

**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 September 2018** at **1.00 pm**

**Present:**

**Councillor P Taylor (Chairman)**

**Members of the Committee:**

Councillors G Bleasdale, J Clark, I Cochrane, M Davinson, D Freeman, E Huntington (substitute for K Corrigan), P Jopling, R Manchester, L Pounder (substitute for A Laing) and O Temple

**Also Present:**

Councillors L Brown and J Turnbull

**1 Apologies for Absence**

Apologies for absence were received from Councillors D Brown, K Corrigan, A Gardner, K Hawley, A Laing and J Robinson.

**2 Substitute Members**

Councillor E Huntington substituted for Councillor K Corrigan and Councillor L Pounder substituted for Councillor A Laing.

**3 Minutes**

The minutes of the meeting held on 10 July 2018 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/18/01671/FPA - 11 Prospect Terrace, Nevilles Cross, Durham**

The Principal Planning Officer, Alan Dobie, 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 Principal Planning Officer advised that Members of the Committee had travelled past the site and were familiar with the location and setting. The application was for two storey, single storey rear extensions and internal alterations to provide 2no. additional bedrooms to an existing C4 (small HMO) and was recommended for approval, subject to conditions set out within the report.

The Principal Planning Officer noted the proposals would increase the number of beds to 5, and referred Members to site photographs showing a number of extensions to properties in the area. Members were shown existing and proposed layouts and elevations. It was noted that there were no objections from the internal consultees. The Principal Planning Officer noted there had been objections received from the Parish Council, Local Member and the City of Durham Trust with reasons including room sizes, parking and increase “studentification”.

The Committee noted that there was not a change of use required as the property was already C4 use, house of multiple occupation, potentially up to 6 bed. It was reiterated that there had been no objections raised by the Highways Section, with there being parking available at a nearby layby, and with Officers noting they could not sustain a refusal based upon parking.

The Chairman thanked the Principal Planning Officer and asked Councillor L Brown, a Local Member, to speak in relation to the application.

Councillor L Brown explained that the application had been brought before the Committee because of the cumulative impact it would have on the area. She added that the size of one of the bedrooms, although troubling from both a practical and a mental health perspective, did not carry planning weight and was a crusade for another time. She noted that the problems with the application lay with the parking difficulties on Neville’s Cross Bank.

Councillor L Brown noted Members had passed the site and hoped they realised that there was no car parking at all to the front of the property despite the claims of Paragraph 36 of the Committee Report. She added that what Members may not know was that there was no parking to the rear either, with all the gardens and the access road to the rear having been sold off privately about five years ago, several to non-residents. She explained that the garden to the rear of this property was one that was sold to a neighbour. Councillor L Brown noted that the back street was required for access at all times and was single track.

Councillor L Brown explained that Neville's Cross Bank was just outside the Durham City Controlled Parking Zone (CPZ) and there were 22 long term parking spaces for approximately 43 dwellings, together with a café that had 3 short term spaces outside and relied on passing trade. It was noted that 5 of those residences were licensed HMOs and there was one more that would become licensable in October. Councillor L Brown added that there was also extant permission for one dwelling at the end of the street. She explained that being outside the CPZ, yet within walking distance of town, many commuters parked at this location and walked into town and added that within 100m of the property there was Duresme Court a Purpose Built Student Accommodation (PBSA) with 280 bedrooms and 34 parking spaces which would be coming online at the end of the month. She reiterated that there was a small café which relied on passing trade for its business and that further pressure would be put on parking spaces when parking restrictions were put in place outside the school. Councillor L Brown noted that Highways Development Management had asked "No parking details were submitted with this application. Due to the increase in number of bedrooms, does the applicant intend to provide any off street parking?" She added that Paragraph 32 of the Committee Report stated that Highways had made no objection to the application. She continued, stating that she felt the fact of the matter was Highways had asked a question which had not been answered by Officers or the Applicant. Councillor L Brown noted she would like to have seen a report from Highways rather than an unanswered question.

