DURHAM COUNTY COUNCIL

At a Meeting of Area Planning Committee (North) held in Council Chamber - Consett Civic Centre on Thursday 17 February 2011 at 2.00 pm

Present:

Councillor O Johnson (Chair)

Members of the Committee:
Councillors Allen Turner (Vice-Chairman), B Alderson, B Bainbridge, A Bell, J Blakey, P Brookes, P Gittins, C Walker (substitute for A Laing), N Martin and O Temple

Apologies:
Apologies for absence were received from Councillors J Armstrong, A Laing, A Naylor and M Simmons

Also Present:
F Clarke (Principal Planning Officer - Consett Area Office), P Holding (Principal Solicitor), S Hutchinson, D Stewart (Highways Officer), J Taylor (Interim Area Development Manager - Chester-le-Street Area Office), D Walker (Committee Services Officer), L Ollivere (Planning Officer), S Pilkington (Planning Officer) and A Rawlinson (Senior Area Planning Officer)

1 Minutes of the Meeting held on 27 January 2011
The minutes of the meeting held on 27 January 2011 were confirmed as a correct record and signed by the Chair.

2 Declarations of Interest (if any)
There were no declarations of interest.

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

Note: The order of applications on the agenda was varied to allow those where speakers had registered to address the Committee to be heard first.

3a 2/10/00318/COU - Land adjacent to 5 Waldridge Lane, Chester Moor, Chester-le-Street, County Durham
Change of use of existing stables and workshop to provide gospel hall and covered parking

The Interim Area Development Manager (Chester-le-Street Area Office) presented his report on this application, Members having visited the site on 16 February 2011.
The application sought consent for the change of use of the existing buildings to provide a Gospel Hall to be utilised for worship purposes by the Exclusive Brethren. The current workshop would be remodelled to provide a meeting room, whilst the stables would be altered to provide undercroft parking and the application was recommended for approval subject to conditions.

Members were advised that since preparation of the report, two additional objection letters had been received, however neither raised any new material planning considerations. The Committee was also advised of details of a previous application made by the Brethren in relation to land to the rear of 10 Blind Lane, Chester-le-Street which had been refused in 2000.

In concluding his presentation, the Interim Area Development Manager requested that should Members be minded to approve the application, consideration be given to including two additional conditions, one restricting worship to internal use only, and a second restricting the use of amplified sound and musical instruments.

Mrs Lawrence, who was objecting to the proposal, addressed the Committee.

She explained that she was secretary of the residents association and had concerns relating to noise. She had carried out an experiment, parking her car outside of 5 Waldridge Lane and opening and closing her car door three times. This had been heard by a neighbour at 1 East Avenue and demonstrated that residents would experience disturbance from users of the premises. She requested that the Council further investigate this potential disturbance before considering the application.

Mr Marsden then addressed the Committee, indicating that he was one of the closest residents to the development. He explained he too was particularly concerned about the noise and disturbance the development would generate, especially the proposed use of the premises from 6.30am on a Sunday when the A167 was lightly used and traffic noise was at a minimum.

He also commented that the Prime Minister had recently stated that individuals should be involved in their communities, whereas, in his opinion, these applicants did not wish to engage with others.

Mr Lawson also addressed the Committee. He explained that he was the chair of the Chester Moor residents group, and that the Brethren had attended some of their meetings in an attempt to explain their proposals. Regrettably this had increased residents’ uncertainly about the group.

He indicated that Chester Moor was a close knit community, and as the applicants did not intend to engage and communicate, their presence would be completely alien to the village.

He stated that the Brethren had 8 premises in the area which they used on other days of the week and commented that during the time the Brethren had been looking for premises, a number of churches and other suitable buildings had been on the market which could have been purchased instead of this site.
The Committee then heard from Mr Hutchinson. He stated that he was a member of the Brethren, and had a particular responsibility for gospel halls. He explained that, contrary to generally held views, the Brethren were not a cult. Members had mainstream beliefs and its history could be traced back to the early nineteenth century. The users of this building had lived in Chester-le-Street for some 15 years and there had never been any complaints of failure to integrate into the community.

