

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 27 July 2017 at 2.00 pm**

Present:

Councillor I Jewell (Chairman)

Members of the Committee:

Councillors A Shield, L Taylor, K Thompson, S Wilson (Vice-Chairman), S Zair, A Bainbridge, D Bell, L Boyd, A Hopgood, M McKeon, J Shuttleworth and M McGaun

Apologies:

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2 Substitute Members

There were no substitutes.

3 Minutes of the Meeting held on 29 June 2017

The minutes of the meeting held on 29 June 2017 were conformed as a correct record and signed by the Chairman.

4 Declarations of Interest (if any)

Councillor A Shield declared an interest in Item 5a as former Board Member of Durham Villages Regeneration Committee.

Councillor D Bell declared an interest in Item 5a as a current serving Board Member of Durham Villages Regeneration Committee.

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

a 1/2013/0173 - Land to the south of Palmer Road, Dipton

The Committee considered a report of the Senior Planning Officer regarding the proposed erection of 56 dwellings including some landscaping and infrastructure (amended scheme proposing omission of affordable housing provision and schools contribution (for copy see file of Minutes).

The Senior Planning Officer provided a detailed presentation which included photographs of the site and plans of the proposed layout. He advised that work had been undertaken regarding additional drainage works and should the application be approved, the condition relating to drainage would need to be updated.

He further advised that one objection had been withdrawn prior to the meeting and this was as a result of the developer working with residents.

Councillor Carr local Member, addressed the committee to speak in objection to the application. She referred to the previous decision noting that her major concerns related to the ecological impact on the nature reserve and the disturbance of protected species habitats. In addition the site was well used by school children walking to St Patrick's school and the fringes of the site also had other uses.

In conclusion she noted that although she was sad to see the loss of affordable housing she appreciated that it was difficult to refuse the application on the basis that the previous application had been approved.

Mr John McGee, local resident addressed the committee to speak in objection to the application. He commented that the photographs shown were out of date and there were some errors presented within the report.

Paragraph 2 of the report stated that the land was now unused, however had been used recently as a paddock, with the tenant having been given a 1 month notice to vacate. He further pointed out that paragraph 6 of the report stated that there would be only 54 units when in fact there would be 56.

He further commented that the County Durham Plan indicated that there was no demand for housing in this area.

Mr Partington, local resident addressed the committee to speak in objection to the application. He advised that in his opinion the benefits of the previous application had now been diminished. The proposed development did not include any open space or play space for children and the increase in cars and traffic would pose a danger to those children and other pedestrians. He also queried where the workforce would park whilst development was ongoing.

He further raised concerns relating to the environmental impact of development and the potential for water logging.

Mr Prescott, Keepmoat Homes, addressed the committee to support the application. He advised the committee that a lot of discussions had been undertaken with County Ecologists and any issues had been mitigated against. In addition Northumbrian Water Limited had approved the drainage scheme. It was further reported that the further field drainage and landscaping provided would lead to an 87% reduction in water run-off.

He further advised that the scheme was not viable in 2013 due to the large 106 contribution required by the education department.

With regard to the 106 agreement, Councillor Wilson asked what basic requirements were being met and what the anticipated ecological impact would be on the habitat. The Senior Planning Officer advised that the development would have an effect on the protected newt species however the 106 monies would allow for mitigation on the lower part of the site.

In addition he advised that there would be upgrades to the kick-a-bout with goal posts and footpath upgrades.

Regarding the changes to the previously approved application, Councillor Hopgood commented that the housing market hadn't changed that much since 2013 to justify the addition of two homes, the withdrawal of £300,000 106 monies and the withdrawal of 8 affordable homes. In addition she commented that it was disappointing to hear the local member say that the committee would have to approve the application because of the decision made by this committee in 2013.

The Chairman allowed Mr Prescott some more time to clarify the position. Mr Prescott advised that since 2013 which was the back end of the recession, build costs had increased by 28% along with increases in materials and sub-contractors also being seen. These additional costs now meant that the provision of affordable homes and any higher 106 contribution would make the scheme unviable.

Further discussion ensued regarding affordable homes and it was noted that the Derwentside Local Plan did not have a policy in place for the provision of affordable housing. Councillor Hopgood commented that she was unhappy with the disparities in local plan policy and added that in her opinion affordable housing provision should be proportionate to the size and scale of development.

Councillor Thompson added that on the basis that there would be no provision for affordable housing and that the 106 contribution had been significantly reduced, he could not support the application.

The Senior Planning Officer in referring to Paragraph 14 of the NPPF noted that given the current state of the County Durham Plan and policies contained within the Derwentside Local Plan being out of date, each scheme must be assessed on its own merits. Decisions should however lean in favour of those sites where deemed acceptable. With regard to expectations of profit, spatial planning had advised that profit within a parameter of 13/15% was acceptable.

At this point the Solicitor provided some advice to the committee regarding the issues raised, noting that members would have to determine whether the lack of

provision of affordable homes would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.

