

DURHAM COUNTY COUNCIL
AREA PLANNING COMMITTEE (CENTRAL AND EAST)

At a Meeting of **Area Planning Committee (Central and East)** held in **Council Chamber, County Hall, Durham** on **Tuesday 11 April 2017** at **1.00 pm**

Present:

Councillor P Taylor (Chairman)

Members of the Committee:

Councillors A Bell, J Clark, M Davinson and S Iveson

Also Present:

Councillor David Boyes, Councillor Rob Crute, Councillor Grenville Holland, Councillor Lynn Pounder and Councillor Angela Surtees

1 Apologies for Absence

Apologies for absence were received from Councillors P Conway, C Kay, J Lethbridge, B Moir and K Shaw.

2 Substitute Members

No notification of Substitute Members had been received.

3 Minutes

The minutes of the meeting held on 14 March 2017 were confirmed as a correct record by the Committee and signed by the Chairman.

4 Declarations of Interest

There were no declarations of interest submitted.

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

a DM/16/03450/OUT - Land to the West of Blackhall Colliery and South of Hesleden Road, Blackhall Colliery

The Senior Planning Officer, Chris Baxter, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of

the site. The application was for an outline application for the erection of up to 97 dwellings, construction of new vehicular access, open space (including dog walking area) and associated infrastructure and was recommended for approval subject to conditions.

The Senior Planning Officer noted the reduction in dwellings, now for up to 96 dwellings, the report having stated up to 97, and that the access would also be considered as part of the application. Members noted the plan showing a roundabout that was proposed for the B1281 and that access for the site would be gained from this roundabout. It was explained that there were no objections from statutory consultees and that there had been letters of objection and support received from members of the public, with their main points set out within the report.

In terms of the principle of the development, the Senior Planning Officer noted that the site had good pedestrian links to Blackhall and the associated existing infrastructure and therefore the site was considered sustainable. It was added that the Authority was not able to demonstrate a 5 year supply of deliverable housing land and therefore paragraph 14 of the National Planning Policy Framework (NPPF) was engaged, such that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or if any specific policies within the NPPF indicate development should be restricted.

Members were informed that the Highways Section had initially raised concerns in terms of vehicle speed along the B1281 and inadequate pedestrian crossing points, however, through negotiation with the applicant and Officers, an amended scheme to include a roundabout to allow access to the site and pedestrian crossing points was found to be acceptable. The Senior Planning Officer added that a Section 106 Legal Agreement would secure 10% affordable housing and a contribution towards play and recreational facilities, and it did not relate to protected species or the heritage coast. The Senior Planning Officer concluded by noting that the application was considered acceptable and was therefore recommended for approval, subject to the conditions and Section 106 Legal Agreement as set out within the report.

The Chairman thanked the Senior Planning Officer and noted there were several speakers registered. He asked Mr N Barton whether he was speaking in support or objection to the application, Mr N Barton noted on balance he would be speaking in objection.

The Chairman asked Councillor R Crute, a Local Councillor for the Blackhalls Division, to speak in relation to the application.

Councillor R Crute thanked the Chairman for the opportunity to speak and noted the application was for up to 96 homes. He added that in speaking the purpose was to note the support of Local Members for the application, himself and Councillor L Pounder, believing it would benefit the village both socially and economically and also to help address any concerns residents may have as regards the application.

Councillor R Crute noted that the application was considered to be sustainable in respect of the NPPF and that all statutory and internal consultees were in favour of the application. He added that main issues raised by residents had been adequately addressed and the public were generally positive about the scheme. He noted people understood the social and economic benefits and that speaking to many residents individually, they were keen for development to take place. Councillor R Crute added that the Committee could read the support of Local Members to be the support of local people.

Councillor R Crute noted issues raised in terms of flooding, rights of way, and bungalows were set out and addressed within the report, and that 2 letters of objection in terms of access, the pedestrian access and footpath and capacity of local schools had been received. He added that these issues too were addressed within the Officer's report either explained or via condition and therefore Local Members were in support of the application.

