

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 6 September 2011 at 1.00 pm**

Present:

Councillor C Walker (Chair)

Members of the Committee:

Councillors J Blakey, G Bleasdale, P Charlton, D Freeman, S Iveson, A Laing, R Liddle and J Moran

Apologies:

Apologies for absence were received from Councillors P Taylor, A Bell, J Brown and J Robinson

Also Present:

Councillor Grenville Holland

A Dobie (Principal Planning Officer - Easington Area Office), D Taylor (Solicitor), A Glenwright (Highways Officer) and J Taylor (Principal Planning Officer - Durham City Area Office)

1 Minutes

The Minutes of the meeting held on 19 July 2011 were confirmed as a correct record and signed by the Chair.

2 Declarations of Interest

There were no declarations of interest.

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

3a 4/11/00419/FPA - Former PPA Building, Green Lane, Durham County, Durham

The Chair advised that the application had been withdrawn.

RESOLVED that the information given, be noted.

3b 4/11/00479/FPA - Former Omnibus Depot and Welfare Club, Front Street, Quarrington Hill, Durham, DH6 4QF

Consideration was given to the report of the Principal Planning Officer (Durham Area Office) which recommended approval. The Principal Planning Officer explained that Members had visited the site that day and gave a detailed presentation on the main issues outlined in the report.

Northumbrian Water had offered no objections to the proposal.

Councillor Blakey explained that she had concerns regarding the siting of the parking bays on Front Street. Even though Front Street had traffic calming measures, speeding was still a problem.

Mr A Glenwright, Highway Officer advised that the B6291 did not have a history of turning or manoeuvring accidents. Although there was not a significant number of existing parking arrangements, four garages in the immediate vicinity would reverse into the open space. To the south west, there were 7 semi detached houses that would use the space to reverse in and out and there was no evidence to suggest that the route was dangerous.

RESOLVED that the application be approved subject to the conditions outlined in the report.

3c 3/11/00539/FPA - 29 Birkdale Gardens, Belmont, Durham, DH1 2UJ

Consideration was given to the report of the Principal Planning Officer (Durham Area Office) which recommended approval. The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report.

RESOLVED that the application be approved subject to the conditions outlined in the report.

3d 4/11/00601/FPA - 30 Grove Road, Brandon, Durham, DH7 8AR

Consideration was given to the report of the Principal Planning Officer (Durham Area Office) which recommended approval. The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report.

RESOLVED that the application be approved subject to the conditions outlined in the report.

3e 4/11/00628/FPA- Plot 4 Bishopgate, Former Rookstone Nursing Home, 48 North End, Durham, DH1 4LW

Consideration was given to the report of the Principal Planning Officer (Durham Area Office) which recommended approval. The Principal Planning Officer explained that Members had visited the site that day including viewing from a neighbouring property and gave a detailed presentation on the main issues outlined in the report.

Mrs O Boyle, an objector presented photographs which showed the previous and present outlook from objector's properties. Residents had assumed that following the Committee's refusal of the application in July, building work would cease. The applicant had continued to work on the property and had replaced the much improved roof albeit in the absence of a planning approval.

The applicant had a total disregard of the approved plans. Residents had insisted that the house was too high, too long and in the wrong position. A survey had finally been carried out which had confirmed that the house had been built not in accordance with the approved plans. The house was situated 1m further into the plot, past the boundary of No 22 Field House Lane which decreased the narrow distances even further.

The dwelling was 1.5m lower at the back than the front and the land sloped from east to west. Planning Officer's may consider that it was negligible but whoever purchased the house could have difficulties with access, especially if they were disabled.

There was a difference in height of 1.8m, length of 1.3m and was 2m closer to neighbouring properties. There was a gradual slope and the land to the south was too low lying.

A high fence and screening was required to deal with the impact of the development. There had been an application for 14 homes in 2008 when some residents had objected to the detail. When that application had been approved there was to be a large contribution for loss of play land. Residents were concerned that the current houses could be split as they were extremely large. It was felt that residents had suffered enough and the application should be refused.

Councillor Holland explained that he supported residents. Following the refusal of the application in July, he expected the applicant to revert to the original plans that were approved in 2009. The applicant had not reverted to the original planning approval and continued working on the property without permission. Planning Officers had recommended approval in July and were therefore happy with the proposals

Residents' welfare and privacy needed to be protected. Prior to the building works commencing, there was a protective screen of trees and shrubs to residents which had been removed by the applicant and the whole site exposed. A satisfactory screen needed to be reinstated fully on the boundary. A low screen should not be acceptable and mature trees and shrubs should be an essential condition.

