

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST DURHAM)

At a Meeting of **Area Planning Committee (Central and East Durham)** held in Council Chamber, County Hall, Durham on **Tuesday 10 July 2012 at 1.00 pm**

Present:

Councillor C Walker (Chair)

Members of the Committee:

Councillors P Taylor (Vice-Chair), J Blakey, G Bleasdale, P Charlton, D Freeman, R Liddle, A Naylor (substitute for Councillor A Laing) and J Robinson

Apologies:

Apologies for absence were received from Councillors J Bailey, A Bell, J Brown, A Laing and J Moran

Also Present:

Councillors G Holland, E Huntington, R Todd, J Wilkinson and A M Williams

1 Minutes

The Minutes of the meeting held on 12 June 2012 were agreed as a correct record and signed by the Chair.

2 Declarations of Interest

Councillor Blakey declared an interest in Item No. 3(e) as a member of Cassop-cum-Quarrington Parish Council and of the Bowburn and Parkhill Community Partnership. However, she had not been involved in any of the discussions about the application and had not expressed any view on it.

Mr N Carter, Planning and Development Solicitor advised Councillor Blakey that this was a personal interest only and that she could take part in the debate and vote on this item.

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

3a PL/5/2011/0221 - Land on west side, Salters Lane, Shotton Colliery

The Committee considered a report of the Principal Planning Officer regarding the change of use of land to a private gypsy and traveller caravan site (resubmission) at West Side, Salters Lane, Shotton (for copy see file of Minutes).

Mr Alan Dobie, Principal Planning Officer, provided the Committee with a detailed presentation, which included photographs of the site. Members of the Committee had visited the site earlier in the day and were familiar with the location and setting.

Councillor Charlton asked whether the applicant, Mr Lee would be living on the site should the report be approved, and also where Mr Lee was currently living. The Principal Planning Officer replied that he was not sure where Mr Lee was currently living, but added that he had been moved on from a site in the west of the County and would be living on the site. The application was for only one family to live on the site.

Councillor Todd, local Member, informed the Committee that there had been a proliferation of traveller's sites along Salters Lane which was causing great concern among the residents of Shotton and which could result in an adverse effect on the ability of Shotton to attract new businesses and housing development.

Councillor Huntington, local Member, informed the Committee that the proposed site was part of the gateway to Shotton and much work had been carried out to remove derelict buildings to improve this. Small, random developments like the application being considered did nothing to improve this gateway. She stressed that she held no negative views about the travelling community, and indeed had supported their rights in the past, but added that the application to be considered was on planning issues. Approval of the application would detract from the character of the village of Shotton and would be a loss of countryside.

Councillor Blakey expressed concern around highways issues regarding the point of egress from the site. Salters Lane was an unrestricted 60 m.p.h. road and although there were conditions attached to the planning permission regarding improvements to the visibility splay, she had concerns even if these were carried out.

It was moved by Councillor Blakey, seconded by Councillor Bleasedale that the application be refused.

Resolved:

That the application be refused for the following reasons: highways safety issues – the exit from the site is onto an unrestricted 60 m.p.h. road, the negative effect on the visual amenity of the area and the lack of sustainability of the site.

3b PL/5/2011/0384 - Lake Lane, Rear of Moore Terrace, Shotton Colliery, DH6 2QY

The Committee considered a report of the Principal Planning Officer regarding a caravan site for the stationing of three residential caravans for occupation by a single traveller family.

Mr Alan Dobie, Principal Planning Officer, provided the Committee with a detailed presentation, which included photographs of the site. Members of the Committee had visited the site earlier in the day and were familiar with the location and setting.

Councillor Todd, local Member informed the Committee that there was general opposition from the community of Shotton towards this type of application, adding that in the recent past there had been substantial problems around the allotment area near to the application site and violent behaviour in the area. He queried how long the applicant had been living on the site without planning permission and asked why enforcement action had not been taken.

