

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL & EAST DURHAM)

AT A MEETING of the **AREA PLANNING COMMITTEE (CENTRAL & EAST DURHAM)**
held at Council Offices, Seaside Lane, Easington on **Tuesday 15 September 2009**

PRESENT

COUNCILLOR M. PLEWS in the Chair

Members

Councillors A Bell, J Blakey, J Brown, D Freeman, A Laing, R Liddle, J Moran,
M Simmons and R Todd

Apologies for absence were received from Councillors C Walker, K Thompson, P Charlton
and G Bleasdale

A1 Minutes

The Minutes of the meeting held on 25 April 2009, were confirmed as a correct record by
the committee and signed by the Chair.

A2 Declarations of Interest

There were no declarations of interest submitted.

A3 Applications to be determined by the Area Planning Committee (Central & East Durham)

**4/09/00131/FPA – Erection of two and a half storey detached dwelling house with
basement and attached double garage on land at Low Station Road, Leamside,
Durham**

Consideration was given to the report of the Development Control Manager (Durham
Office) which recommended conditional approval. The Principal Planning Services Officer
(Durham Office) explained that Members had visited the site that day, were familiar with
the location and setting and gave a brief presentation on the main issues outlined in the
report.

The application proposed the erection of a single detached dwelling house sited in the
embankment of the road bridge immediately west of the Leamside railway line. The
applicant had prejudged the outcome of the application and removed the majority of the
embankment, cleared flora and introduced a series of high retaining walls.

Mr Cordon, the applicant explained it had been a lifetime ambition to build his own home.
It was rare that you came across a site which was private, easily commutable and large
enough at the right price to accommodate a good size house as well as having large
gardens.

Negotiations with the Planning Officers had been ongoing since July 2008. Plans had been changed many times and it had been a slow process to finally come to an agreement. Once an agreement with the Planning Officer had been reached, he began land spoil removal in anticipation of planning approval. This was necessary to secure funding for the build which had been approved the previous year and needed to be drawn down in January, otherwise funding would have been lost.

On removal of the rubble, some of the land had been unstable in parts and all foliage and trees were planted in the rubble and spoil and the majority of trees could be pushed over and therefore removal was necessary for safety reasons.

Mr Cordon explained that he had two letters of support from residents which explained that they had suffered from fly tipping and serious anti social behaviour.

Mr Cordon showed a picture of the proposal which highlighted that the floor space would take up less than the already approved dwelling on the site. This counteracted the objection from the Parish Council. The second picture highlighted how the application utilised the entire site through split level design and garden terracing.

The Council had indicated that they wished to remove permitted development rights and want to fully control landscaping and fencing type before any works recommenced. Long delays could jeopardise the funding of the build and cause additional unnecessary costs.

The Principal Planning Services Officer explained that the landscaping should not cause any delays. Permitted development rights ran in perpetuity and the Council needs to manage any further development in the area.

Councillor Bell queried if safety barriers would be erected to protect motorists and the houses. The Principal Planning Services Officer explained that planning conditions would be discharged in terms with the highway authority.

Mr Cordon explained that a meeting had been held with the Highway Authority who had explained that funding for any barriers would need to be met by the applicant.

RESOLVED that the application be approved subject to the conditions outlined in the report.

09/00478/FPA – Change of use and conversion of offices to form a 9 bedroom house in multiple occupation at 26 The Avenue, Durham

Consideration was given to the report of the Development Control Manager (Durham Office) which recommended conditional approval. The Principal Planning Services Officer explained that Members had visited the site that day, were familiar with the location and setting and gave a brief presentation on the main issues outlined in the report.

The premises was a terraced property including four floors, with basement below, last in use as an office although now vacant. The site included a rear yard with detached single garage and was sited within the Durham (Durham City) Conservation Area.

Councillor Martin explained that local residents had been put off attending the meeting because it was being held in Easington. The Anti Social Behaviour Officer had advised that there had been no reported incidents, this was because all anti social behaviour of

students was dealt with through the University. A lot of the problems of anti social behaviour occurred after exams. More and more houses in the City were being used for student accommodation.

Councillor Martin explained that although there was only one other registered Houses of Multiple Occupation (HMO) in the area, in reality there were a lot more because certain criteria must be met before they could be classified as a HMO.

HMOs were a burden on local people and council services. At the end of each academic year, a clear up was needed by the Council which made the annoyance to residents greater. He pointed out that there were numerous 'To Let' signs in Durham City.

