

## City of Durham

At a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** held in the Town Hall, Durham, on Wednesday, 9<sup>th</sup> July, 2008, at 5.30 p.m.

**Present:** Councillor Norman (in the Chair)  
and Councillors Bell, Crooks, Dickie, Freeman, Guy, Holland, Howarth, Kinghorn, Laverick, Marsden, Pitts, Plews, Rae, Simmons, Simpson, D Smith, Southwell, Stoddart, Walker and Young.

**Also Present:** Councillors Cowper, Kellett, Wilkes, Wilkinson and Wolstenholme.

### 60. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Taylor.

### 61. MINUTES

The Minutes of the Meeting held on 11<sup>th</sup> June, 2008, were confirmed as a correct record and signed by the Chair.

#### Report of Head of Planning Services

### 62. REPORTS FOR INFORMATION

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

- (a) Notice of Planning/Enforcement Appeals which had been lodged with the City Council:
  - (i) Appeal by M Cleary – Site at 3 Mowbray Street, Durham, DH1 4BH
  - (ii) Appeal by S Brain – Site at land adjacent to 48 Garden Terrace, Coxhoe, Durham, DH6 4EH
  
- (b) Notice of the Outcome of Planning/Enforcement Appeals which had been lodged with the City Council:
  - (i) Appeal by NE Appleton – Site at 4 Buford Court, Western Hill, Durham
  - (ii) Appeal by A Hill – Site at land south of Periwinkle Barn, Low Raisby Farm, Kelloe, Durham
  - (iii) Appeal by T Lewis, First Class Trade Windows – Site at land adjoining Graham House, Damson Way, Dragonville Industrial Estate, Durham, DH1 2RE
  - (iv) Appeal by Mr and Mrs Allen – Site at 41 The Avenue, Coxhoe, Durham, DH6 4AG
  - (v) Appeal by Johnson Brothers – Site at Quarrington Farm, Old Quarrington, Durham, DH6 5NN
  
- (c) Applications – Determined under Plenary Powers
  
- (d) Building Control Applications

**Resolved:** That the reports be noted.

### **63. CONFIRMATION OF TREE PRESERVATION ORDERS**

#### **(a) PN1/406 – Site at Aged Miners Homes, Bearpark, Durham**

This Tree Preservation Order was served on 25<sup>th</sup> June, 2007. The Order was made to protect 2 no. mature beech trees adjacent to Woodland Road, which is the main road running past Bearpark. The level of threat was considered high as NEDL wished to remove one of the trees as a result of its proximity to power lines, although the trees appeared to have been present before the power lines were erected.

The trees were mature specimens of good form and contributed greatly to local character. They had intrinsic value and were fully visible from the adjacent road. The trees were also of wildlife value.

The Order had had effect for 6 months and it was now necessary to confirm the Order to safeguard the beech trees' contribution to public visual amenity.

No objections had been received.

**Resolved:** That Tree Preservation Order PN1/406 Aged Miners Homes, Bearpark, be confirmed without modification.

#### **(b) PN1/407 – Site at 10 Aykley Green, Durham, DH1 4LN**

This Tree Preservation Order was served on 10<sup>th</sup> May, 2007. The Order was made to protect numerous mature trees (sycamore, beech and alder) within the rear garden of 10 Aykley Green, Durham. An agreement was reached with the owner over which trees it would be acceptable to remove, however, the owner was in the process of removing additional trees, and the threat was therefore considered to be high.

The trees had intrinsic value and formed part of a prominent tree belt alongside the A167 on an approach into Durham. The trees contributed to the character and appearance of the local area, and were valuable in screening and softening nearby housing when viewed from the road.

The Order had had effect for 6 months and it was now necessary to confirm the Order to safeguard the trees' contribution to public visual amenity.

No objections had been received.

