

## **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 25 October 2018 at 1.00 pm**

#### **Present:**

**Councillor I Jewell (Chairman)**

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

Councillors A Bainbridge, D Bell, G Darkes, A Hopgood, C Martin, O Milburn, A Shield, J Shuttleworth and S Zair

#### **Apologies:**

Apologies for absence were received from Councillors L Boyd, D Boyes, M McKeon, J Robinson, L Taylor and S Wilson

#### **Also Present:**

Councillors D Hicks, O Temple and A Watson

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors D Boyes, J Robinson and S Wilson.

#### **2 Substitute Members**

There were no substitutes.

#### **3 Minutes**

The minutes of the meeting held on 27 September 2018 were confirmed as a correct record and signed by the Chairman.

#### **4 Declarations of Interest**

There were no declarations of interest.

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

##### **a DM/17/03908/FPA - Land to the West of Hall Cottage, Hall Road, The Grove**

The Committee considered a report of the Senior Planning Officer regarding an application for the development of 29 dwellings including means of access, associated car parking and landscaping (for copy see file of Minutes).

The Senior Planning Officer gave a detailed presentation on the application, which included photographs of the site and plans of the proposed layout and those members who had visited the site on the previous day so were familiar with the location and proposals.

Councillor D Hicks, Local Member, addressed the committee to outline concerns regarding the application.

It was noted that The Grove area had over recent years seen a number of larger brownfield and playing sites lost to housing development. Many concerns and objections had been raised regarding the application and despite the applicant trying to do their best to mitigate those concerns, issues remained, mainly relating to loss of countryside and the additional traffic that would be forced onto the roundabout at the top of Mutton Clog bank.

Despite all of the concerns however, he did believe that the development would be well executed by the developer and would lead to improvements at the nearby ponds. In addition, more pupils would attend the local school, so it would benefit them also.

Mrs R Armstrong, local resident, addressed the committee to speak in objection to the application. She advised that committee that the 'white wickets' site was at the heart of The Grove and was of significant landscape value to residents. She noted that because of its beauty, it had been featured on national tv and had featured within regional newspapers.

A dedicated facebook page, followed by up to 300 people regularly shared photographs and memories of the local amenity and was also featured as a guided walk and used daily by walkers.

Mr S Garden, local resident, addressed the committee to speak in objection to the application. Mr Garden acknowledged the work of the Planning Officer and thanked them for their work in bringing forward this application today with a recommendation of refusal.

He noted, that whilst Amethyst Homes had undertaken excellent work to redevelop the brownfield site at Genesis Way and other brownfield sites left over from the old steel works, this site was not brownfield and mother nature had reclaimed it and made it into a beautiful spot within the local area.

Ms K Reed, Planning Agent for Project Genesis addressed the committee to speak in support of the application. She advised that the Trust had a good reputation for redeveloping other areas in The Grove area such as Hallgarth and Fell View. The application site was included within the Project Genesis masterplan developed in 2012 and would provide much needed revenue for environmental improvements and industrial improvements in the area

She went on to highlight the following points in relation to the Planning Officers statement:

- Mitigation of concerns met

- Landscape visual assessment undertaken had not been fully considered by the Council
- Housing Position Statement had not been fully considered by the Council
- Inadequate 5 year housing supply.

Ms Reed, further went on to refer to a recent appeal at Esh Winning which had been upheld by the Planning Inspector which had significant implications to the consideration of the current application.

Councillor Shield added that whilst he acknowledged the laudable work of the developer in attempting to mitigate concerns of residents and that the site was brownfield since reclaimed by mother nature in to somewhat of a beauty spot he did feel that the application site was outside of the village curtilage and the development of the site would cause traffic issues.

Whilst **moving** refusal of the application, he did however note the application may had been deemed acceptable if it had been in a more amenable position.

Councillor Darkes **Seconded** the proposal.

Following a vote being taken it was

**Resolved:**

That the application be refused for the reasons as detailed in the report.

**b DM/18/02339/FPA - Site of Former Belle Vue Swimming Centre, Ashdale Road, Consett**

The Committee considered a report of the Senior Planning Officer regarding a proposed residential development of 24 bungalows with associated access and landscaping (for copy see file of Minutes).

The Senior Planning Officer gave a detailed presentation on the application, which included photographs of the site and plans of the proposed layout and members had visited the site on the previous day so were familiar with the location and proposals.

Councillor Temple, Local Member commented that whilst he considered the proposals to constitute a good development by a first class local provider he did have some reservations mainly relating to the withdrawal of a car park which currently accommodated up to 80 cars during school drop off and pick up times. The loss of this informal car park would displace cars elsewhere and ultimately would be felt by the inhabitants of the cul-de-sac.

The second issue related to the positioning of the footpath and the issues that this could bring having heavy footfall, mainly secondary school children, walking through the estate where elderly residents would be living. He therefore queried whether the layout could be reviewed so that the footpath was diverted along the outside of the estate rather than through the middle.

Furthermore, Councillor Temple queried whether it would be possible to consider widening the footpath so that elderly residents who use mobility scooters could easily pass side by side. In addition, he asked whether a condition could be agreed which stipulated that work on site should not commence before 8 am due to the proximity to Ferndale Court.

