

**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 14 November 2017** at **1.00 pm**

**Present:**

**Councillor P Taylor (Chairman)**

**Members of the Committee:**

Councillors G Bleasdale, D Brown, J Clark, I Cochrane, K Corrigan, D Freeman, K Hawley, S Iveson, P Jopling, J Maitland (substitute for A Laing), R Manchester and O Temple

**Apologies:**

Apologies for absence were received from Councillors M Davinson

**Also Present:**

Councillors J Blakey, S Dunn, M McKeon and J Turnbull.

**1 Apologies for Absence**

Apologies for absence were received from Councillors M Davinson and A Laing.

**2 Substitute Members**

Councillor J Maitland substituted for Councillor A Laing.

**3 Minutes of the meeting held 10 October 2017**

The minutes of the meeting held 10 October 2017 were agreed as a correct record and signed by the Chairman.

**4 Declarations of Interest**

Councillor J Clark declared an interest in Item 5a as a member of the Durham City Housing Group (CDHG) Operations Board. It was noted that she would leave the Chamber and take no part in the discussion or voting thereon.

*Councillor J Clark left the meeting at 1.05pm*

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

**a DM/17/03061/FPA - Land at Surtees Avenue, Bowburn**

The Senior Planning Officer, Chris Baxter, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Senior Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for development of 10 no. 3 bedroom houses with associated car parking, landscaping and new adopted highway and was recommended for approval, subject to conditions and s106 agreements.

The Senior Planning Officer noted housing to two sides of the site, with a former depot to the south of the site. Members were asked to note the proposed layout and access to the site, with 2 semi-detached properties each side of the access and with 6 semi-detached properties along the south of the site for a total of 10 properties. Members were shown elevations of the 3 house types proposed, noting all were semi-detached and two storey.

The Senior Planning Officer explained there had been no objections from statutory or internal consultees. It was noted that 37 letters of objection had been received, objections from Cassop-cum-Quarrington Parish Council and objections from the Bowburn and Parkhill Community Partnership.

The Senior Planning Officer noted the site was in a sustainable location, was not allocated as open space in the Local Plan, and there were no recorded rights of way over the site. He added that Officers felt that there would not be an adverse impact in terms of visual or residential amenity. The Senior Planning Officer explained that the Highways Manager had made no objections, and was happy in terms of the arrangements for parking and access. It was added that the Drainage Officer had made no objections and the Ecology Section had noted no impact on protected species. It was also explained that there would be Section 106 agreements in terms of open space and recreational facilities in the locality; and a financial contribution towards public art in the locality.

The Senior Planning Officer noted that the application had been considered in terms of the balance test contained in Paragraph 14 of the National Planning Policy Framework (NPPF) and Officers felt that the planning permission should be granted as the adverse impacts of the development did not significantly and demonstrably outweigh the benefits.

The Chairman thanked the Senior Planning Officer and noted there were several speakers in relation to this item. He asked Local Member, Councillor S Dunn to speak in objection to the application.

Councillor S Dunn thanked the CDHG for working with Local Members in an attempt to find alternative sites and acknowledged that all Members welcomed new affordable housing, however not at this particular site, the last open space in Bowburn. He added there were many sites within the Division, namely at Croxdale and Kelloe. Councillor S Dunn noted that the report stated the application had been considered under Paragraph 14 of the NPPF and added that all three Local Members would contend that the adverse impact did outweigh the benefits of development for this site.

Councillor S Dunn noted paragraph 20 of the report referred to the emerging County Durham Plan (CDP) and was disappointed that the report did not refer to the Cassop-cum-Quarrington Neighbourhood Plan that was nearing maturity and felt that it could have been considered. He added that there had already been a lot of development in Bowburn and Parkhill and he disagreed as regards the Officer's opinion in terms of impact and effect on amenity for existing residents. He noted Members that attended the site visit would have seen how narrow the road along Surtees Avenue was.

Councillor S Dunn noted that 37 residents had felt the need to object to this application, and given the number of applications coming forward it was "planning overload", the apathy of residents evidenced by their absence at Committee.

