

**THE MINUTES OF THE MEETING**  
**OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL**  
**HELD ON TUESDAY 6 NOVEMBER 2007**

**Present:** Councillor M Routledge (Chair)  
Councillors B Bates, Mrs M Baird,  
Mrs G Bleasdale, R Davison, A J Holmes,  
Mrs A E Laing, Mrs J Maitland, D Milsom,  
D J Taylor-Gooby and C Walker

**Agents/Applicants:-**

Mr Worsfold, Mr Riley, Mr Hartis,  
Mr Lawson, Mr Coxon

**Objector:-**

Mr Hird

1. **THE MINUTES OF THE LAST MEETING** held on 16 October 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 AND CONSERVATION AREAS) ACT 1990**

**2007/0401**

**PETERLEE (EDENHILL) – Proposed Development of 90 No. New Dwellings, 10 No. Refurbished Dwellings, Demolition of 19 No. Dwellings with Associated Works and Construction at Gable End to 10 Johnson Close at Land at Fairbairn Road, Peterlee, for Mr E Alder, Gladedale (Sunderland) Limited**

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, landscaping, tree survey, tree protection works, hours of construction, protected species mitigation. 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 Senior 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. With reference to the Section 106 agreement, the applicant had offered £400 per house and the

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Council would normally request £500 per house. Negotiations were still ongoing in this regard.

Mr Worsfold, the agent, explained that the development was for a mixture of refurbishment of existing dwellings and new build. The company had carried out a number of developments within Easington District and its success spoke for itself. With regard to density, they were building on the existing road networks and were all 2 storey houses. There was no 2½, 3 storey, apartments or town houses in the development. He added that he was happy to negotiate regarding the Section 106 agreement but they had paid £400 per dwelling on developments in Dawdon, South Hetton and Easington Colliery. Many developers would not take on board properties to refurbish.

A Member queried if the Section 106 agreement related to the refurbished properties. The Senior Planning Services Officer explained that it was only the 90 new build dwellings that it related to.

The Principal Planning Services Officer explained that the Council did welcome the applicant's proposals for the site. The two sites referred to at Easington Colliery and Dawdon incorporated public open space and that was why the reduced rate of £400 per dwelling had been agreed. There was no public open space being provided on the site and the Council was not seeking affordable housing because of this particular set of circumstances, therefore £500 per dwelling was considered reasonable and appropriate in this case.

A Member suggested that he felt that Officers should negotiate the best deal that could be achieved regarding the Section 106 agreement.

### **RESOLVED** that:-

- (i) the application be conditionally approved on completion of the Section 106 agreement relating to off site open space provision;
- (ii) 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;
- (iii) Officers should negotiate the best deal for the Section 106 agreement.

2007/0483

**MONK HESLEDEN (BLACKHALLS) – Part Demolition of Existing 44 Bed Care Home and the Erection of a Two Storey Care Home with Associated Assisted Living Facility, Car Parking and Landscaping, Adaptations of Part Retained Existing Building to Form 15 Bed Care Unit with Centralised Ancillary Facilities at Abbeyvale Care Home, Laidler Close, Blackhall, for Mrs J Houghton, Executive Healthcare Limited**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that subject to the receipt of the revised plans, the application be approved with conditions relating to materials, landscaping, boundary treatment, hours of construction of the development. The proposed development was considered to be acceptable in the context of adjacent residential properties and the area generally, and was in accordance with the Local Plan Policies referred to in the report.

The Senior 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 Senior Planning Services Officer explained that revised plans had been received and were acceptable.

Mr Hird, an objector, explained that he had lived on the estate for 21 years. The original plans when the estate was built had been for a housing development. He objected to the size of the care home and his property would be overlooked. He raised concerns regarding parking in the home as visitors parked on the road and wouldn't use the car park because it had a camber. The refuse vehicles could not gain access and the bins had to be brought onto the roadway. He queried where the assembly point was for a fire as this could not be allowed on site.

