

**THE MINUTES OF THE MEETING
OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL**

HELD ON TUESDAY 19 JUNE 2007

Present: Councillors Mrs M Baird, Mrs G Bleasdale,
Mrs A E Laing, Mrs J Maitland, D Milsom,
D J Taylor-Gooby and C Walker

Applicants/Agents

Mr Hudson, Mr Corrigan

Supporters

Councillor Nicholls, Councillor Unsworth,
Mrs Oates, Miss Wrathall, Mr Walker

Objectors

Mr Moyle, Mrs Arms, Mrs Dawson,
Mrs Clumpton, Mrs Storey, Mr Younger

1 ELECTION OF CHAIR

In the absence of the Chair and Vice-Chair, nominations were requested for a Chair for the meeting.

RESOLVED that Councillor Mrs J Maitland be elected Chair of the meeting.

2 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors B Bates, Mrs E M Connor, R Davison and M Routledge.

3 THE MINUTES OF THE LAST MEETING held on 29 May 2007, a copy of which had been circulated to each Member, were confirmed.

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

2006/0747 SEATON WITH SLINGLEY (SEAHAM NORTH) – Amended Plans relating to Two No Houses at Land to 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 that the revisions as a minor amendment to the design of the dwelling as proposed be accepted. The proposed amendment complied with the relevant planning policies referred to in the report.

RESOLVED that the revisions as a minor amendment to the design of the dwelling be accepted.

2007/0176

CASTLE EDEN (HUTTON HENRY) – Erection of Building for the Purposes of Agricultural and Household Storage, and for the Garaging of Private Vehicles and Vehicles used in connection with Tree Surgeons Business, and laying of Associated Hardstanding at Eden Vale Cottage, Stockton Road, Castle Eden for Mr J Grundy

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as due to its scale, design and location, the proposal would be clearly in view to users of the public footpath to the north and to residents and others who use the driveway. The building would appear as an incongruous feature within the setting of this rural wooded part of the Conservation Area and neither enhance nor preserve its character and would be detrimental to the amenities and enjoyment of those users and residents. It was considered that the scale and design of the structure would be such as to result in the building appearing out of context with these rural surroundings and forming an unacceptable visual intrusion within the Conservation Area, the Area of High Landscape Value and the countryside contrary to Policies 1, 3, 7, 22, 35 and 41 of the District of Easington Local Plan. Authorisation be given to the Head of Planning and Building Control Services to take appropriate enforcement action to secure the removal of the building and reinstatement of the land if such works were not undertaken voluntarily by the applicant.

The Principal Planning Services Officer explained that due to an administrative error informing interested parties, the application had been deferred until the next meeting.

RESOLVED that application number 2007/0176 be deferred.

2007/0195

THORNLEY (THORNLEY AND WHEATLEY HILL) – Residential Development at Crossways Hotel, Dunelm Road, Thornley for Mr J E Hudson

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as the proposal represented the development of a site outside the established settlement boundaries as identified in the District of Easington Local Plan. As such, the proposal could prejudice the development of previously developed sites in Thornley and undermine the Council's regeneration objectives and would be contrary to the relevant Development Plan policies, Durham County Structure Plan Policy 9 and District of Easington Local Plan Policies 3, 67, 68 and 69.

The Senior Planning Services Officers 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.

Development Control and Regulatory Panel – 19 June 2007

The Senior Planning Services Officer explained that he had received an e-mail from Councillor Wilson supporting the application.

Councillor Wilson had explained that he supported the application 100% and hoped the panel granted planning permission. He added that Coopers Close and Thornlaw South were not available for development

The Head of Planning and Building Control Services explained that when the previous application was refused a number of questions had been asked regarding the availability of sites in Thornley. Meetings had since been held with local Councillors and some developers interested in Thornley. The sites were available and he had received assurances that there were no practical problems in bringing the sites forward.

Councillor Nicholls, a supporter explained that Thornley had been a vibrant area in the 1950s with lots of shops and businesses and approximately 8 - 10,000 people lived there. The mines closed, decimating part of the villages and Peterlee New Town was built. A lot of the grants that were earmarked for the west of the district were given to Peterlee to rectify the problem with the flat roofs and the west of the district suffered. New Thornley Partnership was established approximately 10 years ago to look at the village to see how it could be improved. The District Council came on board and a number of Council houses were demolished in Thornlaw North and South and Coopers Close.

A number of houses in Coopers Close were awaiting a bat survey before they could be demolished. Coopers Close was land banked because the way the houses had been built and the materials used to build them. There was still a long way to go before building could commence.