Parking was also a problem in the City and many complaints had been received that students were parking their cars for extended periods of time. There were cumulative factors which had led to a decline in the local community for residents.

Councillor Holland explained that a key question was when to take the principle of balanced communities seriously. At a recent council meeting sustainable communities had been discussed. There had never been constructive ways to achieve the balance in the university community. Government minister Denham was trying to push through new laws making it harder for neighbourhoods in university towns to be colonised by large student populations.

Councillor Holland pointed out that there should be a better solution sought for students living in minimal conditions. There was a history of problems in the city centre and the last thing that was needed was another HMO.

Mr Wilson, the applicant explained that he had contacted the agent who had advised that the property had been unoccupied for over one year and there had been little or no interest in it. He added that he was a resident in the same area and did not want to detract from it and the property would be best occupied.

The property had been an office for sometime and if converted to residential would clean up the area. The nine bedrooms would only increase the no of occupants by three and didn't believe that three extra people would increase the demand in local services.

There were a number of 'To Let' boards in Durham City which were constantly there throughout the year for student accommodation. He had contacted estate agents and the University direct regarding student accommodation and they were trying to develop the property for their requirements.

The proposals put forward had been clear and transparent and negotiations had taken place and the number of bedrooms had been reduced to nine. HMO legislation was very precise regarding the size and proportions of the rooms and communal areas. All requirements had been met, if not surpassed.

Councillor Freeman explained that he lived at the other end of the city and was aware of the effect student accommodation had on it. He queried what percentage of the area was students. Councillor Martin explained that 50% of the area was occupied by students.

Councillor Bell commented that although the house was for nine bedrooms there was nothing to restrict the number of people occupying the house.

The Principal Planning Services Officer explained that if permission was granted all facilities and means of escape would be taken into consideration. An additional condition could be imposed restricting the number of people in the house to nine.

Mr Wilson explained that the student would sign a contract which would state that they were the sole occupier of the room.

RESOLVED that the application be approved subject to the conditions outlined in the report.

A4 PLAN/2008/0454 and PLAN/2007/0456

Consideration was given to the report of the Development Control Manager (Easington Office) which recommended that Members accept the work undertaken so far, although the 5 metre width originally specified may not be achieved.

Mr Weightman explained that the golf course was near to completion and car parking facilities were paramount. He had used the road for over 20 years and it had been used as a main road from Houghton le Spring to Seaham many years ago.

A small section of the road could not meet the 5m specified without removing mature hedgerows.

RESOLVED that Members accept the works undertaken so far were satisfactory to Council Officers, although the 5m width originally specified may not be achieved, and the finalised S106 agreement would only need to require any outstanding highways improvements, in accordance with details to be specified by Highways Officers.

A5 Appeal Update

(a) Appeals Received

The Development Control Manager (Easington Office) gave details in relation to the following appeals which had been lodged with the Planning Inspectorate:

- (i) An appeal had been lodged against the Council's refusal to grant planning permission for the erection of single storey orangery extension to side of existing ancillary residential accommodation at Bracken Cottage, Bank Foot, Shincliffe, Durham
- (ii) An appeal had been lodged against the Council's refusal to grant planning permission for the erection of a three storey pitched roof extension and 1 no pitched roof dormer to rear and erection of 1 no pitched roof dormer to front of existing dwelling at 18 Hawthorn Tce, Durham

(b) Appeal Decisions

The Development Control Manager (Durham Office) gave details in relation to the following appeals which had now been considered by the Planning Inspectorate:

- (i) Appeal against the Council's refusal to grant planning permission for the sub division of a shop into two to provide retail and hot food takeaway at 5-6 Granville Terrace, Wheatley Hill.

Appeal dismissed

- (ii) Appeal against the Council's refusal to grant planning permission for the erection of a two storey extension at Blackthorne House, Thornley Road, Trimdon Station.

Appeal dismissed

- (iii) Appeal against a condition that required a retrospective raise decking area at 4 Barwick Street , Murton

Appeal allowed

- (iv) Appeal against the Council's refusal to grant planning permission for the proposed change of use of land to caravan site and associated works at Land off Wingate Road, Trimdon Station.

The Development Control Manager explained that the applicants had brought up Human Rights issues and were looking at alternative access arrangements. The Council was actively considering options available to all parties.

Appeal dismissed

- (v) Appeal against the Council's refusal of a detached bungalow at 7 Warwickshire Drive, Belmont

Appeal dismissed

