

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 30 March 2017 at 2.00 pm**

Present:

Councillor C Marshall (Chairman)

Members of the Committee:

Councillors B Armstrong, J Cordon, I Jewell (Vice-Chairman), J Maitland, O Milburn, J Robinson, A Shield, L Taylor and S Wilson

Apologies:

Apologies for absence were received from Councillors H Bennett, P Brookes, K Shaw, O Temple, K Thompson and S Zair

1 Apologies for Absence

Apologies for absence were received from Councillors P Brookes, K Shaw and O Temple.

2 Substitute Members

There were no substitute Members.

3 Minutes of the Meeting held on 23 February 2017

The minutes of the meeting held on 23 February 2017 were confirmed as a correct record and signed by the Chairman with the following amendment:-

Item 5(b) – Page 6, paragraph 8. To include that the officer acknowledged that the comments received from Stanley Town Council should have been included as a separate consultee response within the report.

4 Declarations of Interest (if any)

There were no declarations of interest submitted.

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

a DM/16/03157/FPA - Land To The West Of Fulforth Way, Sacriston

The Committee considered a report of the Planning Officer regarding an application for the erection of 73 dwellings with associated landscaping and garaging (for copy see file of Minutes).

The Planning Officer provided a detailed presentation of the application which included photographs of the site and plans of the proposed layouts. He advised that the highways layout and access had been reviewed following the deferment of the application at the last meeting. Lengthy discussions had taken place between the developer, Highways Engineers and Planning Officers. Proposals had subsequently been amended to remove the access from St Cuthbert's Meadow and to amend the proposed highways layout, including upgrading and lengthening several of the proposed roads so they would meet adoptable standards. Members had visited the site the previous day and were familiar with the location and setting.

It was noted that since the publication of the report 5 additional representations had been received. There had been additional 1 objection from a resident of Acorn Close regarding the proposed junction adjacent to her property. 2 comments had been received regarding the highways layout, however since the removal of the access via St Cuthbert's Meadow, this had now been withdrawn as had two other objections relating to the same issue.

Councillor Liddle, local Member addressed the committee to speak in support of the application. Councillor Liddle advised that since deferment of the application at the last meeting, the developers had worked hard to resolve the issues regarding highways and had fully taken on board those comments. She therefore advised that her previous objections had been withdrawn and she was now happy with the revised scheme.

Mrs I Bradley, local resident addressed the committee to speak in support of the application. She advised that Cheviot homes had wholly listened to the concerns of residents and had worked hard with the community to address the issues raised.

Miss S Harrison, speaking on behalf of the developer, noted the alterations to the proposal in line with recommendations of the Planning Officer and Highways Engineer.

Councillor Wilson commented that he was pleased to see such a fantastic development proposed in his division and congratulated the developer on their hard work undertaken with the community to address initial concerns raised by residents. He therefore **MOVED** that the application be approved subject to the conditions as listed within the report. Councillor Cordon **SECONDED** the proposal.

Councillor Jewell further added his thanks to the planning officer for the revised report and noted that all concerns raised at the previous meeting had been mitigated against.

Resolved:

That the application be approved subject to the conditions as listed within the report.

b DM/16/03633/OUT - 7 The Paddock and land to south of 7 The Paddock, Lanchester

The Chair advised that the above items had been withdrawn.

c DM/17/00202/FPA - Land to the rear of Pleasant View, Medomsley, Consett

The Committee considered a report of the Planning Officer regarding the proposed change of use from allotments to equestrian use and erection of stable for horses for personal use and hay storage (for copy see file of Minutes).

The Planning Officer provided a detailed presentation which included photographs of the site and plans of the proposed layouts. Members had also visited the site the previous day and were familiar with the setting and surroundings.

Councillor Stelling, local Member, addressed the committee in order to object to the application.

He first declared an interest in the application, on the basis that his sister lived on the Terrace which was affected by proposals. He had sought legal advice from the Council's Solicitor and noted that he would leave the chamber once he had made his representations.

Councillor Stelling advised that to date the site had been used for the storage of a static caravan, playground equipment and a trampoline. In addition the applicant had hard core delivered to the site, a sheet metal fence had been erected and brick gateposts were built, which subsequently were lowered after advice given from DCC. All activity on site to date had been unrelated to keeping horses.

The fence which had been erected around the site was not in keeping with the area and did not blend into the landscape which detracted from the open countryside.

He further noted that he was extremely disappointed to learn that the Coal Authority had withdrawn their objections given the mining history in the area. In conclusion he advised that he could not support the application and as such asked members to refuse the application. (He then left the chamber.)

Mrs P Stokoe, local resident addressed the committee to object to the application. She advised that she spoke on behalf of the many residents who had objected to the application.

She advised that for approximately 14 months, residents had suffered disruption, mess and intrusion as a result of the applicant using the land without regard to policies, planning or local residents.

