

DURHAM COUNTY COUNCIL
AREA PLANNING COMMITTEE (NORTH)

At a Meeting of the **Area Planning Committee (North)** held in the Council Chamber, County Hall, Durham on **Thursday 25 February 2016 at 2.00 pm**

Present:

Councillor C Marshall (Chairman)

Members of the Committee:

Councillors B Armstrong, H Bennett, P Brookes, J Cordon, I Jewell (Vice-Chairman), J Maitland, O Milburn, K Shaw, A Shield, L Taylor, K Thompson and S Wilson

Present

Councillor A Batey

1 Apologies for Absence

Apologies for absence were received from Councillor O Temple.

2 Substitute Members

There were no substitutes.

3 Minutes of the Meeting held on 28 January 2016

The minutes of the meeting held on 28 January 2016 were confirmed as a correct record and signed by the Chairman with the following amendment:

Item 4 Declarations of Interest:

Councillor Milburn declared an interest in Item 5a as she was a Non-Executive Director of Derwentside Homes of which Prince Bishop Homes was a subsidiary.

4 Declarations of Interest (if any)

Councillor J Cordon declared an interest in Item 5c as a he was a local Member.

5 Applications to be determined by the Area Planning Committee (North Durham)

- a DM/15/03908/FPA - Recreation Land South East of Bradley Close, Urpeth**

The Committee was advised that the application had been withdrawn from the agenda and subsequently would be listed on the agenda for the next meeting of the Committee.

b DM/16/00240/FPA - The Granary, Woodlea Manor, Lanchester

The Committee considered a report of the Principal Planning Officer regarding the removal of condition 4 of permission 1/2011/0035 to permit the use of the residential annex as a dwelling (use Class C3) at The Granary, Woodlea Manor, Lanchester (for copy see file of minutes).

The Principal Planning Officer provided the Committee with a detailed presentation which included photographs and a plan of the proposed layout.

Mr D Smith, who was in attendance to speak in support of the application on behalf of the applicant, addressed the Committee.

He advised that the applicant was a good friend and unfortunately due to deteriorating health was now struggling to get around and the main house was no longer suitable for his needs. The applicant had moved in to the annex in March 2015, following extensive attempts to sell the property. To date there had been no success in its sale.

With regards to comments raised regarding additional vehicular use, Mr Smith advised that there would be no additional vehicles accessing the property.

He further added that given the applicant's condition and position regarding the sale of the house, refusal of the application to grant use of the annex as a dwelling, would result in significant upheaval for the applicant who was already suffering ill health. He asked that the Committee looked favourably at the applicants circumstances and approve the application.

The Principal Planning Officer advised that she did sympathise with the applicant's personal circumstances, however commented that she challenged the comments made regarding the vehicular use. She further explained to the committee that an annex operated differently from a dwelling, with joint use of the main house's facilities. If the application were to be approved the annex would be totally separated from the main dwelling and facilities would not be shared.

Councillor Milburn asked for clarification regarding the current status of the annex. The Principal Planning Officer advised that the building was previously used as an annex by the applicant's mother, however had since March 2015, been occupied by the applicant. The main house was currently unoccupied.

Councillor Shield added that although he did have lot of sympathy for the applicant, he failed to see how the application could be approved and with such, **MOVED** that the application be refused.

Councillor Jewell commented that he concurred with comments made and although he too had sympathy for the applicant, these personal circumstances were not

material planning considerations. He therefore **SECONDED** that the application be refused.

Resolved:

That the application be refused on the grounds as detailed within the report.

c DM/15/03625/FPA - Land To The East of Ravenscroft, Stoney Lane, Beamish

The Committee considered a report of the Senior Planning Officer regarding the erection of a single 4 bedroom dwelling and 2 outbuildings at land to the East of Ravenscroft, Stoney Lane, Beamish (for copy see file of minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs and a plan of the proposed layout. Members had visited the site the previous day and were familiar with the location and setting.

Councillor Alison Batey, local divisional Member, addressed the Committee to speak in support of the application.

She advised that there had been a number of planning approvals in the immediate vicinity in the last 2 years and made reference to a nearby farm, where 8 additional dwellings had been converted from existing outbuildings.

She further made reference to Beamish Museum which was also in the same Green Belt, adding that approval was often granted for additional buildings or extensions to existing buildings within this site without issue.

With regard to the applicant's personal circumstances she made reference to the historical difficulties the family had faced regarding the tenancy of the land and the heritage and connections Mr Coyle and his family had to the area. Furthermore she advised that Mr Coyle had invested a significant amount of time on developing the design for the dwelling and she personally believed the scheme was innovative in its design, would be built to a very high standard.

In addition she advised that Mr Coyle had indicated a willingness to work with planners and with such asked that members give serious consideration to the application.

Maureen Wilkinson, Urpeth Parish Council addressed the Committee to speak in support of the application.

Reference was made to the two cottages which used to be on the site some 40 years ago and commented that the proposals for an energy efficient home built from sustainable sources, should be looked upon favourably.

She commented that access to this site was already well established and well used and the proposed development was much more fitting for the area than those dwellings converted at South Urpeth Farm. She added that she felt the design and

materials used would blend well in to the countryside and wildlife would continue to flourish.

In conclusion she added that the Parish Council were fully supportive of Mr Coyle's plans' and the notion of helping a local man and his family settle back into an area which had been such a big part of his family history.

