

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 10 April 2012 at 1.00 pm**

Present:

Councillor C Walker (Chair)

Members of the Committee:

Councillors P Taylor (Vice-Chair), A Bell, J Blakey, G Bleasdale, P Charlton, R Liddle, J Robinson, K Thompson, B Wilson, M Dixon and A Naylor (substitute for A Laing)

Apologies:

Apologies for absence were received from Councillors J Bailey, J Brown and S Iveson, A Laing and J Moran

Also Present:

J Taylor – Principal Planning Officer (Durham Area)
A Dobie – Principal Planning Officer (Easington Area)
N Thompson – Highways Officer
C Cuskin – Legal Officer

1 Minutes

The Minutes of the meeting held on 13 March 2012 were confirmed as a correct record and were signed by the Chair.

2 Declarations of Interest

There were no declarations of interest submitted.

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

3a 4/11/00993/FPA - Former Durham Johnston Annex, Redhills Lane, Durham

Consideration was given to the report of the Principal Planning Officer (Durham Area) in relation to the above application, a copy of which had been circulated.

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.

Councillor N Martin, local Member spoke in support of the application. He considered that this was an important development on land which had been identified as surplus to educational requirements, and the scheme would improve an unused site containing dilapidated buildings. The proposed dwellinghouses would be restricted to 2 storey with no accommodation proposed in the roof space. Concerns expressed about the impact on longer distance views were addressed in the report and he stressed the importance of retaining/improving hedging and trees to the east of the site.

Councillor Martin also made reference to the proposed Section 106 Agreement. There was no formal play area in close proximity to the site and it was difficult to envisage where this facility could be located. He asked if local Members could be consulted on the allocation of Section 106 monies for the provision of amenity space/play space equipment. The views expressed by Councillor Martin were also endorsed by Councillor Holland, local Member.

Mr and Mrs Adams, local residents addressed the Committee against the application. Mr Adams stated that the land to the east of the buildings had been used for school sports on a number of occasions and he therefore did not consider it to be surplus to educational requirements. Mrs Adams asked what safeguards there were to ensure that the developers adhered to submitted plans in terms of design and layout, the landscaping scheme, the protection of trees and hedging, and any future works.

The Principal Planning Officer responded that the land to the east of the site was classed as previously developed land and had been identified as surplus to requirements by the Local Education Authority. The Council's Planning Enforcement Section would ensure that planning conditions were adhered to, and conditions 6 and 7 in the report addressed the objectors' concerns with regard to landscaping and tree/hedge works.

In discussing the application a Member referred to the low density of the site and the lack of affordable housing provision. In noting the Member's concerns, the Officer advised that due to the character and setting of the proposed development in this residential area, density was not a consideration and the development of executive houses was deemed to be acceptable. The 14 no. dwellings proposed fell below the threshold informed by the SHMA in terms of affordable housing provision.

Members agreed with the views of the local Members and it was

RESOLVED:

That

- (i) the application be approved subject to the conditions outlined in the report and to the applicant entering into a Section 106 agreement to secure the payment of a commuted sum for the provision or improvement of amenity space/play space equipment and for public art works;
- (ii) local Members be consulted on proposals for the allocation of the Section 106 monies for the provision of amenity space/play space equipment.

3b 4/12/00179/FPA - Land at Stoneacre Garage, Sawmills Lane, Brandon

Consideration was given to the report of the Principal Planning Officer (Durham Area) in relation to the above application, a copy of which had been circulated.

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

The Principal Planning Officer gave details of a revised statement submitted by the applicant and Members were advised of amendments to condition 3 with regard to the parking layout. The application proposed 15 staff spaces, 22 customer spaces, 30 storage spaces and 27 for car sales.

Councillor J Turnbull, local Member addressed the Committee on behalf of local residents. He advised that local people did not have a problem with the location of the garage in the village but how the business had expanded over the years. Residents experienced problems using the footpath because of indiscriminately parked vehicles and the road was dangerous for pedestrians and for elderly people in particular who crossed the road to visit the doctor's surgery. Garage vehicles continued to park on the double yellow lines and enforcement measures were not being pursued by Durham County Council.

Mr Hutchinson, local resident spoke against the application. He stated that parking had not been an issue until the garage gave up the secure site on Littleburn Industrial Estate. He noted that the proposals included an increase in parking for car sales and he believed that cars from the bodyshop and other damaged vehicles would be parked elsewhere. This would have a detrimental effect on the street scene and neighbouring properties.

The landscaping proposed would not soften the impact of the development and unless the Council was prepared to police the site on a daily basis vehicles would continue to park on the unrestricted length of highway. The residents looked forward to close of business at the end of each day when it returned to a quiet, respectable residential area.

Mr Longstaff, the applicant's agent stated that the previous proposals had been dismissed on appeal, however the Inspector had outlined a clear way forward and guidance on how the impact could be mitigated. The Inspector's decision letter referred to the open space as a positive element in the street scene and that it would be possible to mitigate the loss by reducing the area available for car parking and retaining an effective landscaped strip between the car parking/display area and the road.

The revised application addressed the concerns of the Inspector by providing an effective landscaping strip between the car display area and the road. A landscaping scheme was also proposed to mitigate any impact on the character and appearance of the streetscene.