Councillor R Crute explained that there were clear economic and social benefits with the investment in the area was welcomed, and the development was sustainable in terms of the local businesses and schools. He added there was considerable local support as this development would enable a greater choice of housing within the village, meeting a need for family homes and rebalancing housing in Blackhall.

Councillor R Crute noted the objections in terms of highways, however, these had been addressed in terms of the proposed roundabout, Condition 4 and pedestrian crossings over the B1281 road. Councillor R Crute concluded by noting he suggested looking at the speed limit on this road may also be beneficial.

The Chairman thanked Councillor R Crute and asked Mr N Barton to speak in objection to the application.

Mr N Barton noted he had several points to make, firstly in connection to the roads in the area, namely the B1281 and the Coast Road. He explained that the junction between these two roads, could often have tailbacks and that there had been fatalities on these roads in the past. He added he would support derestriction up to the new roundabout, but not beyond it. Mr N Barton added that the access was fine in principle, however, further east of the development there was not access from the development to the coast road.

Mr N Barton noted that the B1281 was already a busy road and that he suggested that additional screening via more planting could help shield the site. In terms of drainage, Mr N Barton noted the drainage and flood assessments and the inclusion of a Sustainable Drainage System (SuDS) pond on the site. He added that given that the development would mean an increase in surface water that could not drain away naturally, there should be care to ensure that the capacity of the SuDS was sufficient.

Mr N Barton noted that the proposed density of housing was far greater than that of the development opposite and while parking was not a problem, there would be issues in terms of access for deliveries, utilities and emergency vehicles.

Mr N Barton concluded by noting the pedestrian right of way at the site was a rough road, and that it should perhaps be adopted and suitably topped.

The Chairman thanked Mr N Barton and asked the Agent for the application, Mr S Hesmondhalgh to speak in relation to the application.

Mr S Hesmondhalgh explained that he was a Planning Consultant and had undertaken many public consultations in relation to planning applications and noted there was local support for the development. He added that as stated by the Officer, the Council could not demonstrate a 5 year supply of housing and the development would help meet this need, building where people needed and wanted housing.

Mr S Hesmondhalgh noted that it was felt that the development was positive and would help improve the quality of life for those in the village and evidence from the Local County Councillors and Parish Councillors showed good community spirit and positive support for the scheme.

Mr S Hesmondhalgh noted that issues had been raised in terms of drainage, highways and housing mix. In terms of drainage, Mr S Hesmondhalgh noted that the SuDS was set aside and would store and drain water away. In terms of access, he noted that he was happy in respect of any changes to speed limits as appropriate, and the roundabout dealt with the issues that had been raised. Mr S Hesmondhalgh noted that the housing mix was based upon a clear lack of housing for families with children and there were semi-detached, detached, bungalows and terraced properties within the scheme.

In respect of footpaths, Mr S Hesmondhalgh explained that the formal links alongside would be retained and the informal link would be replaced connecting the site.

Mr S Hesmondhalgh concluded by noting: there was a housing need; the development was sustainable; it gave jobs and investment; gave a broader choice for local people; and was a good scheme on the right site and asked that Members approve the application.

The Chairman thanked Mr S Hesmondhalgh and asked the Senior Planning Officer to respond to the points raised.

The Senior Planning Officer noted that in respect of the points raised in terms of highways, the report set out the views of the Highways Section, though the Highways Development Manager was in attendance and may wish to speak on this.

In respect of further landscaping and screening, the Senior Planning Officer noted application was an outline application and the details would come through at the Reserved Matters stage, a landscaping plan to be included. It was added that in terms of drainage, the SuDS area proposed had no objections from the Council's Drainage Team, Northumbrian Water Limited or the Environment Agency.

