

DURHAM COUNTY COUNCIL
AREA PLANNING COMMITTEE (NORTH)

At a Meeting of the **Area Planning Committee (North)** held in the Council Chamber, County Hall, Durham on **Thursday 24 March 2016 at 2.00 pm**

Present:

Councillor C Marshall (Chairman)

Members of the Committee:

Councillors H Bennett, P Brookes, J Cordon, I Jewell (Vice-Chairman), J Maitland, O Milburn, K Shaw, L Taylor, K Thompson and S Wilson

Also Present:

Councillor A Batey

1 Apologies for Absence

Apologies for absence were received from Councillors B Armstrong, A Shield and O Temple.

2 Substitute Members

There were no substitutes.

3 Minutes of the Meeting held on 25 February 2016

The minutes of the meeting held on 25 February 2016 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest (if any)

Councillor O Milburn declared an interest in Item 5(b) DM/15/03074/FPA as she was a Non-Executive Director of Derwentside Homes of which Prince Bishop Homes was a subsidiary.

Councillor J Cordon in referencing Item 5(a) advised that he was a local Member although had no prejudicial or pecuniary interest in the application.

5 Applications to be determined by the Area Planning Committee (North Durham)

- a DM/15/03908/FPA - Recreation Land South East of Bradley Close, Urpeth**

The Committee considered a report of the Senior Planning Officer regarding the erection of 47 no. Dwellings with associated Infrastructure and Car Parking at Recreation Land South East of Bradley Close, Urpeth (for copy see file of minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs and a plan of the proposed layout. Members had visited the site on 24 February 2016 and were familiar with the location and setting.

It was further reported that at the time of writing the report 19 objections had been received, however, in the last 36 hours this had risen to over 300. The main concerns raised by residents related to potential flooding issues, the coal mining legacy, access to facilities, scale and density of the development and the disruptive works process.

Regarding the applicants statement, the Senior Planning Officer advised that the developer had delivered 445 leaflets to residents of neighbouring properties and had listened to the concerns of residents. Those concerns and issues raised had been taken on board and the newly proposed application went some way to mitigate and overcome those previous objections, which were mainly relating to the density of the development.

The Senior Planning Officer continued to run through the report highlighting the key areas for consideration.

Councillor A Batey, local divisional Member, addressed the Committee to speak on behalf of the residents.

She advised following the previous application a dialogue had been encouraged with ward members, community and other established groups. She acknowledged that this had largely happened. She further acknowledged that 445 properties had been leafleted although there were 1200 properties on the neighbouring estate.

Although the reduction in proposed properties was better than previous proposals, resident still felt that the number should be closer to 40. HP4 suggests a yield of 42. It was accepted however that this may compromise affordable housing.

A further concern that had been raised by residents related to rights of way, and in particular the use of footpaths through the site, which were regularly used by children to walk to and from school and that, was indeed the reasons why street lighting had been installed.

In addition serious concerns were held regarding drainage and she requested that assurances be given by the developer that Permission will address the issues if a method of containment does not work.

In conclusion she respectively asked the committee that should the development be approved that assurance can be given that local labour would be used where possible.

She further added that play provision to be specific in 106 agreement and in the conditions section and stipulate that any provision is delivered in liaison with Recreation Leisure Services and with full dialogue with local members.

She further requested that Permission Homes be asked to attend Parish meetings during the sites development to ensure that everyone can work together to achieve the best outcomes possible.

In conclusion she asked that a further condition be requested that no activities take place on the site until the sale of land has been completed and the monies transferred to DCC.

Mr Frank Wilkinson, Urpeth Parish Council addressed the Committee to object to the application.

Mr Wilkinson advised that the Parish's main concerns related to the lack of play provision and suggested that these issues should be resolved prior to any approval being given. He added that play provision was extremely important for the well-being of children and urged the committee to take on board his comments.

Mr Peter Faichney, local resident addressed the Committee to also object to the application.

Mr Faichney advised that he strongly objected to the number of dwellings proposed on the site and commented that proposals were contrary to HP9 of the Chester-le-Street saved Local Plan.

He further commented that nature conservation was of significant importance and must be protected.

Regarding housing density he suggested that that the 24 dwellings per hectare proposed was also contrary to policy and led to overcrowding. He added that the site would benefit more from lower density housing providing more character and so that the development was more in keeping with the local area.

With regard to the 2.5 storey homes which were proposed, Mr Faichney added that these properties would in fact be 1.5 stories higher than surrounding residents, and this was strongly objected to.

In the last few days 209 sheets, containing 313 signatures had been submitted and this was indicative of the strength of public feeling and concerns raised.

With regard to consultation Mr Faichney suggested that the low response rate seen from DCC consultation was due to the small area which had been covered and added that the council had been selective in their efforts.

In conclusion he advised that these facts coupled with the impact that the development would have upon health and well-being could not be ignored.

Mr Adam McVickers, Persimmon Homes addressed the committee to speak in support of the application.

Mr McVickers advised that the concerns surrounding area and play provision had now been addressed following proactive engagement with the community. 445 leaflets had been distributed and an event on 23 November 2015 had been well attended. Response forms were offered and feedback was sought. In addition proactive engagement had been undertaken with the relevant council departments.

With regard to density of development Mr McVickers commented that 24 dwellings per hectare was proposed which was a reduction on that previously proposed following feedback from residents and in response to their concerns. Open space around the site was proposed providing a kick about area for leisure.

