

**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 15 January 2013 at 1.00 pm**

**Present:**

**Councillor P Taylor (Chairman)**

**Members of the Committee:**

Councillors J Armstrong (substituting for Councillor S Iveson), J Bailey, A Bell, J Blakey, J Brown, P Charlton, A Laing, J Moran and R Todd (substituting for Councillor C Walker)

**Apologies:**

Apologies for absence were received from Councillors G Bleasdale

**Also Present:**

Councillor Jean Chaplow, Councillor John Turnbull and Councillor John Wilkinson

**1 Minutes of the Meeting held on 11 December 2012**

The Minutes of the meeting held on 11 December 2012 were confirmed as a correct record and signed by the Chair.

**2 Declarations of Interest**

There were no declarations of interest.

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

**3a - 4/12/00997/FPA - Land at Rowan Court and The Oaks, Esh Winning, Durham**

The Committee considered a report of the Senior Planning Officer regarding the demolition of remaining dwellings on site and redevelopment with the erection of 78 no. dwellings at land at Rowan Court and The Oaks, Esh Winning (for copy see file of Minutes).

The Senior Planning Officer gave a detailed presentation on the application which included photographs of the site. Members had visited the site earlier in the day and were familiar with the location and setting. The Senior Planning Officer advised the Committee of a late update to the application, made since the report had been prepared and circulated, as follows:

In relation to Condition 5 of application 4/12/00997/FPA – The condition could be removed as Highways considered that the shared surfaces on the amended layout submitted by the applicant, was an appropriate design.

Councillor Chaplow, local member, addressed the Committee. She advised Members that the development was welcomed locally and would be beneficial to the area. She supported the application wholeheartedly and felt that the redevelopment would complete the village and attract families into the area. Speaking in regard to the houses already erected on the development, Councillor Chaplow advised the Committee that the design was extremely pleasing and revitalised the area.

Councillor Wilkinson, local member, addressed the Committee. He advised that the original estate on that land had been erected during the 1960's and by 2005 it was evident that those properties were no longer sustainable. A more attractive environment was needed for that particular part of the village. The current houses were unlettable and were not sustainable, however the new development would give residents pride in the area. The proposals addressed local need and Councillor Wilkinson advised that nearby residents were delighted with the development which had already commenced. Councillor Wilkinson also drew attention to the benefits which the Section 106 monies would bring to the area and that the development was what was needed to complete the west end of the village.

Councillor Charlton spoke in support of the application and moved that it be approved.

Councillor Moran acknowledged that there were currently two dwellings on the site which remained occupied. He was aware that the Housing team were dealing with that issue and he hoped that a mutual agreement could be reached between the Council and the residents.

In seconding the motion for approval, Councillor A Bell commented that it had been pleasing to revisit the site earlier that day and view the regeneration which had already been made in the area.

**Resolved:** That the application be approved, subject to the conditions outlined in the report, with the exception of condition 5.

**3b - 4/12/00909/FPA - Land east of Littleburn Lane and Onslow Terrace, Langley Moor, Durham**

The Committee considered a report of the Senior Planning Officer regarding the residential development of 34 no. dwellings at land east of Littleburn Lane and Onslow Terrace, Langley Moor, Durham (for copy see file of Minutes).

The Senior Planning Officer gave a detailed presentation on the application which included photographs of the site. Members of the Committee had visited the site earlier in the day and were familiar with the location and setting. The Senior Planning Officer advised the Committee of late updates to the application, made since the report had been prepared and circulated, as follows:

- Dunelm Homes had supplied a further revised layout plan in order to address the second reason for refusal as detailed within the report recommendation. The revised layout did not alter the relationships with existing properties on Onslow Terrace from the previous one and those relationships were as per discussion in the report. 34 dwellings remain proposed. However, the internal relationships had been adjusted to the point that officers no longer objected regarding the impact on plots 7, 12 and 13. Officers therefore withdrew the second refusal reason from the recommendation.
- It was reported that Roberta Blackman-Woods MP considered that the development was suitable for the area and was happy to see that the site would host a full complement of affordable housing, both by providing the required amount of 'affordable housing' in line with the Local Plan and also by ensuring that all the homes will be accessible to a wide sector of the community.

