable length of time. He was certain that the Council would have been well aware of the existence of the bats for a number of years. The Council's Countryside Officer had raised concerns about the protected species. Were the Council aware that a licence must be obtained prior to any demolition to ensure that the bats were not put at any risk.

Mrs. Harding explained that she was concerned regarding the access onto the Coast Road and often had to wait ten minutes. She felt that there needed to be two access roads from the development site and the existing access would become a bottleneck, especially if every household had two cars.

Mrs. Lowery explained that there was an embankment behind her property which was currently wild grass and had been informed that this would be grassed over and left. She was concerned that if someone bought the properties, the embankment could be disturbed which would endanger her property. She had recently built a garage and this needed to be protected.

The Principal Planning Services Officer explained that the issues with regard to access was a matter for the Asset and Property Management Section at the District Council, who had been dealing with this issue. They had advised that the owners of the properties along Coast Road had no formal consent to use the access to the rear of their

Development Control and Regulatory Panel - 10 April, 2007

properties. Residents could make a claim for access to their properties.

With regard to the bats, the developers had carried out demolition and the need for a licence would be their responsibility. If this had not been the case, then action would be taken by English Nature.

The Highway Authority had advised that the access from the proposed development onto the main road was acceptable. There had been a similar number of properties on the site previously and it was accepted that there may be more cars associated with the new development. With regard to the steep drop at the rear of Mrs. Lowery's property, it was the developer's responsibility to make sure that there was no disturbance to any neighbouring properties.

A Member referred to the number of cars and asked if there had been any problem with the previous development. Mrs. Harding explained that Pattison Gardens housed mostly elderly people who did not have cars. Mr. Harding added that there would be one hundred and twenty cars extra in and out of one exit as well as the cars that already used the access.

A Member referred to the access to the rear of the properties and queried if the new development would abut the properties on Coast Road. The Principal Planning Services Officer explained that Asset and Property Management and Barratts were aware of the situation and were seeking legal advice.

A Member commented that hours of operation should be restricted.

A Member commented that over the last couple of years, Pattison Gardens had been a regular item on the Coastal Area Forum. Members of the public had attended to complain about regular vandalism and anti-social behaviour. If there was another access from the site then they would still exit onto the A1086.

RESOLVED that:

- (i) Members be minded to approve the application subject to completion of a Section 106 Agreement, conditions as outlined in the report;
- (ii) the Head of Planning and Building Control Services be authorised to issue the decision on satisfactory completion of the Section 106 Agreement.

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

2007/0063

PETERLEE (PASSFIELD) - PROPOSED RE-DEVELOPMENT OF COLLEGE SITE TO PROVIDE NEW COLLEGE BUILDING, SPORTS HALL EXTENSION AND ASSEMBLY BUILDINGS AND CAR PARKS TOGETHER WITH ALL WEATHER FLOODLIT SPORTS PITCH (RE-SUBMISSION) AT HOWLETCH SITE, BURNHOPE WAY/BEVERLEY WAY, PETERLEE FOR EAST DURHAM AND HOUGHALL COMMUNITY COLLEGE

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to materials, landscaping, Travel Plan provision, hours of construction/demolition work, hours of use of sports pitch, a Section 106 Agreement for provision of a toucan crossing. The proposal was in accordance with the relevant planning policies referred to in the report.

The Senior Planning Services Officer gave a detailed presentation of the main issues outlined in the report.

RESOLVED that the application be conditionally approved.

2007/0077
2007/0078(LB)

EASINGTON COLLIERY (EASINGTON COLLIERY) - PROPOSED CHANGE OF USE FROM SCHOOL TO ENTERPRISE FACILITIES AND OFFICE ACCOMMODATION AT FORMER EASINGTON COLLIERY PRIMARY SCHOOL, SEASIDE LANE, EASINGTON COLLIERY FOR ACUMEN COMMUNITY ENTERPRISES DEVELOPMENT TRUST LIMITED

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that planning permission and Listed Building Consent be approved subject to conditions relating to type of business permitted, landscaping proposals, design of new walls, railings, canopies, various internal features, repaired/replacement windows, external brick cleaning, external materials. The proposed development conformed fully with National Government guidance for such sites, together with the relevant Local Plan policies referred to in the report.

The Head of Planning and Building Control Services explained that there had been a Public Inquiry into the site in February and March. The original application to demolish the site had been supported by the Council and a further application to build houses had been approved. The application had played an important part in the Planning Inquiry. The current application had been submitted at the time of the Planning Inquiry so it could also be considered.

The Planning Inspector had been asked about timescales for his report to be submitted to the Secretary of State. The Planning Inspector had stated that his report would be submitted to the Secretary of State by the end of April and

Development Control and Regulatory Panel - 10 April, 2007

it was estimated that a decision would be made sometime in June.