The Senior Planning Officer explained that in terms of density, working from the original 97 properties this gave a density of approximately 24 properties per hectare which was reasonably low, with planners usually looking for around 30 properties per hectare and with many new developments being greater than 30 properties per hectare. Members noted that the informal footpath was not a right of way, however it was intended that this would be upgraded in terms of its surface and Condition 13 set out the need for an agreed detailed scheme of improvements to footways, links and rights of way to be in place prior to development taking place.

The Highways Development Manager, John McGargill noted that originally the scheme had included a priority T-Junction and following concerns raised by Highways it was agreed that a roundabout was a better solution. It was added that the roundabout would slow traffic speeds and that any other changes in terms of speed limits would be consulted upon, including with Durham Constabulary.

The Chairman thanked the Planning Officer and asked Members of the Committee for their questions and comments on the application.

Councillor M Davinson noted he “liked the look” of the proposed roundabout, and he felt the development would be of benefit to the local community with the report setting out that the site was sustainable and with enough school places to accommodate the development. Accordingly, he proposed that the application be approved.

Councillor J Clark noted she was very familiar with the area and added she was sure that Highways Officers will be looking at the impact on the coast road over time and agreed that the works to footpaths would help to encourage people to walk rather than drive. She added that improved crossings would be also of benefit as vehicle speeds along this road were often excessive and a reduction in the speed limit would also be welcomed. Councillor J Clark understood the need for housing in the area and seconded that the application be approved.

Councillor A Bell noted it appeared to be a brilliant scheme, with the support of the Local Members. He added that at the full application stage, he felt that a formal play area within the development would be beneficial as it appeared quite a large area without such facility, engaging with the Local Members at that stage.

Councillor M Davinson moved that the application be approved; he was seconded by Councillor J Clark.

RESOLVED

That the application be **APPROVED** subject to the conditions detailed in the Officer’s report to the Committee.

b DM/17/00700/FPA - Holmside, Fieldhouse Lane, Durham

The Senior Planning Officer gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented

by a visual presentation which included photographs of the site. The application was for change of use from C3 dwelling to C4 House in Multiple Occupation (HMO) for a temporary period of up to 3 years to enable occupation in compatible environment for the duration of studies and was recommended for approval, subject to conditions.

The Senior Planning Officer noted there had been no objections from statutory or internal consultees, and that Spatial Planning Policy had provided information in terms of student density in the area, being 11.6%, greater than the 10% set out within the Interim Policy on Student Accommodation. It was added that there had been 2 letters in objection to the application, with the main issues set out within the Committee report.

Members noted that while the student density was already greater than 10%, special circumstances were cited in terms of the applicant's daughter and her needs, specifically relating to a medical condition known as electro-sensitivity (ES), the applicants having not been able to find a suitable property for their daughter in the area. The Senior Planning Officer reminded Members that the permission for C4 use would be temporary, for 3 or 4 years, while the applicants' daughter completes her studies after which the property would revert back to C3 use. It was noted that the medical reasons as stated by the applicant were a material planning consideration. It was noted that there had been no objection from Environmental Health or the Highways Section and therefore, subject to conditions, Officers recommended that the application for change of use for a temporary period be approved.

The Chairman asked Councillor G Holland, a Local Councillor for the Neville's Cross Division, to speak in relation to the application.

Councillor G Holland explained that he had called for the application to be considered by Committee because he felt any determination should rest with Members.

Councillor G Holland noted that the conversion of family houses, class C3, to HMOs, class C4, had seriously diminished the housing stock in Durham City and radically changed its social setting. He added that to reduce this rapid loss of family housing in the City last September the Council issued an Article 4 Direction which withdrew permitted development rights for such a change of use. He noted that furthermore, to provide a cap on the number of HMOs in any part of the City a limit of 10% was set for a 100 metre radius around any property.