Further discussion and debate took place regarding local plan policies and assessment of housing need. Councillor McGaun added that he felt that members could not make an informed decision on the application given that local plan and housing supply policies were so out of date. The Solicitor advised Councillor McGaun that if he felt he was unable to make an informed decision on the application, then he should abstain from the vote. Following further clarification from the Solicitor, Councillor McGaun confirmed he felt able to adequately assess the application

Councillor Hopgood subsequently **MOVED** that the application be refused on the grounds that that the lack of affordable housing provision is an unacceptable adverse impact of the scheme, which significantly and demonstrably outweighed the benefits of the proposal contrary to paragraph 14, 47 and 50 of the NPPF.

Councillor Shuttleworth **SECONDED** the proposal.

Councillor Wilson asked whether the previous application had placed much weight on the level of 106 contribution to be provided. The Solicitor advised that when the application was determined in 2013, the council were not in a situation where a planning balance test would need to be applied.

Following a vote being taken it was

Resolved: That the application be refused on the grounds that that the Local Planning Authority considers that the lack of affordable housing provision is an unacceptable adverse impact of the scheme, which significantly and demonstrably outweighs the benefits of the proposal contrary to paragraph 14, 47 and 50 of the NPPF.

b DM/17/01683/FPA - Site of former Ouston County Infant School, Cromarty, Ouston

The Committee considered a report of the Senior Planning Officer regarding proposals for the construction of 16 new build bungalows and associated footway and landscaping (for copy see file of Minutes).

The Senior Planning Officer provided a detailed presentation which included photographs of the site and plans of the proposed layout.

Mr S Jackson, addressed the committee to speak in support of the application. He advised that proposals presented a high quality bungalow scheme which would be built under an affordable housing programme on a shared ownership basis. In addition the homes would not be restricted to elderly residents.

Councillor Wilson added that the application seemed pretty straight forward and the development would provide what was needed in the area. He therefore **MOVED** that the application be approved subject to the conditions listed in the report.

Councillor Shuttleworth **SECONDED** the proposal.

Councillor Shield added he agreed that this was a much needed development. He also agreed that although the garden sizes were small this was subjective, noting that not everyone wanted large gardens to maintain.

Councillor Hopgood added that she agreed with comments made and noted that the £16k contribution for enhancements to open space was welcomed. In addition she was extremely happy to hear that all the properties would be affordable.

Following a vote being taken it was

Resolved: That the application be approved subject to the conditions as detailed in the report.

c DM/17/01128/FPA - Ponds Court, Genesis Way, Consett

The Committee considered a report of the Senior Planning Officer regarding the proposed erection of a 65 bedroom hotel with function suite, Managers Flat, parking and landscaping (for copy see file of Minutes).

The Senior Planning Officer provided a detailed presentation which included photographs of the site and plans of the proposed layout.

Councillor A Watson, local Member (Consett North), addressed the committee to speak in support of the application. He commented that this hotel was a great investment for Consett and a statement of confidence in the area. The proposed hotel would be good for the economy and would bring jobs and wealth for the area.

Councillor D Hicks, local Member (Consett South), addressed the committee to speak in support of the application. He reiterated the comments already made adding that a hotel was greatly needed in the Consett area. He further commented that there was good public footpath links to the town centre and would do businesses in the area the world of good.

Mr G McGill, Applicants Agent addressed the committee to speak in support of the application. He advised that the interest shown in the Consett area was a testament to the towns ongoing regeneration and the proposals for a hotel in Consett went some way to putting it on the map for both Leisure and Tourism.

He went on to thank officers for their support during the application process adding that their advice and guidance had resulted in a better standard of proposed development.

Further reference was made to consultation which had taken place and support which had been shown for the development. Comments received regarding the protection of amenity had been addressed and mitigated against.

Original proposals had been for a smaller hotel however this had been increased due to the confidence in the market and the suitability of a larger hotel.

Negotiations were still underway regarding the hotel chain who would operate the hotel, however it was noted that it would not be a budget hotel. A mid-range offering was more likely.

In conclusion he advised that the hotel in the long term would contribute to economic activity in the area and would go some way in retaining young people in the area.

Councillor Wilson commented that he could only see the positive impacts of the development and felt that objections had been mitigated against. He therefore **MOVED** that the application be approved.

Councillor Shuttleworth added that Consett was a boom town and agreed that the hotel would be a good thing for the area and would encourage further business to the area. He therefore **SECONDED** the proposal.

Councillor Shield commented that as a member local to the area he would have liked to have moved the application for approval. He did however note that the application did accord with the local plan and NPPF.

Following a vote being taken it was

Resolved: That the application be approved subject to the conditions as detailed in the report.

6 Appeal Update

The Committee received an update from the Senior Planning Officer regarding an appeal against refusal of outline planning permission for residential development (C3) (all matters reserved except access) including the demolition of No.7 The Paddock at the Paddock, Lanchester, Durham (DM/16/00871/OUT).

The report confirmed that the Appeal had been allowed by the Planning Inspectorate.

Resolved:

That the content of the report be noted.