

**DURHAM COUNTY COUNCIL**

**AREA PLANNING COMMITTEE (CENTRAL AND EAST DURHAM)**

At a Meeting of **Area Planning Committee (Central and East Durham)** held in the Council Chamber, County Hall, Durham on **Tuesday 9 April 2013 at 1.00 pm**

**Present:**

**Councillor P Charlton (Chair)**

**Members of the Committee:**

Councillors J Bailey, A Bell, J Blakey, G Bleasdale, P Charlton, D Freeman, J Moran and J Robinson

**1 Apologies for Absence**

Apologies for absence were received from Councillors S Iveson, P Taylor and C Walker.

**2 Substitute Members**

There were no substitute Members.

**3 Minutes**

The Minutes of the meeting held on 12 March 2013 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 (Central & East Durham)**

**5a 4/12/00925/FPA – Land at Stoneacre Garage, Sawmills Lane, Brandon, Durham, DH7 8AB**

The Committee considered a report of the Planning Officer regarding the proposed redevelopment of existing body shop to create a new car show room and formation of new parking area at land at Stoneacre Garage, Sawmills Lane, Brandon, Durham, DH7 8AB (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 earlier in the day and were familiar with the location and setting. It was reported that since the officers report had been published, a further letter had been received from a

resident which raised objections to the application on the basis of worsening traffic and parking issues in the area.

Mr I Hutchinson, local resident, addressed the Committee. Mr Hutchinson believed that the application was primarily to see increased sales from the company. He advised that there was insufficient space on the site for the current needs of the business. A second showroom was not required and he feared that the area would become one giant carmart should the application be approved.

This would have a detrimental effect on nearby residents and would cause a decrease in the value of nearby properties.

Mr Hutchinson advised that the Sawmills Lane site was not an appropriate location for such a company and felt that it should be relocated to a more suitable location.

Members advised that should the application be approved, surrounding residents would be subjected to 105 parked vehicles, 2 car showrooms and a bodyshop, which they would then have to live with on a daily basis.

Mr C Simpson, local resident, addressed the Committee. Members were advised that he had lived and worked in the area in excess of 40 years, during which time he recalled the premises being operated by various companies without issue, until such time as Stoneacre took over the site.

Mr Simpson advised that Stoneacre had expanded the company and site way beyond its natural capacity. He believed that further expansion would exacerbate parking issues in the nearby residential streets. Current Stoneacre staff already used the nearby streets to park and should the application be approved, more staff would be employed on the site, thus adding to the parking issues.

Members were advised that the original architect for the area had allocated lay-by's which were positioned so that Sawmills Lane did not become blocked by resident parking. Those lay-by's originally displayed "residents parking only" signs, though those signs had long since disappeared.

Sawmills Lane experienced a constant flow of traffic and due to excessive roadside parking, traffic was forced to stop and start regularly. Mr Simpson stated that this was contrary to the Kyoto agreement which aimed to reduce emissions.

Members were advised that currently there were some 35 damaged vehicles parked outside the site to be dealt with by the recovery centre, he queried where they would end up being located to should the application be approved.

Should the application be refused, Mr Simpson believed that would not have a detrimental effect on the company, nor would employment or economic activity suffer as the company could relocate elsewhere. As such the application proposals were not required.

Mr Barraclough, agent for the applicant, addressed the Committee. In relation to the objections on the grounds of intensification of site use, he advised that the

proposals were to relocate the Kia franchise into the existing bodyshop premises. The bodyshop was to be relocated to Middlesborough, as such parking would be reduced significantly. In addition to there no longer being the need to park damaged vehicles outside the site, Mr Barraclough highlighted that the proposals also included additional parking provision on the site, further reducing the roadside parking issues.

In relation to manoeuvrability on the site, Mr Barraclough advised that the tracking on the site was able to support a transporter vehicle.

In addressing the issue of the impact of the proposals on the character of the residential area, Mr Barraclough advised that the application would enhance the current site use and that the company were trying to approve the site for the benefit of the surrounding area, particularly in relation to parking issues. He clarified that there would be no additional jobs created on the site and as such there would be no additional cars in the area, on the contrary there would be less parked vehicles.

Mr Barraclough advised that there would be a reluctance by Stoneacre to relocate to an alternative site as the Sawmills Lane premises was a successful and profitable site for the company.

In relation to objections on the grounds of residential amenity, Mr Barraclough drew attention to the support the Planning Inspector had for the additional parking already approved for the site, acknowledging that it would be beneficial to the surrounding area and help to alleviate the potential for any parking conflicts on Sawmill Lane.

The Principal Planning Officer responded to all comments made as follows:

- Highway Issues – Members had taken the opportunity to fully note the highway issues during the site visit earlier that day. In planning terms, the parking/highway issues would improve should the on site parking be used correctly. The proposed parking layout made provision for all users of the site including staff and customers, and the relocation of the bodyshop to Middlesborough would also ease highway issues.
- The use of the premises as a showroom was acceptable as it would improve the façade of the current site.
- There had been no objections to the proposals by the Highways Authority.

Councillor J Turnbull, local Member, addressed the Committee. He advised the Committee that the garage had overgrown the site. He recalled that over the years the site had been used by a plethora of different companies and no issues had ever been experienced until Stoneacre took over the site.