The Principal Planning Officer explained that there had been significant issues with the history of the case and relationships with local residents. Officers had sought to consult and negotiate as much as possible. A meeting had been held with residents and the MP to discuss the development. The main thrust of the meeting was that immediate privacy must be afforded to residents. Condition 6 was a new condition and sought to address the boundary issue. The shrubs and trees would

be of a size and maturity and would offer immediate effect. Officers needed to come to an agreement with the applicant on the final boundary treatment required.

One new objection had been received regarding the issue of massing. The distance to the closest property was a minimum of 28m which he did not think was overbearing or detrimental to residential amenity and in light of the large improvement to the roof, the development was deemed acceptable.

Councillor Charlton commented that the lowering of the roof had improved the outlook for residents immensely and a high standard of screening would protect their privacy.

RESOLVED that the application be approved subject to the conditions outlined in the report.

3f PL/5/2010/0446 - Easington Lea Farm West, Easington Colliery, SR8 3UP

Consideration was given to the report of the Principal Planning Officer (Easington Area Office) which recommended approval. The Principal Planning Officer explained that Members had visited the site that day and gave a detailed presentation on the main issues outlined in the report.

The Principal Planning Officer read out a letter received from Mr Golden an objector whose concerns related to

- the status of the land if the business failed. He had queried if the Council would receive applications for housing projects due to the altered status of the land.
- The access road and problems for pedestrians
- Why the application was made in that particular location instead of an industrial site

The Principal Planning Officer explained that the questions were dealt with in the report. The development was felt acceptable in the countryside and the status of the site would not necessarily be changed. If the operation ceased to exist then a condition of the permission was for the land to be re-instated and the site would not be considered appropriate for housing development. Highways had accepted the proposals based on the amount of traffic that would be generated. The applicant was entitled to apply for permission on the site, and the Council had to consider the proposal on its merits.

Mr Robinson, the applicant explained that he had investigated other locations but all sites on industrial estates were on built up land and had no drainage for the type of equipment that he would use. There were Great Crested Newts on all industrial land in Peterlee. He had operated on the site for 3 years, primarily looking at employed people. Sunderland Council had given him £25k which had been used for 25 spaces to train people within the area. 10 had since found employment and returned to gain further licences.

Mr Robinson explained that he would like to amend the times of operation as a lot of the work revolved around awarding bodies, for eg CITB. They put start and finish times on tests and he would like to operate from 8am to 4pm. Training normally finished by 3.30pm.

A lot of work was classroom based and he would also like Saturday working to be considered. Some companies needed training on a Saturday so their work was not disrupted.

The Principal Planning Officer explained that Officers had not had time to consider the amended hours or discuss the implications with Environmental Health. If Members were minded to approve the application delegated powers could be given to Officers to consider and discuss further the amendments to hours of operation.

Councillor Bleasdale commented that she was impressed with what she saw but did not feel that starting before 8am would be good for neighbouring properties.

Councillor Moran explained that he accepted the application and suggested Officers be delegated to discuss the operating hours.

The Chair suggested that once the operating hours had been investigated by Officers, a further report should be considered by the Committee.

RESOLVED that

- (i) the application be approved subject to the conditions detailed in the report.
- (ii) The change of operating hours be investigated by Officers and a further report be considered at a future meeting.

3g PL/5/2011/0001 - Easington Village Working Mens Club, Seaside Lane, Easington, SR8 3DY

Consideration was given to the report of the Principal Planning Officer (Easington Area Office) which recommended refusal. The Principal Planning Officer explained that Members had visited the site that day and gave a detailed presentation on the main issues outlined in the report.

Councillor Boyes explained that he welcomed the application for the redevelopment of the Club site but had concerns with the extent of the development. The proposals were well outside the settlement boundary of Easington Village and encroached significantly into Greenfield land. He referred to Policies 3 and 67 and explained that there was numerous land available for development within the settlement boundary.

Concern had also been raised regarding the viability of the scheme. It was felt that 100% affordable housing may not be achieved. The most suitable land was the former Council Offices and development elsewhere, outside the settlement boundary could jeopardise sites within it.

Mr Mann, the applicant explained that he was the Director of Canal Homes who had acquired the site. The site was clearly identified by Durham County Council as a 'green' site within the SHLAA which had a traffic light system, red, amber and green. He would not have submitted an application if he had known that the site could not be developed.

Mr Mann had been working in Easington for 10 year and he was the first landlord on the Accreditation Scheme in 2003. Easington was desperate for investment, the site was immediately available and would create jobs locally through construction. The former Council Offices was not immediately available and the development would create the needed demand in the shops in Seaside Lane. The people of Easington were supportive of the scheme which was sustainable. The problems with drainage had been dealt with and he would make sure the necessary arrangements were in place.

The Principal Planning Officer explained that the SHLAA had been prepared by Policy Officers which identified future housing sites. There was a traffic light system but it did not mean that 'green' sites would be approved. There was concern that if the application was approved, it would undermine other brownfield sites. The Council Offices site was not being specifically protected, it was brownfield and within the settlement boundary.