She continued by explaining she did not feel that the legislation within City of Durham Saved Policy H9 had been met in this application and stating she felt that quite obviously adequate parking, as set out in Policy T10, was not already in place for the reasons she had given previously, nor had it been provided for in the development plans. She added that Policy T1 also came into play as any further pressure on parking would significantly affect neighbouring residents' amenity. Councillor L Brown noted she should also like to draw attention to the National Planning Policy Framework (NPPF) Part 9 which dealt with sustainable transport adding that, amongst other things, it states that safe and suitable access to the site be achieved for all users.

Councillor L Brown noted she had two final points which she felt must be implemented should the Committee be minded to approve the application, firstly, she had been impressed by the detailed report submitted by Mr P Clark the Principal Public Protection Officer. She explained she would like it conditioned that his recommendations should be followed exactly. Councillor L Brown noted that secondly, given the non-existent parking and very poor access to the site, she would like a Construction Management Plan (CMP) to be submitted and agreed before any development starts with, noting it should have an 8.00am start, due to the residential nature of the area.

The Chairman thanked Councillor L Brown and asked the Principal Planning Officer to respond to the points raised.

The Principal Planning Officer noted that room size was not something that could be controlled by planning and added that the Highways Section had noted that while the parking layby stopped prior to the front of the application property, it was likely that this would be the parking area that would be used by the property, if required, and that a refusal on highways ground was not sustainable. The Principal Planning Officer added that expectations on a HMO and issues in terms of the licensing regime were dealt with elsewhere under separate legislation and could be included as an “informative”, though not as a formal condition. He added that a CMP as suggested could be included, as the Committee felt appropriate.

The Principal Highway Development Management Engineer, David Smith noted that the Terrace did not include in-curtilage parking and that it was not likely that there would be an additional 2 cars associated with the additional 2 beds, with it being in an accessible location for students, within walking distance to the city centre and with public transport links. He added that it was felt unlikely that an objection in terms of parking would be sustainable. The Principal Highway DM Engineer noted that in driving past the site there was capacity within the parking layby and added that the cumulative impact was not severe, with Civil Parking Officers being able to ticket vehicles should they be causing an obstruction. He added that Neville’s Cross School was sufficiently far enough away to not affect the application.

The Chairman thanked the Officers and asked Members of the Committee for their comments and questions.

Councillor M Davinson thanked Councillor L Brown for mentioning the need for a CMP, and agreed that such a CMP should include a start time of 8.00am, mirroring the second application on the Committee agenda. It should also deal with site traffic given the restricted nature of the back street.

Councillor O Temple noted that the layby in question stopped a way short of the application property and added that it was at night that there would likely be an issue in terms of parking, with that being when there would be a loss of amenity. He added that with there being no parking to the rear, he would ask if a new 5 bed HMO were to be proposed would this have no objections in terms of parking. Councillor O Temple added that if the answer was no then he felt the same should apply to the application. He concluded by asking how it was known that the University were “actively” encouraging students not to bring a car to Durham. The Chairman noted this application was not for a new 5 bed HMO so the question about parking for such a proposal was not for the Committee to consider.

The Principal Highway DM Engineer noted a lot of terraced streets did not have parking, and that there was consideration on balance in terms of the demand on the street, with 2 additional beds not constituting much additional impact. He added that even considering an evening peak in terms of parking demand and capacity issues, there was not considered to be significant highways impact. The Principal Planning Officer noted use of the word “actively” as described in relation to the University and encouraging students not to bring cars to Durham, and explained that this was part of the Applicant’s Statement, and had not come from Planning Officers.

He added that while he believed that this was something the University did do he was uncertain as regards how the University would monitor or police this, especially for those students living “off-campus”.

Councillor J Clark noted she agreed in terms of the CMP as proposed by Councillor M Davinson and proposed that, subject to an additional condition in relation to this, the application be approved. Councillor M Davinson seconded the proposal.

## **RESOLVED**

That the application be **APPROVED** subject to the conditions detailed in the Officer’s report and with an additional condition requiring a Construction Management Plan controlling site traffic and working hours, with a start time of 8.00am.

