

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST DURHAM)

At a Meeting of **Area Planning Committee (Central and East Durham)** held in Council Chamber, County Hall, Durham on **Tuesday 7 February 2012 at 1.00 pm**

Present:

Councillor P Taylor (Chair)

Members of the Committee:

Councillors J Bailey, A Bell, J Blakey, G Bleasdale, J Brown, P Charlton, D Freeman, S Iveson, A Laing, J Moran, J Robinson and K Thompson

Apologies:

Apologies for absence were received from Councillors C Walker and B Wilson

Also Present:

J Taylor – Principal Planning Officer (Durham Area)
A Dobie – Principal Planning Officer (Easington Area)
N Carter – Legal Officer
A Glenwright – Highways Officer

1 Minutes of the Last Meeting held on 10 January 2012

The Minutes of the meeting held on 10 January 2012 were confirmed as a correct record and signed by the Chair.

2 Declarations of Interest, if any

There were no declarations of interest submitted.

3 Applications to be determined by the Area Planning Committee (Central & East Durham)

3a 4/11/00881/FPA and 4/11/00882/CAC - Sparks Cottage, Hall Lane, Shincliffe Demolition of Existing Cottage and Erection of Two Storey Dwelling

Consideration was given to the report of the Principal Planning Officer (Durham Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Members were advised that further representations had been submitted since preparation of the report and a total of 35 objections had now been received to date. The additional representations did not raise any new material objections, however the consultation period had not expired. Therefore if Members were minded to approve the application it was recommended that this be subject to no new material objections being received by the expiry of the consultation period. In the event that new material objections were submitted within this time, delegated authority be granted to the Chair and Vice-Chair of the Committee to determine the application.

The Officer also advised that the wording of condition 4 regarding materials/design of windows was to be amended, together with an amendment to paragraph 68 of the report regarding ecology issues. The reference made in the paragraph to The Conservation (Natural Habitats, etc) Regulations should read 2010 and not 1994.

Mr M Brooker spoke on behalf of local residents against the application. He stated that Shincliffe Village had been designated a Conservation Area because of the special architectural interest of the buildings, which included Hall Lane and the location of Sparks Cottage. The proposals did not protect or enhance the Conservation Area and were therefore contrary to Planning Policy E22. The development was almost double the footprint of the existing dwelling and would have a detrimental impact on the amenity of the residents of Wood View. The site did not constitute previously developed land as he understood that private gardens were now excluded from the new definition. He also expressed concern that Members of the Committee did not have an opportunity to consider any new representations made.

J Taylor, the applicant's architect stated that the existing property was very small and had no architectural merit or historical value. An application for Listed Building status had been refused by English Heritage. The site constituted previously developed land as the footprint extended no further than the existing garage on the site. The overall height of the building would be less than the adjacent two storey house to the north and the footprint would only represent 26% of the overall space. He therefore did not consider that this constituted over development. Separation distances to properties in Wood Terrace were in excess of minimum requirements and this would ensure that there was no loss of privacy. The proposed materials would be traditional and in-keeping with the Conservation Area.

In responding to the comments made, the Principal Planning Officer stated that the existing property was very modest and the scale of the proposed dwelling could easily be accommodated within the site. The materials to be used were traditional and commonly found in Conservation Areas. The mass of the dwelling would be mitigated through the use of single storey elements and the ridge height would be lower than that of the white two storey building to the north of the site, and that of Wood Terrace due to the difference in ground levels.

In determining the application Members acknowledged the need to protect the character of Shincliffe village but felt that the existing bungalow was not of any historic or architectural value, and that a carefully designed building would enhance the Conservation Area.

RESOLVED

- (i) That the application be approved subject to the following;-

No new material planning considerations being raised by the expiry of the consultation period;

or should any new material objections be received by the expiry of the consultation period delegation be granted to the Chair and Vice-Chair of the Committee to determine the application.

- (ii) Subject to (i) above, approval be granted in accordance with the conditions outlined in the report, with condition 4 being amended to read as follows:-

'4. Notwithstanding the submitted plans full details (including cross-sections) and materials and colour of all windows, doors and roof lights at a scale of 1:20 shall be submitted to and approved in writing by the Local planning Authority, prior to development commencing. The submitted details shall demonstrate that windows and doors have a recess of at least 100mm from the outer face of the wall. The development shall be carried out in accordance with the approved details.'