**Resolved:** That Tree Preservation Order PN1/407 10 Aykley Green, be confirmed without modification.

#### **(c) PN1/408 – Site at Houghall College, Durham**

This Tree Preservation Order was served on 19<sup>th</sup> November, 2007. The Order was made to protect numerous trees, tree belts and specimen trees including National Collection trees in the grounds of Houghall College, Durham. The College was reviewing options, including development opportunities, with a potential to sell for redevelopment. The level of threat was therefore considered to be high.

The trees had intrinsic value and some of the National Collection were rare. The trees contributed to the character and appearance of the local area, and were valuable within the semi-rural area and part of a wooded valley leading into Durham.

The Order had had effect for 6 months and it was now necessary to confirm the Order to safeguard the trees' contribution to public visual amenity.

No objections had been received.

**Resolved:** That Tree Preservation Order PN1/408 Houghall College, be confirmed without modification.

#### 64. DECISIONS MADE BY THE COUNTY COUNCIL

- (a) **CM4/08/307**  
**Durham Community**  
**Business College**                      **Durham Community Business College, Ushaw Moor,**  
**Durham, DH7 7NG**  
**Proposed construction of additional car parking and**  
**revised layout of existing car parking**

The above application was considered by the City Council under delegated powers on 2<sup>nd</sup> May, 2008, when it was resolved to raise no objection.

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

- (b) **CM4/08/311**  
**Sure Start County**  
**Durham**                                      **Sherburn Hill Primary School, Front Street, Sherburn**  
**Hill, Durham, DH6 1PA**  
**Erection of single storey extension to existing**  
**school to form Sure Start Centre with associated**  
**landscaping and means of enclosure**

The above application was considered by the City Council under delegated powers on 30<sup>th</sup> April, 2008, when it was resolved to raise 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.

#### 65. RECOMMENDATIONS ON OTHER APPLICATIONS

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

- (a) **08/00383/FPA**  
**Three Rivers Housing**  
**Group**                                      **21, 23, 33, 35, 37, 39, 41 & 43 Rose Lea, Witton**  
**Gilbert, Durham, DH7 6RG**  
**Demolition of 8no. existing dwellings and erection of**  
**10no. two storey dwellings**

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

- (1) - The development to which this permission relates shall be begun not later than three years from the date of this permission.
- (2) - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.

- (3) - Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of 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 development is commenced, or within such longer period as may be agreed in writing with 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) - 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 the development is commenced, and thereafter implemented in accordance with the approved scheme.
- (5) - 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.
- (6) - Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicular access and 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.
- (7) - No development shall take place until a detailed scheme for the diversion of the public sewer has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water Limited, and development shall thereafter take place in accordance with the approved scheme.

(b) 08/00509/FPA  
Durham Villages  
Regeneration

**Land at Broomhall Drive, Ushaw Moor, Durham  
Erection of 29no. dwellings consisting of 11no. two  
storey houses, and 18no. bungalows with associated  
roads, footpaths and landscaping areas**

Following a site inspection by the Committee in relation to this application on 8<sup>th</sup> July, 2008, it was:-

**Resolved:** That in accordance with the Town & Country Planning (Development Plans and Consultation) (Departures) Directions 1999, the application be referred to the Government Office for the North East with a recommendation that it be **MINDED TO APPROVE**, subject to the following conditions:-

- (1) - No development shall commence until a planning obligation pursuant to Section 106 of the Town & Country Planning Act 1990 has been made and lodged with the Local Planning Authority and is to that Authority's approval. The said obligation will secure the transfer of all dwellings hereby approved to the ownership of a Registered Social Landlord.
- (2) - The development to which this permission relates shall be begun not later than three years from the date of this permission.
- (3) - 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 the development is commenced, and thereafter implemented in accordance with the approved scheme.
- (4) - Notwithstanding the information shown on the submitted plans, 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.
- (5) - 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 approved scheme.
- (6) - Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting, and positions of all trees,

together with details of 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 development is commenced or within such longer period as may be agreed in writing with 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.

- (7) - The development hereby permitted shall not be carried out otherwise than in accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.

The Meeting terminated at 6.05 p.m.

Chair