### **b DM/18/01043/FPA - Garden Villa, Newcastle Road, Durham**

The Senior Planning Officer, Paul Hopper, 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 Senior Planning Officer, PH advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for demolition of existing residential dwelling and construction of four residential dwellings and was recommended for approval, subject to conditions set out within the report.

The Senior Planning Officer, PH noted that Councillor L Brown, a Local Member, had requested the application be considered by Committee on the basis of issues relating to access and highway safety. He added that the application site was south of Durham Johnston School and there was an existing dwelling at the south-east of the site. It was noted that there was a paddock alongside the application site that had permission for 3 dwellings. Members were referred to photographs, plans and elevations and noted the proposed access from the A167 and egress via the back of Newcastle Terrace, a proposed one-way system. The Senior Planning Officer, PH noted that the Highways Section had noted no objections to the proposed one-way system and proposed improvement works. Members noted there were no objections from statutory or internal consultees.

The Senior Planning Officer, PH noted objections had been raised by the Local Member, and 9 letters of objection had been received at the time of reporting the matter at Committee. He summarised the objections, as set out in full within the report, including on issues relating to: parking; the suitability of the access, impact upon the A167, use of the one-way system to create a “rat-run”; loss of residential amenity; separation distances not being met in relation to the properties yet to be built, those with permission on the paddock adjacent the application site.

The Senior Planning Officer, PH noted that the principle of development was acceptable, being in a sustainable location and with an acceptable level of development. In terms of residential amenity, the Officer noted that while some of the separation distances to the proposed properties was less than stated within Saved Policy Q8, it was noted that these were in cases where windows were not directly facing one another and view would be limited as a result.

The Senior Planning Officer, PH noted that the development would not be prominent from the A167 and scale and layout would not detract from the scale and form of the area. He added that while the proposed access was narrow, a one-way system would be in operation, controlled by a Traffic Regulation Order (TRO) which was conditioned, as were the resurfacing and street lighting as set out within the application. Members noted that there were 2 additional conditions proposed by the Council's Archaeologist in terms of site investigations and that subject to those, and those set out within the report, the recommendation was for approval.

The Chairman thanked the Senior Planning Officer, PH and asked Councillor L Brown, a Local Member, to speak in relation to the application.

Councillor L Brown noted that she felt, once again, there was an application which failed to convince on its highways policy. She noted Members would have seen from their site visit that Garden Villa was originally at the end of an un-adopted cul-de-sac which was now fenced off. She added that the brownfield site closest the road had an application approved for 3 houses with access from a new road to the north of the footbridge. She noted that access to the application site was to be provided south of the footbridge by way of a one-way system over land which was not owned by the applicant through the un-adopted rear of Neville Street/Newcastle Road.

Councillor L Brown noted that, as with the previous application, Redhills Lane was just outside the Durham City CPZ. She added this brought with it the problems of commuter parking plus, due to its proximity to the station, potential of long-term parking by rail passengers. She explained that Redhills Lane, and the surrounding streets, were also used for parking by Durham Johnston School staff and students as their car park was too small. Councillor L Brown added that the block of flats further up the lane, Archers Court, had only one parking bay per flat and no visitor parking, thus compounding the problem. She noted that in addition plans to bring in further parking restrictions because of the problem of double parking were well under way. She added that it was also a rat-run out of Durham with almost continuous traffic in the early evening, hence the speed bumps. Councillor L Brown asked, once parking was constricted on this un-adopted road, where are residents of Neville Terrace and Newcastle Road supposed to leave their cars without causing an obstruction or committing a parking offence. She added they also had a very real fear that the one-way street will be used by motorists to avoid the lights and some of the congestion around this area as has happened on the western side of the A167.

Councillor L Brown noted that Saved Policy T1 stated that permission would not be granted for a development that significantly affects occupants of nearby properties.

She stated that surely the removal of parking facilities due to this development is a significant effect. She added that there was also the inconvenience to the present residents of a new roundabout route along the A167 in order to unload at the back of the houses.

Councillor L Brown referred to Paragraphs 64 and 66 of the Committee Report, where it was noted that the application breaches not only Policy T1 but also Policies Q8 and H13 regarding separation distances and residents' amenity.

