

City of Durham

At a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** held in the Gala Theatre, Durham, on Thursday, 20th September, 2007, at 5.30 p.m.

Present: Councillor Norman (in the Chair)
and Councillors Carr, Cowper, Crooks, Freeman, Guy, Holland, Kinghorn, Marsden, Plews, Rae, Simpson, Southwell, Stoddart, Taylor, and Walker.

Also Present: Councillors Kelly, Mavin, Mitchell, Robinson, Thompson and Wilkes.

235. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bell, Howarth, Laverick, Lodge, Plews, Simmons, Wolstenholme and Young.

236. MINUTES

The Minutes of the Meeting held on 30th August, 2007, were unavailable for Members inspection and were deferred to the next Meeting for consideration.

Report of Head of Planning Services

237. REPORTS FOR INFORMATION

Reports in relation to the following items had been circulated:-

- (a) Notice of the Outcome of Planning/Enforcement Appeals which had been lodged with the City Council:
 - (i) Appeal by C Kell - Site at 27 Steetley Terrace, Quarrington Hill, Durham, DH6 4QJ
 - (ii) Appeal by J McManus - Site at 17 Malvern Villas, Gilesgate, Durham
 - (iii) Appeal by J Petrie - Site at St. Aidans Church, Front Street, Framwellgate Moor, Durham
- (b) Applications – Determined under Plenary Powers
- (c) Building Control Applications

Resolved: That the reports be noted.

Note: Councillors Simmons and Southwell declared a personal interest in the undermentioned item and remained in the Meeting during consideration thereof.

238. DECISIONS MADE BY THE COUNTY COUNCIL

- (a) **CM4/07/705**
Northumbrian Water
Limited
Barkers Haugh S T W, Frankland Lane, Durham,
DH1 5TA
Erection of 2.4 high palisade fence to perimeter of
existing sewage treatment plan

The above application was considered by the City Council under delegated powers on 1st August, 2007 when it was resolved to offer no objection.

Durham County Planning Committee had now considered the proposal and resolved to approve the application subject to conditions.

- (b) **CM4/07/746**
Entec UK Limited

**Sewage Disposal Works, Browney Lane,
Browney, Durham, DH7 8HW
Erection of 2 No. control kiosks**

The above application was considered by the City Council under delegated powers on 10th August, 2007, when it was resolved to offer no objection.

Durham County Planning Committee had now considered the proposal and resolved to approve the application subject to conditions.

- (c) **CM4/07/748**
Durham County Council

**Durham Johnston School, Red Hills Lane Durham,
DH1 4SU
Proposed erection of school, demolition of
existing buildings & landscape re-modelling
(revised and resubmitted)**

The above application was considered by the City Council under delegated powers on 8th August, 2007 when it was resolved to offer no objection.

Durham County Planning Committee had now considered the proposal and resolved to approve the application subject to conditions.

Resolved: That the report be noted.

239. RECOMMENDATIONS ON OTHER APPLICATIONS

The Head of Planning Services presented reports on the following applications and the following decisions were made:-

- (a) **07/00533/FPA &
07/00735/LB**
Chesterford Properties

**Avenue House, North Road, Durham City
Internal and external alterations in association with
change of use and conversion of existing building to
form 4 no. apartments together with extension to
side to form 3 no. dwellings.**

Resolved: (i) That the application No. 07/00533/FPA be **REFUSED** for to the following reasons:

- (1) The Local Planning Authority considered that the proposed extension to the building and demolition of the retaining wall are unacceptable by virtue of the loss of existing mature trees and adverse impact upon the character and appearance of the Durham (City Centre) Conservation Area, contrary to Policies E6, E14, E22 and H2 of the City of Durham Local Plan 2004.
- (2) The Local Planning Authority considers that the proposed extension would have a detrimental

impact upon the setting of the listed building by virtue of the scale, design, massing and appearance of the proposed extension, contrary to Policies E6, E22, E23 and H2 of the City of Durham Local Plan 2004.

- (3) The Local Planning Authority considers that the proposed extension would be detrimental to the character and appearance of the Durham (City Centre) Conservation Area by virtue of the unsympathetic scale, design and inappropriate materials, contrary to Policies E6, E22, H2 and Q8 of the City of Durham Local Plan 2004.
- (4) The Local Planning Authority considers that the proposed development would fail to provide a level of residential amenity that prospective occupiers should reasonably expect to enjoy by virtue of noise and disturbance from the unsociable hours operated by the adjacent bus station, contrary to the requirements of Policies H13 and Q8 of the City of Durham Local Plan 2004.

(ii) That the application No. 07/00735/LB be **REFUSED** for the following reasons:

- (1) The Local Planning Authority considers that the proposed insertion of additional openings would be detrimental to the character and appearance and special interest of the Listed Building, contrary to Policy E23 of the City of Durham Local Plan 2004.
- (2) The Local Planning Authority considers that the relocation and sealing of existing openings would fail to be sympathetic to the special interest and architectural features of the Listed Building, contrary to Policy E23 of the City of Durham Local Plan 2004.
- (3) The Local Planning Authority considers that the proposed removal of internal walls to the room in the north western corner (ground floor) of the building would result in the loss of an original internal wall and would therefore be unsympathetic to the character and appearance of the Listed Building, contrary to Policy E23 of the City of Durham Local Plan 2004.
- (4) The Local Planning Authority considers that the sealing of two visually prominent openings to the western elevation of the building would detract from the character, appearance and quality of the Listed Building, by virtue of the loss of the simplistic geometric form of the original building, contrary to Policy E23 of the City of Durham Local Plan 2004.