In respect of other issues raised in the LPA's Appeal statement, the Inspector had stated that there would be a marked improvement in the living conditions of local residents in relation to parking congestion and highway safety, the proposal would reduce pressure for on-street parking, would assist in the efficient operation of the existing business and whilst there would be a more visible sales area most of the net gain in the parking area would not increase vehicle display/storage capacity.

The Inspector's conclusions should be given significant weight in the determination of the current application. The remodelling of the site would allow for much needed improvements to how the site currently operated and would alleviate the potential for car parking conflicts on Sawmills Lane.

Members discussed the application and Councillor Taylor, local Member stated that having heard the comments of the Principal Planning Officer, local resident, Councillor Turnbull and the applicant's agent he was of the view that the purpose of the application was not to resolve the parking issues but to increase sales. He wanted the business to thrive and be a part of the community but local Members and residents had tried to work with the garage for many years to reach a solution without success, with the existing restrictions on Sawmills Lane continuing to be ignored. He had concerns for the safety of road users and pedestrians, and if approved the proposals would exacerbate the existing problems experienced.

The development would increase the volume of traffic to the detriment of highway safety with a significant effect on the amenity of neighbouring properties, and the proposals would also have a significant detrimental impact on the character and appearance of the surrounding residential area. He therefore considered that the proposals contravened Policies T1 and H13 of the City of Durham Local Plan 2004.

The Principal Planning Officer stated that the application proposed 22 customer parking spaces on a visible part of the site away from residential properties, and this should alleviate the obstruction on the highway. As parking would be allocated for specific uses, enforcement action could be pursued if this was disregarded. In response to a question about sustainable drainage Members were advised that existing drainage was adequate and would be further supported by the increased landscaping that was proposed.

The Highways Officer advised that the concerns expressed by the local Member in relation to the enforcement of the existing restrictions on Sawmills Lane would be referred to the Council's Enforcement Section.

A Member commented that this application was an opportunity for the applicants to resolve the issues at this location. However, having heard the representations submitted and having viewed the site the Committee did not consider that the proposals put forward would address the problems experienced by local residents and traffic travelling along Sawmills Lane.

RESOLVED:

That the application be refused for the following reasons:-

1. The development would generate a volume of traffic which would be detrimental to highway safety and would have a significant effect on the amenity of neighbouring properties - contrary to policy T1 of the City of Durham Local Plan 2004.
2. The development would have a significant detrimental impact upon the character and appearance of the surrounding residential area - contrary to policy H13 of the City of Durham Local Plan 2004.

3c PL/5/2011/0469 - Land opposite Moor View and adjacent Ashford Grove, Thornley

Consideration was given to the report of the Principal Planning Officer (Easington Area) in relation to the above application, a copy of which had been circulated.

The Principal Planning Officer gave a detailed presentation which included photographs of the site. Members were advised that the application was recommended for approval subject to the applicant entering into a Section 106 Agreement to secure a financial contribution of £5000 for the provision or improvement of off-site play areas.

RESOLVED:

That the application be approved subject to the applicant entering into a Section 106 agreement to secure a financial contribution of £5000 for the provision or improvement of off-site play areas, and to the conditions outlined in the report.

3d PL/5/2011/0494 - Land adjacent to Gore Hall Farm, Thornley

Consideration was given to the report of the Principal Planning Officer (Easington Area) in relation to the above application, a copy of which had been circulated.

The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report which included photographs of the site. He explained that the applicant would make a financial contribution of £7000 for the provision or improvement of off-site play areas. Members were also advised of additional comments/queries made by residents regarding the following:-

- Adequate open space should be provided with no serious adverse effect on the amenity of neighbouring residents or occupiers
- The design and layout of the development should ensure good access. The existing road was dangerous in bad weather
- Clarification of technical issues referred to by Highways
- Fly-tipping
- Anti-social behaviour

The Officer responded to the additional comments made. He advised that the comments about the provision of open space had been addressed in the report. The only feasible access was at the western end of the site adjacent to the estate

road. The existing access road could adequately serve the additional properties without exacerbating problems in bad weather, and had not been objected to by Highways Officers. The technical issues referred to by the Highways Officer related to footpaths on the site and this would be dealt with at the reserved matters stage when the access and layout was considered.

Any problems regarding anti-social behaviour and fly-tipping would be resolved by development of the land.

Members discussed the application and Councillor B Wilson, local Member asked if consideration had been given to the provision of affordable housing on the site, and if the financial contribution by way of a Section 106 agreement could be used for amenities other than play areas, as Thornley was already well-served with these facilities. He also expressed concern about construction vehicles on the estate road which was used by school traffic.

In response the Member was advised that the proposal for 14 houses was below the threshold informed by the SHMA and therefore affordable housing was not proposed on this site. The Legal Officer advised that there was specific criteria for the allocation of Section 106 contributions linked to the provision of play facilities in accordance with Policy 66 of the District of Easington Local Plan, however it was suggested that local Members be consulted on any proposals. The concerns expressed relating to construction traffic would be dealt with at the reserved matters stage when conditions restricting hours of operation could be considered.

RESOLVED:

That

- (i) the application be approved subject to the completion of a Section 106 Agreement, and to the conditions outlined in the report;
- (ii) local Members be consulted on proposals for the allocation of the Section 106 monies.