Councillor G Holland noted that for much of the city centre this was too late for almost all of the affordable family homes had already gone, with the heart of our city being no longer residential. He added that around the perimeter of the city family homes could still be protected for the future welfare of residents who wished to live and to work here. It was noted that residents strongly approve of the Article 4 Directive and the imposed 10% cap and therefore to breach it must demand very special circumstances. Councillor G Holland noted that therefore the question was are the circumstances in this application special?

Councillor G Holland noted that it was claimed that the applicant, a student reading history at Durham University, suffers from Electromagnetic Hypersensitivity or ES and required accommodation that was free from electromagnetic fields, with this problem not being well understood at present.

Councillor G Holland explained that the pastoral care of students at Durham University was outstanding and in order to help this particular student, who is a talented academic, the university organised special accommodation for her in the Castle when she was admitted last October. Members noted that, through no fault of her own, the arrangement did not work out as well as had been hoped and she was looking for accommodation in the city for her second and third years, possibly a fourth year if she takes a Masters' degree. Councillor G Holland noted that her parents, at great personal sacrifice, had bought this C3 property in North End and were adapting it to be impervious, as far as is possible, to electromagnetic radiation. Councillor G Holland noted she hoped to live in this house with sympathetic and supportive college friends and also the university was, at examination time, arranging to minimise the electromagnetic radiation in her examination room.

Councillor G Holland reiterated that the application, therefore, was to change a C3 family home to a C4 HMO for the duration of this student's time at Durham which would be 3 more years at a maximum. He noted that a key question was whether a building classified as C4 could automatically revert to C3 if the new purchaser decided that he or she wished to retain the C4 category for obvious benefit in this part of the city. Councillor G Holland noted to that end he recommended that Condition 2 should be strengthened to read:

"This consent is granted for a temporary period and the use hereby approved shall be discontinued and the building shall revert back to a C3 dwelling house use by 31st July 2019 or 31st July 2020, whichever is the earlier, or at such time that this building ceases to be used for its presently intended purpose".

Councillor G Holland noted that the Officer was recommending approval for this change but, after a past experience, this should not go through on delegated powers. He added that the determination of this application must therefore rest with the Committee because it involves the breach of an Article 4 Direction that is important to, and valued by, the residents of the City.

Councillor G Holland concluded by noting that his own guidance was that Committee should err on the side of compassion and agree with the Officer's recommendation.

The Chairman asked the Solicitor - Planning and Development, Neil Carter to respond to the points raised by the Local Member.

The Solicitor - Planning and Development noted that Condition 2 as set out within the report had a fairly standard wording and noted the Member's query was should the property cease to be occupied by the intended person it should revert to C3 use. It was added that the property would not only be for the applicants' daughter, there would be a number of other students and therefore it would be reasonable

that should the applicants' daughter leave the property, those other students may wish to continue at the property. Accordingly, the Solicitor - Planning and Development recommended to stick to the wording of the condition as set out within the report.

The Chairman thanked the Solicitor - Planning and Development and asked Members of the Committee for their questions and comments on the application

Councillor A Bell noted that he fully supported the application and thanked the Solicitor - Planning and Development for clarification in terms of the condition.

Councillor A Bell moved that the application be approved; he was seconded by Councillor M Davinson.

RESOLVED

That the application be **APPROVED** subject to the conditions detailed in the Officer's report to the Committee.

c DM/16/01970/FPA - Land to the west of Fennel Grove, Easington Village

The Planning Team Leader (Central and East), Sarah Eldridge gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Planning Team Leader (Central and East), advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for 74 no. dwellings and was recommended for approval, subject to conditions.

The Planning Team Leader (Central and East), noted that the application had been reduced to 74 dwellings, to include some design improvements. In terms of an update since the agenda papers were prepared, Easington Village Parish Council had objected with their main points including: lack of infrastructure; additional traffic and congestion; a lack of school places; loss of hedgerows and negative impact upon the landscape; and a petition from residents against the application.

