

**DURHAM COUNTY COUNCIL**  
**AREA PLANNING COMMITTEE (NORTH)**

At a Meeting of the **Area Planning Committee (North)** held in the Council Chamber - County Hall, Durham on **Thursday 28 March 2019 at 1.00 pm**

**Present:**

**Councillor I Jewell (Chairman)**

**Members of the Committee:**

Councillors D Bell, D Boyes, J Clare, A Hopgood, C Martin, A Shield, J Shuttleworth and T Tucker

The Chairman informed the meeting that, due to the number of speakers registered for each item, Agenda Item 5 (c) would be considered before Agenda Item 5 (a). Agenda Item 5 (b) had been withdrawn for consideration at the meeting.

**1 Apologies for Absence**

Apologies for absence were received from Councillors A Bainbridge, Boyd, J Robinson, S Wilson and S Zair.

**2 Substitute Members**

Councillor Clare as substitute Member for Councillor J Robinson.

**3 Minutes**

The Minutes of the meeting held on 28 February 2019 were confirmed as a correct record and signed by the Chairman.

**4 Declarations of Interest**

There were no Declarations of Interest.

**5 Applications to be determined by the Area Planning Committee (North Durham)**

**a DM/18/03860/OUT - Land to the east of 3 Whitehill Hall Gardens, Chester-le-Street**

The Committee considered a report of the Planning Officer regarding an application for the erection of 2 dwellings (outline) on land to the east of 3 Whitehill Hall Gardens, Chester le Street (for copy see file of Minutes).

L Ollivere, Planning Officer gave a detailed presentation on the application which included a location plan, aerial photograph and site photographs. The Planning Officer informed the Committee that local residents had advised they were unable to attend the meeting due to work commitments. Members of the Committee had visited the site the previous day and were familiar with the location and setting.

A Mowbray, local resident addressed the Committee to object to the application. The proposed development would lead to a loss of privacy to his property which was located on the other side of the wall from the proposed development. The proposed development would also lead to an increase in traffic in the area with a lack of parking provision.

E Dunn, local resident addressed the Committee to object to the application. She had lived in the area for three years and the proposed development would lead to a loss of privacy at her property, which currently was not overlooked to the front or back. The development would lead to a loss of the private and secluded character of the street. There was no on street visitor parking available and the development would lead to an increase in traffic and visitors.

J Ridgeon, agent for the applicant addressed the Committee. Any concerns which remained could be addressed at the detailed design stage of the application, and there were no technical constraints for the application to be refused. The proposed two dwellings could be accommodated with amenity distances, the separation distances would be over 21 metres. The development could take place while affording protection to the garden wall. The development would lead to a housing density of 28 dwellings per hectare which was not over-development. Mr Ridgeon asked that the Committee approve the application.

Councillor Martin informed the Committee that he had listened to points made by the supporter of the application but considered that the change of character to the area which this development would result in had not been addressed.

Councillor Hopgood informed the Committee that she had listened to the representations put forward. She considered that the proposed development would have an adverse effect on the character of the street and believed that open spaces should be protected. The proposed development was not acceptable and Councillor Hopgood **moved** that the application be refused.

Councillor Boyes considered there was no issue with the proposed separation distances for the proposed development. However, it failed to meet NPPF 12 which related to achieving well-designed places and NPPF 15 and 16 which related to conserving and enhancing the natural environment and conserving and enhancing the historic environment. Councillor Boyes **seconded** refusal of the application.

Councillor D Bell informed the Committee that he had attended the site visit and considered that the proposed development would spoil the character of the area.

Upon a vote being taken it was

**Resolved:**

That the application be refused for the reasons stated in the report.

**b DM/19/00105/FPA - Former Annfield Plain Community Centre, Fairview Terrace, Greencroft, Stanley**

The Committee considered a report of the Senior Planning Officer regarding an application for the demolition of an existing community building, erection of 19 residential dwellings, creation of a new access and associated works at the former Annfield Plain Community Centre, Fairview Terrace, Greencroft, Stanley (for copy see file of Minutes).

A Dobie, Principal Planning Officer gave a detailed presentation on the application which included a location plan, aerial photograph, site photographs, proposed site layout and proposed elevations.

A Willis, agent for the applicant was present at the meeting but elected not to speak. He was, however, available to answer questions.

Councillor Shield informed the Committee that he was familiar with the area and could see no problems with the application, which was on a brownfield site and was sustainable. Councillor Shield referred to the proposed s106 agreement and asked whether this was yet in place. C Cuskin, Planning and Development Solicitor replied that the Council was in receipt of a draft s106 Agreement from the applicant but that any s106 Agreement would only be approved once planning permission was granted.

Councillor Shield **moved** approval of the application.

Councillor Shuttleworth considered that it was sad that a community facility such as this was closing and would be demolished. However, he could see no problem with the proposed development and **seconded** approval of the application.

Councillor Clare, while supporting approval of the application, asked whether any features of the existing building might be incorporated into the design of the new development. Mr Willis, agent for the applicant replied that this had been discussed at pre-planning discussions, but unfortunately it had not proven to be possible to incorporate such features into the new development. The Principal Planning Officer added that the brick wall on the south and west boundaries of the site would be retained, and this was included as Condition 9 of the proposed planning permission.

Councillor Hopgood asked how many bedrooms the proposed dwellings would be. Mr Willis replied that 11 two-bedroomed houses were proposed and 8 three-bedroomed properties. Councillor Hopgood informed the Committee that she had no objection to the development in principle but asked about parking availability on the development. The Principal Planning Officer informed Councillor Hopgood that the development proposed 31 car parking spaces within the curtilage of the properties, as well as visitor spaces.

Upon a vote being taken it was

**Resolved:**

That the application be approved subject to:

- A s106 legal agreement that includes securing the tenure of all the approved dwellings to meet the definition of 'affordable housing' set out in the NPPF, and
- A s106 legal agreement that includes securing the payment for £1311 to directly mitigate the healthcare implications of the development

and the Conditions contained in the report.

**6 Appeal Update**

The Committee noted a report of the Principal Planning Officer which provided details of a recent appeal decision in relation to the following:

- An enforcement notice to the material change of use of 10 Queen Street, Grange Villa, Chester-le-Street to a guest house, and
- An appeal against refusal of planning permission for the construction of four dwellings on Land East of The Byre, Cornsay Lane, Cornsay.

The Planning Officer advised that both appeals had been dismissed by the Planning Inspector.