Councillor Huntington, local Member, informed the Committee that she knew the area around the site very well, and that this had been kept clean and tidy since the site had been occupied. However, she reported that previously a resident of Shotton had been refused planning permission to build on the site and this application was causing anger among residents of Shotton who wanted to see an even-handed, fair approach being taken.

Ms Collins, the applicant, addressed the Committee. Her family settled on the site due to an illness in the family, which necessitated the family member being near to hospital. The family had become part of the community of Shotton and had not been in any trouble nor involved with any of the problems referred to around the allotment area. The family had no place else to go as there were no other sites available.

Councillor Charlton asked why the previous planning application referred to by Councillor Huntington had been refused. The Principal Planning Officer replied that although he did not have this information, there may have been a presumption against development because the site was deemed to be in the countryside.

Councillor Naylor referred to the family being on the site since 2007 and asked whether there was any evidence of this. The Principal Planning Officer replied that there was no proof to dispute this.

Resolved:

That the application be approved, subject to the conditions detailed in the recommendations in the report.

3c CMA/5/33 - Land to the south of Greenacres, west of Salters Lane and north of Woodland View, Haswell

The Committee considered a report of the Principal Planning Officer regarding a proposed caravan site to accommodate three caravans, two dayrooms (to be accommodated within the existing haystore) and erection of a three bedroom chalet and stable block on land to the south of Greenacres, west of Salters Lane and north of Woodland View, Haswell (for copy see file of Minutes).

The Principal Planning Officer gave a detailed presentation on the application which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Councillor Todd, local Member, informed the Committee of the general perception in the Shotton area that there was a proliferation of this type of development along Salters Lane which were almost joining the villages of Shotton and Haswell and the proposal would not be of benefit to either village. He referred to the existing building on the site and asked whether this had the benefit of planning permission.

Councillor Huntington, local Member, endorsed the views of Councillor Todd, adding that the local community was unhappy at the number of developments engulfing the countryside.

Mr Stones, agent for the applicant, informed the Committee that there was currently only one approved gypsy site along Salters Lane and the building currently on the site did have the benefit of planning permission. The application was on behalf of 3 traveller families who had been moved from illegal sites in the past 3 to 4 months and who were now seeking a permanent dwelling site. The application met all the needs of planning policy.

The Principal Planning Officer informed the Committee planning permission had been granted for a haystore on the site, however, this had not been built to the submitted plans or specifications. Accordingly the current building did not have planning permission.

Councillor Charlton expressed concerns at the ribbon development which was along a country road and could lead to the two villages of Haswell and Shotton being joined.

Resolved:

That the application be refused for the following reasons: the development would have a detrimental impact on the countryside, it was not sustainable and would have a detrimental impact on the local visual amenity.

3d 4/12/00213/FPA - Land Adjacent To Crossways, Whitesmocks, Durham, DH1 4LL

The Committee considered a report of the Principal Planning Officer regarding the erection of a new two storey detached dwelling house adjacent to Crossways, Whitesmocks, Durham (for copy see file of Minutes).

The Principal Planning Officer gave a detailed presentation on the application which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Councillor Holland, local Member, expressed concerns that the development would lead to an over-massing of the site and a loss of privacy to nearby properties and also expressed concern at the possible effect the development might have on the water table in the area.

Mr Spirit, representing local resident Ms Hughes, spoke against the application. The application site was not a brownfield site and could be seen as 'garden

grabbing', and the development would impact on the defined and uniform building line of the area. It would be in close proximity to two existing properties, which again would be out of character for the area. The development would be in an elevated position to No. 26 Springwell Road which would result in less privacy for that property. This development would be shoehorning a large property into the space available and the conditions in the report were too weak to protect the household of 26 Springwell Avenue and others in the area. Mr Spirit also expressed concerns about drainage issues and the potential effect on the water table.