Members noted a correction to the report in terms of paragraph 87 should refer to the site being greenfield and outside of the settlement boundary, and paragraph 75 to read "...10% affordable housing on site in the form of 7 units, 5 of which would be social rented and 2 would be discounted sale".

The Planning Team Leader (Central and East), noted the area was bound on 3 sides by existing housing though was currently in agricultural use. Members noted the proposed access through an existing turning head, which had been retained by the developer. It was explained that there was quite a change in level across the site, and that the trees and hedgerows to the north of the site would be retained and protected.

In terms of site layout, the Planning Team Leader (Central and East) noted a relatively standard proposal, with some open spaces and a SuDS, with an 85cm depth, though the design was such for the area to be dry most of the time, serving the dual purpose of drainage and amenity. It was added that the trees along the north edge would be outside of the gardens of the proposed properties and there would be a management team to look after them long term.

It was noted that there had been no objections from statutory or internal consultees, and 60 letters of objection had been received from 27 addresses, with some being duplicates as the matter had been the subject to re-consultation. It was added that the Local Parish Council, County Councillors and MP had raised their concerns as regards the application, with issues including: increased traffic at the junction of Fennel Way and Sunderland Road; an increase in traffic on Sunderland Road, which was used as a diversion route should the nearby A19 be closed for an accident; a loss of visual amenity; an increase in noise; and a lack of infrastructure within the village. The Committee noted that 14 letters of support had been received, citing reasons including local regeneration and benefits to the economy in terms of local shops and businesses.

The Planning Team Leader (Central and East) noted that the site was considered sustainable, that development would not have an adverse impact, and that the development was acceptable in highways and planning policy terms. It was noted there would be provision of offsite play equipment and also a contribution in terms of coastal ecology. Members were reminded that paragraph 14 of the NPPF was engaged and as no significant adverse impact was demonstrated, the application was recommended for approval subject to a Section 106 Legal Agreement and the conditions as set out within the report.

The Chairman asked Councillor D Boyes, a Local Councillor for the Easington Division, to speak in relation to the application.

Councillor D Boyes thanked the Chairman and Committee for the opportunity to speak as regards the application. He noted that one of the issues was that of fairness for the people of Easington, with there already being a number of housing developments approved in the nearby area, with 900 houses at Little Thorpe, 90 at the former Council Offices site, 100 at the old "Big Club" site and a further 74 proposed for this site.

Councillor D Boyes noted all town and villages had to play their part, however it was no longer fair for Easington, it being one development too far.

Councillor D Boyes explained that Easington Village was an ancient settlement, established back in the 11th Century, possibly as far back as the 8th Century, and was mentioned within the Domesday Book. He added that the village was small, with approximately 2,000 residents, and was chronically ill-equipped in terms of infrastructure such as parking provision and roads, and the addition of around 1,400 houses would result in gridlock.

Councillor D Boyes noted he could not understand in terms of there being sufficient school places available and added that he felt the number of developments in the area, with a cumulative impact of around 1,400 properties on the village, was such

that he felt the application should be refused. He added that the complexion of the 11th Century village would be changed and that he felt that application did not accord with saved policies within the District of Easington Local Plan, namely: Policy 1, in respect of sustainability and benefit for the local area and people; Policy 3, being outside of the settlement boundary; and Policy 36, in terms of design, layout and good access. Councillor D Boyes added that he also felt the application was contrary to paragraph 14 of the NPPF, as the significant adverse impacts would outweigh the benefits of development.

The Chairman asked Councillor A Surtees, the other Local Councillor for the Easington Division, to speak in relation to the application.

Councillor A Surtees thanked the Chairman and Committee for the opportunity to speak in objection to the application. Councillor A Surtees noted that should the application be approved there would be an increase in traffic, with an associated risk in terms of public safety, including for residents. She added that she was not convinced in terms of parking provision, or in terms of the access that would be taken via Fennel Grove. Councillor A Surtees noted the former Council Offices site had already proved detrimental in terms of parking in the village, and added that there had been issues in terms of highway safety along the B1432, Sunderland Road, with the road being used as an alternative route should there be a closure on the A19. She added that the B1432 was very busy and that there was no crossing controls and that the footpath was not wide enough for a pushchairs, and vehicles were parked alongside with accidents having been recorded along the road.

