

**THE MINUTES OF THE MEETING OF THE
DEVELOPMENT CONTROL AND REGULATORY PANEL
HELD ON TUESDAY 5 FEBRUARY 2008**

Present: Councillor M. Routledge (Chair)
Councillors Mrs. M. Baird, Mrs.
G. Bleasdale, Mrs. E.M. Connor,
D. Milsom, D.J. Taylor-Gooby and
C. Walker

Objectors: Mr. Bowden and Mr. Robinson

Agent for Applicant: Mr. Stockley

Apologies: Councillors B. Burn, R. Davison,
Mrs. A.E. Laing and Mrs. J.
Maitland

1. **CHAIRS COMMENTS**

The Chair referred to item 4, Planning Investigation Report, and explained that because of the potential enforcement action, he felt that this should be considered as an exempt item.

RESOLVED that item 4 be considered as an exempt item.

2. **THE MINUTES OF THE LAST MEETING** held on 15 January 2008, a copy of which had been circulated to each Member, were confirmed.

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

**2007/0767 SEAHAM (DAWDON) – INDUSTRIAL UNITS AT 8
SPECTRUM BUSINESS PARK, SEAHAM FOR MR. S.
MONK, S.J. AND J. MONK**

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to materials, means of enclosure, landscaping scheme, timing landscaping works, works in accordance with revised layout details, limit on retail goods and parking provision. The proposal was considered to be in accordance with Policies 1, 35, 36 and 37 of the District of Easington Local Plan.

RESOLVED that the application be conditionally approved.

2007/0801 SEAHAM (SEAHAM HARBOUR) – RESIDENTIAL DEVELOPMENT AT THE BUNGALOW, MILLBANK, STOCKTON ROAD, SEAHAM FOR MR. R. JOBES

Consideration was given to the report of the Head of Planning and Building Control Services which recommended outline approval subject to conditions relating to full details to be submitted relating to design, materials, density, access and landscaping, contaminated land survey. The proposal was considered to be in accordance with Policies 1, 35 and 67 of the District of Easington Local Plan.

RESOLVED that the application be conditionally approved.

2007/0813 WHEATLEY HILL (THORNLEY AND WHEATLEY HILL) – 10 NO. APARTMENTS AT 3-6 FRONT STREET, WHEATLEY HILL FOR MR. P. McCOY (McHOME)

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, car parking plans. The proposed development was considered to comply with the relevant Development Plan policies 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 AND PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING.

2007/0825 MURTON (MURTON EAST) – 3 NO. DWELLINGS WITH GARAGES AND 1 NO. INDOOR SWIMMING POOL AT HILLCREST GARAGE, STOCKTON ROAD, COLD HESLEDON FOR MESSRS HANSON, TRUMAN AND COOK

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that subject to receipt of satisfactory details relating to site contamination, land drainage and site access, the Head of Planning and Building Control Services be delegated to grant permission subject to conditions relating to materials, landscaping, contaminated land and amended plans. The proposed development was considered to conform with the relevant Development Plan policies referred to in the report.

The Senior Planning Services Officer explained that Members had visited the site previously and gave a

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detailed presentation on the main issues outlined in the report.

Mr. Robinson, an objector, explained that the original application had been refused as none of the necessary boxes had been ticked. The building was in the open countryside and went against planning rules and regulations. Then in 2006, the Panel had granted approval for four houses. He felt this sent the wrong message and encouraged people to acquire buildings of a run down nature with a view to developing the site. The two storey garage would be replaced with three storey houses. He queried why a basement could not be built to reduce the height of the houses which would be more in keeping with the garden centre that was two metres below the site level. He felt this should be borne in mind and the design of the buildings should be altered.

The Senior Planning Services Officer explained that the houses were 9.5 metres high, 1.5 metres higher than the previous application. The backdrop of the hill would reduce the visual impact.

The Principal Planning Services Officer explained that the existing planning permission was for four dwellings. The application could be refused but four houses could still be built.

The Senior Planning Services Officer circulated the plans of the proposal to Members which showed the height of the houses. Members commented that they did not think that this development would be visually intrusive and would benefit the area.

RESOLVED that the application be conditionally approved.

COUNCILLOR MRS E M CONNOR REJOINED THE MEETING

2007/0827

MURTON (MURTON WEST) – 83 No Dwellings at Former Murton Primary School, Watt Street, Murton for Mr D Murdock, Yuill Homes Limited

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that delegated authority be given to the Head of Planning and Building Control Services to:-

- (i) approve, subject to a suitable Section 106 Agreement for the provision of affordable housing and off site play space and subject to conditions relating to landscaping, materials, means of enclosure, hours of construction, contaminated land assessment, no forward

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walls, foul/surface water scheme, amended plans;

- (ii) refused if a Section 106 Agreement for the provision of affordable housing and/or off site play space was not finalised before 26 February 2008, then the application would be contrary to policy 66 of the Local Plan and PPS3 – housing.

If the appropriate Section 106 Agreements were finalised then the proposal would be considered to be in accordance with 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.

The highway authority were not satisfied with the amended plans and the pedestrian access to the north west of the site had now been reinstated to give residents access to the local school.

The Section 106 Agreement on affordable housing had been drafted and circulated to other departments within the Council. This was very close to being finalised and was the first 106 Agreement for affordable housing the Council had entered into. He requested the deadline of the date of 26 February 2008 be removed because they wanted to get the Section 106 Agreement terms correct.

Mr Robinson queried what the Affordable Housing Strategy was. The Head of Planning and Building Control Services explained that an assessment of need was taken and a strategy devised. It was 3½ times the average wage which was approximately £70,000 but this would depend on the type of development proposed.