A Member suggested that the application be deferred until the outcome of the Inquiry was known.

K. Welsh explained that she was Chief Executive of Acumen Development Trust and if the application was not determined then this would cause further delays if the Secretary of State made the decision to keep the building. A full application for funding could not be made until Acumen Development Trust owned the building and had planning permission. If the Inquiry found that the building would not be demolished, then there would be delays to turn the building into what she thought would be a superb building.

She queried that if the decision was taken on whether to defer, how soon could the application be determined. The Head of Planning and Building Control Services advised that if necessary, a Special Meeting could be convened to consider the application.

Mr. Wilson explained that he lived in School Street and had been waiting for ten years to have the building demolished, so waiting another year would make no difference whatsoever. He felt that the application should not be determined until the outcome of the Public Inquiry.

RESOLVED that application No. 2007/0077 and 2007/0078(LB) be deferred pending the outcome of the Public Inquiry.

COUNCILLOR MRS. E.M. CONNOR RE-JOINED THE MEETING.

2007/0088

SEATON WITH SLINGLEY (SEAHAM NORTH) - PROPOSED HOUSE AT PLOT 1 AT LAND REAR OF PEAR TREE HOUSE AND EAST OF HILLRISE CRESCENT, SEATON FOR WMW SELF BUILD

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as the proposed development by virtue of its scale and design would be seen to be out of context and imposing on the character of the locality. The site was on raised land in relation to Seaton Lane and adjacent two single storey dwellings and as such, was considered to form an over dominant feature in the locality which would result in an unacceptable visual impact and loss of character to this part of Seaton. It was considered that the application be contrary to Policies 1 and 35 of the District of Easington Local Plan.

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

Development Control and Regulatory Panel - 10 April, 2007

presentation on the main issues outlined in the report. He pointed out a discrepancy in the report, clarifying that the height of the house had been reduced from about 9m in the previous application to 7.5m with the current proposal.

Mr. Foots explained that he was Chairman of Seaton with Slingley Parish Council and when the last application was submitted for the two houses now in progress, grave concern was expressed about the suitability of the design. It was thought that the proposed houses on the elevated site were too big and the roofs too high. This had proven to be the case. The site was top heavy.

Developers had built a featured brick wall along the line of the footpath which the Parish Council had complained was too high so it had been lowered by one foot. The developers had used it as a retaining wall and lifted the ground level by approximately 1 metre in height which would exaggerate even more the design of the house. It would be a complete disaster to erect this particular design of house on that location in between two established bungalows.

The Parish Council feel that they had made a mistake in allowing the design of the houses to be built on the site. They were £500,000 houses in the wrong place. The Parish Council believed that the District Council and its Planning Officers had a responsibility to the village and its residents to ensure that any development was suitable and in keeping with established dwellings. This was a prime site within the very heart of the village and was in the main, surrounded by bungalows and smaller houses.

The site was crying out for two to three bungalows or a scheme for affordable homes to keep youngsters in the village.

Mr. Foots explained the history of the site. The land was sold off with a house and field to one buyer. Planning permission was then granted for Pear Tree House conversion and two new houses. The application was then withdrawn for two new houses and a re-application for three new houses. Pear Tree House was then sold to one buyer and the field to someone else. The buyer of Pear Tree House then sold off half the garden and applied for another house to be built in their garden. The site that was approved in the District Local Plan ten years ago for a small development of one to two dwellings was now four dwellings and a large extension to the original house. It had completely spoilt the village and to build this house would be a complete disaster.

Mr. Clark explained that approximately thirty years ago he wrote to congratulate Easington District Council on the housing decision made. What followed was the building of Hall Close. Hall Close was immediately adjacent to Pear

Development Control and Regulatory Panel - 10 April, 2007

Tree Cottage field, the site now in question and also had relevance to the current situation.

For what later became Hall Close, the first proposal was to build twenty Council houses. Along with others, he objected not to Council houses but to the number. The site was too small for twenty. Easington District Council reviewed the plan and reduced twenty to sixteen and then to ten. The ten were built, later to become private, well kept homes, a credit to their owners and to the Easington local authority. Hall Close was an integral part of Seaton, blending in well with the character of the village. Here was a prime example of the merits of consultation and re-thinking.

The current position with Pear Tree House field was in stark contrast with Hall Close and indeed, with other adjacent dwellings. The huge house nearing completion on the middle plot was nominally two storey but a large base ensured a very high roof. The already high roof was unusually steeply sloped making the height even greater. This, on sloping elevated ground had resulted in something like a facial carbuncle right in the middle of the village. Another similar house on the plot nearest to the road with its base about level with the top of the new wall would resemble a large ship out of control about to come over a pier. Nothing could be more inappropriate.

