

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

HELD ON TUESDAY 1 JULY 2008

- Present: Councillor R. Davison (Chair)
Councillors B. Bates, Mrs. M. Baird,
Mrs. G. Bleasdale, Mrs. E.M. Connor,
A.J. Holmes, Mrs. J. Maitland, D.
Milsom, B. Quinn, D.J. Taylor-Gooby
and C. Walker
- Agent/Applicants: Mr. Mortimer, Mr. Scorer, Mr. Gilthorpe,
Mr. Fox
- Objectors: Mr. Cudlip, Mr. W. Weightman, Mr. S. Weightman,
Mrs. Simpson, Mr. Robinson and Mr. Blair
- Apologies: Councillors Mrs. A.E Laing and M. Routledge

1. **THE MINUTES OF THE LAST MEETING** held on 10 June 2008, 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**

2007/0620

**SEAHAM (DAWDON) - 2 NO. WIND TURBINES AT UNIT 8
FOXCOVER INDUSTRIAL ESTATE, SEAHAM FOR CUMBRIAN
SEAFOODS LIMITED**

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, protected species mitigation, landscaping works and operation noise limits. The proposal was considered to accord with national planning guidance contained with PPS22 Renewable Energy. The proposal was considered to accord with Policies 1 and 35 of the District of Easington Local Plan. There were no material considerations sufficient to outweigh the support for this proposal.

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.

Stan Cudlip, Clerk to Seaham Town Council explained that Dawdon Welfare Park was owned and managed by the Town Council and was in a very quiet and tranquil setting. It was a recreational area with cricket, football, bowls and whippet racing and was enjoyed by residents walking dogs and taking children to the park. The recreational amenities were enjoyed

Development Control and Regulatory Panel - 1 July 2008

by many thousands of active sports users and spectators every year.

The proposed wind turbines would be an intrusive feature if introduced at the location and they did not believe that they would be in keeping with the rural setting. They would be seen and heard by many thousands of sports users and spectators. The turbines were not noiseless and not small and they could be seen and heard from some distance. He queried how close residents had to be for it to affect amenities. The report made no reference to people using the park. No-one had sought advice from the Town Council as to the numbers of users of the park.

In the location, it was believed that it would invade the peace and tranquility of the park and spoil it for the users and spectators.

The Town Council disagreed with the Planning Officers conclusions and it was far from not threatening the amenities. The proposal would invade, interfere and infringe on the parks operations and natural peace and quiet. The development did impose a threat. It would be harmful and would injure the quiet area and be detrimental to the thousands of people who used the park.

Mrs. Simpson explained that she was an adjacent resident and had not been consulted and had less than 24 hours notice regarding the application. She objected on the grounds of noise, visual impact and shadow flicker. She felt it was not necessary and in the wrong place.

Mr. Gilthorpe, the applicant, explained that this was an important project for the Company and they manufactured seafood products in large quantities. They had invested £13 million in the facility and created over 280 jobs. The current job target was looking towards over 400. They had attracted four retail customers to the site and had built on progress and acquired a second site on the industrial estate.

The environmental considerations were very important as the Company relied on harvesting of a natural resource in fish. The turbines had been sited as far away from the leisure and amenities as was feasible and the factory would be between the turbines and the park. The Company was working hard to reduce energy costs and the turbines were a way of generating their own electricity and would have a significant financial benefit. Energy costs in the last 12 months had increased by 120% and the business was operating in a difficult financial market and margins were very tight. They earned 1p for each pack produced and it was important to have the Council's support.

The Senior Planning Services Officer explained that the report recommended approval and this type of proposal was generally acceptable in an industrial estate. Central

Development Control and Regulatory Panel - 1 July 2008

Government was driving towards energy efficiency and putting constant pressure on businesses. The issues of shadow flicker, noise and visual intrusion were covered in the report.

S. Cudlip queried why the Planning Officer had not taken account of the number of people who used the park. The Senior Planning Services Officer explained that PPS22 provided national guidance on wind turbines. Details had been provided by the applicant of noise and how this would affect nearby residents. Environmental Health had assessed this and made no objections to the proposals.

S. Cudlip queried if any local authority had refused a similar application where the numbers of public could get close to the development. The Senior Planning Services Officer explained that this was not a consideration. The public could get within 30 or 40 metres of the development. Durham County Council had no concerns on highway issues. The park was approximately 250 metres from the turbines.

Mr. Robinson queried if the panel had visited any similar installations and spoken to nearby residents to see what impact the wind turbines had upon them. The Chair commented that the panel had not visited any similar installations to assess the impact from nearby residents.

Mr. Weightman explained that one of the blades on the turbines at Eppleton Farm had snapped and travelled 200 metres and went into the ground 12 feet. This was very dangerous.

The Senior Planning Services Officer explained that there were no health and safety guidelines on how far the turbines had to be away from residents. Environmental Health and Durham County Council had raised no concerns to the wind turbines. The maintenance of the turbine would be the responsibility of the applicant and the applicant's company.

A Member queried why the airports had not been consulted. The Senior Planning Services Officer explained that the airports had safeguarding maps and the development fell just outside of both Newcastle and Durham Tees Valley. The MOD had been consulted but because of the height and scale of the development, they had raised no objections.

A Member queried if cricket and football were still played on the welfare park. S. Cudlip explained that Dawdon was one of the most active cricket clubs.

A Member queried if there would be any detrimental effect on the workforce if the application was refused. Mr. Gilthorpe explained that it was more a question of restricting growth of the business, they could not say what would happen in the future. Food manufacture was a very competitive environment and if the turbines were not installed it would add a further £750,000 to running costs.