The company had taken over the carparking bays opposite the site, to display vehicles for sale, leaving nearby residents with nowhere to park but on the roadside.

Pathways were regularly obstructed by parked vehicles and also wagons delivering to the site.

In relation to the relocation of the bodyshop to Middlesbrough, Councillor Turnbull argued that would mean a loss of jobs in the local area. He also queried where all the damaged vehicles which were taken to the Stoneacre site were actually being repaired at. He believed that some vehicles were merely being held at the site, to be taken away for repair by other companies, as such there were more damaged vehicles present on the site than what were being repaired by Stoneacre.

Councillor Turnbull advised that there were no future guarantees as to how the additional on-site carparking would be utilised. Although the plans showed designated areas for sale vehicles and for customers, he argued that the company may fill up all the bays with sale vehicles, forcing customers to resort to parking on the highway.

Nearby residents constantly complained about pathway and highway obstruction, damaged paths and damaged verges. In relation to the carparking bays, Councillor Turnbull advised that earlier that day he had inspected the area and reported that there were 8 Stoneacre vehicles parked in the bays.

Councillor Turnbull believed that the company would fare better on a local industrial estate.

Members were further advised that during the summer the company would use a dropped kerb to gain access to a grassed area in order to display vehicles, which he believed to be bad practice.

In referring to paragraph 40 of the report, Councillor Brown queried whether the current application actually contradicted what the Planning Inspector had envisaged for the site. She concluded that in granting the previous application the Inspector had deemed that doing so would prevent over intensification of the site.

In response, the Principal Planning Officer clarified that the planners had used some of the Inspectors comments and findings, to inform the decision on this application and in doing so, did factor in the possibility of expansion.

Councillor P Charlton recalled that the Committee had considered several previous applications for the site and in doing so had visited the site on numerous occasions. Every time the Committee had approved previous applications, they had done so believing the site would be improved. On the site visit earlier that day Councillor Charlton was dissatisfied as to how the premises was being operated and was extremely concerned about the highway and parking issues. Councillor Charlton felt that it was quite obvious that the intention was to increase business on the site and felt that would be to the detriment of local residents. Seconded by Councillor Blakey, Councillor Charlton moved that the application be refused.

In supporting the motion to refuse the application, Councillor Bell felt that the company had outgrown the site and in fact had become a victim of their own success on that particular site. It was suggested that some signage in the layby's to indicate that they were for residents use only, might go some way to solving the parking issues.

The Solicitor took the opportunity to remind the Committee that the principle of use was already established on the site and as such the issue of the impact on residential amenity was separate to the current application. The application before Members was for internal reorganisation of the site only.

Following due consideration Members felt that notwithstanding the already established principle of use on the site, the expansion of the business to 2 separate showrooms, would intensify sales from both franchises, which in turn would have a further detrimental impact on highway and parking issues and on residential amenity. The Committee concurred that the application contradicted Saved Policy T1: Traffic Generation and Saved Policy H13: Residential Areas.

Upon a vote being taken it was,

**Resolved:** That the application be refused.

**5b PL/5/2012/0284 – Ex Co-Op Building, Station Lane, Wingate, TS28 5DG**

The Committee considered a report of the Planning Officer regarding the demolition of the former Co-Op buildings and erection of 9 no. residential units at the Ex Co-Op Building, Station Lane, Wingate, TS28 5DG (for copy see file of Minutes).

The Principal Planning Officer gave a detailed presentation on the application 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. Members were advised that a late representation had been received from local member, Councillor A Cox. Councillor Cox had no objection to the application and reported that he had discussed the matter with Hutton Henry Parish Council and local Members, who all shared his views.

Councillor Cox stated that the main concerns were that the bollards which were currently in place preventing access to Church Street from the ex Co-Op should remain in situ. He also hoped that the demolition and erections were completed with the minimum of disruption to residents and that all work was undertaken during reasonable hours.

The Principal Planning Officer advised the Committee that there was no intention to remove the bollards referred to in the statement by Councillor Cox, and the application made no reference at all to those bollards.

He went on to advise that the report had not fully addressed the potential for protected species to be affected by the demolition of the building. He clarified that officers had correctly applied the necessary derogation tests identified in legislation, considering whether there was any satisfactory alternative, whether the level of affected species would be maintained and whether there were other reasons of over-riding public interest. He indicated that a condition requiring compliance with the submitted mitigation strategy, rather than an informative as had been suggested in the report, would be appropriate, and requested the committee's agreement to this amendment to the recommendation.

It was further reported that during the site visit earlier that day, a Member of the Committee had suggested that Beamish Museum be approached to see whether they would be interested in taking any part of the building prior to demolition. The Principal Planning Officer had advised that he would be prepared to instigate discussions in that regard.

Seconded by Councillor Charlton, Councillor Blakey moved that the application be approved with the additional condition requested by the Principal Planning Officer, and requested that talks be instigated with Beamish Museum.

**Resolved:**

That the application be approved subject to the conditions detailed within the report as well as an additional condition requiring compliance with the submitted mitigation strategy relating to protected species.