Councillor A Surtees noted that the proposed development, in the context of the older, approved and pending sites did not pass a cumulative test in terms of negative impact and she added that she was not convinced that the development was sustainable. Councillor A Surtees added that there was significant local objection to the application and reminded Members that the NPPF stated that the local community voice should be heard. Councillor A Surtees concluded by noting that the objections raised had been heard and therefore she asked for Members to refuse the application.

The Chairman asked Councillors J Lee and L Morton from Easington Village Parish Council to speak in relation to the application.

Councillor J Lee thanked the Chairman and noted that the Parish Council had strongly opposed the application from the beginning, adding that it was felt that the infrastructure in place at the moment could not cope with the volume of traffic at present, notwithstanding the cumulative impact of an additional 1,200 -1,300 houses in the area. Councillor J Lee noted that the proposed access would be through an existing housing estate and that it was on a blind bend on an already busy road, as mentioned a diversion route for the A19. She added that the proposed development would result in a loss of amenity, and with disruption during development in terms of dust, air and noise pollution. Councillor J Lee reiterated previous comments that it was not solely as regards the 74 dwellings as proposed, rather it was the whole number of houses being built within the Parish and therefore she concluded that the development was not sustainable.

Councillor L Morton noted that the volume of houses being proposed and approved in the area would have an impact and, having spoken to them, schools did not have provision for extra pupils. He added that at Parish Meetings issues in relation to traffic, parking and “why build on the land at all” had been raised. Councillor L Morton added that after speaking to people within the Parish he noted that the local schools were full, and there were 60 objections from local people. He asked if it was known where the 14 letters in support were from, and whether they were local. He added that in the area there was only a newsagent, a dress shop, three hairdressers and a pub, not a lot. Councillor L Morton noted a need to boost the supply of housing, however, he felt Easington seemed to have the largest share. He reiterated previous concerns as regards the level of traffic and how this would affect safety at junctions, and asked that if the application was approved could a roundabout be installed, similar to the scheme at Blackhall considered previously on the agenda. Councillor L Morton concluded by noting that he urged the Committee to withhold consent.

The Chairman thanked Councillors J Lee and L Morton and asked Mrs T Major, Mr S Main and Mr L Barrass to speak in relation to the application.

Mrs T Major noted she lived in Fennel Grove and explained that there was a 200 signature petition in objection to the application. She added that were concerns as regards traffic and access, which had been covered by previous speakers, and noted comments that individuals had made on the petition had included: the issue of a blind bend on the road; speeding traffic, with the 30mph limit being ignored; “if there had not been an accident on the road then help keep it that way”; and noting that the road was an alternative route for A19 traffic. She concluded by noting that people use cars, parking would be an issue, and the footpaths were very narrow, not safe for a pram or pushchair.

Mr S Main explained he was a resident of Fennel Grove and had concerns as regards the volume of housing proposed, 74 properties, adding that they should not be considered in isolation with over 1,000 properties approved for the area in recent months. He added he was not objecting in the sense of “living in the past”, rather there were heartfelt concerns in respect of traffic, highway safety, lack of infrastructure and impact upon the environment.

Mr S Main added that a lot of people felt that the Ward had contributed in terms of the development needs of the Council and the addition of 74 properties on top of the 1,000 was too much and therefore respectfully asked that the Committee take into account the overdevelopment of the Ward in general and refuse the application.

