

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, Council Offices, Spennymoor on **Thursday 21 February 2013 at 2.00 pm**

### **Present:**

**Councillor M Dixon (Chair)**

### **Members of the Committee:**

Councillors E Tomlinson (Vice-Chairman), D Boyes, D Burn, M Campbell, K Davidson, G Richardson, P Taylor, R Todd, J Wilkinson and M Williams

### **Also Present:**

J Byers – Planning Team Leader (South and West Area)  
A Inch – Principal Planning Officer  
A Caines – Principal Planning Officer  
C Cuskin – Legal Officer  
D Stewart – Highways Officer

### **1 Apologies for Absence**

Apologies for absence were received from Councillors P Gittins, J Gray, G Holland and J Shuttleworth.

### **2 Substitute Members**

There were no substitute Members.

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Minutes**

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

### **5 Applications to be determined**

#### **5a 7/2012/0273/DM - Land at Redworth Road, Shildon**

The Committee considered a report of the Principal Planning Officer regarding an application for 38 residential dwellings with detailed matters of appearance, landscaping, layout and 'reserved' matters (for copy see file of Minutes).

A Inch, Principal Planning Officer gave a detailed presentation on the application which included photographs of the site.

In presenting the report the Officer advised of a proposed amendment to condition 5 to reflect that on-site public open space would be provided at a rate of 10 sqm of informal play space and 50 sqm of amenity space for each dwelling. It was also proposed that condition 3 be removed.

In response to a question from the Chair, the Principal Planning Officer advised that there were no specific guidelines which regulated the distance between residential dwellings and petrol stations. The proximity of the proposed properties to the existing petrol station was not unusual and was deemed to be acceptable.

Councillor Richardson referred to the planning history of the site, and the Principal Planning Officer confirmed that a previous application had been refused and dismissed at appeal, however the Inspector had accepted that the site would be suitable for housing development.

**Resolved:**

That the application be approved subject:-

- (i) to the conditions outlined in the report with condition 3 being removed and condition 5 being amended to read as follows:-

‘5. The development hereby permitted shall provide on-site public open space at a rate of 10 sqm of informal play space and 50 sqm of amenity space for each dwelling.

Reason: In the interests of the appearance of the area and to comply with policies L1 and L2 of the Sedgefield Borough Local Plan.’

- (ii) to the completion of a Section 106 legal agreement towards the payment of a commuted sum towards new/improved equipped play or sports provision, and to secure the provision of affordable housing in perpetuity.

**5b 7/2012/0413/DM - Cleves Cross Grange, Ferryhill**

The Committee considered a report of the Principal Planning Officer regarding an application for the demolition of Cleves Cross Grange, Ferryhill and the erection of 12no. dwellings (for copy see file of Minutes).

A Inch, Principal Planning Officer gave a detailed presentation on the application which included photographs of the site.

Mrs Lawson, an objector addressed the Committee. She lived in close proximity to the application site and was concerned that only 4 visitor car parking spaces were proposed. If approved the development would prevent residents of neighbouring properties and their visitors from having access to existing bays. In addition she was concerned that parking would be difficult for carers and emergency services.

In response to a request for clarification from the Chair, Members were advised that neighbouring residents currently parked on the Cleves Cross Grange site which was privately owned land.

A Kitchen, on behalf of Livin Homes, the applicant stated that this was 1 of 13 sheltered housing schemes that no longer met the needs of the community. There was very little demand for this type of accommodation and the company proposed to demolish and re-develop the site to create older persons accommodation.

Livin had carried out consultation with the community including a consultation event which provided an opportunity for local residents to examine the scheme.

Currently on-site parking was private but there was existing provision for neighbouring properties to the rear of Morpeth Close, 4 of which had garages, and the scheme included 4 visitor spaces.

At the request of Members A Kitchen indicated on a plan the point at which emergency services would access the site. The scheme would benefit from an increased turning point and a Traffic Management Plan would be put in place during construction works.

In discussing the application Members considered the parking provision and whether it would be possible to increase the number of visitor spaces.