Councillor S Dunn noted the report stated that there was no impact on highway safety, he added he must disagree and felt the provision of parking on site did not sufficiently take into account deliveries and visitors as well as parking for residents.

Councillor S Dunn noted it was a pity Members of the Committee had not the chance to visit the site at the start and finish times for Bowburn Junior School to see the amount of traffic associated. He added that this was with the current school of around 200 pupils, with plans to expand to 530 pupils.

Councillor S Dunn noted that children in the area would be effected, in terms of losing a safe place to play, with the local park being an area of concern such that CCTV had been installed. He concluded by noting that pockets of land like this were very important for families and that he supported the objectors to the application.

The Chairman thanked Councillor S Dunn and asked Councillor M McKeon to speak in relation to the application.

Councillor M McKeon noted she would add to the points raised by Councillor S Dunn, highlighting that the school would not only eventually have around 530 pupils, there was also the nursery provision in addition to this, with the school to be the third largest primary in the County once at capacity. Councillor M McKeon reiterated that the road was very narrow and congested and that safe access was be crucial.

She added that there was a loss of amenity, and a lot of residents had felt the need to contact Local Members both directly and at community meetings, with those people had not just been from Surtees Avenue itself, but from the wider area.

Councillor M McKeon explained that she wanted affordable housing in her Division, noting she herself was a member of “generation rent”, however she felt that this particular scheme would be the wrong development at the wrong time.

The Chairman thanked Councillor M McKeon and asked Councillor J Blakey to speak in relation to the application.

Councillor J Blakey noted the report stated there was no plan in place as regards the open space, however she referred to the 2004 village masterplan developed by the former City of Durham Council. She added that the loss of amenity for young children of the estate was clear, and reiterated the point made by Councillor S Dunn that the nearby park had CCTV installed as a result of issues and the park would also be an area out of sight of parents of young children. Councillor J Blakey added that the site also formed part of a safe walking route to school. She added that Members had seen how narrow the road was first hand out on site.

Councillor J Blakey noted that the adjacent site, the former Mabey Hire depot, had previously been granted permission for 39 houses, and effectively this would create an “estate within an estate”, and local people were not happy that all the green spaces within Bowburn were being lost.

Councillor J Blakey noted it was known why a lot of development was being proposed at Bowburn, namely its link at Junction 61 to the A1 motorway. While this could be appreciated, Councillor J Blakey noted that local people needed the breathing space such pockets of green land offered, estimating around 70% or more of them had been lost in the last 10 years.

Councillor J Blakey noted that drainage issues had not been mentioned, however, this site was only 100 yards from the main drain for Bowburn. She explained that there were still flooding issues in Bowburn, and that an application at the “Daisy Field” site had required the developer to include a “slow down drain” prior to entering the main drain. It was explained that this site would hit straight into the main drain and asked whether this could then have an impact in terms of flooding. She noted several occasions where she had attended the local Community Centre to help mop out after flooding. Councillor J Blakey concluding by reiterating that the development was in the wrong place, with there being plenty of other sites at Croxdale and Kelloe more suitable for development.

The Chairman thanked Councillor J Blakey and asked Mr G Walsh, Group Director of Assets and Regeneration, CDHG, to speak in support of the application.

Mr G Walsh noted that CDHG had worked with architects and Officers from the Council in order to systematically assess the scheme so that it met with all the necessary requirements. He added that there was £20,570 contribution in terms of open space and recreational facilities, along with a contribution of £11,400 in terms of public art. Mr G Walsh reiterated that the report set out that there were no objections from the Highways Section, with all the proposed properties having two car parking spaces, together with the 2 shared visitor parking bays.

Mr G Walsh noted that the application was for affordable rent properties and added that while there may have been objections, the voice of the 25 or so people that would live in the proposed properties had not been heard, the silent people who want these type of affordable developments. He added that often the people who access such affordable housing were the very local people that would access nearby services, such as the school, and were therefore already taken into account in terms of traffic.

Mr G Walsh added that CDHG had listened to a concern raised as regards access to rear gardens, with a revision that had allowed for such access. Mr G Walsh concluded by noting the Officer's report spoke for itself and while there was some loss it must be weighed up against the worthy benefit of 10 new affordable homes.