**3b 4/11/00738/FPA - The Former Durham Light Infantryman Public House, Gilesgate
Change of Use of Existing Public House to Create 5 No. Apartments and Erection of 8 No. Terraced Properties to the Rear of Public House with Associated Landscaping and Highway Improvement Works**

Consideration was given to the report of the Principal Planning Officer (Durham Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report, which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

The Officer advised that the wording of condition 4 regarding materials was to be amended, together with an amendment to paragraph 80 of the report regarding ecology issues. The reference made in the paragraph to The Conservation (Natural Habitats, etc) Regulations should read 2010 and not 1994.

Councillor D Southwell, local Member expressed his support to the proposals, stating that whilst it was unfortunate that residents of Gilesgate had lost the former DLI Public House as an amenity, the proposed development would make good use of the site and was therefore welcomed.

In deliberating the application Members reiterated the comments made by Councillor Southwell regarding the loss of such an amenity in Gilesgate but noted

that there was a public house across the road from the development. It was felt that the proposed terraced houses to the rear of the development could easily be accommodated on the site with no impact on nearby residential properties.

RESOLVED

That the application be approved, subject to the applicant entering into a Section 106 Legal Agreement and to the conditions outlined in the report, with the following amendment to condition 4:-

4. Notwithstanding the submitted plans full details (including cross-sections) and materials and colour of all windows, doors and roof lights at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority, prior to development commencing. The submitted details shall demonstrate that windows and doors have a recess of at least 100mm from the outer face of the wall. The development shall be carried out in accordance with the approved details.'

3c 4/12/00025/PNT - Land at Broomside Lane, Belmont Prior Approval for Siting and Appearance of 14.8m High Monopole with 2 No. Associated Equipment Cabinets

Consideration was given to the report of the Principal Planning Officer (Durham Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report, which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Members were advised that the consultation period had not yet expired. To date a total of 13 objections had been received and Environmental Health had offered no objections to the proposal. One of the two objections received following the report being published asked why the mast could not be moved 100m to the east, however this site had been discounted on technical grounds.

Barbara Howarth, Belmont Parish Council stated that the proposed mast would be situated on an important tree-lined route into Durham City, which was increasingly being influenced by industrial development. If approved the Parish Council was concerned that this would encourage retailers to make application to advertise along that length of road. She agreed with the comments of the Council's Arboricultural Officer with regard to the potential impact on trees from the mast's foundations and cabinet, and the Parish Council was of the view that alternative sites should be explored further.

Councillor K Holroyd supported the views of the Parish Council expressing his concern with regard to the appearance of the mast along this route into the City, and also commented that an earlier application had been refused which was located only 400 yards away from the application site.

Councillor Southwell, local Member stated that alternative sites had been explored but were unsuitable. Residents views should be taken into account but he had received only one e-mail in relation to this application. Therefore he felt that the level of concern expressed regarding this mast should be balanced against the customer demand for a quality service.

In deliberating the application Members were advised that the Committee was only able to consider siting and appearance of the mast. The Principal Planning Officer provided Members with technical information about the extensive services provided by masts and explained that to ensure maximum coverage they needed to be located close to residential development. The location of the proposed mast was considered to have an acceptable impact on both the visual amenity of the surrounding area and the residential amenity of neighbouring residents.

RESOLVED

That prior approval of the application be granted subject to:-

- (i) no new material considerations being raised by the expiry of the consultation period;
- (ii) or should any new material objections be received by the expiry of the consultation period delegation be granted to the Chair and Vice-Chair of the Committee to determine the application.

Prior to consideration of the following application Councillor J Bailey left the meeting and Councillors J Brown, A Laing and J Robinson left during the discussion.

3d PL/5/2011/0438 - Land North of Station Road and East of Salters Lane including Site of Former Fleming Hotel and Bruntons Garage, Shotton Residential Development Comprising 175 Dwellings

Consideration was given to the report of the Principal Planning Officer (Easington Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report, which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Members were advised that paragraph 77 of the report wrongly implied that the delivery of community benefits by the developer was linked to the Community Infrastructure Levy. The Principal Planning Officer explained that this was not yet in place and would form part of the County Durham Plan. The issue was more properly explained in Paragraph 91, where it was identified that various community benefits were necessary to offset the impacts of the proposals on the local community. The developer had agreed to make a number of contributions towards local facilities and community infrastructure by way of a Section 106 Legal Agreement, as outlined in the report.

The Officer also advised of an additional condition which would require details of the roundabout to be submitted to and approved in writing by the Local Planning Authority, with works to be completed prior to occupation of the first dwellinghouse.