Mr Luckin, the applicant, addressed the Committee. The proposed development would be at least 28.5 metres from the nearest property on Springwell Road, which was well in excess of the minimum distance of 21 metres as set out in planning guidelines. Moreover, there was a natural hedgerow and tree line already in place between the proposed development and Springwell Road, which would be retained to provide greater screening. The proposed development was of a commensurate size to surrounding properties in the area and design aspects and features of the development had been influenced by the nearby Crossways property. Referring to drainage issues raised, Mr Luckin informed the Committee that building regulations were in place to address such issues.

The Principal Planning Officer responded to the points made. Although part of the development site was brownfield and part greenfield, a recent shift in Government policy had been towards developments being sustainable. The proposed development was on a one-off individual site and its impact on the building line should not necessarily be considered a negative factor. The proposed development was well in excess of 21 metres from the nearest property at 26 Springwell Road and would be slightly offset to maintain privacy.

Councillor Blakey referred to the concerns raised about drainage issues and asked that the development be closely monitored.

Resolved:

That the application be approved, subject to the conditions detailed in the recommendations in the report.

3e 4/12/00357/VOC - Land at Former Cape Site Durham Road Bowburn DH6 5AT

The Committee considered a report of the Principal Planning Officer regarding the removal of condition 12 of planning application 06/00631/OUT (outline application including details of means of access for employment use and residential development with associated play areas, landscaping, parking and access) relating to the provision of 30% affordable housing (for copy see file of Minutes). The Principal Planning Officer gave a detailed presentation on the application.

Councillor Williams, local Member, spoke against the application. He informed the Committee that both the Planning Inspector and Secretary of State had accepted the 30% affordable housing condition when the original planning application had

been subject of a public inquiry. Both Bowburn and Shincliffe Parish Councils were opposed to the removal of this condition.

The Principal Planning Officer informed the Committee that the 30% affordable housing condition had been imposed at a time of different financial circumstances and that drastic changes in the economy had led to the need for the developer to reappraise the ability to meet this condition. The number of houses to be built on the site was not to be reduced, only the percentage of affordable housing. The developer had agreed to a further financial contribution within a s106 agreement to provide further off-site affordable housing. However, no site for this off-site housing had yet been identified. A clause could be included in the s106 agreement for the money to be spent within the electoral division, however, this would need further discussion.

Councillor Freeman informed the Committee that more affordable housing was needed, not less, and he was opposed to the removal of the 30% affordable housing condition.

Resolved:

That the application for the removal of condition 12 of planning application 06/00631/OUT relating to the provision of 30% affordable housing be refused.

3f 4/12/00420/FPA - Land Corner Of Waltons Terrace and The Bungalows, New Brancepeth, Durham, DH7 7ER

The Committee considered a report of the Principal Planning Officer regarding two proposed detached residential dwellings on land at the corner of Waltons Terrace and The Bungalows, New Brancepeth, Durham (for copy see file of Minutes).

The Principal Planning Officer gave a detailed presentation on the application which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Councillor Wilkinson, local Member, informed the Committee that local residents of New Brancepeth and Brandon and Byshottles Parish Council had expressed concerns about the proposed development. The proposed residential dwellings would be 2-2½ storey's in height which would be over-bearing in such a small area and would have a detrimental effect on the amenity of other properties. Although he understood that currently the car parking which took place on the land was by goodwill, if the application was approved then the displaced cars would need to park on a narrow road which was a route to a school.

Councillor Blakey expressed concerns that any displaced parking would result in on-road parking to the front of Waltons Terrace, which was a main bus route. Councillor Charlton recommended refusal of the application on the grounds that displaced parking would increase danger on the access road to the school, which was very narrow and that the area was not suitable for development.

Resolved:

That the application be refused on the grounds that displaced parking would increase danger on the access road to the school and that the area was not suitable for development. The proposed development would also be overbearing to and would overshadow the residential amenity of Rock Terrace and Waltons Terrace as the site was at a higher level than adjacent properties.