(b) 07/00679/FPA
A C T Construction

10 Yorkshire Drive, Belmont, Durham
Demolition of existing bungalow, and erection of 1
no. bungalow, and 1 no. two storey dwelling house

Resolved: That the application be **REFUSED** for the following reasons:-

- (1) The replacement of the existing bungalow with one two detached two storey dwelling and one bungalow as proposed would reduce the privacy and amenity that the residents of 4 Cornwall Walk, facing the gable elevation, could reasonably expect to enjoy beyond that considered acceptable, contrary to Policies Q8 and H13 of the City of Durham Local Plan 2004.
- (2) The proposed demolition of the existing bungalow, and its replacement with one detached two storey dwelling and one bungalow is considered contrary to Policies Q8, H2, and H13 of the City of Durham Local Plan 2004, in being of different character and density from other properties in Cornwall Walk, and the surrounding estate, furthermore compromising the existing balanced community and range of available properties, contrary to the tenets of PPS1 and PPS3.

Note: *Councillor Rae entered the Meeting at 6.05 p.m.*

(c) **07/00662/FPA**
City of Durham Council

Land at Park Avenue, Parkhill, Coxhoe, Durham
Erection of play equipment on existing recreation ground

Resolved: That the Committee be **MINDED TO APPROVE** the application subject to the application being referred to the Government Office for the North East. This is required as the proposal has lead to the loss of part of a sports pitch.

- The development to which the permission relates shall be begun not later than three years from the date of this permission.

(d) **07/00688/FPA**
City of Durham Council

Land at Park Avenue, Parkhill, Coxhoe, Durham
Change of use of public open space to children's play area with installation of play equipment

Resolved: That the application be **APPROVED** subject to the following condition:-

- The development to which the permission relates shall be begun not later than three years from the date of this permission.

Note: *Councillor Stoddart left the Meeting at 6.35 p.m.*

Note: *Councillors Carr, Robinson and Taylor left the meeting 6.40 p.m.*

(e) 07/00717/FPA
Mr W J Rimmer

**Elddis Business Park, Finchale Road, Pity Me,
Durham**

**Change of use of car park and part buildings, for use
of motorcycle training business, including erection
of fencing and hardstanding areas**

Following a site inspection by the Committee in relation
to this application, on 18th September, 2007, it was:-

Resolved: That the application be **APPROVED** subject
to the following conditions:-

- (1) - The development to which the permission
relates shall be begun not later than three years
from the date of this permission.
- (2) - Notwithstanding the information shown on the
submitted application details of all materials to
be used externally and the standard of their
finish shall be submitted to and approved by the
Local Planning Authority in writing before
development is commenced, and thereafter
implemented in accordance with the approved
scheme.
- (3) - Details of any fences, walls or other means of
enclosure to be erected on any of the site
boundaries or within the site shall be submitted
to and approved by the Local Planning Authority
in writing before development commences.
Development shall thereafter be completed in
accordance with the approved details.
- (4) - Notwithstanding the information shown on the
submitted plans details of the surface treatment
of all vehicle hardstanding areas shall be
submitted to and approved in writing by the
Local Planning Authority before work
commences, and thereafter implemented in
accordance with the approved scheme.
- (5) - The business hereby approved must operate
within the hours of 0830 – 1700 hrs, excluding
Christmas and Bank Holidays, with the training
yard only used for CBT purposes between the
hours of 0900 – 1400 hrs.

(f) 07/00738/FPA
City of Durham Council

Land at Flass Vale, Durham
**Selective thinning/removal of existing sycamore
trees**

Resolved: That the application be **APPROVED** subject
to the following condition:-

- The development to which the permission
relates shall be begun not later than three years
from the date of this permission.

(g) 07/00792/FPA
The Durham Centre

**Former Esschem Europe, Unit 2, Belmont Industrial
Estate, Durham**

Change of use and conversion of existing warehouse to use as offices (Class B1) and conferencing facility (Class D1) with associated car parking and landscaping (further revised and resubmitted)

Resolved: That the application be **APPROVED** subject to the following conditions:-

- (1) - The development to which the permission relates shall be begun not later than three years from the date of this permission.
- (2) - Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before development is commenced, and thereafter implemented to the satisfaction of the said Authority.
- (3) - Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planning for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of the post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which the development is commenced, or within such longer period as may be agreed in writing by the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
- (4) - The use of the premises for the church services shall take place on a Sunday only and at no other time without the prior written agreement of the Local Planning Authority.
- (5) - Before the proposed extension (Phase 2) is built and brought into use the land on which the extension would be built shall be laid out and used as a temporary car park during the period for which the existing building (Phase 1) is used on its own.
- (6) - Before any development commences the applicant shall submit and have agreed with the Local planning authority a travel plan which has been ratified as viable in terms of traffic flow,

parking and available public transport. Details of its method of implementation and future monitoring will also be provided.

The Meeting terminated at 7.00 p.m.

Chairman