The Chairman thanked Mr G Walsh and asked the Senior Planning Officer to comment on the issues raised by the speakers.

The Senior Planning Officer noted the main issue raised was the loss of open space, and reiterated that the application site was not allocated in the Local Plan, and therefore there was no policy in respect of protection. He added that the other main recreational area was the park located around 400 metres east of the site. It was felt by Officers that there was significant open space within close walking distance.

In respect of the Parish Neighbourhood Plan, the Senior Planning Officer understood that the Plan was at a draft stage and not adopted and therefore was given no significant weight.

The Senior Planning Officer noted that paragraph 67 to 69 of the report dealt with the issue of impact, noting that the required separation distances was met after an amended plan and also the issue raised as regards access to rear gardens had been addressed by the applicant with an amended plan.

The Senior Planning Officer noted the Highways Manager was not able to be in attendance, however, the only concern had been as regards the internal layout of the site which then had been addressed. He added that the Highways Section was comfortable in terms of the parking, access and impact in relation to the nearby school.

The Senior Planning Officer noted that normally the Drainage Officer would request a lot of further information when a scheme was submitted, however, in this case a lot of information in terms of drainage had been provided. It was noted that the Drainage Officer was happy in terms of drainage issues, subject to a condition, Condition 2, regarding the development being carried out in accordance with the drainage agreement and surface water drainage strategy.

The Chairman thanked the Senior Planning Officer and asked Members of the Committee for their questions and comments on the application.

Councillor P Jopling noted she had listened to the comments of the Local Members and asked why this particular site and had the applicant not looked at other sites as described by the Local Members.

The Chairman asked if Mr G Walsh wished to answer, he noted he was happy to do so. Mr G Walsh explained that CDHG was the landowner of this particular site and therefore it was within their control, the other sites were not.

Councillor S Iveson noted concern in general as regards the number of applications that resulted in a loss of green space, adding that parks often catered for older children, with such green spaces offering a safe place for younger children to play within sight of their parents.

Councillor G Bleasdale asked how long the site had been used as open space and noted that it was difficult to believe the site would be built on, given the narrowness of the road, with cars having found it difficult to pass the bus used for the site visit. The Chairman allowed Councillor J Blakey to respond, with Councillor J Blakey noting it was likely the area had been such since 1947-48 when the estate was developed.

Councillor O Temple noted from the site visit that transport was a main concern, as looking at the plan and aerial photographs there appeared to be a number of areas of green space and while out on site there had been little evidence of the site being used. Councillor O Temple added that the road was very narrow and asked if this was the main arterial route to access the school, noting if so he felt the road was already too narrow and that if the development was approved this would add to the problem.

The Senior Planning Officer noted he would have difficulty formally confirming whether it was the main route, however, looking at plans of the area there appeared to be at least two routes to the school. The Chairman allowed Councillor M McKeon to respond, with Councillor M McKeon noting in her experience the route was also that taken to access a bus stop and would be the main route to the school.

The Senior Planning Officer explained that he was not an expert in terms of highways and access issues, however, the Highways Manager had assessed the application in terms of the context of the objections raised and the school being nearby and he had raised no objections in terms of the application.

The Chairman asked if any Members of the Committee wished to move the recommendations as set out in the report or to the contrary.

Councillor D Brown proposed that the application be approved; he was seconded by Councillor D Freeman. Upon a vote being taken, the motion was lost.

The Chairman asked if Members wished to put a counter proposal.

Councillor O Temple noted he felt that the application could be deferred in order to have a Highways Officer in attendance to give a full traffic report in detail as many Members were at odds with the traffic issues. The Chairman noted he was not sure that he agreed with Councillor O Temple as the professional Officer's opinion was set out within the report, he asked the Solicitor for advice. The Solicitor – Planning and Development, N Carter noted it was for Members to decide in terms of the need to defer an application in order to receive further information.

Councillor O Temple proposed that the application be deferred; he was seconded by Councillor P Jopling.

**RESOLVED**

That the application be **DEFERRED**.