Mr L Barrass noted he was also a resident of Fennel Grove and had been born and bred in Easington. He noted he was fighting against the overspread of Easington Village outside of the settlement, with the village being an ancient and rural settlement. He noted that it seemed “every blade of grass” at Easington Village was up for sale, in comparison with fewer developments in other areas of the County. Mr L Barrass added that Fennel Grove was very small, with 38 cars and 18 houses, with space being at a premium and that anyone could see that this

would be an issue. He added that in terms of development bringing employment, this would not be a long term gain and the village was becoming a “commuter village”. Mr L Barrass noted he was not against change, however with recent announcements of the closure of Walkers and threats to other jobs then this could have an impact on the area in terms of deprivation in the villages and lack of employment. Mr Barrass also asked that the Committee refuse the application.

The Chairman asked if Officers would respond to the points raised by the speakers.

The Planning Team Leader (Central and East) noted information as regards settlement limits were set out within the report and that it was also explained within the report that the Council could not demonstrate a 5 year supply of building land. It was added that the District of Easington Local Plan was from 2001 and, as the housing supply figures were based on historic supply figures, therefore in the context of paragraph 14 of the NPPF, policy 3 of the saved District of Easington Local Plan should be given significantly reduced weight that effectively it does not apply. It was explained that cumulative impact of developments had been taken into account, and Officers had checked in terms of school places and within a 2 mile radius there was capacity. As regards the 14 letters of support, it was noted that these had been received from 14 separate addresses.

The Highways Development Manager noted that in terms of an additional 74 properties, this would equate to an additional 29 trips at peak times and 10 trips at other times into the local network. For context, it was explained that Sunderland Road would have around 4,000 trips per day, Seaside Lane around 9,000 trips per day, and with the A19 having around 65,000 trips per day. Accordingly, the Highways Development Manager noted that in highways terms the additional traffic was not a concern. It was added that there had been no accidents recorded at the Fennel Grove junction since 1998 and therefore a safe stopping distance had been demonstrated. The Highways Development Manager noted that in terms of parking, the proposed development was considered under current policies, and the provision for Fennel Grove was considered under previous policies. It was added that parking for residents and visitors was looked at in terms of being suitable and the proposed development was considered to be acceptable. The Highways Development Manager noted that Sunderland Road was a part of a diversion route for the A19 in cases of accidents or incidents, however, while this could result in congestion it was not necessarily dangerous or unsafe.

The Chairman thanked the Officers and asked Mr P Hunt, representing the applicants to speak in relation to the application.

Mr P Hunt noted that the proposed development was for modern, well designed new dwellings and with the proximity to Easington Village and Easington Colliery the proposed development was sustainable for families. It was added that that the 2014 County Durham Plan supporting documents, housing assessments and the 2016 Strategic Housing Land Availability Assessment (SHLAA) had shown the area to be suitable for development. It was noted that the scheme included 10% affordable housing and comprised a simple layout within the constraints of the site length. Mr P Hunt added there was an area of public open space in terms of the SuDS, as well as a soft buffer with planting along the north boundary. It was added that the application had been accompanied by a full suite of supporting reports and

documents including on transport and flood risk, meeting all statutory guidance and tests. It was noted that consultants had shown no concerns as regards the site access and that the proposals were considered fit for purpose. Mr P Hunt noted that School Places had noted that development was sustainable in terms of places and, as mentioned by the Officer, the Council could not demonstrate a 5 year supply of building land, and accordingly paragraph 49 of the NPPF would come into effect. Mr P Hunt therefore asked, as the proposal represented a sustainable development that the Committee approve the application.

The Chairman thanked Mr P Hunt and asked Mr P Wood to speak in support of the application.

Mr P Wood noted a 50% reduction in local business in the last 20 years and added that many people had moved away from the village and not come back. Mr P Wood added that 74 additional properties would mean more people to come and spend in local shops and to bring a new confidence in the village. He added that the former Council Offices site and former Welfare Site were full and an air of affluence would help bring more confidence. Mr P Wood explained that the planning report set out how the application met all the NPPF requirements and the proposals in terms of highways were considered adequate. Mr P Wood concluded by explaining the benefits in terms of: gross value added; new homes bonus; Council Tax receipts; and jobs, with the potential for Easington to bloom and be great again.

