

DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber - Council Offices, Spennymoor on **Wednesday 27 July 2011 at 2.00 pm**

Present:

Councillor M Dixon (Chair)

Members of the Committee:

Councillors E Tomlinson (Vice-Chairman), K Davidson, A Hopgood, E Paylor, G Richardson, J Shuttleworth, P Taylor and R Todd

Apologies:

Apologies for absence were received from Councillors P Gittins, M Williams and R Yorke

Also Present:

J Byers – Planning Team Leader (South and West)
A Caines – Principal Planning Officer
N Carter – Solicitor, Planning and Development

1 Declarations of Interest

There were no declarations of interest received.

2 Minutes of the Meeting held 23 June 2011

The Minutes of the meeting held on 23 June 2011 were confirmed as a correct record and signed by the Chair.

3 Applications to be determined

3a 7/2011/0071/DM - Whitworth Hall Country Park Hotel, Whitworth, Spennymoor Erection of 10 No. Chalets for Holiday Accommodation

Consideration was given to the report submitted in relation to the above application, a copy of which had been circulated.

J Byers, Planning Team Leader (South and West) gave a detailed presentation which included photographs of the site. It was noted that a site visit had taken place that day.

P Bennett, an objector to the application, advised that she represented the Girl Guides Association who had a camp house 200m away from the Hotel and stated that her concerns related to potential flooding and drainage. In 2009 flood water had flowed through the car park, along the road to their camp house, resulting in

the lake in the woods bursting its banks as the overflow drain in the folly had not been able to cope with the excess water. The Girl Guides had funded the cost of re-surfacing the road damaged by the flood. 3 photographs had been submitted which showed the overflow drain, the road next to the lake in flood and the repairs carried out to the road. These were displayed for Members' consideration.

The incident had not been reported to the Environment Agency at the time and although no objections had been received from either the Environment Agency or Northumbrian Water, she considered that flooding in the future remained a risk, particularly as surface water and waste water would increase as a result of the additional buildings on site. In addition, she understood that the treatment plant was to be re-located but felt that it also needed to be increased in size.

A further issue was the increase in demand for electricity. Electricity was currently supplied from the land owned by the Girl Guides and served the hotel and surrounding dwellings. Whilst it was not an issue at the moment there had been power cuts at the hotel in the past which indicated that supply had been insufficient on occasions. She was concerned that the increased demand from the additional buildings could cause further problems.

K Armstrong, an objector to the application stated that he considered that the proposals would result in an increase in the number of visitors to the hotel by 66 and this would have an impact on noise levels. The informal overspill car park where the chalets were to be erected was currently used as the hotel's main car park. In addition to the function room the hotel had a restaurant with seating for approximately 50 which meant that the car park was always in use. At weekends when there were functions, the car park was full to capacity. In the original application additional parking had been included but he noted that this had been removed and was concerned that the loss of space would result in cars parking along the lane.

A Walsh, an objector to the application addressed the Committee, referring in the first instance to point 14 in the Officer's report relating to the 'principle of the development'. He stated that the report made reference to the promotion of tourism yet the applicant had stated that the chalets were to provide accommodation for families attending functions.

He also felt that the proposals risked destroying the natural setting and environment of the Park. He was of the understanding that in accordance with Policy L20 new visitor accommodation should only be allowed in exceptional circumstances within countryside locations.

Mr Walsh noted that the re-location of the storage shed was not included in the planning application. He also stated that further research should be carried out as there was no evidence to suggest that this increased investment would improve the viability of the hotel.

To conclude he considered that the Park was in decline, was in poor overall condition and that there was a lack of care and maintenance of the deer herd. In his opinion the proposals did not comply with planning policies E2, E18 and L20.

Mr Lax, the applicant addressed the Committee and stated that employees at the hotel were all firmly committed to the Park. Since he had acquired the development he had invested considerably in the buildings, parkland and the fishing lake. He disagreed with the comments made about the condition of the deer and added that he took their welfare seriously. A recent visitor from Cumbria had commented that they were in excellent condition. The cost of upkeep of the deer and parkland was considerable, particularly in the winter months. As there was no entrance fee to the Park, the hotel had to support the upkeep of the site. He employed local people and the proposed chalets would increase income, and allow further investment in the site.

He continued that the proposals would promote tourism, but would not result in more functions being held, therefore the number of customers and cars to the hotel would not increase. The chalets could be used by families attending functions.