The Senior Planning Services Officer explained that the Council had taken account of the objector's comments and asked the applicants to reconsider their scheme. They had submitted revised plans and the windows that would be overlooking had been amended and the building was well beyond the standards for privacy.

Mr Riley explained that he was the agent for the applicant and the care home had been built in the early 90's but no longer complied with care standards. The building had structural problems which made adaptations difficult and it was not viable in its current form. The home had closed in July and there were currently no residents. The site had recently been given permission for 25 extra beds giving a potential total of 70. This proposal was for 42 single care beds with ensuite facilities and 15 assisted living flats for the over 55's. After consultation with the Planning Officers, the plans had been amended twice. The first floor lounge had been completely

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removed and the north gable had been reduced by 2½ metres as well as a planting scheme agreed and the windows redesigned.

A Member queried where the assembly point for a fire would be. The Principal Planning Services Officer explained that this was not a planning matter and would be considered under Building Regulations.

A Member commented that he had great concern regarding the two storey building which would overlook and overshadow existing properties. He had received a letter from residents explaining that they would sell their properties and move away from the area if this was approved. He felt that a building of this size could be adjusted internally.

**RESOLVED** that the application be conditionally approved.

**2007/0562**

**HUTTON HENRY (WINGATE) – Residential Development (Outline) at Land Rear of Greenfields Bungalow, Millbank Chapel Terrace, Station Town, for Mr P Stephenson**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as the application represented residential development outside the established settlement boundary for Station Town/Wingate and was therefore considered to be development in the countryside. The proposal was considered to be contrary to Policies 3 and 67 of the District of Easington Local Plan.

The Senior 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.

Mr Lawson, the agent, explained that he had been asked to look at various concerns of residents and come up with a sustainable housing development. He had looked at the site and although part of it was greenfield, it had been industrial in excess of 20 years. The applicant wanted to provide affordable housing in an open area with a cul-de-sac, a village green with houses and space around it. He had contacted a lot of residents in Station Town who had explained that previous developments in Wingate had been too expensive so they had tried to keep this as an affordable housing scheme.

He had no intention of destroying any boundaries and would protect them and keep them within the curtilage of the site. He had spoken to the Engineer at Durham County Council who had advised him on how to design the roads within the estate. He felt that visibility splays could be achieved. This was a good scheme which would allow other people in the community to afford new build houses. He had taken on board the Planning Officers' comments with regard to design and the detailed design would be critical to the success of the site. The site

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had been industrialised and would make an excellent hamlet within the village.

The Principal Planning Services Officer explained that this was a previously developed site with a hardstanding and buildings but was located outside of the settlement boundary and the Council took a strong policy stance against development in the countryside.

**RESOLVED** that the application be refused.

**2007/0609**

**SEAHAM (SEAHAM NORTH) – House (Resubmission) at Seaham Grange Farm, Stockton Road, Seaham for Mr I Davidson**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as National Planning Guidance in the form of Planning Policy Statement 7 - Sustainable Development in Rural Areas required that new residential development in the open countryside should have a special justification to enable planning permission to be granted contrary to established residential planning policies relating to the open countryside. The reasons put forward by the applicant were of insufficient weight to warrant the overriding of existing planning policies for this area designed to preserve the character of the open countryside and in particular the open character of the Green Belt.

It was considered therefore that the proposed development would form an intrusive domestic feature which would have an unacceptably detrimental effect on the character of this rural location, which was designed as Green Belt land, contrary to Policy 5 of the Durham Structure Plan, saved policies 1, 3, 4 and 35 of the District of Easington Local Plan and Planning Policy Statement 7 - Sustainable Development in Rural Areas.

The proposed development was served by an unsatisfactory access onto the B1285 Stockton Road. The additional traffic created by a new dwelling would be likely to exacerbate existing road safety problems to an unacceptable degree.

The Senior 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.

