

DURHAM COUNTY COUNCIL
AREA PLANNING COMMITTEE (CENTRAL AND EAST)

At a Meeting of **Area Planning Committee (Central and East)** held in Council Chamber, County Hall, Durham on **Tuesday 11 June 2013 at 2.00 pm**

Present:

Councillor P Taylor (Chairman)

Members of the Committee:

Councillors A Bell, J Clark, P Conway, M Davinson, K Dearden, D Freeman, C Kay, A Laing (Vice-Chairman), J Lethbridge, A Turner and K Shaw (substitute for Councillor S Iveson)

1 Apologies for Absence

Apologies for absence were received from Councillors G Bleasdale, S Iveson, G Mowbray and J Robinson.

2 Substitute Members

Councillor A Turner substituted for Councillor S Iveson and Councillor K Shaw substituted for Councillor G Bleasdale.

3 Minutes of the Meeting held on 9 April 2013

Councillor P Taylor advised that he had Chaired the meeting of the Committee held on 12 March 2013, though the minutes reflected that the meeting had been Chaired by Councillor P Charlton.

With the amendment noted and agreed, the Minutes of the meeting held on 12 March 2013 were confirmed as a correct record and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest.

5 Applications to be determined by the Area Planning Committee (Central & East Durham)

5a 4/13/00209/FPA - Land At Finchale Primary School, Canterbury Road, Newton Hall, Durham

The Committee considered a report of the Senior Planning Officer regarding the erection of 14 no. dwellings, formation of access and associated works at land at

Finchale Primary School, Canterbury Road, Newton Hall, Durham (for copy see file of Minutes).

The Senior Planning Officer gave a detailed presentation on the application which included photographs of the site. Members had visited the site earlier in the day and were familiar with the location and setting. It was reported that since the officers report had been published, a further 4 letters had been received, all of which raised the same issues already received in objection letters and subsequently addressed within the report. The Committee were advised that these additional letters had included statements that the issue of land ownership had now been resolved as had the issues of privacy and amenity since the revised layout had been submitted, though the occupier of 69 Canterbury Road continued to have some reservations.

In referring to the officers report and recommendation, the Committee were advised that the following updates were required:

- Condition 5 needed to be updated to reflect that the correct and most up to date plan QD718-01-01 Rev D received 20 May 2013;
- Condition 12 on construction hours needed to be amended to require the developer to submit a management strategy to cater for school drop-off and pick-up times;
- 2 no. additional conditions required. Firstly, so as to require agreement to be reached over the disposal of foul and surface waters from the site. Secondly, so as to agree the precise extent and layout of the front curtilages of plots 01 and 14 and interface with adjacent highway.
- Paragraph 4 of the report should reflect that 13 of the dwellings proposed would gain their access via the proposed access road with 1 remaining property gaining access direct from Canterbury Road.

It was reported that there was a query regarding the consultation with Finchale Primary School. Members were advised that Asset Management had written to and met with, the school, planning had prepared a site notice. No direct letter had been sent to the school from planning.

Mr D Moody, local resident, addressed the Committee. Mr Moody advised he was a resident of Winchester Road and had originally had a number of objections when the first proposal had been submitted. However since the proposals had been revised he felt that the submission was much improved and along with many of his neighbours he felt satisfied with the proposals especially in terms of the streetscape.

He remained somewhat concerned in relation to the highways and queried whether a condition could be applied requiring there to be no stopping of vehicles in the proximity of the school.

The Highways Officer clarified that there were “keep clear” road markings currently on Canterbury Road which would not be removed. There was a reluctance to impinge into the new development with additional road markings as this would ultimately have an impact on those new residents, as such the Council would

refrain from taking any further action at the moment. Councillor Bell requested that the parking and road safety situation be monitored.

Resolved: That the application be approved subject to conditions detailed within the report and amendments to conditions as suggested by the Senior Planning Officer and subject to the entering into of a S106 agreement to secure financial contributions of £14,000 towards recreational and playspace and £12,000 towards public art with responsibility for the wording of the additional conditions delegated to the Senior Planning Officer.

5b PL/5/2013/0055 - Land East of Windsor Place, Shotton

The Committee considered a report of the Planning Officer regarding the proposed development of 86 no. dwellings, associated boundaries, garages and roads and diversion of a public right of way at land east of Windsor Place, Shotton (for copy see file of Minutes).

The Principal Planning Officer gave a detailed presentation on the application which included photographs of the site. Members of the Committee had visited the site earlier in the day and were familiar with the location and setting. It was reported that since the officers report had been published comments had since been received from the Environment Agency who confirmed they had no objections to make on the proposal.

Attention was drawn to the comments made by both the Landscape Officer and the concerns raised in relation to pollution control. Taking those comments into consideration the Principal Planning Officer suggested that various amendments be made to the conditions as detailed within the report.

