

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, Crook on **Thursday 20 October 2011 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, P Gittins, E Paylor, G Richardson, R Todd, J Wilkinson and M Williams

### **Apologies:**

Apologies for absence were received from Councillors A Hopgood, P Taylor and R Yorke

### **Also Present:**

A Inch – Principal Planning Officer

A Glenwright – Highways Officer

### **1 Declarations of Interest**

There were no declarations of interest received.

### **2 Minutes of the Meeting held on 15 September 2011**

The Minutes of the Meeting held on 15 September 2011 were agreed as a correct record and were signed by the Chair.

### **3 Applications to be determined**

#### **3a 7/2011/0301/DM - Hackworth House, Cheapside, Shildon Redevelopment of Former Hackworth House Aged Persons Home to Provide 19 Dwellings**

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

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

He advised that since the report had been prepared the following amendments were proposed to conditions numbered 9 and 11:-

9. 'The development hereby approved shall not be occupied until such time as the existing access to the site has been improved in accordance with the approved drawings referred to in condition 2.'

11. 'No removal of limbs of trees or other tree work shall be carried out unless approval has been sought and granted by the local planning authority.'

E Alder, the applicant was in attendance and responded to a number of questions from Members.

He explained that the underground tunnel shown on the plan displayed as part of the presentation was a railway tunnel situated 29m below ground level. In addition an air shaft was located within the application site which had been capped some years ago. Construction works were to be carried out to safeguard the tunnel and air shaft, in accordance with details provided by Network Rail.

A Member commented that the provision of affordable housing on this site had been considered unviable based on the applicant's own viability assessment. He noted that this had been independently assessed and asked who had carried this out and what criteria was used to determine whether or not the inclusion of affordable homes was viable on development sites.

A Inch advised that the independent assessment was carried out by the Local Planning Authority using a nationally recognised toolkit which was endorsed by the Government. In determining viability the criteria used included the current economic climate and a developer's financial circumstances, however a lot of the information provided was commercially sensitive. A Member acknowledged that some information may be of a commercially sensitive nature but considered that it would be useful for detail on viability assessments to be included in reports. It was suggested that this be raised at the Planning Chairs and Vice-Chairs meeting.

E Alder appreciated the concerns expressed by Members and stated that the provision of affordable housing was at the heart of the company's ethos. However this was a brownfield site which required a lot of remedial works, including asbestos removal, mine shaft works and soil decontamination.

If affordable housing had been a requirement he considered that the land would have had a negative value. However they intended to provide low cost homes for local people, and would try to assist first time buyers by promoting home ownership and offering a range of incentives.

As developers, Gleeson's aim was to promote strong and sustainable communities by providing a mix of low cost housing, and at the request of a Member E Alder outlined the approximate selling prices for each unit type. He continued that they also ensured that properties were not purchased and then sub-let by the use of legal covenants. Sub-letting was a breach of the terms of the mortgage and the developers had successfully taken action against owners in the past.

N Carter, Legal Officer advised the Committee that as there was no planning justification for affordable housing on this site, in reaching their decision, Members should not have regard to issues such as legal covenants, plot sales etc.

Following consideration of the application, Members stated that the proposed development was welcomed, and the Chair thanked E Alder for responding to Members questions.

## **RESOLVED**

That the application be approved subject to

- (i) the conditions outlined in the report, including the following amendments to conditions numbered 9 and 11:-

9. 'The development hereby approved shall not be occupied until such time as the existing access to the site has been improved in accordance with the approved drawings referred to in condition 2.'

11. 'No removal of limbs of trees or other tree work shall be carried out unless approval has been sought and granted by the local planning authority.'

- (ii) the applicant entering into a Section 106 Agreement in relation to the payment of a commuted sum to provide off-site recreation provision and/or off-site planting.

### **3b 7/2011/0281/DM - Shafto House, Shafto Way, Newton Aycliffe Development of former Shafto House Aged Persons Home to Provide 19 Dwellings**

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

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

In presenting his report he advised that as with the previous application the following amendments were proposed to conditions numbered 9 and 11:-

9. 'The development hereby approved shall not be occupied until such time as the existing access to the site has been improved in accordance with the approved drawings referred to in condition 2'.