In summarising, Mr Hutchinson explained that the Brethren were good neighbours, this hall was to be used by local people, the proposal was acceptable to Highways, and, contrary to what had previously been said by one of the objectors, there was only one existing hall in the area rather than the 8 stated. Mr Hutchinson also expressed his thanks to the officers who had dealt with the application for their help and advice.

Mr Hughes addressed the Committee. He explained that he was the applicant for this proposal. He commented that the Brethren did interact with neighbours, and indeed, in the recent bad weather they had helped neighbours wherever possible. In terms of the car parking, he commented that the building would shield the noise and that further noise attenuation measures could be explored if necessary.

In concluding, he suggested that this proposal was a good use for a virtually redundant building, and for the small number of meetings and disturbance would be hardly noticed.

Responding to points raised by those addressing the Committee, the Interim Area Development Manager advised that the stable block was constructed of breeze block and the undercroft nature of the parking would reduce noise. Environmental Health had been consulted on the application did not consider that the proposed use would cause disturbance to neighbouring residents. In addition, a condition was proposed requiring a scheme to control noise emanating from the site. He also explained that whilst the early morning use on a Sunday could be a concern due to the lack of background noise from the A167, this was only one day of the week.

In discussing the application, Members considered the issues raised, particularly the potential for noise disturbance. Members on the site visit had noted the level of noise generated by the adjacent A167, and also observed the separation distances between the premises and neighbouring properties.

The Highways Officer advised the Committee that the proposal was acceptable on highways grounds, and would generate only a modest amount of traffic. He also reminded Members that an existing lawful use of the property was that of a car maintenance business.

Suggestions had been made as to alternative premises being sought for use by the Brethren, however Members had to determine the submitted application which was for this site.

Although a number of points had been raised, Members considered that the only material planning issue was that of noise. Officers felt that this issue could be
successfully mitigated and therefore there were no planning grounds on which the application could be refused.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions as set out in the report together with the following additional conditions:-

1. Notwithstanding the information submitted no music or instruments amplified or otherwise shall be played within or outside the development hereby approved.

   Reason: In order to protect the amenity of neighbouring land users and to comply with policy 8 of the Regional Spatial Strategy and National Planning Policy Guidance 24.

2. Notwithstanding the information submitted no worship associated with the development hereby approved shall take place outside of the gospel hall/meeting room indicated on drawings WL-CM/02 rev B and WL-CM/03 rev B.

   Reason: In order to protect the amenity of neighbouring land users and to comply with policy 8 of the Regional Spatial Strategy and National Planning Policy Guidance 24.

3b 1/2010/0692 - Land South East of 1-115 (Odds), Dorset Crescent, Moorside, County Durham
Application to vary conditions 2 and 6 of planning permission 1/2006/0276 to amend materials on plots 1-26 and amend boundary treatments on plots 98-132

The Principal Planning Officer (Consett Area Office) presented her report on this application. The application sought consent to vary the existing planning permission to allow a change in building materials for 26 houses and changes to the boundary treatments on 34 plots and was recommended for approval subject to conditions.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions as set out in the report.

3c 1/2010/0708 - Steel Street Allotment Gardens, Steel Street, Consett, County Durham
Application to remove condition 18 of planning permission 1/2010/0390/DMFP

The Principal Planning Officer (Consett Area Office) presented her report on this application, which sought consent for the removal of a condition requiring the applicant to submit and implement a scheme for protecting future occupants from
traffic noise from Genesis Way. The application was recommended for approval subject to conditions.

RESOLVED:

That the application be APPROVED subject to the conditions as set out in the report.

3d 2/10/000164/FUL - St Barnabas Nursery Garden, Waldridge, Chester-le-Street, County Durham
Erection of 1no. agricultural workers dwelling and detached garage in association with existing nursery enterprise

The Interim Area Development Manager (Chester-le-Street Area Office) advised the Committee that this application had been withdrawn by the applicant.