Crossways Hotel was losing out financially after initially being a good business. The bypass from Wheatley Hill to the A1M had now been finalised and he did not want to lose Crossways and have nothing in its place. Crossways would be the gateway to the village and it would be the first thing people coming into the district would see from the bypass. He would like something on the site to enhance the village.

In March, Members of the panel had refused the application as they did not want to see houses built on the greenfield site. Indications had been given that they would prefer building to take place only on the hotel site. There were 100 houses close to the site on Dunelm Road and only two objections had been received. He felt Members should overturn Officers recommendation and help to improve the village.

Councillor Unsworth explained that he supported what Councillor Nicholls had said. He was also Chair of New Thornley Partnership who supported the redevelopment of the Crossways Hotel site.

Development Control and Regulatory Panel – 19 June 2007

Mr Walker, a supporter explained that he lived almost opposite Crossways. Since the nightclub closed in the hotel, there had been no trouble from passers by but he could see that the hotel was deteriorating and he did not want his house to go down in value because of a derelict building. If houses could be built like those at Castle Eden then this would improve the area immensely. He would have a good outlook and there would be more support for schools, shops and the library. If the hotel was going to close he would prefer to have something nice to look onto.

Mr Walker explained that he felt that a housing estate on the edge of the village was a perfect advert for Thornley. He did not feel that it was outside the settlement boundary and it would be built on land that was already tarmaced and housed the Crossways Hotel. Thornley had gone downhill over the years and he felt that a housing estate on the edge of the village would be of real benefit.

Mrs Oates explained that she had worked for the applicant for 19 years, and been Head Chef for 15 of those years. She explained that she was not working for a thriving business and worked there now out of loyalty. She explained that when you had worked for someone for 19 years you became part of the family and could not leave. The buildings were now in a bad condition and Crossways had high competition for weddings from Ramside Hall and Shotton Hall. She believed that the Crossways would end up being an eyesore at the top of the village.

Thornlaw South and Coopers Close would become low cost rental housing and not a housing estate with 16 exclusive properties. She felt that a housing estate on the edge of the village would enhance it.

Ms Wrathall explained that she had worked for the applicant for 20 years and had worked for a failing business in the past and did not want to be part of it again. She added that she would not want to see Crossways boarded up and derelict and thought that a housing estate at the edge of the village would be an asset.

Mr Corrigan explained that this application was an ideal opportunity for Councillors to build upon the Regeneration Statement of the District. He circulated a number of photographs of the application site showing the view on entering the village. One of the photographs also showed the Corner House in Wingate which had now become derelict.

Durham County Council had stated that over 11,000 vehicles passed Crossways Hotel per day. Funding for the bypass had been approved and £11m was committed to the scheme. The Department of Transport and Durham County Council were investing in Easington District to assist in the regeneration and revitalisation of the East Durham economy. The District Council would also be investing by allowing this proposal and

Development Control and Regulatory Panel – 19 June 2007

adding value to the investment. He felt that the application was a very positive approach and would not detract from the area.

Ashford Grove was granted approval as a gateway site into the village and only 1,500 vehicles passed the site per day. Other developments had also been granted outside of settlement boundaries and included Wingate, Little Thorpe and Cold Hesledon which were on even more prominent sites than the Crossways Hotel.

Mr Hudson, the applicant explained that on 20 March, he had appeared before the panel with the previous application that had included the grassed field adjacent to the hotel site. The result in March was against by the majority, the stumbling block being the field which was not included in the application that evening.

At the March meeting, some Members commented that they were sympathetic towards the hotel site which was brownfield. It was further stated by a Member that he would have been inclined to consider the brownfield area more favourably if he entered into negotiations with the planning department.

The Head of Planning and Building Control Services had agreed that there was no dispute that the hotel site was on brownfield land and that he had been prepared to discuss the site further with him. The application was delayed at the behest of Mr Reed so that a meeting could be held to discuss site density. He met with the Senior Planner, Grant Folley to discuss the density and type of development suitable for what he believed to be an important gateway into both Thornley and Easington District. These he believed were constructive discussions. It was suggested that low density, high quality housing would be more suitable to showcase the site and assist in the housing led regeneration of Thornley.