The Senior Planning Officer advised that the application was subject to grant funding and deferral of the application could potentially prevent the scheme from progressing. In addition, he noted that condition 10 stipulated that work on site could not commence before 8am.

With regard to the issues raised relating to the footpath, the Principal DM Engineer advised that there was potential for this however rerouting the footpath would create difficulties.

Councillor A Watson, Local Member, addressed the committee and advised that whilst he welcomed development, the removal of the car park would cause major issues on what was an already extremely busy highway at school pick up and drop off times.

He added that despite the grant funding potentially being in jeopardy there were still issues that remained unresolved and could if ignored lead to a fatality.

Mr S Donoghue, Architect for Karbon Homes, addressed the committee to speak in support of the application. He noted that he did foresee any issues in widening the footpath, however the ability to maintain access during development was unknown until contractors had been appointed.

Regarding the layout of the site it was noted that this had been assessed in great detail in consultation with the Senior Planning Officer and amendments to such would likely have an impact upon the number of dwellings that could be provided.

Councillor Shield in referencing paragraph 64 of the report asked for some clarification regarding the traffic survey. The Senior Planning Officer advised that the council had been criticised for the timing of the traffic survey undertaken, however this had been undertaken by the developer, not Durham County Council.

Councillor Shield further added that as a local to the area he was also aware of the congestion issues on Sherburn Terrace and Medomsley Road however acknowledged that the two proposed unconnected access roads was more acceptable.

He went on to note that on planning balance there was an identified need for bungalows in the Consett area and with the suggestion of the widened footpath and 8 a.m. starting times he was minded to **Move** approval of the application, despite the concerns which he shared relating to pedestrians, students and loss of the informal car park.

As a point of clarification, the Solicitor advised that members could not grant permission then requires changes to the granted permission by way of condition. Councillor Shield further queried whether the developer could be asked to work with officers and local members to address and mitigate the concerns.

Councillor Hopgood further queried whether there was any legal way of prohibiting non-resident traffic within the site so that parents picking children up from school did not park within the estate, noting that sixth formers also had cars and would also be displaced from parking at the former swimming baths. The Principal DM Engineer advised that resident parking permits would only be introduced should an issue arise in the future and an assessment be undertaken.

Councillor Jewell reminded the committee that as earlier explained as the car park was private land this could be fenced off at any time displacing cars. The Senior Planning Officer advised that this issue of illegal parking was not an issue for the planning committee to remedy.

Councillor Milburn **Seconded** the proposal.

Councillor Martin commented that he found it disappointing that Karbon Homes were not in attendance and in acknowledging the concerns raised, agreed that the application be deferred.

Following a vote being taken it was

**Resolved:**

That the application be approved subject to the conditions as listed within the report.

**c DM/18/02098/FPA - 29 Front Street, Chester-le-Street**

The Committee considered a report of the Planning Officer regarding the change of use of first floor from retail use to 14 apartments, installation of external door, additional first floor windows and rooflights (for copy see file of Minutes).

The Planning Officer provided a detailed presentation on the application, which included photographs of the site and plans of the proposed layout. He went on to advise that should members be minded to approve the application condition 3 as outlined in the report could be omitted as acceptable details had now been received. In addition, condition 2 could be amended as amended plans had been received.

Councillor Martin commented that a similar development had been undertaken at the former old Lloyds Bank in Chester-le-Street which had proved to be successful. As a result, initial car parking concerns he had no longer existed and he felt that encouraging people to live in the town centre would be positive for businesses.

He therefore **Moved** that the application be approved subject to the amendment of condition 2 and omission of condition 3.

Councillor Shield, in referencing paragraph 3 of the report asked whether it was known what the distance from the rear entrance to the proposed bin storage was. The Planning Officer advised that residents would take access to the bin storage area from a secondary access at the rear of the building at a distance of approximately 50 metres, and bin crews would access bins on collection day via the rear of Morrisons Car Park.

Councillor Shield further asked what measures were in place to prevent the accommodation being used for supported living or as a hostel. The Planning Officer advised that this would require a further change of use and therefore there was no requirement for this to be included within the list of conditions.

Councillor Shield **Seconded** the proposal.

Councillor Bainbridge commented that the building hadn't been in use for some years and he welcomed the investment in the area which along with the work to be undertaken to Congburn would bring much needed vitality to the town centre.

Following a vote being taken it was

**Resolved:**

That the application be approved subject to the developer entering into a s.106 legal agreement to provide the following, and the conditions as listed in the committee report.

A section 106 Legal agreement to secure, proportionate to the direct impacts of the development:

- monies to make provision for off-site open space shortfall as assessed through the Council's OSNA model (£24,506)
- monies to make provision for public art (£7,800)

**6 Appeal Update**

The Committee considered a report of the Principal Planning Officer which provided details of a recent appeal decision in relation to application DM/17/03494/OUT for the erection of two semi-detached houses.

The Principal Planning Officer advised that the appeal had been dismissed, by the Planning Inspector.

**Signed .....**  
**Chairman of the meeting held on 20 December 2018**