

## **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 12 April 2011 at 1.00 pm**

#### **Present:**

**Councillor C Walker (Chair)**

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

Councillors A Bell, J Blakey, G Bleasdale, P Charlton, S Iveson, R Liddle, J Moran, M Plews (Vice-Chair) and K Thompson

#### **Apologies:**

Apologies for absence were received from Councillors J Bailey, J Brown and D Freeman

#### **Also Present:**

A Simpson (Development Control Manager - Durham City Area Office), N Carter (Solicitor - Planning and Development), B McVicker (Highways Officer) and P Nicholson (Committee Services Officer)

#### **1 Minutes of the Last Meeting held on 8 March 2011.**

The minutes of the meeting held on 8 March 2011, were confirmed as a correct record by the committee and signed by the Chair.

#### **2 Declarations of Interest (if any).**

Councillor Blakey declared a personal interest in Application No. 4/11/00040/OUT as a Member of Cassop Cum Quarrington Parish Council. However, she had withdrawn from the meeting room and had not taken part in any consideration by the Parish Council of application 4/11/00040/OUT.

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

##### **3a 4/11/00036/FPA - 1 Louisa Terrace, Witton Gilbert, Durham, DH7 6QS.**

Consideration was given to the report of the Development Control Manager (Durham City Area Office) which recommended the application for approval. The Development Control Manager explained that members had visited the site that day, and gave a detailed presentation on the main issues outlined in the report.

The Development Control Manager advised the committee that an objector had withdrawn his objection but had later asked for his objection to be re-instated which raised 15 points on highway safety, details of which were given at the meeting as they were not contained in the body of the report.

The Development Control Manager also sought Members approval for an additional condition to be included to remove a section of the fence to improve visibility.

Members sought clarification on whether the fence would be fully removed or graduated. The Development Control Manger confirmed that the removal of the fence would be a short length or a reduction in height. Members agreed to the extra condition.

**Resolved:** That the application be **APPROVED** subject to the conditions contained in the report and the inclusion of the under-mentioned condition.

“Notwithstanding the information shown on the submitted plans, prior to the construction of the vehicular access hereby approved the closest 1 metre section of the western boundary fence to the highway must be dismantled and removed from the site. Reason: To improve visibility in the interests of highway safety having regards to Policy T1 of the City of Durham Local Plan 2004.”

**3b 4/11/00040/OUT - Land Adjacent to Entrance of South Bowburn Industrial Estate, Bowburn, Durham.**

Consideration was given to the report of the Development Control Manager (Durham City Area Office) which recommended the application for approval. The Development Control Manager gave a detailed presentation on the main issues outlined in the report.

**Resolved:** That the application be **APPROVED** subject to the conditions contained in the report.

**3c 4/11/00050/FPA - Land to North of Oakway Court, Littleburn Road, Meadowfield, Durham**

Consideration was given to the report of the Development Control Manager (Durham City Area Office) which recommended the application for approval. The Development Control Manager gave a detailed presentation on the main issues outlined in the report.

**Resolved:** That the application be **APPROVED** subject to the conditions contained in the report.

**3d 4/11/00095/FPA - Red Oak, Lowland Road, Brandon, Durham, DH7 8NN.**

Consideration was given to the report of the Development Control Manager (Durham City Area Office) which recommended the application for approval. The Development Control Manager gave a detailed presentation on the main issues outlined in the report.

**Resolved:** That the application be **APPROVED** subject to the completion of a Section 106 Obligation and to the conditions contained in the report.

**3e 4/11/00109/FPA - 2 Lancashire Drive, Belmont, Durham.**

Consideration was given to the report of the Development Control Manager (Durham City Area Office) which recommended the application for approval. The Development Control Manager gave a detailed presentation on the main issues outlined in the report.

**Resolved:** That the application be **APPROVED** subject to the conditions contained in the report.

**4 Appeal Update.**

**Appeal Decisions**

Details in relation to the following appeals, which had been considered by the Planning Inspectorate were given:

- (i) **Appeal by Mr G Crammen**  
**Site at Weems Farm, Mickle Hill Road, Hesleden, TS27 4PY**  
**Planning Reference PL/5/2010/0359**

An appeal was lodged against the Council's refusal of planning permission for the retrospective increase in height of an extension at the site.

The inspectorate dismissed the appeal and agreed with the Council's recommendation.

The Inspectorate considered that the development by virtue of its excessive size, scale, height and massing constituted an incongruous and prominent feature that was not in keeping with the scale and character of the existing dwelling. It was also considered that the development adversely impacted upon the character and appearance of the surroundings and the countryside.

The matter was currently being discussed with the applicant in relation to enforcement action and members would be advised of the outcome in due course.

Councillor Bell raised concerns with enforcement action in particular if it would result in most of the building having to be taken down.

The Chairman advised the Committee that the applicant could appeal against the enforcement action.

The Development Control Manger (Durham City Office) advised the Committee that Officers would be in discussion with the applicant to reach a compromise that would find an acceptable solution to reduce the impact of the extension.

**(ii) Appeal by Mr K Singh  
Site at 104 Edenhill Road, Peterlee, SR8 5DE  
Planning Reference PL/5/2010/0409**

An appeal was lodged against the Council's refusal of planning permission for the change of use from retail (A1 Use Class) to a Hotfood Takeaway (A5 Use Class).

The Inspectorate allowed the appeal and permission was granted subject to conditions relating to timing of works, compliance with approved plans, hours of operation, means of extraction and ventilation and refuse collection.

The Inspectorate considered that the development was acceptable and that the proposed change of use would not cause any significant harm to living conditions of the occupiers of nearby dwellings in terms of odours, noise or disturbance, and would not conflict with saved policies. Moreover, given the existing mixed use of the parade including A5 uses and flats, and the appellant's un-refuted argument that the premises had been vacant for some time, it was considered sufficient to warrant a departure from local plan policy.

**(iii) Appeal by Sea and Land Power and Energy Ltd  
Site at Land to the North West of Hawthorn Village, and south of  
Murton and Cold Hesledon, Hawthorn  
Planning Reference- PL/5/2009/0357**

An appeal was lodged against the Council's refusal of planning permission for the erection of two wind turbines and associated infrastructure.

The appeal was dismissed and the Council's decision upheld.

The Inspectorate noted that the proposal would contribute energy from a renewable source without any significant harm to the character or appearance of the landscape. There would be no significant impact on heritage assets in the vicinity or protected species. Subject to conditions, there need be no unacceptable impact on the living conditions of local residents through noise and disturbance, or shadow flicker. Similarly, there would be no significant impact upon highway safety or any of the other factors raised. On the other hand however the visual impact of the proposal would have a significant detrimental effect on the living conditions of residents of Hillcrest, Plum Tree Lodge and the East Moor Estate.

Due to this adverse impact upon the visual amenity of these properties the appeal was dismissed.

**Resolved:** That the report be noted.

**5 Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.**

The Chairman sought Members views on the continuation of the meetings commencing at 1.00 pm on a permanent basis.

**Resolved:** That all Meetings of the Area Planning Committee (Central and East Durham) be held at 1.00 pm.