She also noted that when the rear road is tarmacked no reference was given to any type of surface drainage for a road that currently had an impermeable cover. She added that she felt this surely was in breach of saved policy U8A which asks for satisfactory disposal of surface water. Councillor L Brown noted that given that the gardens of Newcastle Road slope down from this road there was a very real possibility of flooding after heavy rain. She added that she would therefore ask that should the application be approved, Condition 14 be extended to cover surface water from the newly resurfaced access and egress road. She noted this would also be in accordance with Part 14 of the revised NPPF guidelines.

Councillor L Brown noted Condition 5 had no mention of appropriate one way signage and added she would like this to be mentioned in a revised condition, as Durham County Council should not be paying for it.

Councillor L Brown noted at if the project was given permission she could foresee that the upkeep of the road becoming a bone of contention. She noted that while not a planning matter she would expect this road to be brought up to adoptable standards and would be lobbying for it to be adopted by the Council as it would then become a through-route.

The Chairman thanked Councillor L Brown and asked Mrs A Deighton to speak in objection to the application.

Mrs A Deighton noted that she and her husband owned the adjacent site with permission for 3 dwellings, adding that they would also be occupying one of the dwellings. She added that they did not object to development of the application site, rather they objected to the loss of residential amenity that would be a consequence of the separation distances not meeting the requirements of policies within the City of Durham Local Plan. She referred the Committee to slides she had prepared by her architect, showing the application development in context with the development of 3 dwellings already with permission. She explained the 3d models within the slides had been generated to scale. Mrs A Deighton noted how the application would be overbearing, protruding 2m in front of a bay window of the development with permission and block views and sunlight. She noted a 10m shortfall in terms of minimum separation distance between a side window and a gable end.

Mrs A Deighton noted that while not face-to-face as such, the configuration of the sites meant that there was minimal offset and there would be a high level of intrusion, noting floor to ceiling glazed doors on both bedroom and lounge of the proposed property already benefiting from permission.

She added that a separation of only 13m from an application property to the garden amenity space of a proposed property on the adjacent site meant there would be an unacceptable loss of privacy and sense of overbearing.

Mrs A Deighton added that there was also issues in terms of the impact of the access and parking, setting a precedent and asked that the Committee refuse the application in light of the issues highlighted.

The Chairman thanked Mrs A Deighton and asked Mrs C Zambon to speak in objection to the application.

Mrs C Zambon noted that she had great concerns as regards the proposals for the rear lane. She added that one-way access from the A167 was not the whole story and that there would be access at the rear lane, currently a cul-de-sac. She contended that connection of the rear lane to the A167 would change the character of the rear lane and have significant impact upon the surrounding area.

Mrs C Zambon noted that, at approximately 4.7m to 4.8m wide, the rear lane would not be wide enough to support a pavement and also this width would be further reduced in terms of the cars that are parked along the rear lane, to around 3.3m. She noted that this was contrary to Saved Policy T1 in terms of safety, including issues in terms of refuse vehicles and being unable to negotiate a sharp right-angled turn. Mrs C Zambon asked who would enforce in terms of the proposed one-way system. She added that the report referred to benefits in terms of housing and the economy, however, she noted that the Council could demonstrate that it had a 5 year housing supply and therefore it was not required and the impact upon the economy would not be significant. She concluded by noting that the impact on existing residents of the proposed one-way system would be significant.

The Chairman thanked Mrs C Zambon and asked Mr M Hawthorne, the applicant to speak in support of his application.

Mr M Hawthorne noted the application represented a small, unique, bespoke development with experts from the Council's Planning, Archaeology, Highways and other departments all agreeing that the proposals were acceptable. He noted that parking provision was being met on-site and there would be signage denoting "residents only" in terms of the access. In respect of refuse collection, he noted this would not differ from existing arrangements, with bins to be taken to the end of the street for operatives to collect, empty and leave for collection, aided by the proposed new tarmac surface.

