

Durham County Council

At a Meeting of the Planning Committee held at the County Hall, Durham on **Friday 17 August 2007 at 11.00 a.m.**

Present

Councillor R Rodgers* in the Chair

Committee Members:

Councillors Armstrong*, Barker*, Chapman*, Coates*, Douthwaite*, E Foster*, N C Foster*, Freeman*, Gray*, Hunter*, Knox*, Magee*, Manton*, Marshall*, Rodgers*, Simmons*, and Walker*,

Other Members: Councillors Cox, Hodgson and Martin

Apologies for absence received from Councillors Bell, R Carr, Ebbatson, Shuttleworth and Young

Those Members marked with an asterisk attended the site visit to Durham Johnston School

Prior to the commencement of the meeting the Chairman reminded Members that only those Members of the Committee who had attended the site visit were permitted to vote on that item of business.

A1 Minutes

The Minutes of the Meeting held on 18 July 2007 were confirmed by the Committee and signed by the Chairman as a correct record,

The Head of Environment and Planning provided the meeting with an update on the position at Todhills. Work was still on track to be complete by the end of September and wheel washing and road sweeping was being carried out. Three complaints had been received which related to odour and were being addressed.

A2 Development by the County Council

(i) City of Durham District: Proposed erection of new school, demolition of existing buildings and re-modelling of external environment, Durham Johnston School, Crossgate Moor, Durham (Regulation 3).

Councillor Martin declared an interest in this item as he was a member of the Governing Body at Durham Johnston School.

The Head of Environment and Planning presented a report on the proposed provision of a new school and associated works at Durham Johnston School Crossgate Moor, Durham (for copy see file of Minutes). He informed the Committee that one further letter of objection had been received and a neighbouring resident had withdrawn their objection to the application based on the revised drawings and proposed schedule of conditions. The views of English Heritage were reported. They had no objection to the revisions. Sport England had no objection to the revisions but expressed regret at the loss of cricket nets.

The Committee heard representations from Mrs Cave and Mr Trotter who objected to the proposal.

Mrs Cave, a local resident, accepted that whilst this was a comprehensive report she disagreed with the report's description that it was a safe access to the school. She referred to daily radio reports that constantly mention two areas of Durham as having traffic related problems at Gilesgate Bank and Neville's Cross and these were issues that Durham had failed to address for 20 years whilst by-passes had been built in many other places in County Durham. The access proposals for a school for almost 1500 pupils were deeply flawed, of poor design and would increase the difficulties for local residents to access their properties. She was of the opinion that the new access was contrary to Policy T1 of the Local Plan.

Mrs Cave produced a diagram showing what she described as an amateur entrance for a 21st Century school. The entrance is only 10 metres wide. She also highlighted the situation that the protected area was only 2.8 metres wide but most buses entering and leaving the school were 3 metres wide which meant that they would actually straddle both lanes on the road and she had already witnessed traffic mounting the footpath to pass inside wagons entering the school site. This had also occurred with emergency vehicles. She believed that parents dropping off children for school would probably stop opposite the access so children could cross using the safe havens that were to be installed as almost no-one ever uses the footbridge over the road. The situation of children crossing the road would be a safety issue as there would be so much going on at this location and there were too few warning and instruction plans in place. An accident investigator had already raised this as a major issue after studying the proposals. This would compromise children's safety and a solution would need to be found. The report had also said no to the installation of a roundabout but drivers at least know and understand the mechanics of a roundabout and who has priority. The area has a 40 mph speed limit when national information showed that a child hit by a vehicle at 40 mph was more likely to be killed whereas a child hit at 30 mph has more chance of survival. Perhaps it would take an accident to make the County Council take a different approach to this problem.

Referring to her own property Mrs Cave informed the meeting that it would be virtually impossible to leave her drive to turn south to travel to work. The only solution available will be for her to turn left and head north to Sniperley Roundabout and come back past her home increasing the time and cost of her journey.

Mr Trotter informed the Committee that whilst he was not a local resident he was a motorist who used the area regularly and expressed his concern at how heavily congested the road was now. He did not feel that the proposal where buses from the south turning right into the school would have priority over vehicles travelling south would be a sensible or workable solution and he anticipated this would cause problems.