Development Control and Regulatory Panel - 1 July 2008

A Member commented that he was in favour of using alternative energy and asked if any mitigation measures had been put in place to make it less obtrusive to the welfare park. Mr. Gilthorpe explained that the factory was between the welfare park and the proposed turbine. If a screen was built, the turbine would not be effective.

A Member referred to the Environmental Health Section and queried if they had listened to other turbines to ascertain what level of noise would come from them. The Senior Planning Services Officer explained that Environmental Health's comments were based on the technical specification supplied by the applicant.

Mr. Fox explained that the noise was 45dB's at 300 metres and this was talking volume.

A Member commented that the company had provided 300 to 400 jobs and explained that the turbines would be on the top of the hill and the welfare park would be at the bottom. He felt that the company should be applauded for trying to provide cleaner, greener energy.

A Member referred to the property within the grounds and queried how close the turbines were. The Senior Planning Services Officer explained that the cottage was 330 metres away from the turbine and the park was 220 metres at the closest point.

A Member queried if residents on the new estate, Hazeldene had been consulted. The Senior Planning Services Officer explained that everyone on the estate who was registered on the gazetteer had been consulted. A press notice had been placed in the newspapers and a site notice erected on site.

The majority of Members felt that the wind turbines would be too close to the welfare park and would affect the quality of life that existed in the park and nearby residents. The shadow flicker would also affect the sporting activities and was located in very close proximity to residents.

RESOLVED that the application be refused.

2008/0240

SEATON WITH SLINGLEY (SEAHAM NORTH) - STEEL STORAGE CONTAINERS AND LEAN TO STRUCTURES AT LAND SOUTH OF SHARPLEY HALL FARM, SEATON FOR MR. S. WEIGHTMAN

The Principal Planning Services Officer explained that this application had been withdrawn.

RESOLVED that the information given be noted.

Development Control and Regulatory Panel - 1 July 2008

2008/0277 SEATON WITH SLINGLEY (SEAHAM NORTH) - ERECTION OF CLOSE BOARDED ACCOUSTIC BARRIER TIMBER FENCE AT SHARPLEY HALL AND THE BUNGALOW (SHARPLEY MANOR), SEATON FOR MR. MORTIMER

The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting. Queries raised by the objectors solicitors had been subject to consideration. Correspondence had been received from the objectors solicitors which challenged some of the content of the report. The Monitoring Officer had recommended that the application be deferred to enable the content of the correspondence to be looked at in more detail and specialist legal advice be sought if necessary. The application would be brought back to a future panel meeting.

RESOLVED that application no. 2008/0277 be deferred.

2008/0287 WHEATLEY HILL (THORNLEY AND WHEATLEY HILL) - FODDER AND IMPLEMENT STORAGE BUILDING AT LAND WEST OF LYNN TERRACE, WHEATLEY HILL FOR MR. A. HARVEY

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to use of building. The proposed development was considered to comply with the relevant planning policies referred to in the report.

The Principal Planning Services Officer explained that Members had visited the site that day and were familiar with the location and setting.

RESOLVED that the application be conditionally approved.

2008/0345 PETERLEE (ACRE RIGG) - GARDEN ROOM EXTENSION, EXTENSION TO GARAGE AND ERECTION OF BOUNDARY WALL AT 3 WESTMORLAND RISE, PETERLEE FOR MR. C. REID

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to amended plans specified. The proposal was considered to be in accordance with Policies 1, 35 and 73 of the District of Easington Local Plan.

RESOLVED that the application be conditionally approved.

2008/0354 SOUTH HETTON (EASINGTON VILLAGE AND SOUTH HETTON) - REAR CONSERVATORY AT 12 ABBEYDALE GARDENS, SOUTH HETTON FOR MR. S. LONGSTAFF

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval

Development Control and Regulatory Panel - 1 July 2008

as the proposal was considered to be in accordance with the Statutory Development Plan and policies detailed in the report.

The Principal Planning Services Officer explained that a revised plan had been submitted and no adverse comments had been received in the consultation period.

RESOLVED that the application be conditionally approved.

3. SECTION 106 AGREEMENTS - QUARTERLY UPDATE

Consideration was given to the report of the Head of Planning and Building Control Services which provided a third quarterly update on progress made in collecting and distributing funds through Section 106 Agreements, a copy of which had been circulated to each Member.

RESOLVED that the information given in the report be noted.

4. APPLICATION FOR SECTION 106 FUNDING - UPGRADING OF CHILDRENS PLAY AREA AT EDEN LANE AND NEW YOUTH EQUIPMENT IN AN AREA ADJACENT TO MULTI USE GAMES AREA, PETERLEE

Consideration was given to the report of the Head of Planning and Building Control Services for the release of a sum of £45,000 for the enhancement of the children's play area and improvement of the land east of Eden Lane, a copy of which had been circulated to each Member.

The aim of the proposal was to provide an attractive play space for use by the local residents and visitors to the area. This would be achieved through the installation of several new pieces of play equipment to replace the old equipment currently on the site.

A request had been received from Peterlee Town Council for £45,000, the total sum of money secured currently through Section 106 Agreements held for their use. It was intended that the difference between the final total and the money requested, a sum of £1,000 could be used either to fund the shortfall if VAT needed to be paid on the scheme or to allow for an additional piece of equipment.

RESOLVED that the release of the sum of £45,000 from Section 106 Agreement monies to enhance the childrens play area improvements at land east of Eden Lane be agreed.