Mr M Hawthorne noted that the homes were for families, not student properties or bed-sits, and Durham was in need of more family homes. He noted the support of the planning team in terms of the application, and while he accepted the properties may not be to everyone's taste, they were family homes. He noted his family's connection to the City and noted that the application site was in a highly sustainable location. He added that there would be a significant contribution in terms of Council Tax from the proposed properties and the proposals helped meet the objective of "seeing families thrive" and therefore asked Members to support the Officer's recommendation for approval.

The Chairman thanked Mr M Hawthorne and asked the Senior Planning Officer, PH to address the points raised by the speakers.

The Senior Planning Officer, PH noted in reference to the drainage of the rear lane subsequent to the proposed tarmacking, Condition 5 within the report would include disposal of surface water.

He added that the Applicant had made reference to signage in relation to “residents only” and he also noted that a TRO would be in place. The Senior Planning Officer, PH explained that a physical construction, for example “crocodile teeth” could be used to ensure that the one-way system was not passable in the reverse direction. In relation to the separation distances, the Officer’s reasoning was set out within the report, noting not directly facing windows. The Senior Planning Officer, PH noted that in terms of ongoing maintenance, the land was unregistered and therefore this situation would not change and that in terms of economic benefits, there would be construction jobs and it would be for the Committee to decide on the weight to attach to those jobs.

The Chairman thanked the Senior Planning Officer, PH and asked Members of the Committee for their comments and questions.

Councillor O Temple asked if Members were to approve the application, would it be possible to condition a physical impediment to using the one-way system in reverse, along the lines of the “crocodile teeth” as mentioned. The Solicitor – Planning and Development, Neil Carter, referred to the Highways Section representative asking how they envisaged the TRO regime. The Principal Highway DM Engineer noted that physical engineering could include such “teeth” and that if on private land then it would be for the owner to install and maintain. He added that the TRO would take out a right turn on to the A167. The Solicitor – Planning and Development noted that in respect of Councillor O Temple’s suggestion it may be possible to amend Condition 5 to ask for more information and details, however, it would not be possible to insist upon its implementation because that would depend upon the detail of the scheme which Highways found acceptable that the relevant time and in any event the report and Officer stating that the application as submitted being acceptable to the Highways Authority. Councillor O Temple noted he felt this was unsatisfactory, however, upon receiving the advice he felt that including such an amendment asking for details was better than no amendment at all. The Solicitor – Planning and Development noted this could be included within the second part after “...shall include but not be limited to, the installation of street lighting...” to include “physical measures to prevent two-way access”.

Councillor P Jopling proposed the application be approved, subject to the amendment suggested by Councillor O Temple and the two additional archaeology conditions as referred to by the Senior Planning Officer, PH. Councillor R Manchester seconded the proposal.

## **RESOLVED**

That the application be **APPROVED** subject to the conditions detailed in the Officer's report, and amended Condition 5 as proposed and with the additional conditions relating to Archaeology as referred to by the Officer.

### **c DM/18/01731/FPA - Ingleside, Whinney Hill, Durham**

The Senior Planning Officer, PH, 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 part change of use from C3 (dwellinghouse) to C1 (holiday let) retaining the existing C3 use across the remainder of the property and was recommended for approval, subject to conditions set out within the report.

The Senior Planning Officer, PH referred Members to the proposed floorplans and noted that there had been no objections from statutory or internal consultees. He added that objections had been received from the Whinney Hill Residents' Group in terms of loss of a family home, impact upon the area being able to attract family buyers back into the area. The Senior Planning Officer, PH noted there was to be no bed and breakfast facility, with rooms let on a short-term basis for visitors/lecturer/tourists, not students. He added there was a condition in relation to no single period greater than 3 weeks in a 6 month period and for a list of guests' permanent addresses to be retained.

Members noted the property was within the City of Durham Conservation Area (CA), however, as there were no proposals to alter the external elevations, there was no impact upon the CA.

The Chairman thanked the Senior Planning Officer, PH and asked the Committee for their comments and questions.

