

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, Council Offices, Spennymoor on **Thursday 21 November 2013 at 2.00 pm**

### **Present:**

**Councillor M Dixon (Chairman)**

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

Councillors D Bell, H Bennett, D Boyes, J Clare, K Davidson, J Gray, S Morrison, H Nicholson, G Richardson, C Wilson and S Zair

### **Also Present:**

A Caines – Principal Planning Officer  
C Baxter – Senior Planning Officer  
C Cuskin – Legal Officer  
D Stewart – Highways Officer

### **1 Apologies for Absence**

Apologies for absence were received from Councillors J Buckham, E Huntington, L Taylor and R Todd.

### **2 Substitute Members**

Councillor J Gray substituting for Councillor J Buckham and Councillor H Bennett substituting for Councillor L Taylor.

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Minutes**

The Minutes of the meeting held on 17 October 2013 were agreed as a correct record and were signed by the Chairman.

### **5 Applications to be determined**

#### **5a 3/2013/0232 - Land West of St Pauls Gardens, Witton Park, Bishop Auckland**

The Committee considered a report of the Principal Planning Officer regarding an outline application for residential development with access to be considered (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.

With the agreement of the Chairman, the Applicant's Agent Mr J Lavender provided a plan showing the location of the proposed development, other development sites in the village, facilities, bus routes and the village green.

In addressing the Committee J Lavender stated that there had been no objections to the proposals from statutory consultees and in his opinion the main barrier to the development was local planning policy. The report made reference to the NPPF, and that the Wear Valley Local Plan was the starting point for consideration, however J Lavender stated that this Plan was now 20 years old. He considered that the emerging County Durham Plan paid little regard to the future of villages. Sustainable communities could only develop from the bottom upwards and if planning applications such as this were refused then the village would continue to be unsustainable.

Witton Park used to be a Category D village and was now classed as a Tier 6 settlement with poor sustainability credentials. As such developments which would bring about the regeneration of Witton Park should be encouraged. He believed that if this application were to go ahead then other developments would follow.

The focal point of the village was the recently registered village green and this development would consolidate the fragmented structure of the settlement around that green. It would also deliver much needed new housing, would adjoin the Park Road site, thereby adding cohesion and connectivity to the structure of Witton Park, and would represent a positive contribution towards building a sustainable community.

Councillor Richardson commented that other areas of land in the village had been granted planning permission but remained undeveloped. However the proposals would help to regenerate the area and whilst residents mainly travelled by car there was a bus service through the village with access to a range of shopping and other facilities.

Councillor Davidson, having listened to the views of the Agent, advised that he was not persuaded that this was a sustainable development. There were no proposals for the provision of further infrastructure in the village and he agreed with the reasons for refusal of the application which were outlined in the report.

In response to a query from Councillor Boyes about a rail halt shown on the plan circulated by the Agent, Members were informed that this had not come forward to date, and was not a material planning consideration to which any weight should be afforded in this instance.

The Chairman considered that a key issue for Members was that planning permission had been granted for other sites in the village, one of which included a retail unit. If these other sites were completed there may be a case for further developments in Witton Park.

In referring to the Agent's presentation Councillor Clare agreed with J Lavender that if a community was not allowed to grow it would not become sustainable. However he concurred with the comments of the Chairman about the undeveloped sites and stated that if the village started to grow there may be an argument that more housing capacity was needed in Witton Park.

**Resolved:**

That the application be refused for the reasons outlined in the report.

**5b 6/2013/0286/DM/TP - Staindrop Hall, Front Street, Staindrop**

It was reported that this application had been withdrawn.

The Chairman agreed that to keep Members informed the following items of business could be considered.

**6 Protected Species - Badgers**

In response to a request for clarification from Members about the impact on the planning process as a result of badger culling which was taking place in other parts of the country, C Cuskin, Legal Officer advised that in the determination of planning applications badgers remained a protected species.

**7 County Durham Plan**

Members discussed the emerging County Durham Plan and sought clarification with regard to the weight that could be given to it in the determination of planning applications.

The Legal Officer advised that the Council was currently consulting on the pre-submission draft and it may be appropriate to attach some weight to the emerging Plan in certain circumstances. However until fully implemented the starting point for consideration of planning applications should be the relevant policies in Local Plans where they accorded with the aims of the NPPF.

**8 Planning Committee Venues**

Councillor Richardson referred to the venues for the Area Planning Committee (South and West) and the frequency of meetings held at Spennymoor compared to Crook and Barnard Castle.

The Chairman acknowledged that since the loss of Teesdale House as a venue the Committee had not met at Barnard Castle. In taking on board Councillor Richardson's concerns he explained that venues were determined in advance of each meeting in consultation with Planning Officers and the Committee Services Officer, taking into consideration the location of the planning applications and the number of speakers and members of the public likely to attend from a particular area.