Members queried if there were any obstacles to the Section 106 Agreement. The Monitoring Officer explained that a draft agreement had been received but the Council wanted to make sure that all departments were satisfied with its content. If there was any delay, it would be from the Council and not the developers.

RESOLVED that delegated authority be given to the Head of Planning and Building Control Services to conditionally approve the application on satisfactory receipt of the Section 106 Agreement.

2007/0863

EASINGTON VILLAGE (EASINGTON VILLAGE AND SOUTH HETTON) – 5 No Dwellings at Land at Little Thorpe, Easington Village for G Forbes and Son

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, tree protection and highway improvements. The proposed development was considered to conform to the relevant Development 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.

Mr Bowden, an objector explained that he lived in the house opposite the proposed development and he had parked outside his home for 35 years. The proposed development would stop him from parking outside of his house to enable access to the drive. The site had been allowed to be a dumping ground. He would like to come to some agreement with Mr Forbes about parking outside his home but he had explained that it had nothing to do with him. He queried if the Council could ask Mr Forbes to speak to him about the car parking issue. The site had been ruined and it would be better that houses were being built but he needed to come to some agreement with the applicant or his architects about the parking issue.

Mr Robinson referred to the planning considerations and assessment and explained that he felt that the boundary should not be extended. He suggested that the application be reduced from 5 houses to 4 and which would generate more space between the buildings so congestion did not exist.

Mr Stockley explained that he worked for DKS Architects who represented the applicant. There had been no objection to the erection of dwellings. It was a brownfield site and bounded by residential development on both sides. He felt that the 5 family homes would enhance this part of Littlethorpe. The site layout included semi-mature trees and provided an attractive outlook. Details of the protective fencing to be erected and safeguarding of the trees had been submitted.

The only objection had been received from a neighbouring property regarding plot 5. He felt this was not an issue that would justify refusal or amendment of the scheme. Alternative options had been looked at but it was not possible because of the trees on the north of the site. Highways department had no objections and it

was hoped that the environmental benefits would be recognised by Members.

The Principal Planning Services Officer explained that the road through Littlethorpe was an adopted highway and no formal agreement would be possible. He suggested that an informal agreement may be possible between residents. With regard to reducing the scale of development, the issue was about the depth of the site and reducing the numbers would not give that depth.

A Member commented that the objector should have the same right to the quality of life and be able to park outside his home. The Principal Planning Services Officer explained that the houses had been designed with adequate parking on site and there should be no need to park on the road outside. The objector also had his own driveway if he wanted to park off road.

RESOLVED that the application be conditionally approved.

4 **APPLICATION FOR SECTION 106 FUNDING – MURTON VILLAGE GREEN IMPROVEMENT**

Consideration was given to the report of the Head of Planning and Building Control Services which requested Section 106 funding for the Murton Village Green improvement, a copy of which had been circulated.

The aim of the proposal was to provide an attractive green space for use by both residents and visitors to the area. This would be achieved through a number of schemes such as replanting, installing additional lighting and interpretive information amongst others initiatives to make the currently run down area look more attractive.

At present the Council had received £90,500 from developers and there was currently another £69,000 that was due to be received when development commenced on the sites.

The budget for the works to be undertaken were detailed in the report and a request had been received from Murton Parish Council for the shortfall of £32,500.

The Principal Planning Services Officer explained that a further request from Murton Parish Council had been received. They were considering a new community sporting pavilion to be situated within the existing cricket ground. No budgets had yet been prepared but the Parish Council were looking to the Council for agreement in principle before they commissioned consultants and architects to take the project forward. Members would be informed of any funding that would be required.

RESOLVED that:-

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- (i) the release of the sum of £32,500 from Section 106 Agreement monies to fund the shortfall in the budget for the village green improvements when the monies were received, be approved.
- (ii) that approval be given in principle for the community sporting pavilion.

5. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that in accordance with Section 100A (4) of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 the press and public be excluded from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information, as defined in Paragraphs 1,2 and 6a, Part 1 of Schedule 12A of the Act.

6. PLANNING INVESTIGATIONS REPORT

CONVERSION OF FARM BUILDINGS INTO 3 DWELLINGS AT THORNLEY MOOR FARM, CASSOP, NEAR THORNLEY

Consideration was given to the report of the Head of Planning and Building Control Services which advised on the current situation with the development and potential future actions which may prove necessary. It was an update of a previous report considered by the Panel on 14 August 2007, a copy of which had been circulated to each Member.

The Principal Planning Services Officer gave details of the contents of the report together with representations from both an objector and the applicants representatives.

RESOLVED that:

- (i) unauthorised works within the site - further work needed to be carried out regarding the unauthorised works;
- (ii) partially constructed road outside the site - clarification still to be sought as to whether the road was associated in any way with the development;
- (iii) continuing use of original access - legal advice was being sought. If possible, enforcement action be taken;
- (iv) authority be delegated to the Head of Planning and Building Control to take any necessary enforcement action in respect of all matters and any other breaches of planning control which may occur in connection with the development.

7. ANY OTHER BUSINESS

In accordance with the Local Government Act, 1972, as amended by the Local Government (Access to Information) Act 1985, Section 100B(4)(b) the Chair, following consultation with the Proper Officer, agreed that following item of business, not shown on the Agenda, be considered as a matter of urgency.

8. **2007/0831 SEAHAM (SEAHAM NORTH) - CHANGE OF USE FROM
SUNTAN SHOP TO HOT FOOD TAKEAWAY AT 56
AMBLESIDE AVENUE SEAHAM FOR MR. M. GRUFFERTY**

The Monitoring Officer gave details of complaints that had been received in connection with this application and also gave details of a recent decision published by the Local Government Ombudsman relating to planning permission granted contrary to Officer recommendation.

RESOLVED the information given be noted.

JC/CB/DCRP/080103
8.2.08