

DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber - Council Offices, Spennymoor on **Friday 20 July 2012 at 2.00 pm**

Present:

Councillor M Dixon (Chair)

Members of the Committee:

Councillors D Burn, M Campbell, P Gittins, G Richardson, R Todd, J Wilkinson, P Brookes (substitute for E Tomlinson) and C Walker (substitute for K Davidson)

Apologies:

Apologies for absence were received from Councillors E Tomlinson, D Boyes, K Davidson, E Paylor, J Shuttleworth and M Williams

Also Present:

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

1 Declarations of Interest

Councillor P Brookes declared an interest in application 7/2012/0151/DM - Garage site to the rear of 118-128 Sycamore Road, Fishburn. As local Member he wished to address the Committee in support of the application. Councillor Brookes withdrew from the meeting during the Committee's deliberations.

2 Minutes

The Minutes of the Meeting held on 21 June 2012 were agreed as a correct record and were signed by the Chair.

3 Applications to be determined

**3a 7/2012/0151/DM - Garage Site to the rear of 118-128 Sycamore Road, Fishburn
Erection of 15 No. Dwellings**

Consideration was given to the report submitted in relation to the above application (for copy see file of Minutes).

A Inch, Principal Planning Officer gave a detailed presentation on the main issues outlined in the report which included photographs of the site.

Councillor Brookes, local Member expressed his support to the application. The applicants had carried out extensive consultation with local residents and the response from the community had been positive. The land was unsightly, the garages were in a state of disrepair and there had been problems with fly-tipping over the last 12 months. The proposed scheme would provide much-needed affordable accommodation and the community would benefit from a financial contribution towards the provision of or improvement of open space in Fishburn.

In discussing the application Members considered the comments made by four local residents relating to highway safety. A Glenwright, Highways Officer stated that this was a very small development, representing only a 2.5% increase in the number of dwellings in this part of Fishburn. The impact on traffic would be negligible and the proposed off-street parking provision was deemed to be acceptable.

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 on site open space provision.

**3b 3/2012/0121 - Lady Eden Neuro Rehabilitation Unit, Cockton Hill Road, Bishop Auckland
Part Demolition, Conversion and Extension of the Former Lady Eden Cottage Hospital to Residential Care Home Involving the Retention of Part of the Original Structure and the Erection of New Structure to the Rear**

Consideration was given to the report submitted in relation to the above application (for copy see file of Minutes).

A Caines, 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.

In presenting the report the Principal Planning Officer referred to minor amendments to conditions numbered 6, 7 and 10 in the report, and to an additional ecology condition requiring the development to be carried out in accordance with the mitigation detailed within the 'Bat Roost Survey'.

Councillor Lethbridge, local Member addressed the Committee stating that the retention of the original frontage was historically pleasing but he was concerned about the height and design of the rear extension. He felt that this had not been given the same attention to design as the frontage. He also agreed with the concerns expressed by residents in relation to parking problems in this densely populated area and that on-site parking provision was inadequate. However whilst he had these reservations he welcomed the development which would improve a site that was currently an eyesore.

Mr Scott, an objector spoke on behalf of his daughter who lived in Ormesby House located adjacent to the development. He expressed concern that the northern elevation of the new care home would be closer to the boundary fence than the existing building and that there would be a significant increase in height. As a result his family's residential amenity would be affected by loss of light and overlooking. His grandchildren played in the garden which would be overlooked by second storey windows.

To address his concerns Mr Scott asked if he could be given the opportunity to discuss minor changes to the design and layout with the developers.

With regard to parking issues he suggested that additional on-site spaces could be created by re-locating the bin storage area.

In discussing the application Members noted that the concerns expressed by objectors in relation to access and parking had been addressed in the report. The Highways Officer stated that if approved the developer would be required to produce a robust Travel Plan to encourage sustainable means of travel. The site was well-served by bus and rail services and the level of on-site parking was in line with parking provision at Care Home facilities elsewhere in the County.

The Committee also considered the impact on the residential amenity of the occupiers of Ormesby House and Mr Scott's request for discussions with the developers. The Principal Planning Officer considered that some of the changes proposed by Mr Scott would not be acceptable to the developers but notwithstanding this the impact of the existing proposals on Ormesby House would be minor. The views of the new building would be oblique, and the main garden area of the property was to the east of Ormesby House which would be unaffected by the development. In terms of Mr Scott's concerns about the height of the new building, the arrangement of roof slopes would ensure that there would be no significant impact on the adjoining property.

Members acknowledged that the degree of harm to neighbouring properties should be taken into account but that this should be weighed against the community benefit that the scheme would bring about.

A Member felt that the application should be deferred to allow Mr Scott to discuss the possibility of making minor changes to the proposals. However having taken all matters into account, the Committee considered that the representations put forward by Mr Scott and other residents were not sufficient reasons to justify refusal of the application or for deferral for further discussions with the developers. On balance the wider public benefits of the scheme outweighed the impact on residential amenity.

Resolved:

That the application be approved subject to:-

- (i) the conditions outlined in the report, with conditions 6, 7 and 10 being amended to read as follows:-

6. No development shall be commenced until details and plans of protective fencing for trees have been submitted, inspected after erection, and approved in writing by the Local Planning Authority. The location of the fencing shall be annotated on a plan and the design of protective fencing details shall follow the guidelines set out in BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. Fencing must conform to the style illustrated in fig 2. or fig.3 of the 2012 BS standard (where necessary) and must be erected prior to any vehicle or machinery access to the site. The fencing must remain in place throughout the development. No materials are to be stored within the protective fencing
7. No development shall be commenced until a Tree Protection Plan has been submitted, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan
10. Within 6 months of occupation of the building hereby approved, a Travel Plan conforming to the National Specification for Workplace Travel Plans PAS 500:2008, bronze level, shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall be adhered to for the lifetime of the development

(ii) the inclusion of the following additional condition:-

‘No development shall take place unless in accordance with the mitigation detailed within Section 5.2 of the protected species report entitled ‘Bat Roost Survey’ produced by AllAboutTrees for HMRC Group including, but not restricted to, incorporating artificial bat roosts at appropriate locations throughout the building.

Reason: To conserve protected species and their habitat in accordance with Policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

**3c 3/2012/0213 - Teescraft Engineering Ltd, Units 1-3 Longfield Road, South Church Enterprise Park, Bishop Auckland
Erection of a Single Storey Extension to Existing Factory Units**

Consideration was given to the report submitted in relation to the above application (for copy see file of Minutes).

Resolved:

That the application be approved subject to the conditions outlined in the report.

4 Appeal Update

Appeal Ref: APP/X1355/A/12/2171387

Appeal Against the Refusal of Outline Planning Permission with all Matters Reserved for the Erection of 1 No. Dwellinghouse on Land East of Amble Way, Trimdon

Consideration was given to a report which gave details of an appeal against an application for outline planning permission for the erection of a dwelling on land east of Amble Way, Trimdon.

The Inspector had dismissed the appeal for the reasons outlined in the report.

Resolved:

That the report be noted.

The Chairman agreed that in order to keep Members informed of progress in finding a meeting venue in Barnard Castle, the next item of business could be reported.

5 Meeting Venues

It was reported that since Teesdale House could no longer be used as a venue for the Area Planning Committee (South and West) other potential meeting facilities in Barnard Castle had been explored. 'The Hub' situated on the outskirts of the town was considered to be suitable in terms of location and facilities.

Resolved:

That in addition to Crook and Spennymoor Council Offices, 'The Hub' at Barnard Castle be used to hold meetings of the Area Planning Committee (South and West) as and when appropriate.