In relation to condition 5 of the officer report, additional wording would be added to include noise sources.

It was further suggested that conditions 6 and 10 be combined and reworded accordingly.

Seconded by Councillor A Bell, Councillor A Laing moved approval of the application with the amended conditions.

Resolved: That the application be approved subject to completion of a Section 106 agreement and conditions detailed within the report with amendments to conditions 5, 6 and 10 as suggested by the Principal Planning Officer with responsibility for the wording of the additional conditions delegated to the Principal Planning Officer.

5c 4/13/00308 - Land adjacent to 67 Front Street, Pity Me, Durham DH1 5DE

The Committee were informed that the application had been withdrawn.

5d 4/12/00919/OUT - Land To The Rear of 9 - 21 John Street South, Meadowfield, Durham DH7 8RP

The Committee considered a report of the Planning Officer regarding an outline application for the erection of 12. no dwellings on a plot to the rear of 9-21 John Street South, Meadowfield, Durham DH7 8RP(for copy see file of Minutes).

The Principal Planning Officer gave a detailed presentation on the application which included photographs of the site. Members of the Committee had visited the site earlier in the day and were familiar with the location and setting. The Committee were reminded that the only detailed matter to be considered by the meeting related to the access, as all other matters such as appearance, layout and scale of development, were reserved at the present time.

Councillor J Turnbull, local Member, addressed the Committee. The Committee were advised that he did not object to the proposals but hoped that a wide enough turn off would be accommodated on the highway to allow ample room for service and refuse vehicles. The Highways Officer clarified that the design would include a turning head to accommodate large vehicles.

In response to a query from a Member, the Highways Officer confirmed that although the alignment of the new road should not generate any parking issues, certainly the provision of additional private parking spaces in the future would not be something which the Highways Department would support,

Seconded by Councillor A Bell, Councillor A Laing moved that the application be granted, with Councillor Bell requesting that the parking arrangements in the area be monitored.

Resolved:

That the application be approved subject to completion of a Section 106 agreement and the conditions detailed within the report.

5e 4/13/00117/FPA - Land to the east of Lidl, Littleburn Lane, Langley Moor, Durham

The Committee considered a report of the Planning Officer regarding the development of two apartment blocks consisting of 12 one bed units at land to the east of Lidl, Littleburn Lane, Langley Moor, Durham (for copy see file of Minutes).

The Principal Planning Officer gave a detailed presentation on the application which included photographs of the site. Members were advised that since the report had been published the Sustainability Officer had responded to the consultation on the application. The only comment was that a standard condition relating to renewable energy would be required, Members were advised that such a condition was already attached to the report.

Ms Maureen Stansfield, Commissioning Services Manager with Durham County Council, addressed the Committee to speak in support of the application. Members were advised that she and her team were extremely passionate about the scheme. There was a real need for good quality local housing tailored to meet the needs of service users with sensory loss. Locally there were insufficient facilities and as such

service users were forced to relocate to the South, whereby doing so came at a great cost.

Ms Stansfield advised that the delivery of one bedroom units met perfectly with local need and the area for the scheme was particularly suitable as it would be located on flat land with extremely good access to the city centre. Members were advised that in sensory terms the scheme was generating much interest on a national level.

Ms Stansfield did express concerns regarding the s106 contribution which the developer was required to make. She felt that the developer was being penalised and highlighted that the scheme did incorporate open space within the development in the form of a sensory garden.

The Principal Planning Officer clarified that a sensory garden was not part of the scheme put forward and the Applicant was invited to highlight on the plan the location of the proposed sensory garden within the application site but was unable to do so.

In response to the concerns raised, the Solicitor clarified that Policy R2 of the Saved Local Plan required developments that proposed 10 or more dwellings to incorporate open space within the development. Should that not be possible then the developer would be required to enter into an agreement to provide a financial sum in lieu of those facilities.

The plans which had been submitted by the developer had not indicated that open space would be incorporated on the site as such a s106 Obligation would be required. The financial sum had been agreed at £12,000 which represented £1000 per unit to be developed.

The Solicitor advised that there could sometimes be other considerations which applied and could be sufficient to override the requirement for a contribution to be made, but the developer had not put forward any such considerations with the application.

Mr G Rae, applicant, advised that the s106 had been questioned from the very start of the application process and that a viability statement had been submitted.

Further to a suggestion from a Member to defer the application in order for the full facts to be received, Ms M Stansfield urged the Committee to refrain from deferral as the proposals had taken 2 years to develop and there were 25 people desperate for such accommodation.

Several Members voiced their support of the current application and it was stated that the s106 was appropriate as previously there had been allotments on that site which the community had since lost.

Seconded by Councillor Lethbridge, Councillor Laing moved approval of the application.

Resolved: That the application be approved subject to completion of a Section 106 agreement and the conditions detailed within the report.