The fact remained that Crossways Hotel was outside of Thornley's boundary although in the supporting documentation provided to Members, he had clearly shown the natural and historical links that binded Crossways to the village. It was important to understand that although outside the boundary, they were not isolated from the village and were close to the centre than parts of Ashford Grove development at the opposite end of Thornley. It was also a fact that the panel could and had granted developments outside of settlement boundaries, examples being a garage at Cold Hesledon that was no longer financially viable and was visible from the A19, thus posing a blight alongside a strategic corridor. Other garage sites near Easington dog track and at Little Thorpe. The disused Wingate Council Depot now had 11 large houses crammed onto the site. If sites like these were left they were likely to become a blight on the landscape.

Mr Hudson explained that he was not a property developer, he had not invested his pension and the sale of his family home in

Development Control and Regulatory Panel – 19 June 2007

1987 with intentions of pulling Crossways down 20 years later. He had persevered through recession, foot and mouth and other adversity and had continued to invest and borrow to extend and develop the hotel. He had doubled its size and worked tirelessly with the support of his wife and his family and very loyal staff, many of whom had worked with him from the beginning and were in attendance that evening to support his application.

The application also had support from both District and Parish Councillors and the New Thornley Partnership group. At the March meeting, the Vice Chair, Kevin Ord spoke of their unqualified support of the Crossways regeneration into housing. Unfortunately Mr Ord could not attend the meeting that evening.

Mr Hudson explained that Crossways was outside of the village boundary but was not isolated from the village. It was the main gateway into Thornley and an important gateway into Easington District. The facts were that the committee had already approved applications outside of settlement boundaries. The issue of settlement boundaries in smaller settlements such as Thornley would become less important in its current form as the focus shifted to Newcastle, Sunderland and Teesside. The policy shift would draw away investment and regeneration from villages such as Thornley.

Mr Hudson explained that his presentation was based on facts. Things happened and things changed and it was time again to change. He queried if Members wanted a picture similar to the one on page 3 of the supporting document, a sad sight and a blot on the landscape.

The Principal Planning Services Officer explained that a number of individual cases had been raised in supporting the application, some of which had been outside of settlement boundaries. Ashford Grove site was within the settlement boundary and each application was considered on its own merits.

The Head of Planning and Building Control Services explained that it was important to bring forward the best schemes and discuss with applicants the best way forward. Every time a policy was breached, it did damage what the Council was trying to achieve. Lots of settlements within the district needed to be supported and approved.

A Member queried if the applicant had looked at the possibility of selling to a developer that would convert it into a Travel Lodge, for example. Mr Hudson explained that East Durham Business Service had commissioned a report in July 2006 regarding hotel requirements in the district. There were only two hotels in the district which met the expectations of the area. The A19 corridor should have a 3 or 4 star hotel or a Travel Lodge on selected sites. Crossways site was not selected as it was too far from the A19 and not prominent

Development Control and Regulatory Panel – 19 June 2007

enough in the district. The Crossways had been on market for approximately 8 years and the supporting documentation he had submitted gave evidence of this. He had continued to borrow and remortgage to keep the business going but now this was not feasible.

A Member queried if it was inevitable that the hotel would close. Mr Hudson explained that at the moment he did not have sufficient cash to pay the wages. He had reduced his staff from 35 to 18. Himself and his Head Chef were doing housekeeping that day and he was keeping running costs to a minimum.

A Member explained that he felt Crossways was connected to Thornley at one time with the dog track and although he knew about the other sites to be developed in Thornley, he did not think they were the same type of sites. Development in this location would boost the morale of Thornley and he did not think it would adversely affect other development sites. It would give an economic and social boost and he felt that it was historically connected to the village as well as the hotel site being a brownfield site.

The Principal Planning Services Officer explained that the application was an outline application and there were no details of layout, design and access. If the application was approved, conditions would be appropriate relating to details of layout, design, access, landscaping, contaminated land survey, noise, assessment, a bat survey, tree survey, financial contribution for off site play area or play area on the site. On developments of 15 or more, affordable housing must be a 20% minimum should be attached.

A Member queried if affordable housing meant building on the site. The Principal Planning Services Officer explained that this was open to discussion and the Council could consider contributions.

RESOLVED that the application be conditionally approved.

2007/0249

SEAHAM (SEAHAM NORTH) – Change of Use from Residential to Retail including Front Extension at 39 and 40 Gregson Terrace, Seaham for Mr and Mrs Shah

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to surface water disposal. The proposed development complied with planning policies referred to in the report.

The Principal Planning Services Officer explained that due to an administrative error informing interested parties, the application had been deferred from the agenda until the next meeting.

2007/0339

RESOLVED application no 2007/0249 be deferred to the next meeting.

