

## SEDGEFIELD BOROUGH COUNCIL

### DEVELOPMENT CONTROL COMMITTEE

Council Chamber,  
Council Offices  
Spennymoor

Friday,  
22 June 2007

Time: 10.00 a.m.

**Present:** Councillor A. Smith (Chairman) and

Councillors W.M. Blenkinsopp, D.R. Brown, Mrs. K. Conroy, Mrs. P. Crathorne, Mrs. L. M.G. Cuthbertson, D. Farry, P. Gittins J.P., Mrs. J. Gray, B. Haigh, Mrs. S. Haigh, Mrs. I. Hewitson, J.E. Higgin, A. Hodgson, T. Hogan, J.M. Khan, Mrs. E. Maddison, D.A. Newell, B.M. Ord, Mrs. E.M. Paylor, B. Stephens and A. Warburton

**Apologies:** Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, Mrs. D. Bowman, T. Brimm, J. Burton, V. Chapman, D. Chaytor, V. Crosby, T.F. Forrest, Mrs. B. Graham, A. Gray, G.C. Gray, D.M. Hancock, Mrs. L. Hovvels, G.M.R. Howe, J.G. Huntington, Mrs. H.J. Hutchinson, Mrs. S. J. Iveson, Ms. I. Jackson, B. Lamb, C. Nelson, Mrs. C. Potts, J. Robinson J.P, K. Thompson, T. Ward, W. Waters, J. Wayman J.P and Mrs E. M. Wood

#### DC.19/07 **DECLARATIONS OF INTEREST**

The following declarations of interest were received :-

Councillor B. Stephens	-	Item 4 – Borough Matters – Application 1 – Personal and Prejudicial – Used to work with Applicants architect
Councillor Mrs. E. Maddison	-	Item 4 – Borough Matters – Application 1 – Personal and Prejudicial – Member of Spennymoor Town Council

#### DC.20/07 **MINUTES**

The Minutes of the meetings held on 1<sup>st</sup> June, 2007 and 18<sup>th</sup> June, 2007 were confirmed as correct records and signed by the Chairman.

#### DC.21/07 **APPLICATIONS - BOROUGH MATTERS**

**NB :** In accordance with Section 81 of the Local Government Act and the Members Code of Conduct, Councillors B. Stephens and Mrs. E. Maddison declared personal and prejudicial interests in Application No : 1 – Residential Development (Outline Application) – Land North East of High Street, Byers Green, Spennymoor – A. Watson, 99, Mayfields, Spennymoor – Plan Ref: 7/2006/0716/DM – and left the meeting for the duration of the discussion and voting therein.

Consideration was given to a schedule of applications for consent to develop. (For copy see file of Minutes).

In respect of Application No : 1 – Residential Development (Outline Application) – Land North East of High Street, Byers Green, Spennymoor – A. Watson, 99, Mayfields, Spennymoor – Plan Ref: 7/2006/0716/DM – it was explained that although the proposal did not fully accord with every aspect of the National Guidance contained within PPS3 Regional Policies within RPG1 and the submission draft RSS it was considered acceptable for the following reasons :-

- The proposed site is within the existing settlement boundary, and its development for housing would represent a sustainable urban extension, as the proposal would appropriately “round off the village” to the east;
- The scheme would contribute towards key strategic housing policy of providing a wide choice of homes, both affordable and market housing, to address the requirements of the rural community.
- Additional housing would help to sustain existing shops, services and facilities within Byers Green in accordance with the principles of Paragraph 38 of PPS3.
- The proposal would not have a significant impact on the supply of housing and is therefore not an overriding issue.
- The need for, and provision of affordable housing represents a strong material consideration to outweigh the conflict with elements of national and regional planning policies and advice.

The comments of the objectors had been considered. Traffic impact was not identified as a concern by the Highway Authority and the proposal was considered to meet the requirements of Policy T7 of the Local Plan. The decline in services in the village could potentially be halted or even reversed by the positive impacts of additional housing. Noise and disturbance during development could be adequately controlled by use of planning conditions and separately under Environmental Protection legislation. Privacy and security issues would be the subject of closer scrutiny at the subsequent detailed stage. Loss of view was not a material planning consideration.

