

THE MINUTES OF THE MEETING
OF THE DEVELOPMENT CONTROL AND REGULATORY PANEL
HELD ON TUESDAY 4 NOVEMBER 2008

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

Supporters – Mrs Sayers, Mrs Easterbrook

Agent – Dr Bell

1 **THE MINUTES OF THE LAST MEETING** held on 14 October 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**

**2008/0507 HASWELL (HASWELL AND SHOTTON) – Residential
Development (Outline) at Coldwell Burn Farm, Salters Lane,
Haswell for Mr D Scorer**

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 outlined on the Easington District Council Plan Proposals Map. The proposal was therefore considered to be contrary to national planning guidance contained within Planning Policy Statement 3: Housing and 7 Sustainable Development in Rural Areas and Policies 3, 35 and 67 of the District of Easington Local Plan. Insufficient information had been provided to allow the local planning authority to consider whether or not the proposed development would have an adverse effect on species especially protected by law. The proposal was therefore considered to be contrary to Policy 18 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.

The Senior Planning Services Officer explained that concerns had been raised by the Countryside Officer regarding the protection of bats. Additional information had been provided by the applicant but there were still concerns. Natural England had stated that as the proposal involved demolition of buildings there was lack of information about the bats and a survey should be undertaken at the appropriate time of year before planning permission was granted.

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Mrs Sayers, a supporter explained that the current owners of the profitable business were now in poor health and were therefore looking to retire. Mr Scorer was planning to sell the land with outline planning permission for nine executive homes and then use the funds to support himself and his family. The executive homes would vastly improve the area and would be a pleasant improvement when approaching Haswell village.

Mr Scorer has had an offer to buy the business although this would take the company out of the area to Gateshead and the 14 staff currently employed would be made redundant. All of the staff live in the surrounding villages and were fully aware of the situation. They were all in full support of the application and had contacted their local councillors for support.

The business had an established customer base for approximately 200 customers throughout the north east and currently traded with 4 main local suppliers, therefore should the business be sold this would also have an impact upon them.

In the current economic climate, unemployment figures had risen by an average of 40% over the last few months, therefore the staff would struggle to gain employment within the area and would be put in hardship. This would also impact on government funds as they would have to rely on benefits to support themselves and their families until they hopefully found suitable employment elsewhere. As Mr Scorer did not want this to happen, he was prepared to gift the business to her husband on the understanding that he could only afford to do this if he was granted outline planning permission for the land.

In preparation, her husband had ran the business as his own for the last 18 months. To take this forward her husband and herself had looked at various units within the Peterlee area and had found suitable premises although this could not be finalised until planning permission had been granted. This would be beneficial for the community as it would place the business in an industrial environment and would remove the large business vehicles and lorries from passing through the village. The location of any new site would provide ideal access to all routes. Again this could only boost the local economy as it was keeping work within the local district. As the business would be situated within premises at Peterlee, planning indicated that business turnover would increase by 25% each year over the next 3 years so could only offer job security to its current workforce with the expectation of creating further jobs in the future.

Mrs Easterbrook, a supporter explained that she placed her support for the application because she took an interest in what was happening within the village. She felt that building executive housing would enhance the village and improve the landscape but also reduce heavy goods traffic which was a problem at present.

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After reading the comments made by the Parish Council she felt that they were not representing the opinions of the people in the village therefore she decided to carry out a petition within the community to establish their feelings. The petition was presented to 150+ people within a 24 hour period. 100% were in full support of the planning application. As all people were in full support she decided that she had sufficient representation and decided not to continue any further with it. The petition was presented to the Parish Council for their information on how the people in the village felt.

Dr Bell, the agent for the applicant thanked Officers for their advice on the planning application. The applicants were willing to enter into a Section 106 agreement which would state that no dwelling could be occupied until the business was relocated to within Easington district. With regard to the bats, presence of a protected species was a material consideration if it was likely to cause harm. A report had been completed by an Ecologist and failed to show any evidence of bats on the site. The applicant was happy to have further conditions attached for a further survey to be carried out.

The site was not isolated in the countryside and it was believed to meet the sustainable criteria. People were concerned about jobs and Government Advice Note 1 referred to a different mix of housing for the area. With regard to environmental matters, the balance was very heavily weighed and residents would be able to walk to shops and he asked Members to agree that this site was an exception.

The Senior Planning Services Officer referred to the Section 106 agreement and explained that a draft had been received although Officers had concerns over the wording and what could be achieved from it. No details of viability of the business in a new location had been received from the applicant. With regard to bats, Natural England and the Countryside Officer still had concerns even though a report had been received. There was not enough evidence to show no risk to the protected species.

A Member queried the exact wording of the petition. The Senior Planning Services Officer explained that the petition had given a number of options to Members of the public.

RESOLVED that the application be refused.

2008/0558

SEAHAM (DAWDON) – Revised Plans, Industrial and Commercial Development as part of Plot 8, Spectrum Business Park, Seaham for 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 of landscaping works and parking provision. The proposal was considered to be in accordance

with the Statutory Development Plan and policies detailed in the report.

RESOLVED that the application be conditionally approved.

2008/0534

SHOTTON (SHOTTON AND HASWELL) – Residential Development (Outline) at former site of Bruntons Garage and Fleming Hotel, Shotton Colliery for Durham Estates Limited

Consideration was given to the report of the Head of Planning and Control Services which recommended that approval be granted subject to conditions (standard outline conditions, approval in principle only, contaminated land risk assessment, drainage details, bat mitigation measures and method statement, children's play facilities, limit on construction hours, no waste materials to be burnt on site) and to the satisfactory completion of a Section 106 agreement in relation to the provision of affordable homes in the development. Delegated authority be given to the Head of Planning and Building Control Services to issue the decision on satisfactory completion of the legal agreement.

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 Environment Agency had withdrawn their objection subject to a condition relating to a contaminated land assessment.

A Member queried if there were any guarantees that the application with the detail would be determined by Members. The Head of Planning and Building Control Services explained that the scheme of delegation for the new authority suggested that the application would be dealt with by a Panel of Members.

The Chair commented that the panel would like the application for the detail to be determined by the Member Panel at the new unitary authority and was concerned regarding the number of houses on the site. Concern was also raised regarding access to the Aged Miners Bungalows and hoped that this would be retained.

RESOLVED that:-

- (i) the application be conditionally approved;
- (ii) delegated authority be granted to the Head of Planning and Building Control Services to issue the decision on satisfactory completion of the Section 106 agreement.