He concluded that Whitworth Hall Country Park Hotel was a seasonal venue and he therefore wished to maximise the amount of income generated to sustain the site through the winter.

J Byers responded to the comments made by the objectors. With regard to flooding he advised that the Environment Agency and Northumbrian Water had been consulted on the application and had offered no objections.

In relation to car parking he explained that the scheme would not have an adverse impact on the existing capacity of the car park, and the chalets would be allocated dedicated parking bays. The Highways Officer had offered no objections to the proposals.

He confirmed that the storage shed was to be re-located but that this would be the subject of a separate planning application.

With regard to the reference to Policy L20, concerning the provision of new visitor accommodation within a countryside location, he advised that the Planning Authority considered this development to be an extension of the existing hotel rather than a new facility.

N Carter, Solicitor, added that the issues raised concerning the electricity supply was not a planning consideration and therefore not a matter for the Committee to take into account.

Members discussed the application and in response to a question, the applicant confirmed that the maximum number of persons allowed in the function room etc was restricted by fire regulations. In view of this, the Member considered that this demonstrated that there would be no increase in the level of traffic as a result of the proposals.

In reply to a further question, J Byers responded that whilst the chalets would be available to book all year, a condition was proposed which would ensure that they

would be occupied for holiday purposes only, details of which were set out in the report.

A Member commented that a hotel was not always viable for young families, and welcomed the proposal which would provide accommodation for families attending functions. In addition, she noted that at a wedding she had attended at the venue the overflow car park had not been used.

RESOLVED:

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

**3b 7/2010/00367/DM - Land north of Rose Street, Trimdon Grange
Erection of 52 No. Dwellings**

It was reported that this application had been withdrawn by the applicant.

**3c 3/2011/0128 - Whitegates Caravan Park, Lands Bridge, Westgate
Replacement of Static Caravan with Chalet**

Consideration was given to the report submitted in relation to the above application, a copy of which had been circulated.

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

The Principal Planning Officer advised that a letter had been received from Mr K Wood on behalf of Mr and Mrs K Wood which raised a number of points in objection to the application. The letter had been circulated to all Members in advance of the meeting and the Committee had taken on board the comments made.

In discussing the application a Member asked why planning permission was necessary as the application was to replace an existing caravan already on the site.

A Caines responded that the replacement caravan was larger in scale with a more permanent base. However, he did acknowledge the comments of the Member and stated that Planning Officers had considered it prudent to submit the application to Committee, particularly as the applicant was a Member of DCC.

The Member expressed her concern that planning permission was deemed necessary solely on the grounds that the applicant was a Member of DCC.

Mr A Bell, the applicant stated that he believed that as the replacement chalet was a more permanent structure an application would be necessary, but notwithstanding this he was satisfied that it had been submitted to Committee for consideration, particularly as objections had been received.

A further Member stated that whilst he acknowledged the objections received from Mr and Mrs Wood, he had spoken to 2 families who would be directly affected by the proposals and they had offered no objections.

RESOLVED:

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

**3d 3/2011/0221 - Land at Jobson Terrace, Stanley Crook
Substitution of House Types to Plot 7 and 8 from Two Semi-Detached
Dwellings to One Detached Dwelling of Planning Approval 3/2007/0552**

Consideration was given to the report submitted in relation to the above application, a copy of which had been circulated.

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

In discussing the application it was noted that two other properties within the overall development had been substituted the previous year. The original planning application for the overall development of 12 plots provided a range of different house types including a mix of semi-detached houses, detached houses and bungalows. In order to ensure a good range of different house types remained on the development and that any future applications for substitution of house types reflected this, it was agreed that an informative should be added to the planning permission.

RESOLVED:

That the application be approved subject to the conditions outlined in the report and to the following informative:-

‘The original planning permission ref: 3/2007/0552 for the overall development of 12 plots provided a range of different house types including a mix of semi-detached houses, detached houses and bungalows. It is essential that a good range of different house types remains on this development and any future applications for substitution of house types should reflect this.’

4 Appeals Update

Consideration was given to a report regarding the following appeal:-

**APPEAL REF; APP/X1355/D/11/2154040
LPA REF: 7/2011/0043/DM**

Appeal against the refusal of planning permission for the creation of a new vehicular access, driveway and associated hard standing to the front of 65 Wood Lane, Ferryhill

The Inspector had dismissed the appeal.

RESOLVED:

That the report be noted.