Further concerns were raised regarding access to the site via the single lane, noting that there was already damage caused to the road from 4x4 and other heavy vehicles which had been seen entering the site. It was felt that further damage to this road would occur during construction of the stables and would increase the risk of parked cars being damaged.

Mrs Stokoe advised that 17 households in the immediate vicinity had objected, with 24 individual objections being submitted. This demonstrated the strength of feeling regarding the proposed development. She further advised that residents had not been notified that the Coal Authority had withdrawn their objection and were disappointed to learn that they did not consider subsidence to be an issue. In conclusion she noted further concerns relating to security, light pollution and odour created from animal waste.

Mr G Rimmington, applicant, addressed the committee to speak in support of the application. He advised that historically the site had been used to keep pigeons and was in a rotten state when he had acquired the site.

Regarding its future use, Mr Rimmington advised that he would be the only regular visitor using a vehicle to access the site limiting disturbance to any residents. He further advised that he would be willing to assist residents in maintaining the road. The site was for the sole use of his family and children.

In addition regarding concerns raised relating to odour, he advised that he would be personally removing the animal waste on a fortnightly basis. He further made reference to the farm land surrounding the site which was regularly sprayed with manure.

He further pointed out that the site could not be seen from the main street and garages in the vicinity were not well kept, being in some places quite overgrown. He therefore could not see any reasons for refusal given that officers were also happy with the scheme.

Councillor Robinson asked for clarification regarding legislation on future use of previous allotment land and furthermore whether the residents had been permitted to view the report forwarded by the Coal Authority. In response the Solicitor advised that allotments only had to be replaced by allotments where they had been previously owned by a public authority.

The Planning Officer further advised that the latest correspondence from the Coal Authority had been received the previous day. The reasons for the withdrawal had been as a result of changes to the proposed structure and less significant groundworks being required.

Councillor Wilson in referencing paragraph 66 of the report raised a query regarding access for bridleways and the recommended 1 acre per horse as recommended by

the British Horse Association. The Planning Officer advised that the applicant had come to a gentleman's agreement with a landowner for the grazing and exercise of his horses within 400m of the site. Councillor Wilson queried what would happen should the landowner retract his offer of use of the land. The Planning Officer advised that it would be up to the applicant to find a suitable alternative. The Solicitor further clarified that this would be an animal welfare issue and would not in itself be a reason for refusal.

Councillor Shield who was a local member, advised that as a previous resident of Pleasant View he was greatly troubled by the report. He added that in order for the applicant to graze his horses he would need to cross a busy interchange. He furthermore queried the frequency of grazing and how he would transport the horses to that site.

The Highways Officer confirmed that Highways did not consider the transportation of horses to result in traffic movements that dissimilar to those seen during previous use.

Councillor Shield further commented that he considered the application to be in breach of policy EN1 of the Saved District Local Plan and paragraph 14 of the NPPF did apply. He therefore concluded that given the strong feeling of residents and the lack of trust in the applicant, he requested that the application be deferred.

Further discussion took place regarding the storage on site and Councillor Milburn asked whether a condition could be attached to specify that equestrian related only items were stored. In response the Solicitor advised that should the applicant want to use the site to store any other items that were not ancillary to the permitted use this would require a change in use application.

Councillor Cordon added that he was bemused to read some of the objections and added that he did not consider the application to contravene any part of NPPF planning policy and with such **MOVED** that the application be approved.

Councillor Jewell added that it was a difficult application because it was so emotive, however noted that the objections were non planning related issues and with such could not see a valid reason for the application to be refused. He therefore **SECONDED** the proposal.

Resolved: that the application be approved subject to the conditions listed within the report 1, 2, 3, 4, 5 & 7. Condition 6 was no longer applicable due to the withdrawal of Coal Authority objections.

d DM/17/00384/FPA - Stanfield House, Joicey Square, Stanley

The Committee considered a report of the Senior Planning Officer regarding an application for the change of use from former nursing home into a new 25 bed hotel (C1 Use Class) (for copy see file Minutes).

The Senior Planning Officer provided a detailed presentation of the application which included photographs of the site and plans of the proposed layouts.

Councillor Marshall added his thanks to the Planning Officer for his help with this planning matter also noting that this was extremely exciting for Stanley.

Councillor Milburn thanked officers and also noted that she was pleased that the applicant had undertaken extensive consultation with residents. She therefore **MOVED** that the application be approved subject to the conditions as listed within the report.

Councillor Jewell commented that although he considered the application to be positive for the area, he queried whether parking provision was adequate and the policy for guests' length of stay. The Senior Planning Officer advised that parking provision was considered acceptable and the owners had indicated that guests would be permitted to book the hotel for short stays only.

Councillor Jewell subsequently **SECONDED** the proposal.

Resolved:

That the application be approved subject to the conditions as listed within the report.

6 Appeal Update

Consideration was given to the report of the Planning Officer which provided details of appeals determined (for copy see file of Minutes).

Resolved:

That the content of the report be noted.