11. 'No removal of limbs of trees or other tree work shall be carried out unless approval has been sought and granted by the local planning authority.'

A Glenwright, Highways Officer was asked to comment about the revised layout regarding access and car parking, and to respond to the concerns expressed by a resident of Greathead Close in relation to congestion.

He advised that the level of car parking provision within the scheme was deemed to be acceptable. The developers proposed 200% on-site provision which was 50% above current car parking standards for new developments.

In terms of congestion he anticipated that, including the additional 19 new properties, a total of 37 properties could utilise the access onto Shafto Way. Shafto Way was 5 metres wide and was therefore deemed to be acceptable in highway terms. To put this into context he explained that a road width of 4.8 metres was acceptable for up to 100 dwellings.

The Chair also commented that prior to closure the Aged Persons Home may have contributed to congestion as there was only a small car park on site for use by both staff and visitors.

In response to a question, A Inch confirmed that the issues raised by the internal consultees had been discussed with the developers who had taken on board the comments made, and as a result an improved scheme had been secured, details of which were outlined in the report.

With regard to the suggestion by Environmental Health that a noise and dust assessment be submitted by the applicant to safeguard residents, E Adler advised that they had submitted a construction plan with the planning application to mitigate against the potential for nuisance. This plan included a restriction on working hours as requested by Environmental Health. Other measures included a road sweeper and water bowser which would be permanently based on site, and a 'hotline' for residents to use if they had any concerns.

He reiterated the comments of the Principal Planning Officer that the representations made by consultees had been addressed through ongoing discussions. In accordance with planning condition 4 a scheme to minimise energy consumption had been submitted which would achieve at least 10% energy from renewable sources. He added that the average cost of running one of their homes was very low.

A Member commented that this was a much needed development in Newton Aycliffe, particularly in view of the new employment opportunities that were being created in the town.

Following consideration of the application it was

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11. 'No removal of limbs of trees or other tree work shall be carried out unless approval has been sought and granted by the local planning authority.'

- (ii) the applicant entering into a Section 106 Agreement in relation to the payment of a commuted sum to provide off-site recreation provision and/or off-site planting.

#### **4 Appeal Update**

**APPEAL REF: APP/X1355/A/11/2149013**

**LPA REF: 7/2010/0348/DM**

**Appeal Against the Refusal of Planning Permission to Change the Use of Agricultural Land to a Travellers Site for Two Caravans, Two Touring Caravans, a Mobile Washroom and Associated Vehicle Parking on a Field Adjacent to Salters Lane, Trimdon**

The Inspector had allowed the appeal.

A Inch (Principal Planning Officer) reported that the Inspector had found that although the proposed development would be of manageable impact, it would be harmful to the character and appearance of the locality. He had concurred with the views of objectors that the Trimdon landscape was a valuable local asset and the proposed development was perceived to be harmful to this setting. However the Inspector had determined that these concerns were outweighed by other matters in favour of the development, including the need for sites for Gypsies and Travellers within the County.

He continued that in allowing the appeal the Inspector had imposed 12 conditions and Planning Officers would work closely with the applicants to ensure that these conditions were complied with.

Members discussed the matter at length and referred to the 2007 Gypsy and Traveller Accommodation Assessment which identified that approximately 60 sites were needed across the County. Concern was expressed that new Council sites were not expected to be allocated for some time and Members felt that this should be progressed as a priority.

#### **RESOLVED**

That the information given, be noted and Members' concerns in relation to the provision of Gypsy and Traveller sites be taken on board.

**5 Such other Business as in the opinion of the Chairman, is of sufficient urgency to warrant consideration.**

The Chair reported that Members had been given the opportunity to identify areas of 'blight' within their electoral divisions and were reminded that whilst the official deadline for response had passed, nominations were still being accepted.

**RESOLVED**

That the information given, be noted.