SEAHAM (DAWDON) – New Primary School at Princess Road Primary School, Princess Road, Seaham for Mr D Henderson, Durham County Council

Consideration was given to the report of the Head of Planning and Building Control Services regarding the consultation received from Durham County Council.

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

The Principal Planning Services Officer explained that Durham County Council would determine the application. The District Council could only offer comments to them. He was not aware of what level of publicity had been carried out but would put members of the public's views forward. Durham County Council would hold a public meeting at some stage and he could take names and addresses of objectors and ask Durham County Council to contact them.

Mr Moyle explained that he was representing residents who although were not opposed to a new school were opposed to the current form of development. Residents were opposed to the way Durham County Council were to take up 70% of the school field with a new building. The new building did not fit in with the period housing around the site. Residents were being given different plans to view and he queried why they had not been given full sets of plans. He added that he had received a letter from J Cummings MP, which stated that Durham County Council did not have a good record of consultation with residents and referred to the newly built school in Murton and the problems surrounding that.

At a previous meeting, Dave Wafer from Durham County Council had informed residents that the school would be built and the traffic problems would be sorted out at a later date. He found this totally unacceptable.

He referred to the MUGA unit and the amphitheatre and explained that there was a problem with anti-social behaviour at present and felt that this would increase when the multi games area and the amphitheatre was built.

Durham County Council wanted to put 40 car parking spaces around the school which he felt would be inadequate and queried where the overspill would park. He commented that he thought it was the governments policy to save playing fields and encourage youngsters into healthy lifestyles.

Mr Moyle explained that residents felt that they had been led a merry dance by Officers at Durham County Council. He felt that the modernisation of the original school was a viable solution

Development Control and Regulatory Panel – 19 June 2007

and felt Durham County Council had not listened to residents concerns.

Mrs Arms explained that one public meeting had been held which had been arranged by a County Councillor at the request of residents. Officers from Durham County Council had attended reluctantly and she felt that residents had not been made aware of the scale of the development. Residents were not made aware of an embankment between play areas and they wanted safe play areas for their children. She added that there would be a massive upheaval for residents when building the school with heavy construction and plant vehicles which would cause havoc. The roads were hazardous in winter months and would be made even worse by the construction traffic. The road widening and the tree clearance would spoil the area.

Mrs Arms explained that on a morning and afternoon when the school was opening and closing, the traffic problem was horrendous. If emergency service vehicles could not gain access then there could be a loss of life. The breakfast club would be running at a time when residents were leaving for work which would also cause chaos. If the MUGA area was open till 10.00 pm as suggested, this would disturb sleeping children and residents alike.

Mrs Arms explained that she felt that little or no thought had been given to the traffic which would be exiting onto a blind corner. Princess Road was already overloaded with traffic and this new school would make it much worse.

Mrs Dawson explained that the multi use games areas would be 12 yards from her window and she did not think that was acceptable.

Mrs Clumpton explained that she lived in the middle of Victoria Street. She was very concerned and had had trouble with children playing on the field. The street had a lot of elderly people and she felt that Durham County Council was not listening to residents concerns.

Mrs Storey explained that the school field was surrounded on three sides by residents and every house was 10 – 12 yards away. The residents would have a MUGA pitch outside of their window. The area was densely populated and another concern was the removal of trees.

Mr Younger explained that he was a member of Seaham Town Council and had lived in that area for over 30 years. He was not against the concept of a new school but was concerned regarding the number of trees that were to be removed. Two meetings had been held when Officers from Durham County Council had attended. These had been very volatile meetings and he felt that the attitude of Officers had been unacceptable. He felt that the plans for the school could be altered but Durham County Council had not listened to residents concerns.

Development Control and Regulatory Panel – 19 June 2007

At present, there were no plans to light the MUGA and he felt that it was there for revenue for out of school activities.

A Member commented that he was disappointed with the treatment of the residents by representatives from Durham County Council. He explained that District Council Members had not been invited to any of the public meetings. He suggested that a full traffic impact survey, an environmental impact survey be carried out before any development commenced.

A Member apologised to residents but explained that District Councillors had no control over Durham County Council and was unhappy that no Officers from Durham County Council had attended that evening.

Mr Moyle thanked the District Council for allowing residents to raise their concerns.

The Chair explained that residents concerns would be forwarded to Durham County Council for their consideration.

RESOLVED that comments received from District Councillors and residents be forwarded to Durham County Council.

JC/MA/com dev/070603
20 June 2007