The NPPF sought to boost housing in favour of sustainable development and the proposed application met this criteria. He urged Members to support the officer's recommendation.

In response to comments made by the speakers, the Senior Planning officer advised that council consultation had been undertaken in line with best practice models and to an appropriate level for this scale of development. In addition the developer had gone over and above the required standards to engage with the community.

With regard to comments made regarding a 106 agreement, it was noted that this was not proposed as a written condition was included to ensure that any play provision was designed and delivered in consultation with local members. Further to Councillors Batey's comments regarding targeted recruitment and training it was noted that a further condition could be imposed to ensure that this was implemented.

With reference to comments made regarding works traffic the Senior Planning Officer advised that this was a fact of life, however it was important to note that the development would be completed in 1 phase with less than 50 dwellings being built minimising disruption.

With regard to comments made regarding education monies, it was reported that the council could not ask the developer to provide money towards further teaching classrooms at local schools.

The Senior Planning officer further commented that concerns raised regarding potential flooding had been fully assessed and drainage engineers were satisfied that the use of soakaway/infiltration systems and use of oversized pipes would provide adequate assurance from risk of future flooding.

The Chair at this point asked whether Planning Officers could further consult with the Education Department regarding money generated from pupil premium being used to benefit the schools in the area in which development had taken place.

Councillor Thompson reiterated Councillor Marshall's comments and added that he too would like to see more done to ensure that funds generated from new development be earmarked for schools within the county.

Councillor Wilson queried the size of play spaces to be provided. In response the Senior Planning Officer advised there would fixed play provision along with informal kick about area for multi-functional use within the site.

Councillor Cordon commented that he was delighted that Councillor Batey had represented the community, on this application and was pleased to see that the developers had listened to prior concerns by submitting a revised scheme. He acknowledged that the site had been designated for housing since 2003 and therefore the application should not come as a surprise. He therefore **MOVED** that the application be approved subject to the conditions as listed in the report.

Councillor Milburn asked what the density was of the neighbouring housing estate. In response the Senior Planning Officer advised that it was far denser than that proposed at approx. 40 dwellings per hectare.

Councillor Jewell added his thanks to officers for the site visit and commented that he believed the application to be improved from previous proposals. He further commented that he believed concerns had been mitigated against. He therefore **SECONDED** the proposal.

For clarification, the Senior Planning Officer added that the following conditions be included:

- (i) That recruitment for construction works be targeted locally
- (ii) That delegated authority be given to officers to agree the condition regarding the protection of hedging
- (iii) That local ward members are actively engaged during discussion regarding fixed play provision

Resolved:

That the application be **APPROVED** subject to the condition as detailed in the report and the inclusion of the following additional condition:-

Construction of the first dwelling hereby approved shall not commence as a material development operation until a Targeted Recruitment and Training Method Statement that includes measurable targeted recruitment and training and supply-chain commitments has been submitted to, and approved in writing by the Local Planning Authority. The development must be carried out in full accordance with said Statement, recruitment and commitments, with an up-to-date record maintained of such by the developer, to be made available for inspection by the Local Planning Authority, if required, at no more than five working days' notice.

And –

- (i) That delegated authority be given to officers to agree the condition regarding the protection of hedging
- (ii) That local ward members are actively engaged during discussion regarding fixed play provision

Councillor O Milburn left the meeting and took no part in the discussion or voting of the following item.

b DM/15/03074/FPA - Hamsteels Primary School, Rowley Crescent, Esh Winning, Durham

The Committee considered a report of the Senior Planning Officer regarding the erection of 31 no. 2-bedroom bungalows with access road, walkways and parking at Hamsteels Primary School, Rowley Crescent, Esh Winning, Durham (for copy see file of minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs and a plan of the proposed layout.

Mr S Bell, Prince Bishop Homes addressed the Committee to advise that he was in attendance to answer any technical questions the committee may have.

Councillor Thompson raised a query regarding the sale of land and whether the amount received would be utilised for local leisure infrastructure. In response the Senior Planning officer advised that this would be the case. In noting that the council was the landowner and in effect the 106 agreement would be placed upon the council, he advised that there were a number of mechanisms available to ensure that the £31,000 be ringfenced for leisure provision in the local community.

L Renaudon, Solicitor provided clarity regarding the situation and advised that any monies received would not be released until the committee were satisfied that it was going to the local area. Reference was made to paragraph 70 of the report and recommendations.

Councillor Jewell commented that he noted that there had been very little opposition and although he did have some minor concerns regarding drainage, he was happy that this would be adequately policed. In conclusion he added that it was good to see development of this nature as houses of this type were rarely provided on new sites. He therefore **MOVED** that the application be approved.

Councillor Wilson **SECONDED** the proposal.

Resolved:

That the application be **APPROVED** subject to the conditions as detailed in the report. It was noted that recommendation 2 was showing as incomplete within the report and officers would ensure that this was correct prior to the decision notice being issued.

Councillor O Milburn returned to the meeting.

6 Appeal Update

Consideration was given to the report of the Principal Planning Officer which provided an update on planning appeals received and determined (for copy see file of minutes).

In referencing DM/15/00452/OUT and DM/15/02128/FPA the Principal Planning Officer commented that it had been noted that the Planning Inspectorate had come to different conclusions on two very similar cases and had each applied different weighting, to comparable issues. This was of concern to officers and with such the team would be contacting the Inspectorate to query the contradictory approaches between the two applications.

Resolved:

That the report be received.

Signed.....

Date.....