Councillor D Freeman noted he was a Local Member in respect of the application and had asked for the application to be considered by the Committee and noted the views of local residents. He noted some scepticism in terms of the application, noting the whole property was advertised for rent recently. He added that the Article 4 Direction in respect of student housing should stop the property becoming an HMO, and he was happy in respect of Condition 3 relating to C1 use and the periods of let, however, questioned the offer of 4 beds and no cooking facilities. He agreed that it would be sad to lose a family house in the area, and asked if there was anything stopping the applicant applying for parking permits.

The Principal Highway DM Engineer noted that the application had sufficient parking on-site and that this would be for the applicant to manage, residents could apply for visitor permits, for parking elsewhere on-street.

Councillor M Davinson noted the concerns in terms of potential HMO use, however, he felt that Condition 3 satisfied those concerns and proposed the application be approved. Councillor J Clark seconded the proposal.

## **RESOLVED**

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

### **d DM/18/00833/OUT - Deerness Villa, Sleetburn Lane, Langley Moor**

The Senior Planning Officer, PH, 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 Senior Planning Officer, PH advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was an outline application for the demolition of an existing bungalow and associated outbuildings and the construction of 9 dwellings with all matters excluding access reserved for future consideration. It was noted the outline application was recommended for approval, subject to a Section 106 Legal Agreement and conditions set out within the report.

The Senior Planning Officer, PH referred Members to the existing layout and buildings across the site and noted the woodland bounding the site and a public right of way (PROW) along the north side of the site. Members noted an indicative layout of 9 properties, reiterating that the application was outline, with all matters reserved excluding access. The Senior Planning Officer, PH noted that there would be improvements to the access, in terms of widening and to footpaths. He noted no objections from statutory or internal consultees and added that Condition 5 as set out in the report was missing a few final words "...radii is complete".

Members noted there had been 6 letters of objection from nearby residents, with issues including: suitability of the access; loss of residential amenity, loss of privacy; that the precedent of development could impact further on the area; impact upon the PROW; land ownership; impact upon a nearby Listed Building; groundworks, drainage and ecology.

The Senior Planning Officer, PH noted there were no policies that prohibited the development and therefore it was down to a planning balance, as set out in the NPPF. He added that Planners felt that the scheme could be integrated into the area, and the site was sustainable, within walking distance to shops and with bus stops nearby. He noted in terms of impact on residential amenity, the scale and layout would be subject to a future application, as would issues such as landscaping and any impact on the Listed Building opposite the site.

It was noted that Highways had no objections and that the proposals in terms of access arrangements were acceptable, and there would be a S106 contribution of £15,000 towards upgrading Footpaths 91 and 92 to the north and west of the site, with the Council's PROW Team having no objections to the proposal in relation to those footpaths. Members were informed that Ecology, Drainage and Contaminated Land Officers were satisfied subject to conditions as set out in the report.

The Chairman thanked the Senior Planning Officer, PH and noted Local Member, Councillor J Turnbull was in attendance to speak in relation to the application.

Councillor J Turnbull noted that there had been concerns in terms of vehicles parking at the adjacent garage, restricting the view at the access to and from the site, on a very tight corner. He added that there was concerns in terms of drainage, with the area being where natural springs from Brandon ran through and could potentially be dangerous in winter. He added the retention of the PROW was important.

The Chairman thanked Councillor J Turnbull and asked Mr A Moss to speak on behalf of a local resident in objection to the application.

Mr A Moss noted he was a Planning Consultant and his client lived to the west of the site and objected to the application. He explained that his client did not object to residential development at the site, rather the main issue was of overdevelopment of the site which would then impact upon amenity and highway safety. He noted the application was in outline, excluding access arrangements and that if approval were given for 9 dwellings in principle, this was agreeing to the impact of 9 dwellings in terms of amenity. Mr A Moss contended that therefore it must be proven at this stage, not the reserved matters stage, that there would be good amenity and not a detriment to those dwellings of neighbouring properties. He added that as the plans were indicative, it was not possible to fully assess the impact to his clients' property. He noted the report stated that minimum separation distances could be achieved for the dwellings within the scheme, however, it did not mention separation distances to adjacent properties. Mr A Moss noted a change in levels between his clients' property and the application site and this would have an impact upon privacy. He noted that 4-5 bed properties would be larger than the existing bungalow and cited a recent appeal decision in relation to an application at Bowburn which had been refused by Committee in relation to separation distances, and the decision had been upheld upon appeal. Mr A Moss concluded by asking the Committee to refuse the application for the reasons stated, citing the separation distances between plots 8 and 9 to his clients' property meant the application was contrary to Policy Q8.

