

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 19 May 2022 at 9.30 am**

Present:

Councillor M McGaun (Chair)

Members of the Committee:

Councillors B Bainbridge, G Binney, J Blakey, M Currah, K Earley, J Griffiths, D Haney, E Peeke, J Purvis, J Quinn, A Watson (Vice-Chair), S Wilson and L Mavin (Substitute)

Also Present:

Councillor P Heaviside

1 Apologies for Absence

Apologies for absence were received from Councillors L Brown and C Marshall.

2 Substitute Members

Councillor L Mavin substituted for Councillor L Brown.

3 Minutes

The minutes of the meeting held on 24 March 2022 were confirmed as a correct record and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest.

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

- a DM/21/03388/OUT - Land to the rear of 1 to 8 Wesley Terrace, Castleside Industrial Estate, Castleside**

The Committee were informed that the application had been withdrawn.

b DM/22/00199/FPA - Land north of Fenton Well Lane, Great Lumley

The Committee considered a report of the Senior Planning Officer for the erection of a single storey dwelling (for copy see file of minutes).

The Senior Planning Officer provided a detailed presentation of the application which included a site location, aerial photographs, site photographs, and site plans and elevations. Members had visited the site the previous day.

Councillor Heaviside, local member, addressed the Committee in support of the application. He confirmed that the Committee had previously approved applications in the village which were located on farm fields adding that the site was the only brownfield site in the village and had the foundations of the previous school. He noted the site was derelict and abandoned and attracted the use of drugs and alcohol along with fly tipping. He believed that there was a need for three-bedroom houses in the area and advised that no bungalows were currently for sale. He noted that it was possible to allow developments on brownfield sites within sustainable locations and hoped the Committee would approve the application and believed it would benefit residents and the environment.

Mr J Bell addressed the committee on behalf of the applicant. He explained the history to the application and noted that it was narrowly refused in 2017. He advised that the site was included in the County Durham Plan 2020 to have the Green Belt policy removed, but this was subsequently removed. He explained the site could not be utilised for anything else and continued to suffer from anti-social behaviour, fly tipping, youths, alcohol, and drugs.

He referred to para 149 of the framework and commented that the application could be allowed in accordance with this. He noted that the site was within easy walking distance of all services including, schools, shops, a bus stop, and a church and was therefore not reliant on the use of a car. In terms of the visual, he explained that the proposal had been as sympathetic as it could be to fit in and minimise the impact on the area.

In summary, he advised that the approval of the application would provide net gain for the environment, create many habitats, and resolve a problematic site. He stated that the Green Belt policy would leave the site as a blight on the landscape and urged the Committee to approve the application.

In response to the site being a blight on the landscape, the Senior Planning Officer disagreed and noted that the Council had powers to address this if the site did become so in the future.

Councillor Blakey respected the view of the planning officers but stressed the need for three-bedroom houses in the area and the need for bungalows. She acknowledged that the issue with the highway would not incur any costs to the Council and believed the proposed build would tidy the area up. She felt the application should be approved and **moved** the motion.

Councillor Quinn asked for clarification on the adoption of the road and whether this was only required if four or more vehicles were to use it. He also asked for clarification on lighting on the site. He noted that during the site visit there was evidence of a lot of rubbish and agreed anti-social behaviour was a problem. He agreed with the points raised by Councillor Blakey and **seconded** the motion for the application to be approved.

In response, the Senior Planning Officer explained that private driveways and lighting must be to a satisfactory standard to ensure the safety of drivers, residents, and services such as refuse and emergency vehicles, but that the standards would be proportionate to the development. He accepted that there was anti-social behaviour on site but stated this was sporadic and light and did not warrant overriding policies.

Councillor Bainbridge noted the application was on a brownfield site within the Green Belt and close to local amenities. She believed it to be a problematic site which could be addressed under part 149 of the Framework.

Councillor Watson asked what the harm to the village would be should the application be approved. The Senior Planning Officer advised that the comment regarding harm was from a local resident and referred to urban sprawl. He explained that it would change the shape of the village in an unplanned way. He confirmed the site was outside of the village and should it be developed, there would be a risk of infilling in the future.

In response to a further question from Councillor Watson, the Senior Planning Officer confirmed that the land was redundant and derelict and had been presented as brownfield land. He went on to advise that for part 149 of the Framework to be met there would need to be a strong justification for affordable housing in the area and commented that bungalows were not deemed as affordable housing per se.

Councillor Wilson referred to the site location plan and asked how much of the area brownfield land accounted for. The Senior Planning Officer advised that it was relatively small and explained that most of the area was open countryside which included woodland, fields, and footpaths. Councillor

Wilson felt it would be a good development and believed that anti-social behaviour was a problem for the site, however still agreed with policy.

Councillor Earley appreciated the comments made by local member Councillor Heaviside, however, did not feel the issues with the site justified going against policy regarding the Green Belt.

Councillor Bainbridge confirmed she would be minded to vote for the application to be approved.

Councillor Watson asked for clarification regarding the policy of a replacement building on a previous developed site. The Senior Planning Officer confirmed that there had to be a three-dimensional structure above the ground, and that in this case there were only foundations which did not constitute a building.

The Senior Lawyer Regulatory and Enforcement explained the voting procedure and stressed that it would not be appropriate to rely on the exemption of part 149 of the Framework, and that special circumstances would need to be evident in accordance with part 148 of the Framework. She advised that as it was a member overturn, reasons would need to be provided to support the motion.

Councillor Blakey confirmed that special circumstances were evident and included improvements to the area, a reduction in anti-social behaviour and the provision of much needed bungalows. She believed these outweighed the harm to the green belt and the area of high landscape value.

Upon a vote being taken, the motion failed.

Councillor Early **moved** the proposal in line with officer recommendation to refuse the application. This was **seconded** by Councillor Griffiths.

Upon a vote being taken it was

Resolved:

That the application be **Refused** as per the officer recommendation.