Mr Hartis, the agent explained that the applicant ran a family business and to save it from further decline it was necessary to concentrate on the arable part of the farm. Substantial investments had been made into the buildings and the farmhouse had been severely run down and it would have cost approximately £100,000 to restore it. The applicant had sold off two livestock buildings and had to make a decision on whether to invest the money back into the business or to renovate the farmhouse.

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The farmhouse had been sold so the capital could be used to invest in the business. The farm buildings were sold in April 2003 and the sale for the farmhouse commenced in 2002 and concluded in June 2003 and it was not sold by the applicant in 2006. The monies raised from the sale of the properties had been reinvested into the business.

Mr Hartis explained that the business had been held back because there was a lack of a manager's house. The applicant farmed seven farms in the area and all produce came to Seaham Grange Farm. The drying of the grain was a skilled process and needed constant 24 hour attention. The maximum time it could be unattended was 20 minutes and there was a clear need to be on site. The applicant had stayed on site overnight in a portakabin and wished to be sited as close as possible to the buildings. He would also accept repositioning of the dwelling if necessary.

Mr Hartis explained that it had been demonstrated that an alternative access could be provided which would not need planning permission. He felt that they ticked all the boxes of PPS7 and he referred to Easington planning policy note that was published on the website on 6 September and felt it complied with National Policy.

The Senior Planning Services Officer explained that the grain dryer had been erected in 2004 and this had been operating for the last three years. If it was essential to be on site then one of the buildings should have been retained by the applicant.

A Member asked that because the application was in the Green Belt would it have to be called in by Government Office North East. The Principal Planning Services Officer explained that the application would have to be forwarded to Government Office North East to ascertain whether it should be called in for the Secretary of State to determine it. The Head of Planning and Building Control Services explained that it was unlikely that the application would be called in because of the scale of development.

A Member queried if someone had to be on site and if a condition could be included that the dwelling would be attached to agricultural use and not be sold separately.

Mr Davidson explained that he slept in the portakabin because he had to run the grain store 24 hours per day. He would be asking for an agricultural condition to be placed on the dwelling.

The Principal Planning Services Officer explained that there had been incidences over the years where farmers had gone out of business and had asked for the release of the agricultural condition.

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A Member explained that a justification of need had been presented. Three weeks ago the Seaham Councillors had received some information explaining the buildings had been sold as a means to help the business. They had received information that other Members of the Panel had not received and this concerned her. She had been led to believe that every other Member would have been provided with a copy of the correspondence she had received.

The Principal Planning Services Officer explained that there was a summary of the letter that had been circulated in the report.

A Member commented that he felt the application should be approved to enable the applicant to run and effectively operate his business. He felt that justification of need had been proven.

**RESOLVED** that Members be minded to approve the application and the application be forwarded to Government Office North East.

**2007/0652**

**SHOTTON (HASWELL AND SHOTTON) – Residential Development (Outline) at Land to Side and Rear of Glenacre, Fleming Field, Shotton for Mr D Eglinton**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended outline planning permission subject to conditions relating to full details to be submitted relating to design, materials, density, access and landscaping. The proposed development was in accordance with planning policies referred to in the report.

**RESOLVED** that the application be conditionally approved.

**2007/0661**

**HUTTON HENRY (WINGATE) – Calf Rearing Sheds and General Purpose Agricultural Buildings at Land to South West of Heath View, Station Town for Mr A Watson**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as the design and layout of the development was considered to be out of character with the surrounding countryside landscape creating an intrusive feature, particularly having regard to the lack of screening, sparse layout, the domestic appearance of the calf rearing sheds and excessive use of roads and parking. It was considered therefore, that the proposal was contrary to Policies 1 and 3 of the District of Easington Local Plan and Planning Policy Statement 7 - Sustainable Development in Rural Areas. Authority be given to the Head of Planning and Building Control Services to take the necessary legal action to secure reinstatement of the land.

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 advice to the applicant to cease

works had been ignored, therefore an injunction had been sought.