The Chairman thanked Mr A Moss and asked the Senior Planning Officer, PH to comment on the points raised.

The Senior Planning Officer, PH noted that it was not felt that the application represented "overdevelopment", the density being around 17 dwellings per hectare, a low density. He reiterated that the position of the units would not be determined until the reserved matters stage.

The Chairman thanked the Senior Planning Officer, PH and asked Members for their comments and questions.

Councillor J Clark noted she agreed with the speaker in relation to needing further information in terms of the position of the 9 dwellings and wondered in therefore it would be beneficial to defer the application pending such information. The Solicitor – Planning and Development noted that the application was an outline application, with details in relation to site layout to be subject to further consideration in the future.

He added that the Committee were considering the principle of whether 9 dwellings could be accommodated on the site, and although Members must be satisfied that the site is capable of accommodating an acceptable layout, the final layout would be considered at the reserved matters stage.

Councillor M Davinson asked if there could be a comparison in terms of density of the application approved at Item 5b for Members' information. He added there would be the opportunity to consider the layout at the reserved matters stage and also noted that the signage in relation to the bend in the main road would benefit from being renewed.

Councillor O Temple noted from his experience that a density of 17 properties per hectare was generous, with the county average in the region of 22 and the national average being around 43. He noted too the details would be for the reserved matters stage, however, noted the access could benefit from a widened splay and relocation of a pole. He moved that the application be approved. The Senior Planning Officer, PH noted the application Councillor M Davinson referred to had a density of around 28 units per hectare. Councillor J Clark noted on the information given that she no longer proposed deferment of the application, noting issues could be revisited and addressed at the reserved matters stage. Councillor M Davinson seconded Councillor O Temple's proposal for approval.

## **RESOLVED**

That the application be **APPROVED** subject to completion of a Section 106 Legal Agreement and the conditions detailed in the Officer's report.

### **e DM/18/01995/FPA - Durham Sixth Form Centre, The Sands, Durham**

The Senior Planning Officer, Barry Gavillet, 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 a multi-media teaching block (amendments to previously approved scheme) and was recommended for approval, subject to conditions set out within the report.

The Senior Planning Officer, BG noted the original application had been approved by Committee at its meeting in January 2018, with the application being considered retaining the same footprint as that approved. He added that the proposal was now for 3 storeys, increased from 2, with an updated design with amended elevations to reflect this. It was noted that while the application site was within the CA, Officers from Design and Conservation had offered no objections. Members noted that the proposal would impact upon car parking at the site, displacing some of the provision, however, there would be an increase in provision of 2 spaces overall, now 34. It was added there were no objections from statutory or internal consultees and there had been no objections raised by local residents. The Senior Planning Officer, BG noted the recommendation was for approval, and that the scheme as approved at the January meeting could be taken forward should Members not be minded to approve this application.

The Chairman thanked the Senior Planning Officer, BG and noted the Chairman of the Durham Sixth Form Centre Governing Body, Mr D Southwell was in attendance to speak in support of the application.

Mr D Southwell thanked the Chairman and asked Members to recall his attendance and comments made at the January meeting. He reiterated that the school was outstanding, attracting students not only from Durham but also from further afield. It was explained that if this application was approved there was the opportunity to remove some temporary buildings and replace them with this proposed scheme. Mr D Southwell noted that the school was “bursting at the seams” with students and the proposal would be of great benefit and therefore asked that the Committee consider the application positively and approve as recommended by Officers.

Councillor D Freeman noted that the application represented a great scheme, not out of scale or keeping with the area, with no impact upon residents and therefore he moved that the application be approved. He was seconded by Councillor G Bleasdale.

## **RESOLVED**

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