

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber - Council Offices, Spennymoor on **Thursday 17 November 2011 at 2.00 pm**

### **Present:**

**Councillor M Dixon (Chair)**

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

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

### **Apologies:**

Apologies for absence were received from Councillors M Campbell, P Gittins, A Hopgood and J Shuttleworth

### **Also Present:**

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

### **1 Declarations of Interest**

There were no declarations of interest to received.

### **2 Minutes of the Meeting held on 20 October 2011**

The Minutes of the meeting held on 20 October 2011, a copy of which had been circulated were agreed as a correct record and were signed by the Chair.

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

#### **3a 3/2010/0213 - Fleming Way, Low Willington Substitution of House Types and Additional 18 no. Properties**

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 which included photographs of the site.

In discussing the application a Member sought an assurance that, as the application was to erect additional properties on the site, this would not result in them being smaller in size, particularly the semi-detached houses.

The Principal Planning Officer advised that the majority of the properties were detached, with approximately 6 semi-detached properties proposed. The design of the dwellings were typical of other developments of this type and the bedrooms would be able to accommodate a double bed.

## **RESOLVED**

That the application be approved as outlined in the report, subject to the completion of a revised Section 106 Legal Agreement and to the following amendments to conditions:-

- (i) condition number 6 be amended to include a timescale for the completion of the scheme of landscaping;
- (ii) Condition number 9 be withdrawn.

### **3b 3/2011/0394 - Plots 1 and 2 Jobson Meadows, Stanley Crook Substitution of House Types for Plots 1 and 2 of Original Approval Ref: 3/2007/0552 from 3 Storey Dwellings to 2 Storey Dormer Bungalows**

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

## **RESOLVED**

That the application be approved subject to the conditions outlined in the report and to the inclusion of the following conditions which were attached to the original consent:-

- (i) The garages hereby approved shall be retained for the accommodation of private motor vehicles and shall not be converted to additional accommodation; no trade or business shall be carried out therein
- (ii) Before the development hereby approved is commenced wheel washing equipment shall be provided at all site egress points to ensure that mud etc is not trailed onto the public carriageway. The wheelwashing equipment shall be used on all vehicles leaving the site during the period of construction works
- (iii) Prior to the commencement of development, plans showing improved footways, carriageway and street lighting, designed in accordance with current adoption standards shall be submitted to and approved in writing by the local planning authority. These works shall be constructed in accordance with the approved details prior to the occupation of any of the dwellings hereby approved.

**3c 3/2011/0349 - Land South East of William Street, Auckland Park, Bishop Auckland**  
**Outline Application for the Erection of 20 Dwellings (including 4 affordable bungalows)**

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 which included photographs of the site.

Mr S Hesmondalgh, the applicant's agent stated that the land was situated between housing on 3 sides. The access was deemed acceptable by Highways and had recently been upgraded.

He reassured Members that although this was an outline application the developers were committed to providing 4 affordable bungalows and that 20 dwellings would be the maximum number of properties built on the site.

In deliberating the application Members acknowledged that there were other sequentially preferable sites located in the settlement boundary which had been identified within the SHLAA, but accepted that this development would not prejudice the delivery of housing in these other locations.

A local Member welcomed the proposal for this much-needed new housing, adding that the recreation ground in the location was currently being improved and would be overlooked by properties. This would help to ensure the safety of children playing there.

**RESOLVED**

That the application be approved, subject to the conditions outlined in the report and to the completion of a Section 106 Legal Agreement which detailed the delivery of 4 affordable units, and included a £10k contribution to the provision and subsequent maintenance of related social, community and/or recreational facilities in the locality.

**3d 3/2009/0426 - Former Cemex Concrete Batching Plant, St Helen Way, St Helen Auckland, Bishop Auckland**  
**Proposed Redevelopment of Former Concrete Batching Plant for the Construction of New Housing (Outline)**

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 which included photographs of the site.

J Lavender, the applicant's agent stated that the site had stood derelict for a number of years. It had proved difficult to attract developers to the site and he

believed that the removal of the requirement to provide affordable homes would kick start interest.

Whilst he welcomed this, he noted that a mechanism to review the viability of the site was proposed, and he was concerned that this may cause uncertainty for developers, particularly in terms of securing finance.

Each application should be considered on its own merits and there were already affordable properties for sale in this location which would cost less to purchase than it would cost a developer to build on the Cemex site. There were also a number of affordable properties in the area standing empty.

The Committee discussed the application at length and gave consideration to the recommendation that the provision of 20% affordable housing be removed from the scheme. Members felt that when the outline application had been approved in January 2010 there had already been a downturn in the housing market and that it was known at that time that there would be site remediation costs.

With regard to the proposal for a mechanism in the Section 106 agreement to review the viability of the site, Members acknowledged that this was not unusual on sites where affordable housing requirements had been relaxed. They also expressed their concern that the report did not include any details of the viability assessment which supported the removal of affordable housing from the scheme.

Consideration was given to the merits of imposing a condition which would require a lower percentage of affordable units to be included in the scheme, and accordingly a minimum of 10% affordable provision was proposed. This proposal was rejected by Members.

Having taken these factors into account, the Committee concluded that affordable housing was much needed on this site and that it should be provided at a minimum of 20%.

## **RESOLVED**

That the application be approved, subject to the conditions outlined in the report and to the completion of a Section 106 Legal Agreement requiring:-

- (i) A financial contribution of £93,900 to the provision and subsequent maintenance of related social, community and/or recreational facilities in the locality
- (ii) A minimum 20% affordable housing provision.