DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST)

At a Meeting of **Area Planning Committee (Central and East)** held in **Council Chamber, County Hall, Durham** on **Tuesday 11 February 2020** at **1.00 pm**

Present:

Councillor J Clark (Chair)

Members of the Committee:
Councillors J Blakey (substitute for I Cochrane), G Bleasdale, D Brown, K Corrigan, B Coult, M Davinson, D Freeman, K Hawley, S Iveson, A Laing (Vice-Chair), K Liddell (substitute for K Hawley), R Manchester, L Marshall (substitute for J Robinson), J Shuttleworth and P Taylor

Also Present:
Councillor I McLean

1 Apologies for Absence

Apologies for absence were received from Councillors I Cochrane, K Hawley, S Iveson and J Robinson.

2 Substitute Members

Councillor J Blakey substituted for Councillor I Cochrane, Councillor K Liddell substituted for Councillor K Hawley, and Councillor L Marshall substituted for Councillor J Robinson.

3 Minutes

The minutes of the meeting held on 14 January 2020 were confirmed as a correct record by the Committee and signed by the Chair.

4 Declarations of Interest

There were no Declarations of Interest submitted.

5 Applications to be determined by the Area Planning Committee (Central and East)

a DM/19/02973/FPA - Land To The South Of Culloden Terrace, Grants Houses

The Senior Planning Officer, Paul Hopper, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Senior Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for the siting of caravan (retrospective) for use to provide comfort facilities (amended description) and was recommended for refusal.

The Senior Planning Officer referred Members to aerial and site photos, and asked Members to note the design of the caravan was typical of such static caravans, with the inclusion of plastic skirting and a decked area. Members were asked to note the use of the rooms within the caravan, with a beverage bay, CCTV room, use for storage, a seating area and toilet facilities.

The Senior Planning Officer noted no objections had been received from Northumbrian Water or from local residents. He added objections had been raised by the Council's Landscape Section, noting some adverse landscape and visual impact in conflict with landscape related planning policies. The Senior Planning Officer noted that the use of the surrounding land was private enjoyment, with the caravan being used for comfort use. He added that it was felt such facilities could have more suitably been provided within existing buildings.

The Committee were reminded that as Local Plan Policies were considered out of date, National Planning Policy Framework (NPPF), Paragraph 11 would be in effect, weighing the balance of the significant and demonstrable adverse impacts of the application against the benefits. The Senior Planning Officer noted the benefits were the personal comfort for the applicant, with the negative impacts being the detrimental visual impact upon the open character of the surrounding landscape, contrary to Policies 3 and 35 of the Easington District Local Plan and Paragraph 127 of the NPPF. He concluded by noting the recommendation was therefore for refusal.

The Chair thanked the Senior Planning Officer and asked Councillor I Mclean, Local Member, to speak in support of the application.

Councillor I McLean thanked the Chair and Committee for the opportunity to speak. He explained the applicant was a successful businessman from the nearby village of Horden, his businesses being maintained to a high standard. He added those high standards were reflected in the applicant's hobby and the area of land in question. Councillor I McLean noted he had visited the site, with all the animals being well looked after, very happy and all individually named. He explained to Members that the site occupied an isolated position and having spoken to nearby residents they had raised no objections in terms of the animals or the caravan. He reiterated the comments of the Senior Planning Officer in terms of the use of the rooms within the caravan and noted that while there were several other buildings that may be able to accommodate welfare facilities the caravan was already in place and he considered the caravan reasonable in terms of welfare provision. Councillor I McLean added that in addition to there being no objections from residents, he felt that having the caravan on site offered an element of security to the isolated site, deterring vandalism. He concluded by noting he supported the granting of the application.

The Chair thanked Councillor I McLean and asked Mrs Jean Dixon MBE representing Haswell and District MENCAP to speak in support of the application.

Mrs J Dixon MBE explained that the welfare facilities enabled the opportunity for those accessing the services of Haswell and District MENCAP to go to the site and experience the animals and use the greenhouses, with horticulture being very beneficial for those with learning difficulties. She added the ability to have a space for comfort and to rest and have a hot drink was very beneficial, as well as a space to recover if anyone were to feel unwell. Mrs J Dixon MBE noted that she would hope that the Committee would consider the application positively.

The Chair thanked Mrs J Dixon MBE and asked Mr Barry Millburn, agent for the application, to speak in support of the application.

Mr B Millburn noted that he felt that the Council could support the application as he felt believed that the benefits of the application did in fact outweigh the negatives. He explained that the facilities were required at the site, especially in the cases of lambing or animal sickness, reiterating that the caravan would also be used for storage of feed and plant equipment. He added that the benefit was not just for the applicant, it also offered the benefit of security in terms of the CCTV, with some valuable rare breeds on site and the office space providing a place for medicines and for a veterinary to work when visiting the animals. Mr B Millburn reiterated the points made by Mrs J Dixon MBE as regards the use of the greenhouses by MENCAP.

He noted that in respect of visual impact, he felt that the caravan was not really visible from anywhere other than the site, not visible beyond the fence bounding the site. He reiterated that it was felt the benefits outweighed any adverse impact and that the application should be granted.

The Chair thanked Mr B Millburn and asked the Committee for their comments and questions on the application.

Councillor A Laing noted she had not been on the site visit with the Committee; however, she had visited the site previously and was familiar with the area. She added that while such development was technically against Policy 3, which had the aim was to protect the open countryside, the development was well screened from the public vantage and the site location was such that she felt it was not in conflict with Policy 3 of the Easington District Local Plan. Councillor A Laing moved that the application be approved.

Councillor J Shuttleworth noted that he had always felt that it was important to listen and take heed of the Local Members in relation to planning applications and he noted in this case it was supported by the Local Member. He added that, as Mrs J Dixon MBE had explained, the benefit to people with disabilities was very good and therefore he would second the approval of the application.

Councillor J Blakey noted that she believed the valuable resource helping to enrich the lives of disabled people was to be commended.

Councillor M Davinson noted he had attended the site visit and noted the photographs it did not show how difficult it was to see the caravan beyond the fencing. He added he felt the fencing enclosing the site detracted visually more than the caravan itself. In reference to the context of the caravan within the setting of the existing buildings, Councillor M Davinson noted he felt the large shipping containers which were permitted were more visible than the caravan itself. He noted that the fencing screened the caravan to some extent, and he did not agree with Officers opinion that it was to the detriment of visual amenity and therefore he would support motion to approve the application.

The Solicitor – Planning and Development, Neil Carter noted the consideration of the application in terms of the NPPF Paragraph 11 balance test was for Members, however, he reminded the Committee that should they be minded to approve the application there would need to be the usual suite of conditions to be attached to the permission.

Councillor A Laing asked what conditions would be applicable. The Senior Planning Officer noted that there would be the usual conditions as applicable to this type of application and would be agreed in consultation with the Chair and Vice-Chair of the Committee and the Legal Officer. He asked if the proposal would be for approval subject to removal of the plastic skirt and decking or whether these elements were felt to be acceptable. Councillor A Laing noted she was proposing that those elements would remain. The Senior Planning Officer noted standard conditions would include those relating to approved plans, details of landscaping, and restriction of use such that it was not used as a permanent dwelling.

Councillor A Laing proposed the application be approved; she was seconded by Councillor J Shuttleworth.

RESOLVED

That the application be **APPROVED** subject to a suite of conditions the details of which to be delegated to the Planning Officer, in consultation with the Chair and Vice-Chair of the Committee.