

DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, Council Offices, Spennymoor on **Thursday 17 April 2014 at 2.00 pm**

Present:

Members of the Committee:

Councillors J Armstrong, D Bell, D Boyes, J Clare, K Davidson, J Gray, E Huntington, H Nicholson, A Patterson, G Richardson, L Taylor and C Wilson

Also Present:

J Byers – Planning Team Leader (South and West Area)
L Renaudon – Solicitor (Planning and Development)
J McGargill – Highways Officer

In the absence of the Chairman and a Vice-Chairman for the Committee, Councillor H Nicholson was elected to chair the meeting.

Councillor H Nicholson in the Chair.

1 Apologies for Absence

Apologies for absence were received from Councillors J Buckham, M Dixon, S Morrison, R Todd and S Zair.

2 Substitute Members

Councillor J Gray substituted for Councillor M Dixon and Councillor J Armstrong substituted for Councillor R Todd.

3 Declarations of Interest

There were no declarations of interest.

4 Minutes

The Minutes of the meeting held on 20 March 2014 were confirmed as a correct record subject to the reference to 'ANOB' in minute numbered 5a Planning Application 3/2013/0347 - Ireshope Plains, Ireshopeburn, being amended to read 'AONB'.

The Chairman signed the Minutes.

5 Applications to be determined

5a 7/2013/0269/DM - Land at and to west of K Hartwell Ltd, Green Lane Industrial Estate, Spennymoor

Consideration was given to the report of the Planning Team Leader regarding an outline application for up to 120 dwellings including details of access (for copy see file of Minutes).

J Byers, Planning Team Leader gave a detailed presentation on the application which included photographs of the site. Members had visited the site and were familiar with the location and setting.

Members were informed that since the report had been circulated a further representation had been received from a local resident. The resident expressed concern with regard to the proposed changes to the restriction on Enterprise Way, that his property would be in the centre of a large development adjacent to a busy through road with changed traffic priorities, and would be next to a play area.

The Planning Team Leader advised of a proposed amendment to condition numbered 2 which would allow the application for approval of reserved matters to be made before the expiration of four years from the grant of planning permission, instead of three. This was considered to be reasonable in view of the programme of works required prior to the submission of an application for the approval of reserved matters.

It was also proposed to amend the recommendation in the report. If the application was approved by the Committee this should be subject to the completion of a Section 106 Obligation to secure the provision of a minimum of 10% affordable housing units on site.

Councillor N Foster, local Member addressed the Committee. He stated that his initial concerns had mirrored those of residents in terms of highway safety. However he felt that these concerns had been addressed by the proposed traffic restriction outlined in the report which would separate residential, commercial and industrial vehicles. In addition Councillor Foster noted the concerns expressed about construction traffic which should also be segregated from neighbouring residential properties by using the route to the north of the site from Butchers Race.

Overall he was of the view that the development would meet the needs of the area and would enhance Durham Gate. An additional five hectares of employment land was proposed adjacent to the Thinford Roundabout which was similar in size to the application site.

These views were endorsed by local Member Councillor Barbara Graham who had examined the proposals in detail and offered her support to the application.

Mr P Grylls addressed the Committee on behalf of the Applicant. He stated that the proposals would represent an attractive extension to the very successful development of Durham Gate.

The development would provide 120 family homes in a sustainable urban location on an underused brownfield site. The highways issues had been addressed and the development complied with relevant Local Plan Policies.

The scheme was well-designed, was in keeping with the surrounding area and there would be no loss of residential amenity to neighbouring properties.

Mr Grylls continued that the proposals represented significant investment in Spennymoor and would create local jobs. The development was a catalyst for the positive transformation of the town.

In conclusion he stated that the proposals would complement the character of the area and meet an established need for housing.

J McGargill, Highways Officer commented on the highways matters raised. The current restriction on Enterprise Way had achieved segregation of commercial, industrial and residential traffic. The proposal to relocate the existing restriction further north to accommodate the vehicular access to serve the development would retain this segregation. The concerns expressed regarding construction traffic could be dealt with at the reserved matters stage to ensure that a suitable route was utilised until the completion of the development.

In response to a question from Councillor Armstrong, J McGargill advised that the existing turning head was adjacent to the proposed access restriction and would need to be removed. The turning head had been constructed for use by commercial vehicles and was currently used by residents for parking, however a detailed design proposal would be acceptable that could provide a longitudinal bay which could accommodate two vehicles.

Councillor Boyes stated that his initial concerns about the location of the development in an industrial area had been addressed by traffic mitigation measures to segregate commercial, industrial and residential traffic, and also by the requirement for a detailed acoustic mitigation scheme, as outlined in condition 15. He noted that the proposals would only require the minimum of 10% affordable housing but understood the current economic climate and its impact on the housing market. On balance he was in support of the proposals.

For clarification Councillor Boyes asked what weight should be given to Saved Local Plan Policies and the emerging County Durham Plan. The Planning Team Leader informed Members that in accordance with the NPPF greater weight should be given to Saved Local Plan Policies that were consistent with the NPPF. Limited weight may be given to the emerging County Durham Plan according to the degree of consistency of policies in the Plan to the policies in the NPPF.

In response to a question from Councillor Huntington regarding the disposal of foul water the Planning Team Leader advised that the Council would liaise closely with Northumbrian Water to bring about the increase in the capacity of the Tudhoe Mill Pumping Station within the 5 year implementation period of any planning approval.

Following discussion it was **Resolved:**

That the application be approved subject to:

- (i) the conditions outlined in the report with condition 2 being amended to read as follows:-

‘Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of four years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last reserved matter to be approved’.

- (ii) the completion of a Section 106 Obligation to secure a minimum requirement of 10% affordable housing units on site, and the entering into a Targeted Recruitment and Training Programme.