Mr N Wood, local resident, addressed the Committee. He drew attention to various paragraphs throughout the officers report which we stressed demonstrated why the application should be refused.

Mr Wood highlighted that a succession of planning applications for development on the site, had been refused over recent years. Mr Wood pointed out that the application was contrary to Policy 4 – *The Sequential Approach to Development*, Policy H13 – *Residential Areas – Impact upon Character and Amenity* and Policy Q8 – *Layout and Design*. In referring to Policy T1 – *Traffic*, Mr Wood advised the Committee that vehicles parked on both sides of the street leading to where access to the development would be, and that additional traffic could cause congestion at the access junction, as well as prohibit access for emergency vehicles.

Mr Wood drew attention to the objection from the Parish Council on the grounds of the implications of the development upon traffic congestion namely upon Mill Road and the A690. He also drew attention to the other objections to the application and the grounds on which those objections had been made.

Mr G Brooks, representing the applicant Dunelm Homes, addressed the Committee.

He summarised the benefits of the proposed development, advising the Committee that the proposals were for a low density development of attractive properties which he believed would have a positive effect on the surrounding community. Mr Brooks advised the Committee that in providing 20% affordable housing on the site, the developer was creating wider opportunities for home ownership which would be supported through a shared equity scheme.

The Committee were advised that a recent report had considered the site to be of limited ecological value due to its size, however Mr Brooks highlighted that the adjacent railway embankment could be used as a local wildlife corridor which could be enhanced by the developer by some additional planting.

Mr Brooks highlighted that the County Durham Plan Preferred Options Paper was yet to be subject to public examination and so too was the policies relating to development on Green Belt land and in referring to the SHLAA (Strategic Housing Land Availability Assessment), he highlighted that although a “green” status site, the area was potentially suitable for residential development.

Mr Brooks concluded by advising the Committee of the employment opportunities which would also be created should the application be approved, with the creation of 20 jobs.

The Senior Planning Officer responded to the issues raised by Mr N Wood as follows:

- Planning History - In relation to the planning history of the site, whilst it was acknowledged that there had been numerous refused applications for development, the last being in 2004, it was stressed that each application should be considered on its own merits.
- Character and Appearance - it was highlighted that the wider area had a real mix of dwellings in terms of style and type, indeed there were new build houses in close proximity to the site.
- Traffic congestion – No concerns had been raised by the Highways Authority. The Highway Development Manager was in attendance at the meeting and advised the Committee that the Highways Authority had concluded that the transport network could continue to operate safely should the application be approved. Furthermore, parking in Onslow Terrace did not raise concerns, indeed the Highway Authority took the view that parked vehicles actually had a calming effect on traffic, as moving vehicles were more likely to adopt lower speeds in areas where numerous vehicles were parked.
- The Senior Planning Officer agreed that the development site was unacceptable only due to its current Green Belt status.
- Whilst acknowledging that numerous objections to the application had been received, the Senior Planning Officer advised that all objections had been dealt with within the report, and the only reason for refusal which could be supported by the Planning Authority was the Green Belt issue.

Councillor J Turnbull, local member, addressed the Committee. He advised that he was opposed to the application because of the impact it would have on traffic congestion. Councillor Turnbull advised that the A690 already had a high volume of traffic and was regularly congested. Accessing the A690 from the junction to the development site was already problematic, therefore more traffic would only serve to worsen the situation.

Councillor Turnbull also supported the objections which had been made on the grounds of fear of crime. He concurred that recently developed properties near to

the development site had struggled to sell and subsequently had been rented, some to poorly behaved tenants, creating an increased fear of crime in the area.