Members were informed that Mr. Lavender, agent for the applicant, was present at the meeting to outline the proposals. Mr. Lavender reminded the Committee that a previous application had been refused in September, 2006. The reasons for refusal at that time related to the eastern boundary and the need for a wildlife assessment. At that time it was intimated that, if the application was revised in respect of the Eastern boundary and the issues for wildlife assessment addressed, the application would be reconsidered.

This application was the revised application in respect of the Eastern boundary. Wildlife issues had been fully addressed. There had been a comprehensive assessment of the application and extensive consultations. No objections had been raised from statutory consultees, the developer considered that the proposals would link to services in the village and bring investment.

On balance it was concluded that the proposals were acceptable subject to the conditions which were outlined in the schedule which were not considered unreasonable or onerous.

In conclusion Mr. Lavender explained that the issues on which the application had been previously refused had been addressed and the proposals would bring a mix of housing satisfying areas of community need and requirement.

In response to the query raised regarding the mix of housing, Mr. Lavender explained that this was an outline application and no detailed consideration of house types were included. However, notice would be taken of housing needs advice when giving detailed consideration to the proposal.

In respect of Application No. 2 – Erection of 64 bed secure healthcare facility with Associated Car Parking, Landscaping and Ancillary Facilities – Former Sedgefield Community Hospital – Care Principles – Plan Ref : 7/2007/0162/DM – the Committee was reminded that at its meeting on 1<sup>st</sup> June, 2007 consideration of this application had been deferred to take into account late objections.

The Committee was reminded that the proposals included : a 64 unit secure healthcare facility on the former community hospital site at Sedgefield, which was brownfield land.

Members were informed that the proposal accorded with Policy L15 RPG1 and PPS1.

The report provided a comprehensive description of the nature of the proposals. It also included a detailed analysis of objections, a summary of which was outlined in Appendix 1 to the report.

It was explained that traffic flows had been judged by the Highways Authority to be acceptable.

It was considered that the design and layout of the development together with a good quality landscaping scheme would be wholly compatible with the future development of NetPark and it would be very unlikely to have a negative impact on future economic development of the area.

Members were informed that Mrs. Bowles who was Chairman of the Residents Forum, was present at the meeting to speak both on behalf of herself as an objector and the Residents Forum who were in support of the application. Mrs. Bowles explained that her objections to the proposals related to the development being in what was a predominantly residential

housing area. She also considered that the development would have a detrimental impact on NetPark and the regional economy. Furthermore, the facilities would attract additional traffic.

Concern was also expressed regarding the use of the local medical practice which was already under considerable pressure. The expansion of St. Lukes in Middlesbrough would cover the need for such facilities. Mrs. Bowles also queried whether other categories of inmates would be able to use the facilities.

Mrs. Bowles also pointed out the development could be detrimental to the area and the land could be used for much needed affordable housing.

Public safety was also a concern. The facility would be used to rehabilitate patients into the community. Furthermore, if Principles were to sell the operation as an organisation what would be the standards of any firm who bought it?

Mrs. Bowles, however, then explained that the majority of the Residents Forum were in support of the application. However, the Forum was in agreement that if the application was approved, the premises should not be allowed to be used for other purposes.

Mr. Davison then addressed the meeting and spoke in support of the application. He explained that he had visited Care Principles facility in Norwich. He explained that the facilities in Norwich fitted in with the rest of the village and a great deal of effort had been made to involve the community by regular meetings to discuss any anxieties, etc. Attention to detail had been paid in relation to the security of the facilities and security systems had reliable back-ups to ensure safety.

A diverse range of activities were in place and training, which were carried out in a safe and secure manner. The facilities were modern and well equipped. Residents were taken out in small groups with sufficient staff to ensure activities were safely achieved. A good relationship existed with local residents and the company were ready to deal with any issues which were raised. The development also offered opportunities for employment in the area.

