

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, Council Offices, Spennymoor on **Thursday 10 December 2015 at 2.00 pm**

### **Present:**

**Councillor M Dixon (Chairman)**

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

Councillors H Nicholson (Vice-Chairman), B Armstrong, D Bell, D Boyes, J Clare, E Huntington, I Jewell, C Kay, S Morrison, A Patterson, G Richardson and C Wilson

### **Also Present:**

M O'Sullivan – Planning Officer

J McGargill – Highway Development Manager

N Carter – Solicitor – Planning and Development

### **1 Apologies for Absence**

Apologies for absence were received from Councillors K Davidson, L Taylor and S Zair.

### **2 Substitute Members**

Councillor I Jewell substituted for Councillor K Davidson.

### **3 Declarations of Interest**

Councillor M Dixon declared an interest in planning application DM/15/02581/FPA – Travellers Green, Newton Aycliffe as he was a Member on the Board of Livin. The Member left the meeting when the application was considered.

Councillor J Clare also declared an interest in planning application DM/15/02581/FPA – Travellers Green, Newton Aycliffe. He believed that part of the land was owned by Great Aycliffe Town Council, on which he was a serving Member. The Member left the meeting during consideration of the application.

### **4 Minutes**

The Minutes of the meeting held on 19 November 2015 were agreed as a correct record and were signed by the Chairman.

## **5 Applications to be determined**

### **5a DM/15/03322/FPA - Ox Close Primary School, Ox Close Crescent, Spennymoor**

Consideration was given to the report of the Planning Officer regarding an application for a school extension including new Multi Use Games Area (MUGA), staff and visitor parking and resurfacing of existing play yard (for copy see file of Minutes).

M O'Sullivan, Planning Officer gave a detailed presentation on the application which included photographs of the site.

Councillor K Thompson, local Member stated that although he was not against the application he disagreed with the 'elastoplast' approach to dealing with school capacity.

He agreed with the comments of the Highways Authority which stated that on the basis of previous and anticipated additional primary school classrooms in the Spennymoor and surrounding areas Highway Development Management Officers would have preferred to see a new primary school built which would take some of the pressure off the existing primary schools with regard to traffic/parking issues. He concurred with these views which had not been reflected in the report. The report stated that the additional classrooms would be supported by an additional 8 no. parking spaces bringing the total number of on-site car parking spaces to 30 which was well below the maximum permitted on-site car parking of 70, as required by the County Durham Parking and Accessibility Standards 2014.

He asked for an additional condition requiring the applicant to provide more on-site parking spaces to ease congestion in the street, and also that traffic flow be reviewed by the Highways Authority. He did not consider that the school should be required to do this. The Local Education Authority should work in partnership with other services within DCC to resolve the problems in the locality.

A housing need of 2000 properties had been identified for Spennymoor and proposals for a development of 400-500 houses had not taken into account the number of available school places. He acknowledged that similar concerns existed across the County but the traffic situation was very poor at Ox Close and attempts to improve the problems experienced had been unsuccessful.

D Coyle, on behalf of the applicant stated that this scheme represented significant investment for the primary school with proposals for 2 new classrooms, a MUGA, extension to the hall and additional car parking spaces. He was aware of the pressure on school places but the cost of a new build would be in excess of the total capital budget. The investment would enhance the educational curriculum at the school. He appreciated the Member's concerns about parking provision but every option had been explored and 8 spaces was the maximum that could be provided on-site.

The Highway Development Manager clarified that the standard requirement for 70 spaces applied to new build schools. The Highways Authority acknowledged that there would be an increase in traffic but this would be managed through a robust and effective Travel Plan. The street was hard paved on one side to accommodate the demand for resident parking and the street was traffic-calmed. Vehicular speeds around schools was generally low because of congestion at pick-up/drop-off times, and there was no history of accidents at the school.

The Solicitor – Planning and Development referred to Councillor Thompson's request for a condition requiring additional parking spaces. He advised that conditions had to be tested against certain criteria, one of which was that they must be necessary. Members had heard from the Highways Officer that the standards requiring a maximum of 70 on-site spaces applied to new build schools, and taking into account the impact of 2 additional classrooms, the Planning Officer considered that on balance 8 additional car parking spaces was acceptable. The Committee had also heard from the applicant's representative that the site could not be re-configured to increase the number of spaces.

Councillor Boyes made the comment that the congestion at Ox Close was experienced by the majority of schools across the County, and in response to a question from the Member about the MUGA, the Planning Officer explained that the facility would be closed outside school times and therefore a Noise Impact Assessment was not required.

The Chairman acknowledged the concerns expressed but considered that on balance these were outweighed by the benefits the proposals would bring to the school.

Following a question from Councillor Patterson, the Planning Officer advised that the trees on-site were a mix of both young and mature trees but none were protected. However the majority of the trees would be retained and those that were to be removed would be replaced with hedging.

Councillor Boyes moved and Councillor Armstrong seconded that the application be approved.

**Resolved:**

That the application be approved subject to the conditions outlined in the report.  
Councillors Dixon and Clare left the meeting.

**5b DM/15/02581/FPA - Travellers Green, Newton Aycliffe**

Consideration was given to the report of the Planning Officer regarding an application for the demolition of 5no. bungalows and erection of 11no. bungalows and 12no. apartments (for copy see file of Minutes).

M O'Sullivan, Planning Officer gave a detailed presentation on the application which included photographs of the site.

Following a request for clarification about the Section 106 Legal Obligation, Members were advised that the Agreement would secure open space within the Division. Affordable housing would be secured in perpetuity and any request to amend this provision in future would require a Deed of Variation.

**Resolved:**

That the application be approved subject to the conditions outlined in the report and to the completion of a Section 106 Obligation to secure the payment of a commuted sum of £23,000 in lieu of adequate on site open space provision and affordable housing provision.