Mr. Clark suggested to revert to the earlier plan for two houses instead of three. On the third plot now subject to very strong objection, plant trees. This would serve four purposes:-

- * Trees would shield the present, elevated house from northerly winds;
- * Trees would help to shade the present house from view;
- * New trees would play a small part in the effort towards global warming;
- * Additional trees always further enhanced any area.

The quirk in human nature was to oppose change but not so in this case. In Hall Close, the houses were appropriate to the surroundings, the new building was not.

Mr. Clark explained that he had lived in Seaton from 1939, 67 years. He added that he was 94 and Members may wonder why he bothered to attend the meeting. He explained that he retained strong affection and concern for the village and its future. Another house on plot 1 would be the worst single disaster to befall the village of Seaton in the last six decades.

Mr. Wilkin explained that he was the Agent for the Applicant and was aware that the site had planning history. He advised

Development Control and Regulatory Panel - 10 April, 2007

that the wall would be slightly retaining but the land falls away. The base would be level and it would not be the case that it would be 1.6 metres below. The house would be 7.5 metres in height. He referred to a previous planning application and Section 3 stated that a two storey dwelling would be acceptable on the site. 60% of the roofline came down to a one storey dwelling. From the back to the right hand side was single storey and it was blocked by the original trees.

The plot was over 560 square metres. The original application had been for 4,000 square feet and had now been reduced to 3,400 square feet which was a lot smaller. He felt that the house was more of a dormer bungalow as it was bungalow height on 40% of the elevations. The garages were only 6 metres high and he did not feel that the plot was over developed.

There was a large garden at the rear of the property. When looking from the street scene at the adjacent bungalows and the houses, none of the houses on the site exceeded the height of the building line. A hip roof would be installed which would also reduce the height by 1.5 metres. Part of the development had a flat roof and it was felt that this would not cause a carbuncle but would look very pleasing.

He explained that he was also building the other two houses on the site and felt that the Parish Council objected to anything and felt there was an objection to change. He referred to the wall at the front and had been told that this would look ridiculous. The resident of the adjacent bungalow has asked him to build the same wall.

The Senior Planning Services Officer explained that the original planning permission did suggest that a two storey dwelling on the plot would be suitable and he felt that it was possible for an acceptable design on the site.

A Member queried what was the normal average height of a house. Mr. Wilkin explained that two houses were built in Hillside Crescent twelve years ago. They were both three storey houses and were 11 metres in height.

The Senior Planning Services Officer explained that he had seen two storey houses 5 metres high although 7.5 metres was in the middle of an average house height, but felt that it did not fit in with the surroundings.

Members commented that they felt the scale of the house would have an overbearing impact on the bungalows on either side.

RESOLVED that the application be refused.

2007/0097

SOUTH HETTON (EASINGTON VILLAGE AND SOUTH HETTON) - PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 20 NO. DWELLINGS AT LAND AT WINDERMERE ROAD, SOUTH HETTON FOR MR. E. ALDER, GLADEDALE (SUNDERLAND) LIMITED

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as having regard to the location of the site, the number of houses proposed and the extremely limited space accorded to each property, it was considered that the proposal amounted to an unsatisfactory form of development which would be out of keeping with its surroundings, positioned as a site between open countryside and an area of traditional housing and that they would not provide a satisfactory standard of amenity for potential occupiers. Furthermore, it was considered that the treatment of much of the sites frontage to Windermere Road would result in an excess of hard surfacing thereby creating an undesirably harsh street environment. As such, it was therefore considered that the proposed development would be contrary to Policies 1 and 35 of the District of Easington Local Plan.

Mr. Worsfold explained that he was the Managing Director of Gladedale who was formally Broseley Homes. Gladedale specialised in affordable houses and had developed a similar site in South Hetton. Photographs were circulated showing existing terraced and semi-detached housing off Windermere Road and a typical street scene of the properties proposed in South Hetton. Government guidance PPS3 and PPG3 encouraged the best use of land. Low cost affordable homes would suit this location. The land value on the open market amounted to £500,000 capital receipt for the Council. Gladedale would also be contributing £10,000 towards local play facilities in South Hetton.

Gladedale had developed on the main road through South Hetton creating low cost homes. They did not sell to investors and they had an indication that 60% of properties had been sold to people in Easington District and the remaining 40% to people in the north east. He had a waiting list of potential purchasers.

Some of the gardens in the application were not 10.5 metres in length but not all house owners wanted gardens of that size. The prospective purchasers would have open views of the countryside.