Mr Andrew Coyle, Applicant, addressed the Committee to speak in support of the application.

Mr Coyle provided the Committee with background to the site and its connection to his family. He advised that the land had been in his family for 4 generations and due to a clerical error in 2003 a portion of the land had been lost. The site in question was the last remaining parcel of land owned by his family.

Regarding the design of the building, he advised that all aspects of design had been well thought out and were sympathetic to the area. Glazing was proposed in the rear of the building taking into account research from sun path analysis.

The dwelling was also designed on passive design principles and would be the first in County Durham, setting a benchmark for passive dwellings.

Mr Coyle further added that he had stated that he was quite happy to change the metal roof to slate in an attempt to help the building blend in with the surrounding landscape. In addition the scheme proposed extensive landscaping, hedgerow and tree planting, further reducing the visual impact on the landscape.

With regard to concerns relating to highways and vehicle movements he added that his family would have reduced reliance on motor vehicles and would instead be reliant upon public transport and cycling.

In conclusion Mr Coyle added that he fully understood the contentious nature of this application but asked that the Committee to take a holistic view and consider the benefits the development would bring to the area including the positive impact it would have on the environment and its positive impact on the ecology and biodiversity of the wider Green Belt.

The Senior Planning Officer in response to comments made by Councillor Batey regarding development in the area advised that each of those applications referred to had been considered on their own merits, taking into account the nature of the operations on the site and circumstances.

With regard to Beamish Museum he further advised that there was exceptions and special circumstances which allowed development of this important site in line with a set of very specific criteria for Green Belt development.

Regarding elements of design, it was noted that the applicant had advised that a slate roof could be provided however, it was noted that this would ultimately undermine any sustainability proposals.

Councillor Marshall for purposes of clarity asked that the specific circumstances which allowed Green Belt development, be outlined along with providing any examples of where this type development had occurred. In response the Senior Planning Officer advised that paragraph 46 of the report outlined those special circumstances. With regard to Beamish Museum, there were specific policies in place relating to development at this facility. It was dangerous however for him to offer any other comparisons of development permitted in designated Green Belt.

Councillor Jewell added that he wanted to thank officers for the site visit the previous day and for the detail provided within the report. He added that whilst he sympathised with the applicant, he had found the planners to have been fair from the beginning and commented that the committee's decision could not be made on emotion. He added that he found the design of the building to be unfitting, ultra-modern and that there was inadequate footpath and lighting provision. Therefore in light of the issues raised and that the site was in designated Green Belt he **MOVED** that the application be refused.

Councillor Thompson asked whether it could be confirmed what the position was with regard to housing provision in the area and whether the outbuildings proposed would be for housing animals.

The Senior Planning Officer advised that it had been identified that there was a 5 year housing land supply in the area, this data was up to date within the last 5 working days. With regard to keeping animals on the land it was reported that the site would be set up for self-sufficiency, not agriculture.

Councillor Thompson asked whether the applicant would be required to apply for change of use if he wanted to use the land and buildings for agriculture in the future. The Senior Planning Officer advised that he would not require change of use for agricultural purposes.

Mr Coyle then added that he would be keeping a small number of livestock on the land for self-sufficiency and personal use only.

Councillor Shield commented that he was extremely conscious of previous appeal decisions for similar applications and commented that the fact remained that the site was in Green Belt. In addition the design of the building was also in question. He further made reference to the emerging County Plan and with such **SECONDED** that the application be refused.

The Senior Planning Officer made reference to paragraph 9 of the NPPF which outlined other forms of development which were deemed unsuitable in Green Belt areas. It was further noted that Councillor Batey had in her statement commented that the site was 'technically' in Green Belt. It was noted that it was indeed a fact that the site was in established Green Belt, which held the highest level of protection.

Councillor Brookes added he was moved by Mr Coyle's passionate pleas, however the site visit the previous day had highlighted there was serious concerns regarding

highways and of course its location in Green Belt. He further added that he was minded to refuse the application.

Councillor Wilson raised a query regarding special circumstances for development in Green Belt and in addition, asked at what point did self-sufficiency become agriculture. In response the Senior Planning Officer advised that any commercially viable operation would be classed as agricultural, however there was an element of interpretation regarding this, although there had to be signs of economic activity.

The Chair in conclusion added that the committee were faced with difficult circumstances, although added that unfortunately he could see no route that the committee or applicant could take, which would make development in this designated Green Belt area acceptable.

Resolved:

That the application be refused for the reasons as outlined within the report.

6 Appeal Update

Consideration was given to the report of the Principal Planning Officer which provided an update on planning appeals received and determined (for copy see file of minutes).

The Principal Planning Officer in referring to JO/1/2013/0167/DMFP advised that it was interesting to note that had there not been a significant delay on the determination of this appeal, during which time the introduction of the Written Ministerial Statement (WMS) had been introduced which amended guidance on renewable and low carbon energy, the Planning Inspector may have granted the application as it was noted from the Inspector's report, that the WMS had attached substantial weight in assessing the case.

A query was raised regarding the date of the decision and whether it was known why there had been such a long delay in determining the appeal. The Principal Planning Officer advised that the date contained within the report was the date in which the decision noted had been issued. She further advised that it was not known why there had been such a long delay in determining the appeal.

Councillor Shield in referencing the decision on Bradley Open Cast added that it was concerning that different determinations had been made by the judge and the Planning Inspectorate. His comments were noted.

Resolved:

That the report be received.