Mrs Stoker, objector, represented the residents of Parklands who faced on to the Greenfield part of the application site. They currently enjoyed an open aspect on the edge of the village, were not overlooked and residents were concerned that this new development would not only have a detrimental impact on their privacy but would also reduce the value of their properties. Residents were also concerned about the increase in traffic which would be generated on the B1280, a road that was already busy at peak periods and at school times. In addition they did not believe that Shotton had adequate facilities for a development of this size, and that local amenities such as schools would not be able to cope with the increased population.

Mr Rogers, objector, considered that consultation on the proposals had been inadequate. He reiterated the views of Mrs Stoker and stated that the access should be re-located to the northern end of the site with additional traffic calming measures provided for pedestrians. There were a number of elderly and young people living in the location and the road was already very busy to cross.

Mr Struthers, the applicant's agent stated that there had been full consultation in June 2011 by way of an exhibition for local residents. Loss of views was not a planning consideration and the development had been designed to protect the privacy of both existing and new residents. A full traffic assessment had been carried out, and a new junction with roundabout was proposed which would create natural traffic calming. An access to the north of the site was not feasible. The site was sustainable and the proposals would bring about community benefits for the village through a Section 106 Agreement. Local jobs would be created and local businesses would benefit.

In responding to the comments made Members were advised that loss of views and devaluation of properties were not planning considerations. If approved this development would represent a significant proportion of the proposed housing allocation for Shotton, whilst also maintaining the fabric of the village. Local facilities would be supported and enhanced by the additional population, and with regard to consulting with local residents, the Principal Planning Officer was satisfied that adequate consultation on the application had been carried out by Planning Officers.

A Glenwright, Highways Officer confirmed that the applicant had submitted an in-depth Traffic Assessment and had offered to implement any traffic calming measures deemed necessary. Highways Officers considered that the proposed roundabout would resolve any concerns about vehicle movement and would bring about effective traffic calming. With regard to pedestrian safety, he explained that as pedestrian movements would not significantly increase, the location did not meet the requisite criteria for the installation of pedestrian crossing facilities.

In deliberating the application Members appreciated the concerns expressed by residents in relation to loss of views and devaluation of their homes, but that these were not planning considerations. The site was currently an eyesore and the

proposals would bring about excellent community benefits. Members were assured by the applicant's agent that in the current financial climate the developer was committed to providing 20% affordable housing.

RESOLVED

That the application be approved subject to the applicant entering into a Section 106 Legal Agreement, and to the conditions outlined in the report. Such conditions to include the following:-

'No development shall commence until full details of the design, layout and specification of the proposed roundabout at the access point of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the roundabout shall be completed in accordance with the approved details and brought into use prior to the occupation of the first dwelling house hereby approved.

Reason: In the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.'

3e PL/5/2011/0473 - Hawthorn Industrial Estate, Murton Variation of Timescale to Carry Out Highway Works to the A182 as Required by Condition No. 14 of Planning Permission Ref No. PLAN/2005/0955 (resubmission)

Consideration was given to the report of the Principal Planning Officer (Easington Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation, which included photographs of the site. In presenting the report the Officer advised of minor amendments to the wording of condition 13 regarding highway works.

RESOLVED

That the application be approved subject to the conditions outlined in the report and to condition 13 being amended to read as follows:-

'13. The following levels of development shall not, either individually or cumulatively, be exceeded until such time as the highway works shown on the Jacobs Babbie drawing number 10780/P/T/01 Rev B are constructed and open to traffic to the satisfaction of the Local Planning Authority in consultation with the Highways Agency, to ensure the satisfactory operation of the A19/A182/B1285 junction.

Maximum permissible levels of development:

- 10,567 sqm Gross Floor Area (GFA) of Use Class B1; or
- 33,852 sqm GFA of Use Classes B2/B8.'

4 Appeal Update

**Appeal by Mr J Collard and Ms E Jameson
Site at Plot 2 Littlethorpe Farm, Littlethorpe, Easington
Planning Ref: PL/5/2011/0208**

The Inspector had dismissed the appeal.

**Appeal by Wilbury Developments Ltd
Site at Fernhill, Crossgate Moor, Durham
Planning Ref: 4/11/00535/FPA**

The Inspector had dismissed the appeal.

**Appeal by Roger Lindley
5 North Side, Shadforth, Durham
Planning Ref: 4/11/0315/FPA**

The Inspector had dismissed the appeal.

RESOLVED

That the information given, be noted.