Mr. Worsfold referred to the sewers at the front of the property and the original comments about the land being undevelopable was incorrect. He referred to the Mallard at Seaham where a recent housing development had no amenity space. Front doors opened onto the highway and he felt that a precedent had been set. People living on this site would have private amenity and would have an agricultural type fence at the rear to complement the countryside.

Development Control and Regulatory Panel - 10 April, 2007

The pictures showed a site in Blyth where front parking was used which had been approved by many north east Councils. Two meetings ago, an application had been approved for a site in Murton which was very similar.

Mr. Worsfold explained that he had been shocked when the Council had recommended refusal. There had been no communication between Officers and his Company. He added that he had written to the Leader and Deputy Leader of the Council and the Head of Planning and Building Control Services and received no reply. The application had gone straight to Panel without further negotiations. He felt that the application ticked all the Government boxes and a precedent of this type of layout had been approved elsewhere in the District. If only twelve to thirteen houses were to be built on the land, then it would push it out of the affordability range.

The Head of Planning and Building Control Services explained that he was aware that Planning Officers had tried to contact him although he was not aware of the letter that had been sent.

The Principal Planning Services Officer explained that the Council did welcome investment into the area. The site next to the Mallard was a different situation. That site was in the middle of a settlement and the site in question was on the edge of the countryside next to low density Council housing. He felt that the density was too much for the site and had a very harsh frontage. Parking was required in terms of modern standards and parking could be achieved alongside houses.

The Head of Planning and Building Control Services explained that the site was put out to tender with guidelines on the amount of housing that it could accommodate.

A Member queried what price Gladedale considered was affordable. Mr. Worsfold explained that £85,000 was classed as affordable and a considerable number of properties had been sold in South Hetton at that price.

A Member explained that the only concern he had was the density and thought 20 houses was too many, if there were fewer houses, parking could be achieved down the side of properties. He queried if there was the possibility for negotiation on the number of properties.

Mr. Alder explained that the Company did have another scheme with 16 dwellings which were semi-detached. If this was brought forward there would be extensive costs to divert the sewer and it would not be feasible, therefore, negotiations would need to take place regarding the price of the land.

RESOLVED that application No. 2007/0097 be deferred pending further negotiations.

Development Control and Regulatory Panel - 10 April, 2007

2007/0107 MURTON (MURTON EAST) - PROPOSED SUBSTITUTION OF HOUSE TYPES TO PROVIDE 12 NO. DWELLINGS AT PLOTS 37 - 45 THOMAS BROTHERS SITE, MURTON FOR G. WIMPEY NORTH YORKSHIRE LIMITED

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval. The proposal conformed with the relevant planning policies referred to in the report.

RESOLVED that the application be approved.

2007/0108 MURTON (MURTON EAST) - PROPOSED HOUSE AND 2 NO. FLATS AT LAND REAR OF WEST VIEW AND ADJACENT ST. JOSEPH'S SCHOOL, MURTON FOR MR. C. CAMPBELL

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal of the proposal. Having regard to the configuration and dimensions of the application site, it was considered that the proposal constituted an unsatisfactory form of development which would be incapable of providing an acceptable level of residential amenity for future occupiers of the proposed dwellings. Furthermore, it was considered that the proposed development would have a serious adverse effect on the amenities enjoyed by the occupiers of the existing dwellinghouses situated to the north of the site by presenting large two storey height areas of walling at the end of their gardens and in a reasonably close proximity to the windows on the rear elevations of those properties. It was therefore concluded that the proposed development would be contrary to Policies 1, 35 and 67 of the District of Easington Local Plan.

A Member queried what covenants were on the land. The Principal Planning Services Officer explained that he would ask an Officer from Asset and Property Management to contact her.

RESOLVED that the application be refused.

2007/0121 SEAHAM (SEAHAM HARBOUR) - LISTED BUILDING CONSENT FOR THE INSTALLATION OF LOCK GATES AND PONTOONS AT NORTH DOCK, SEAHAM HARBOUR, SEAHAM FOR SEAHAM NORTH DOCK CIC

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to final details of pontoons. The proposal conformed to the planning policies and other guidance referred to in the report.

RESOLVED that the application be conditionally approved.

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

Development Control and Regulatory Panel - 10 April, 2007

2007/0129

**HORDEN (HORDEN NORTH) - PROPOSED PRIVATE GARAGE
AT 7 BEAUMONT CRESCENT, HORDEN FOR MR. C.
LANCASTER**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval. The proposal was considered to be in accordance with the Statutory Development Plan and Policies 1, 35 and 73.

RESOLVED that the application be unconditionally approved.

COUNCILLOR MRS. E.M. CONNOR RE-JOINED THE MEETING.

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