A Member queried why there needed to be such a high specification for the calf sheds. Mr Watson explained that it was not a high specification it was just to make the building look modern. He referred to the great crested newts and explained that the pond was around the corner and a shed had recently been erected next to the pond. He circulated photographs of the shed that had recently been erected and the building was only 30 metres from the pond and he could not understand why there was objection to his application.

The Principal Planning Services Officer explained that the newts were a protected species and the Council had to take account of this. A pond could spread and a risk assessment would have to be undertaken. Because of the expense, the Council had not asked the applicant to undertake a risk assessment until the outcome of the planning application was known.

**RESOLVED** that the application be refused.

**2007/0663**

**SEAHAM (SEAHAM HARBOUR) – 15 Metre High Monopole Telecommunications Mast with Radio Antennas, Associated Equipment, Cabinet and Ancillary Development at George Street Garage, George Street, Seaham for O2 (UK) Limited**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as the proposed mast would appear as an obtrusive and dominant feature within the street scene and wider locality to the detriment of amenity for nearby residents, 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, were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report.

Mr Coxon explained that he was the agent for O2 and O2 urgently required further installations in Seaham. The initial application was for 2G coverage but there was no 3G coverage at all in Seaham. 2G coverage within Seaham Town Centre was very patchy and O2 had detected a lot of dropped calls. O2 had researched the area and Seaham was one of the fastest growing towns in the North East. O2 had a licence with central government and was required to provide a certain level of coverage.

O2 had to consider the siting and design of the masts and needed landlords that were willing to site them. They had researched other masts for mast sharing and had approached a local business on Seaham Industrial Estate. The owners had explained that they had no intention of renewing the lease with the current telecommunications provider when it expired. He had spoken to businesses in the industrial estate and there



was either a lack of interest, lack of willingness or lack of space. He had looked at other properties and O2 had a good record of using existing masts and putting up a new one was a last resort. St John's Church, BT Exchange, Seaham Rugby Football Union had all been approached and refused.

The mast was slimmer in appearance and across the road from residential properties, the majority of which did not face onto it. Behind the mast was the railway line and there were certain restrictions siting near it. He had met with the Planning Officer on site and discussed the reduced height and the landscaping. The site was surrounded by trees which were expected to grow higher but the antenna could not be screened as this would absorb the signal. It had been suggested to move the mast 50 metres to the north but this could not be done because of the power lines.

Mr Coxon explained that he had consulted with the three Ward Members and the Chair of Governors at Princess Road School. He had only received one response from Councillor Bleasdale. 0.17% was the highest emissions that would come from the mast and O2 could provide a certificate to that effect.

**AT THIS POINT COUNCILLOR MRS G BLEASDALE DECLARED A PERSONAL AND PREJUDICIAL INTEREST DUE TO HER PREVIOUS CONVERSATION WITH THE AGENT.**

A Member asked for an explanation on 2G and 3G. Mr Coxon explained that 2G were second generation mobile phones which were purely voice and 3G were third generation mobile phones which were video calling, data and films.

The Principal Planning Services Officer explained that he had a lot of sympathy with the applicants but in planning terms the reduction in height was not sufficient and the problem was visual intrusion, prominence in an elevated position in close proximity to residential properties. There were no grounds on health to refuse the application.

**RESOLVED** that the application be refused.

**COUNCILLOR MRS G BLEASDALE REJOINED THE MEETING.**

**2007/0677**

**MURTON (MURTON WEST) – Two No Dwellings at Land Rear of West View Murton (Revised Submission) for Mr C Campbell**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended refusal as 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 amenity for future occupiers of the proposed houses.

Furthermore, it was considered that the proposed development would have a serious adverse effect on the amenities enjoyed

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by the occupiers of the existing dwellinghouses situated to the east of the site by presenting a large high area of walling at the end of the gardens and in unreasonably close proximity to the windows in the rear elevations of the properties. It was concluded therefore that the proposed development would be contrary to saved Policies 1, 35 and 67 of the former District of Easington Local Plan.

**RESOLVED** that the application be refused.

JC/KA/MA/COM/DEV/071102  
15 November 2007