The Head of Highway Management Services agreed that traffic congestion in Durham was an increasing problem and attempts were being made to deal with this through traffic management measures, parking controls and the successful Park and Ride initiative. However there has been a large increase in car ownership and a growing problem with school gate parking countywide. He pointed out that there would be no parental access and teachers and bus drivers, as regular users of the site, would be familiar with road conditions. He explained to the Committee why alternatives such as a roundabout or traffic lights would cause greater difficulty for residents. The main issue for residents travelling south will be turning right into their properties and consideration is being given to removing the 'right arrow' markings from the protected zone to allow its use in both directions. As traffic was generally slow moving during peak periods he believed other motorists would allow vehicles entering and leaving the school to cross over and he did not think this would be a significant problem. It was accepted that exiting the school to go north may be a problem but it was felt that there would be opportunities to complete this manoeuvre with slow moving traffic giving way. The range of alternatives whilst limited had been fully explored but it was felt that the proposal contained in the report was the best available. The width of the protected area would be checked and the traffic situation would be monitored on a regular basis to determine whether any further measures were necessary.

Councillor Martin, the Local Member, said that this development was a long time coming and the state of the buildings on this site had been a matter for concern for a number of years. That the school achieved so highly was a testament to its work despite the conditions. On this basis alone he supported the application. However, whilst he did not want to belittle the residents' views concerning the traffic issues and many changes had been agreed following consultation with the residents he felt compelled to accept the advice of the County Council's experts. He hoped that parents would refrain from using the A167 as a dropping off point and that measures would be enforced to prevent this happening. He was confident that if there were continual problems then the Highways team would be asked to reconsider the situation. He urged the Committee to approve the application.

Councillor Manton moved the recommendation and said that he was proud of the development being proposed and believed this was the way forward and hoped that this was the first of many new quality schools in County Durham. He also felt that on balance the recommendations of the Highways personnel had to be accepted.

Councillor Walker also supported the proposal for a development that had been waited upon for a long time. He accepted the reservations of the residents concerning the traffic on the A167 but felt that the measures proposed should be tried and tested and reviewed if required.

Councillor N Foster accepted the views of the Highways staff and said that he could appreciate the concerns of residents as he was aware of the situation as he used the road on a daily basis.

Councillor Coates endorsed the proposal for a new school but accepted the concerns of residents in view of the fact that the report also conceded that the junction would need to be monitored and that there may be problems that may require a different solution. He asked if sufficient provision of parking places had been included in the proposal as whilst 80 places may meet the County Council's guidelines there were significantly more teachers and staff at the school. The report also omitted details of the size of the drop-off point.

The Head of Highway Management Services assured the meeting that all new schemes are subject to a road safety audit and are monitored for their impact on traffic and general safety. As part of the planning consent the school is obliged to develop and implement a comprehensive School Travel Plan to relieve any potential problems but if problems did occur then action will be taken. The need for additional signing and lining to manage traffic at the junction is to be investigated.

Councillor Knox said that whilst they had visited the school today it was closed however, local residents will be well aware of the traffic issues when it is open.

Resolved:

that planning permission be granted for the proposed new school for the reasons stated below, subject to conditions listed in Appendix A relating to building, landscaping and external works details, agreements and mitigation measures to ensure that the development is provided to the required standard and identified interests of importance are safeguarded.

- i) The proposal would accord with Policy C6 of the City of Durham Local Plan in that it would involve provision of a replacement single site Durham Johnston comprehensive school on land safeguarded for this purpose at Crossgate Moor.
- ii) The proposed school building and external works can be appropriately accommodated on the site in terms of size, siting, design, layout and appearance, would meet the needs of users and relate satisfactorily to

surrounding development in visual and residential amenity terms in accordance with Policies Q1, Q2 and Q5 of the City of Durham Local Plan.

- iii) The proposal would not adversely affect the setting of the Durham (City Centre) Conservation Area, World Heritage Site and Area of Landscape Value or the interpretation of the Neville's Cross Battlefield in accordance with Policies E3, E10, E22 and E25 of the City of Durham Local Plan
- iv) The proposed transport implications of the scheme in terms of traffic generation and movements on the surrounding road network, the siting and design of accesses and provision for parking within the development would not prejudice the free flow of traffic, highway safety or wider transport objectives aimed at reducing reliance on the private car. The proposal would accord with Policies T1 and T10 of the City of Durham Local Plan.