Mr. Bilitho, the agent, and Mr. Tom Burns then spoke on behalf of the application. Mr. Bilitho explained that before the application had been submitted, the company had spent six months working with the community in relation to the development and had held exhibitions, etc. It was a robust submission and all types of issues had been addressed. Mr. Burns explained that in relation to medical and clinical services, the Practice Manager had been contacted and it was explained that the Medical Practice would either be employing an additional GP or getting GP time. Additional services would be provided in the practice.

He explained that the NHS had been extremely supportive. The facility had been designated for health care not for other purposes.

He also explained that the company was registered with the Health Care Commission and had to meet stringent security measures.

In response to a query raised regarding visiting arrangements, he explained that the vast majority of visitors were between the hours of 9 and 5.

In respect of Application No : 3 – Erection of Marquee to the North East of the Hotel – Hardwick Hall Hotel, Sedgefield – Plan Ref : 7/2007/0209/DM – it was explained that planning permission for the siting of a marquee to the North East of Hardwick Hall Hotel was in the grounds of the hotel and would be used for wedding receptions and would cater for up to 150 guests. The marquee would be erected before May 1<sup>st</sup> and September 30<sup>th</sup> and between December 1<sup>st</sup> and 31<sup>st</sup>.

It was explained that Mr. Mekins, a local resident, was present at the meeting to express his concern. He explained that his concerns related to the noise which would be emitted from the marquee on an evening when functions were being held. He considered that the functions should finish at 11.00 p.m. and not midnight as suggested in the application. In response it was explained to Mr. Mekins that if a problem did exist in relation to noise, Environmental Health could take action under the Environmental Protection Act and the authority would have to take action in respect of any concerns.

*RESOLVED : That the report be received and the recommendations contained therein adopted.*

**DC.22/07**

**DEVELOPMENT CONTROL - ADDITIONAL APPLICATIONS**

Consideration was given to a schedule detailing an application for consent to develop. (For copy see file of Minutes).

*RESOLVED : That the report be received and the recommendation contained therein adopted.*

**DC.23/07**

**CONSULTATIONS FROM DURHAM COUNTY COUNCIL**

A schedule of applications which were to be determined by Durham County Council and up which the views and observations of this Council had been requested was considered. (For copy see file of Minutes).

*RESOLVED : That the schedule be received and the recommendations contained therein adopted.*

**DC.24/07**

**DELEGATED DECISIONS**

Consideration was given to a schedule detailing applications which had been determined by officers by virtue of their delegated powers. (For copy see file of Minutes).

*RESOLVED : That the schedule be received.*

**DC.25/07**

**COUNTY DECISIONS**

A schedule of applications which had been determined by Durham County Council was submitted for Members information. (For copy see file of Minutes).

*RESOLVED : That the schedule be received.*

**DC.26/07**

**APPEALS**

Consideration was given to a schedule detailing outstanding appeals to 14<sup>th</sup> June, 2007. (For copy see file of Minutes).

*RESOLVED : That the schedule be received.*

**DC.27/07**

**RECENT PLANNING APPEAL DECISIONS**

Consideration was given to a report of the Director of Neighbourhood Services in respect of recent planning appeal decisions. (For copy see file of Minutes).

Members noted that the appeal against the issue of an Enforcement Notice in respect of the erection of a raised patio/decking area to the rear of 12, Kensington Gardens, Ferryhill had been dismissed.

*RESOLVED : That the information be received.*

**EXCLUSION OF PRESS AND PUBLIC**

*RESOLVED: That in accordance with Section 100(a)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12a of the Act.*

**DC.28/07**

**ALLEGED BREACHES OF PLANNING CONTROL**

Consideration was given to a schedule detailing alleged breaches of planning control and action taken. (For copy see file of Minutes).

*RESOLVED : That the schedule be received.*

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**ACCESS TO INFORMATION**

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Liz North 01388 816166 ext 4237 email: enorth@sedgefield.gov.uk