Members commented that they were aware that the SHLAA identified potential development sites.

The Principal Planning Officer (Durham City Area) explained that the Local Development Framework and Strategic Housing Land Availability Assessment was being prepared which planned up until 2030. Developers were being invited to put potential sites forward which would be assessed but not necessarily become available. 'Green' in the SHLAA was only an indication that the site could be brought forward for development within 5 years. The Club site could potentially be allocated for development but under the current Local Plan it was not.

Members commented that there were brownfield sites available for development within the settlement boundary.

RESOLVED that the application be refused subject to the reasons outlined in the report.

3h PL/5/2011/0162 - Land off St Adens Way, Peterlee

Consideration was given to the report of the Principal Planning Officer (Easington Area Office) which recommended approval. The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report.

RESOLVED that the application be approved subject to the conditions outlined in the report.

3i PL/5/2011/0215 - Land Rear of 1 Grange Terrace, Shotton Colliery, DH6 2JP

Consideration was given to the report of the Principal Planning Officer (Easington Area Office) which recommended refusal. The Principal Planning Officer explained that Members had visited the site that day and gave a detailed presentation on the main issues outlined in the report.

Mr B Scorer, agent for the applicant referred to the Planning Officer's concern that the new dwelling would look onto a rear lane and residential standards of amenity would be unsatisfactory. All existing rear elevations of the properties on Grange Terrace faced onto the rear lane and the objection on those grounds had little substance. The proposed development was also set back from the rear lane and would be separated by a garden and parking area.

Residential Amenity Saved Policy 35 (iv) required new development to have no serious adverse affect on the amenity of people living and working in the vicinity of the development site and the existing use of adjacent land or buildings in terms of privacy, visual intrusion, noise, other pollutants and traffic generation. The report did not specifically identify any of those material considerations as significant factors to support the recommendation of refusal.

With regard to a precedent being set, planning applications were considered on their individual merits and the applicant was requesting Members to consider his personal disability needs as providing the special circumstance for granting the proposed development as an exception.

In response to the Officers comments regarding the needs of the applicant, it was pointed out that the development sites at Fleming Fields and Windsor Place were not for single development plots and the applicant had been unable to find a suitable available bungalow in Shotton where he wished to remain.

The report omitted to mention that within the Design and Access Statement the applicant had stated that if permission was granted he was willing to improve the surfacing of the full rear lane which would have an amenity benefit for all the residents in Grange Terrace.

In conclusion, the goal was to ensure that everyone had the opportunity to live in a decent home, which they could afford in a community where they wanted to live and to meet that aspiration he requested that the application be approved.

The Principal Planning Officer advised that it would be difficult to refuse subsequent applications as a precedent would be set and he accepted that planning applications were considered on their own merits.

The Chair queried if the applicants disability was taken into consideration. The Principal Planning Officer explained that he didn't feel the disability was sufficient to outweigh the concerns.

Councillor Blakey raised concerns regarding the adjacent building. It looked to be a high garage built on a Greenfield site.

Councillor Charlton commented that she was concerned about the Greenfield status. If it was 2 years ago then it would have been classed as a brownfield site.

The Chair commented that the Government had changed policies to stop building in back gardens.

Councillor Iveson explained that she was concerned about the contaminated land study. The Principal Planning Officer explained that it was a standard requirement for a contaminated land assessment to be carried out this did not imply that the site was unsuitable for development.

Councillor Bleasdale commented that the adjacent building looked like a small bungalow with garage doors.

The Principal Planning Officer explained that the garage was a large building with two garage doors, there was room in the roof space but as far as he was aware the garage was used as storage and did not have any domestic doors.

Members considered that the standards of residential amenity would be satisfactory and the development would not have a detrimental impact on the appearance of the area.

RESOLVED that the application be conditionally approved and Officers be granted delegated authority to attach suitable conditions.

3j PL/5/2011/0219 - East House Farm, Cold Hesledon, SR7 8SP

Consideration was given to the report of the Principal Planning Officer (Easington Area Office) which recommended approval. The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report.

RESOLVED that the application be approved subject to the conditions outlined in the report.

4 Appeal Update

Appeals Received

The Principal Planning Officer (Easington Area Office) gave details of the following appeals which had been lodged with the Planning Inspectorate:

- (i) Appeal against the Council's decision to issue a High Hedge Remedial Notice at Hycroft, Stockton Road, Easington Village.

Since the report was prepared, a decision had been received and the appeal had been dismissed.

Decision Received

- (i) Appeal against the Council for refusal of planning permission for the retrospective erection of a raised platform with handrail at Eagle Hall, Sunderland Road, Hawthorn.

Appeal dismissed