(ii) Derwentside District: Provision of covered walkway, draught lobby, access ramp, car parking area, fencing and associated works at Tanfield Lea Junior and Infant Schools, Tanfield Lea, Stanley (Regulation 3)

The Head of Environment and Planning presented a report on the proposed provision of covered walkway, draught lobby, access ramp, car parking area, fencing and associated works at Tanfield Lea Junior and Infant Schools, Tanfield Lea, Stanley (for copy see file of Minutes).

He informed the Committee that following the consultation process objections from the 'Activity Den' had been withdrawn after some revisions were made to the proposal.

Resolved:

that planning permission be granted subject to relevant conditions concerning details of materials.

The development would accord with Policy GDP1 of the Derwentside District Local Plan and would be in keeping with the character and appearance of the area. The proposed form, layout and materials are appropriate to the site location and would not adversely affect the amenities of neighbouring occupiers and land users and the sites own users. The development would also provide for disabled access in accordance with Local Plan Policy CF5.

A3 Applications to be determined by the County Council.

Sedgefield Borough: Proposal to vary Conditions 1 and 7 of Planning Permission T/APP/H1345/A/96/267255/P5 as amended by Planning Permission 7/2003/0045CM in order to: a) extend the date for completion of mineral extraction, b) revise the method of mineral extraction, c) revise

phasing of inert landfill operations, at Bishop Middleham Quarry for W&M Thompson (Quarries) Limited

Councillors Gray and Chapman declared an interest as Members of Sedgefield Borough Council.

The Head of Environment and Planning presented a report on proposals to vary conditions of planning permission in respect of Bishop Middleham Quarry (for copy see file of Minutes). He advised the Committee that one additional letter of objection had been received together with video evidence referring to dust problems on the site on two separate occasions during August. He suggested in the recommendation that the Committee advise the Company that dust issues needed to be properly addressed.

The Committee heard representations from Mr King and Mr Potts who objected to the proposal.

Mr King informed the Committee that he was a local resident who had already been adversely affected by the quarry for many years and that an additional 6 years of working was a long time. He had concerns regarding the proposals to carry out additional blasting at the quarry at a part of the quarry that was only 100 metres from their home. This would have a significant effect on them and he objected to the application.

Mr Potts expressed his concern over the haste in which this matter was proceeding as they had just received notice today that the application was being considered at this meeting. The matter was previously discussed at a meeting of Bishop Middleham Parish Council on 18 July 2007 when it was agreed to register their objections to Sedgefield Borough Council. However, when the matter was considered by Sedgefield Borough Council they did not take into consideration the objections of the Parish Council. It appears as though the whole process was being rushed through during a peak holiday period when people were away. Their local Member Councillor Robinson was in possession of an 8 page document containing objections and evidence that refuted the arguments for the reduced rates of extraction that had not been considered by either Sedgefield Borough Council or Durham County Council and he felt that the matter should at least be deferred until this information could be made available to the Committee.

Mr Malloy from W&M Thompson (Quarries) Ltd commented that the Company had a good record in general compliance with planning conditions.

Councillor E Foster proposed that as the Local Member was not present and may have some information that may be significant then the matter should be deferred until this information was available to the Committee.

Councillor Armstrong supported the deferment and suggested that a site visit should be undertaken and that Members should have the opportunity to

consider additional information from the operator and come to a balanced decision regarding the proposal.

Councillor Marshall agreed that although there was an existing permission, this application was proposing more blasting and a longer time limit which was a significant alteration to the original application and he supported the deferment.

Resolved:

that the application be deferred until a site visit could be undertaken and the additional information held by the local Member could be considered.

A4 Sedgefield Borough Council Local Development Framework

The Committee considered a report of the Head of Environment and Planning regarding consultation on Sedgefield Borough Council Local Development Framework (for copy see file of Minutes)

Resolved:

That the comments set out in the Appendix 2 form the County Council's response to the Sedgefield Borough Council Local Development Framework.