Referring to a site plan the Principal Planning Officer explained that it would not be feasible to extend the visitor parking because of the sloped nature of the surrounding land, trees on the site and the location of a footpath to the north. However the site was in a sustainable location with good access to local bus services.

By way of clarification the Committee was advised by the Legal Officer that the issue for consideration by Members was whether the on-site parking provision for the development was adequate. Whilst neighbouring residents currently parked on the site they had no legal right to do so as the land was in private ownership.

D Stewart, Highways Officer stated that the development would benefit from 133% parking provision. This was deemed to be acceptable for a development occupied by residents over the age of 60, as car ownership tended to be lower in this age group. The scheme would provide 4 public car parking spaces linked to the development which would be available for local residents.

In welcoming the proposals Councillor Boyes asked about on-site open space provision for the benefit of the residents. The Principal Planning Officer stated that open space would be retained on-site as detailed in the report, with further off-site provision in the vicinity.

Following discussion it was **Resolved**

That the application be approved subject to the conditions outlined in the report and to the completion of a Section 106 Obligation to secure the payment of a commuted sum in lieu of adequate on-site open space provision.

**5c 3/2012/0525 - Dellside House, Low Willington, Willington, Crook**

The Committee considered a report of the Principal Planning Officer regarding an application for the construction of 11no. dwellings (for copy see file of Minutes).

A Caines, Principal Planning Officer gave a detailed presentation on the application which included photographs of the site.

**Resolved**

That the application be approved subject to the conditions outlined in the report and to the completion of a Section 106 Legal Agreement to secure the provision of affordable housing in perpetuity and the payment of a commuted sum in lieu of on-site open space provision.

**6 Appeal Updates**

The Committee considered a report of the Principal Planning Officer which gave an update regarding the following appeals which had been dismissed:-

- Appeal Ref: APP/X1355/C/12/2179709  
LPA Ref: H/7/2011/0112/DM  
Enforcement Notice appeal relating to the unauthorised erection of a fence on land adjacent to St John's Church, Shildon
- Appeal Ref: APP/X1355/A/12/2178099  
LPA Ref: 7/2011/0489/DM  
Appeal against the refusal of planning permission for the conversion of agricultural building to dwelling
- Appeal Ref: APP/X1355/A/12/2174999  
LPA Ref: 7/2011/0405/DM  
Appeal against the refusal of planning permission for the erection of a barn on land at Green Valley Stables, Salters Lane, Trimdon
- Appeal Ref: APP/X1355/D/12/2181226  
LPA Ref: 7/2012/0115/DM  
Appeal against the refusal of planning permission for the erection of first floor side extension at The Windmill, Merrington Road, Ferryhill
- Appeal Ref: APP/X1355/A/12/2180068  
LPA Ref: 3/2012/0101  
Appeal against the refusal of planning permission for the erection of 2no. detached bungalows

- Appeal Ref: APP/X1355/C/12/2180104  
LPA Ref: ENF6/2011/032  
Appeal against the issue of an enforcement notice relating to the unauthorised erection of a sun room/conservatory at 'The Cottage' The Green, Whorlton, Barnard Castle.

### **Resolved**

That the decisions be noted.

The Chair agreed that in order to keep Members informed the following item of business could be reported.

## **7 Homes and Community Agency - Section 106 Renegotiation Report and Outcomes**

J Byers, Planning Team Leader (South and West Area) briefed Members on the assessment by the Homes and Community Agency (HCA) into stalled housing sites and whether Section 106 Agreements had an impact on the viability of potential schemes.

Of the 4 schemes in County Durham that had been included by the HCA, the assessment had concluded that there were underlying economic reasons for these developments being stalled. It found that the Local Planning Authority was assisting developers where possible in assessing the viability of schemes and in the renegotiation of Section 106 contributions. The low number of stalled schemes also demonstrated this.

Councillor Davidson commented that it had been a useful study which showed that the Local Planning Authority was not preventing schemes from moving forward, and suggested that publicity should be given to this.

### **Resolved**

That the information be noted and consideration be given to publicising the outcome of the assessment at the Planning Chairs and Vice-Chairs meeting.