The Chairman thanked the speakers and asked Members of the Committee for their questions and comments on the application.

Councillor A Bell noted he had listened to the speakers, including the Local Members, who were in objection and it appeared as if the whole community were against the application. He asked for clarification in terms of NPPF and the ability to refuse the application in terms of paragraph 14.

The Solicitor, N Carter noted for clarification that paragraph 14 of the NPPF stated in terms of decision making:

“- approving development proposals that accord with the development plan without delay; and

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- specific policies in this Framework indicate development should be restricted”

The Solicitor - Planning and Development noted that Officers had indicated that this paragraph of the NPPF was engaged, because the Council does not having a 5 year supply of housing land and also the out of date evidence base for the

settlement boundary polices, as contained within the report. The Solicitor - Planning and Development noted that therefore the Committee were starting from the position of a presumption in favour of granting development, unless there was harm which would significantly and demonstrably outweigh the benefits of granting the application.

Councillor J Clark noted she was very familiar with the site and asked if any suggestions as regards footpath improvements as the footpaths along Sunderland Road were deplorable, or strengthening the application in terms of the addition of a roundabout. Councillor J Clark also if any other route into the site had been looked at, not accessing through Fennel Grove. Councillor J Clark noted 5 units were for social renting and asked if these would be managed.

The Solicitor - Planning and Development noted that the usual position was for Section 106 to stipulate transfer of such properties to a Registered Provider.

The Planning Team Leader (Central and East) added that footpath issue was noted and that there was allocation for footpath improvements at the former Easington Colliery site in terms of ecological mitigation to protect an EU designated site. It was added that accordingly, for any footpath improvements at Sunderland Road there would need to be an allocation over and above that set out within the report.

The Highways Development Manager noted the footpath on the west side of Sunderland road was narrow and with vehicles parked it would be difficult for wheelchair users or those with pushchairs. He added that the footway on the other side of the road was a standard 1.8m path and therefore access was provided.

Councillor M Davinson noted that while the footpath opposite was nice and wide, he asked whether there a safe way of crossing over to that side of the road. He added that during the site visit he had noted the proposed position for the SuDS pond and the steep nature of the site and he felt it was not an ideal site for housing.

Councillor M Davinson noted however that there appeared to be very little in terms of reasons to be able to refuse the application, however, he did note the amount of sites being developed in the area and also felt that therefore there could be a struggle to sell houses at the site.

The Chairman asked the Highways Development Manager in terms of a safe crossing. The Highways Development Manager noted that Fennel Grove itself had a dropped kerb and there were a number of others, however there was not a dropped kerb on the opposite side of the road.

Councillor M Davinson asked if minded to approve the application whether it could be conditioned to include an appropriate footpath link over the road.

The Planning Team Leader (Central and East) noted that if the Highways Development Manager agreed then there could be an additional condition as regards this.

The Chairman noted that the proposal would therefore be as set out within the report and also with a suitable condition in terms of footpaths linking across Sunderland Road.

Councillor M Davinson moved that the application be approved; he was seconded by Councillor S Iveson.

Upon on a vote being taken the result was tied. It was noted as the vote was tied the Chairman would have the casting vote. The Chairman explained that he had looked at policy and listened very intently and carefully to the points raised by the speakers and the comments from the relevant Officers in terms of the application being sustainable and the highways considerations. Accordingly, the Chairman supported approval of the application.

RESOLVED

That the application be **APPROVED** subject to the conditions detailed in the Officer's report to the Committee and an additional condition as follows:

"No development shall commence until a scheme to provide a dropped kerb on Sunderland Road has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented before the occupation of any dwellings and retained in perpetuity thereafter.

Reason: In this interests of highway safety and in accordance with saved policy 36 of the District of Easington Local Plan and part 4 of the NPPF."