Councillor Bailey felt that objections on the grounds of loss of value to neighbouring properties, was not a planning issue. He also felt that the planning history of the site was not a consideration as each application must be considered on its own merits. He was satisfied that the Highways Authority had no objections to the application and he was supportive of the new jobs which the development would create. In response to a query from Councillor Bailey, the Senior Planning Officer clarified the acceptable distances between properties. Councillor Bailey stated that he disagreed with the officer recommendations and moved that the application be approved.

Councillor Blakey queried the positioning of the acoustic barrier and suggested that it should extend completely around the boundary of the development site and be subject to Environmental Health approval. Councillor Blakey agreed that the creation of 20 new jobs was invaluable for the area. Councillor Blakey also expressed concern regarding the separation distances to Onslow Terrace being under the 21m. She asked whether a condition could be imposed to look to increase the separation distances as much as possible between the new houses and Onslow Terrace without changing the layout. The PPO responded saying this could be done under condition if Members were minded to approve the application.

Councillor Armstrong outlined that regeneration of the area and job creation was vitally important, though acknowledged that the application was premature. He queried whether the application could be approved subject to the site being released from the Green Belt in the County Durham Plan. The Solicitor advised against that suggestion as the County Durham Plan was in early stages and may not be finalised for several years. The Senior Planning Officer pointed out that the applicant could reapply once the County Durham Plan was finalised.

Members commented that the site had natural boundaries and could see that in the future the site would be developed on.

The Principal Planning Officer took the opportunity to address the issue of the green belt status of the site. He acknowledged that it was a logical site for development and was coming forward as a Greenfield site out of the Green Belt in the County Durham Plan. Members were advised that there were a number of other green belt sites coming under pressure for early release and should consider whether now was an appropriate juncture to release that particular site rather than through the examination process. The Principal Planning Officer highlighted that Planning Policy did not feel confident that it was the appropriate time to release the site as other strategic decisions on land release could potentially be undermined.

In response to queries from Members it was clarified that should Committee be minded to approve the application, the site would remain Green Belt land.

Councillor Blakey seconded the motion to approve the application.

The Chair stated that he would not be participating in the vote, and would retain only the Chairmans' right to exercise a casting vote. He took the opportunity to advise that he found the development to be inappropriate. He was unhappy with the separation distance between properties and the impact the development would have on traffic. Furthermore he believed that there were other suitable sites within the local area and that the current Green Belt should be protected and regard had to the public examination process.

Councillors Armstrong and Bailey clarified the reasons for approving the application as follows:

- Sustainable Location close to amenities in an established urban area;
- Regeneration of the area was a priority;
- Logical location for development with a strong boundary in the existing railway line defining the edge of the built up settlement;
- The creation of employment;
- The application accorded with NPPF part 1 and NPPF part 6.

As the application had been recommended for refusal the Solicitor highlighted that there were no proposed conditions to the application. Members therefore agreed that the imposition of planning conditions would be delegated to the Principal Planning Officer (PPO) and any decision would be subject to the entering into of a Section 106 agreement for the delivery of affordable housing, commuted sums for 1% for Art and open space requirements.

Following advice from officers, Members were satisfied that the proposed acoustic barrier would safeguard against adverse noise as well as act as a deterrent to trespassers. The appropriateness of the acoustic barrier was agreed to be left to Environmental Health officers to determine.

The Solicitor reminded the Committee that should they be minded to approve the application the matter would be referred to the Secretary of State.

Upon a vote being taken it was:

**Resolved:**

That the Committee were **MINDED TO APPROVE** the application, subject to the referral of the application to the Secretary of State through the National Planning Casework Unit and in the event that the application was not called in by the Secretary of State, it be **APPROVED** subject to:-

- (i) The completion of a Section 106 agreement to ensure the provision of 7 no. affordable homes and to provide financial contributions of £26,000 and £34,000 towards public art installations and play/recreational space respectively and;
- (ii) conditions considered necessary by the Principal Planning Officer (including specific condition on separation distances and the positioning of the acoustic barrier).