

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 28 April 2016 at 2.00 pm**

Present:

Councillor C Marshall (Chairman)

Members of the Committee:

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

Apologies:

Apologies for absence were received from Councillors B Armstrong and S Zair

1 Apologies

Apologies for absence had been received by Councillors B Armstrong and O Milburn.

2 Substitute Members

There were no substitute members in attendance.

3 Minutes

The minutes of the meeting held on 24 March 2016 were agreed and signed as a correct record.

4 Declarations of Interest (if any)

There were no declarations of interest.

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

a DM/15/03155/FPA - The Volunteer Centre, Clarence Terrace, Chester-le-Street

The Committee considered a report of the Planning Officer regarding the demolition of the volunteer centre and erection of 14 apartments at the Volunteer Centre, Clarence Terrace, Chester-le-Street (for copy see file of minutes).

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

Mr C Lodge addressed the Committee as a local resident and raised concerns regarding an increased risk of flooding. He referred to properties in Clarence Terrace which contained an under floor space of 3 feet which filled with non-stagnant water. He believed that the water flowed across the road and under the small copse of trees in the public car park adjacent to the development via Osborne Road. If additional sewage and surface water were placed on the existing underground drainage routes, the risk of flooding would be exacerbated. If the plans contained a reference to the installation of underground routes he would not oppose the development, however the condition regarding drainage related to sewage and surface water, not underground water. He queried whether the public would have an input into the assessment made in relation to the proposals since it may have an impact on residential properties in the vicinity.

In addition, Mr Lodge referred to balconies proposed in the application and although they complied with guidance and included a 21m privacy distance, they were directly opposite another property and he believed the rooms were uninhabitable should privacy be an expectation of the occupier.

Mr M McCarrick addressed the Committee on behalf of the applicant, McCarrick Construction. He confirmed that the development would create affordable homes as well as additional employment opportunities in the area. McCarrick Construction had commissioned a drainage engineer to assist in developing the plans and he had also given his professional advice with regard to the concerns raised by Mr Lodge. The Engineer had confirmed that the properties at Clarence Terrace were situated on an area of land which consisted of 95% clay and it was unlikely that there would be any underground water travelling underneath the road. This was reiterated by the fact that there were no visible signs of deterioration in the road as would be expected if water was travelling underneath.

The Planning Officer confirmed that the purpose of evaluating drainage was not to alleviate existing problems, but to ensure that the proposal would not exacerbate or cause them. The plans which had been submitted by the applicant were not available to members of the public, however the Planning Officer confirmed that he was willing to allow them to be viewed. It would not be possible for comments by members of the public to be considered.

Councillor Robinson referred to the contribution for off-site children's play and the statement within the report confirming that the applicant had requested to choose where the contribution would be allocated. He was concerned that the developer had been specifically referred to and of how it could be interpreted by members of the public. The Solicitor confirmed that it was accepted within the report that it was not possible for the developer to choose where the money was spent however as a compromise a clause could be included within the Section 106 agreement in order for the applicant to be entitled to put forward schemes or proposals for consideration by the Working Group. This did not exclude anybody else from submitting an application or give the developer any preference, it only ensured that they were included in the group of people who could submit an application.

Councillor Shield shared the same concerns as Councillor Robinson and the Chairman sought further clarification should Members be minded to refuse the application on this point. The Planning Team Leader confirmed that the recommendation did not include a clause, however it was important for reference to be made within the report as the developer had specifically requested it to be.

Councillor Shield referred to the number of parking spaces per proposed dwelling as being well below the recommended requirement and queried whether this would create parking issues in the area. The Planning Officer advised Members that the reduced parking spaces were alleviated due to the town centre location of the development. There were excellent links to public transport with both a bus and train station within walking distance. He confirmed that there was a public car park next to the development which was available for visitors and there were parking restrictions in place on the road adjacent. Highways were satisfied that the proposed parking was acceptable.

In response to a query from Councillor Temple the Planning Officer confirmed that he was uncertain of the amount of parking spaces in the adjacent apartment block however, any potential buyers would be alerted to the single parking space per property when considering buying it. In response to Councillor Maitland, the Planning Officer confirmed the public car park was open 24 hours.

Councillor Cordon referred to the indication from the Drainage and Coastal Protection Officer, that during heavy rain there could be a risk of flooding to the development. He reminded the Committee of serious flooding in the town centre which had taken months to address and identified that Mr Lodge needed to be satisfied that the plans submitted contained the correct drainage system. The Planning Officer reiterated that Mr Lodge was welcome to view the plans and reassured Members that the Council would not accept a sub-standard design.

Councillor Jewell queried whether there was any flood history for the current site however the Planning Officer had not been made aware of any.

The Planning Officer assured Councillor Brookes that the balconies were the required 21m apart and there was no cause for concern regarding privacy.

Councillor Wilson highlighted that there was sufficient parking restrictions on Osborne and Clarence Terrace and no objections had been received by consultees. He therefore moved that the application be approved subject to the conditions as outlined in the report.

Councillor Brookes seconded the proposal and it was;

Resolved

That the application be approved subject to the conditions outlined in the report and the completion of a Section 106 agreement.

6 Appeal Update

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

Resolved

That the report be noted.