

BARNARD CASTLE TOWN COUNCIL
SPECIAL COUNCIL MEETING
(Convened following consultation with the Town Mayor)

11 AUGUST 2014

PRESENT: Councillor Blissett (Town Mayor) (in the Chair); Councillors Deacon, Mrs Grady, Harrison, Hinchcliffe, Mrs Moorhouse, Peat (Minutes 54 to 56), Robinson and Yarker.

Also in attendance: Eleven member of the public, County Councillor Bell and one member of the press (Minutes 54 to 56).

Officer: Mrs Plant (Deputy Clerk).

54. ACCEPTANCE, OR OTHERWISE OF APOLOGIES

Apologies had been received from Councillors Cooke, Kinch and Marshall.

Resolved – That Councillor Cooke, Kinch and Marshall's apologies be accepted.

55. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 72(a)/Sep/12 refers), Members were asked whether they had any personal, pecuniary or prejudicial interests in any matter on the agenda and, if so, to declare those interests at this point of the meeting. Members were reminded that a declaration could be given later in the meeting if a need arose during discussion. There were no declarations of interest at this juncture.

56. PLANNING APPLICATION - LAND AT GREEN LANE, NORTH OF BARNARD CASTLE SCHOOL – AMENDED PLANS

Submitted – Pursuant to Minute 99/Mar/14, amended plans in respect of a planning application for the construction of 62 no. residential dwellings with associated garages, parking, roads and infrastructure, landscaping and public open space. A Heritage Statement had been circulated for Members' information. Details were outlined in respect of the fact that, some of the issues raised as reasons for refusal by this council, had been addressed, which were outlined.

Resolved – (1) That planning application 6/2014/0005/DM, as amended, be recommended for refusal on the following grounds:-

(a) the proposed development does not accord with Policies 31 and 34 of The County Durham Plan (Pre-Submission Draft Local Plan October 2013) and Policies GD1, H12, H13 and H14 of the Teesdale Local Plan (2002) in that:-

- (i) whilst it is acknowledged that the affordable housing provision has been increased from 5% to the recommended 15%, the town council considers that it should be allocated at 30% in line with other recent residential developments in Barnard Castle (e.g. 6/2012/0047/DM);
- (ii) the affordable housing provision should be split equally between intermediate (discounted) purchase and social/affordable rental;
- (iii) the proposed mix of dwellings does not meet the specific needs of the disabled or elderly, i.e. there should be a provision of bungalow/level access flats;

- (iv) there is an evident need for the provision of bungalows in Barnard Castle and the town council strongly urges that the developer sees fit and includes bungalows within the development, constructing them to the north and specifically to the east of the development site. This may also alleviate concerns that residents to the west of Bartlemere have in respect of the proposed development elevations.
- (v) whilst it is acknowledged that the proposed use of a three-story house type within the development has been withdrawn, the proposed use of a 2.5 story house type instead is still not in keeping with the adjacent residential developments.

(b) not enough consideration has been given to water management. The existing drainage system does not have sufficient capacity to cope with the developments' anticipated foul and surface drainage water, as noted in the submitted Flood Risk Assessment, and this puts adjacent properties at risk. In addition, no reference is made to Durham County Council's Strategic Flood Risk Assessment or Policy 46 of The County Durham Plan (Pre-Submission Draft Local Plan October 2013). This recognises that there is a flood surface water risk in the immediate area and the town council expresses concerns for the residents of Bartlemere who will suffer the consequences of any surface water flooding.

(c) the submitted Transport Statement is considered dismissive. It is apparent that no actual traffic survey has been carried out in the area that would highlight the current major issues with the road network. The proposed development will exacerbate the problem, particularly around the turning head entrance into the development, and the developers should have recognised Policies 48 and 49 of The County Durham Plan (Pre-Submission Draft Local Plan October 2013). In addition, the town council is concerned, in respect of the fact that, whilst comments submitted by Durham County Council's Principal Engineer for Highways Development Management regarding the proposed development made reference to Green Lane CofE Primary School's entrance on Dale Road, no recognition has been given to the fact that the Green Lane Nursery and Childcare Centre and High Force Education teacher training centre both share an entrance on Green Lane and the impact that these facilities, accessed from this location has on the general traffic issues in the area. The town council strongly urges that a more thorough traffic survey is carried out during peak times (once the school has re-opened following the summer holidays) and taking into account traffic associated with any extracurricular activities. However, the town council also considers that, if bungalow provision was included within the development, this may ease the anticipated peak time traffic congestion.

(d) it should be insisted that the developer improves public footpath 9, but specifically public footpath 8 from the development to where the path merges onto the section that is tarmaced in the southwest corner of Bartlemere, to encourage sustainable forms of transport, e.g. walking and cycling, into the town.

(e) the town council expresses concerns in respect of the potential loss of the tree belt to the south of the development and that the comments submitted by Durham County Council's Senior Tree Officer must be fully upheld during consideration of the application.

(2) The town council wishes to express its disappointment in respect of the short timescale given for the submission of comments on the amended plans bearing in mind it is peak holiday season.

(3) The town council also wishes to express its disappointment towards the developers' lack of empathy for the local community when compared to the community engagement experienced from the developer involved with planning application 6/2012/0047/DM.

(4) That, if the planning officer is minded to contradict the town council's recommendations above, the town council requests that the matter be put before a Planning Committee and that a venue in Barnard Castle should be chosen for such meeting to deliberate the proposed planning application so that local residents can attend without any transport difficulties.

(5) It should be noted that, if the planning application is approved, a sum of money should be allocated to the town council, by way of a Section 106 Agreement, for additional play provision in anticipation of an increase of children to the area (Note - this council manages the local play areas).

57. EXCLUSION OF THE PRESS AND PUBLIC (IN RESPECT OF MINUTE 58 BELOW)

That, under the provisions of the Public Bodies (Admission to Meetings) Act 1960 §1(2), the press and public be excluded from the meeting during consideration of financial detail relating to the matter referred to at Minute 58 below, due to the commercially confidential nature of the business to be transacted: in that it relates to consideration of competitive quotes to undertake a structural survey of Woodleigh, to underpin preparation of a business case in pursuance of Town Council Minute (53/July/14).

58. CONSIDERATION OF TENDERS TO UNDERTAKE A STRUCTURAL SURVEY OF WOODLEIGH

Submitted – A report to consider quotations received from specialist building surveyors to undertake a structural survey of Woodleigh to support the town council's bid to lease the building from Durham County Council.

Resolved – That the Town Council engages Harrison & Johnson to undertake a structural survey of Woodleigh at a cost of £750 (plus VAT), to be funded from the Resources Contingency Reserve.