

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (NORTH)

At a Meeting of the **Area Planning Committee (North)** held in the Remote Meeting
- This meeting is being held remotely via Microsoft Teams on **Tuesday 16 June 2020 at 9.30 am**

Present:

Councillor I Jewell (Chair)

Members of the Committee:

Councillors S Wilson (Vice-Chair), A Bainbridge, A Bell, L Boyd, D Boyes, A Hopgood, O Milburn, C Martin, J Robinson, A Shield, J Shuttleworth, K Thompson and T Tucker

Also Present:

Councillors W Stelling and D Wood

1 Apologies for Absence

Apologies for absence were received from Councillor J Higgins.

2 Substitute Members

There were no substitute Members.

3 Minutes of the Meeting

The minutes of the meeting held on 27 February 2020 were confirmed as a correct record by the Committee and would be signed by the Chair.

4 Declarations of Interest (if any)

Councillor Shield declared a personal non prejudicial declaration in agenda item 5c as a local member.

Councillor Martin declared a non prejudicial declaration in agenda item 5b as a local member.

5 Applications to be determined by the Area Planning Committee (North Durham)

a DM/20/00404/FPA - 83, Brackenbeds Close, Pelton

The Committee considered a report of the Principal Planning Officer which consisted of a two-storey extension to the side of the dwelling at 83 Brackenbeds Close, Pelton (for copy see file of minutes).

The Principal Planning Officer provided a detailed presentation of the application which included a site location plan, site photographs and the existing and proposed layout plans for the property.

The Chair thanked the Principal Planning Officer for her presentation and asked Parish Councillor Mr Hann to address the Committee.

Parish Councillor Hann thanked the Committee for the opportunity to represent the objecting views of Pelton Parish Council in relation to the planning application as agreed at the Parish Council meeting on 26 February 2020.

Parish Councillor Hann explained that Pelton Parish Council had been contacted by a resident who was concerned about the impact of the planning application if it were to be approved. The resident felt that the two-storey extension that was proposed to be built to the side of the neighbouring property would lead to a significant reduction in light on a room which was used as an office on a full-time basis throughout the week. He felt that the site photograph of the front of the properties showed that the proposed extension would further obscure the window.

Parish Councillor Hann highlighted that the Parish Council were concerned that the economic impact of the proposed application should be considered, alongside the potential impact on the health and wellbeing of the resident if there was a greater reduction of natural light.

Parish Councillor Hann noted that there was apprehension that the proposed application would also reduce the distance between the two detached properties and encroach on the resident's space. He acknowledged that Pelton Parish Council had considered the points raised and were aware that the application form showed that no pre-planning advice had been sought by the applicant. Mr Hann thanked the Committee for considering the matters he had raised regarding the application.

Councillor Wood, local ward Member addressed the Committee to object to the planning application due to the potential implications on the resident of 81 Brackenbeds Close who didn't feel they could participate in the meeting. He explained that this was the first time in calling an application to committee and did so purely down to the unique issues presented in the circumstances relating to the reduction in light.

Councillor Wood noted that over the last couple of months due to the Covid 19 pandemic most people had experienced working from home with the prospect of getting back to some kind of normal in the future but for the resident of 81 Brackenbeds working from home was the norm and the proposed extension would further significantly reduce the amount of natural light to their single and permanent place or work.

Councillor Wood confirmed that the large bush to the front of the property that had been referred to within the report that had impacted on light into the office had now been removed for that reason. He mentioned that the report stated that the first-floor extension above the garage would have minimal impact on the natural light to the window but due to the layout of the houses in the street he believed that a second-floor extension would not have a minimal impact. He noted that even in Winter months the window was exposed to natural light which would be lessened from earlier in the day if the extension went ahead.

Councillor Wood felt that the application should be refused on the grounds that policy HP11 in the local plan and the NPPF (National Planning and Policy Framework) were there to protect against the loss of light in the development of an extension. He queried why the new Residential Amenity Standards Supplementary Planning Document (SPD) had not been applied. He noted that the SDP set out rules for property extensions that ensured that they should be subordinate to the host dwelling and that they should give consideration to the general design as not to have a negative impact to the amenities to an adjacent property to protect against over dominance, loss of privacy and the loss of day light. He felt had this been applied it would have given significant weight to the decision instead the report only focused on the separation distance between the two properties.

Councillor Wood proposed that the application also be refused on the grounds that the SPD would have shown that the extension was not a good model and should be set back by one metre, that it was not subordinate to the host dwelling and the design was not in keeping with the environment. He added that the application was inconsistent with the local plan and the NPPF. He declared that the resident had a right to a light airy space to be able to run their business at home and without this it would have a negative impact on the resident to run their business and pay their mortgage.

The Principal Planning Officer stressed that existing arrangements and the layout of the properties meant that the window had already been significantly impacted upon by loss of light. She felt that the second storey extension would not significantly make the loss of light any worse which would not warrant refusal of the application. She informed the Committee that the SPD had been considered but it was difficult to apply as all estates were different and the dissimilar types of properties and the layout of the estate had added further complications.

In addition the Principal Planning Officer noted that the proposed extension was well designed, blended in well with the surrounding area and the principle in the SPD to set the extension back by one metre would not make any significant difference to the window which also would not necessitate a refusal. She also added that there were other extensions in the estate therefore no amendments to the application would be required.

The Solicitor clarified that material planning considerations focused on protecting the public interest and the report stated that economic interests would not normally be a planning consideration but it would be for the Committee to assess the impact of the overbearing and overshadowing loss of light.

The Chair thanked Speakers and Officers and asked the Committee for any questions or comments.

Councillor Shield wanted to know if there were any properties elsewhere in the area that had also experienced similar issues that would have set a precedent.

The Principal Planning Officer stated that the SPD was very new and had only been implemented in the last few months. She acknowledged it was very different to the policies previously applied in the Chester le Street area. She confirmed that there were no extensions on the estate that would be comparable to the proposed application.

Councillor Ivan Jewell could not comprehend that the neighbouring property who were now objecting had built an extension with a window and it was this extension that was now an issue for the neighbours building their second storey extension. He felt that it was the extension with the window that was causing the issue with the proposed application.

The Principal Planning Officer explained that the original extension with the window had been built by the previous occupants of the objector's property. She noted that the objector would have been aware of the layout when they bought the property and deciding to use the room as an office that included restricted light and close proximity to the neighbouring garage.

The Solicitor reminded Members that they had to assess the application that had been presented to the Committee in terms of what was existing and not whether the extension predated the application.

Councillor Tucker was reshown the photograph of the property showing where the office was in relation to the garage at the side of the property. She was informed that the bush at the front of the property in the photograph that had been obscuring light had been removed. Councillor Tucker wanted to know if the removal of the bush had improved the amount of light into the office or whether there had been no significant change.

The Principal Planning Officer deemed that consideration was needed to be given to how the extension would adversely affect the amenity of the resident and light to the window regardless of the tree.

Councillor Tucker asked if further measurements of light had been taken without the bush to see if there had been any material change in sunlight to the room to determine whether there had been an impact or not.

The Principal Planning Officer stated that Planning Officers had the view that there would be no significant impact made by the bush due to the existing arrangements. She commented that the office window was at the end of an almost tunnel due to the position of both properties where the light would be limited and not more restricted should the planning application be approved.

Councillor Bainbridge was concerned regarding the distance between the two properties and wondered if the measurement would be a significant distance to have at present.

The Principal Planning Officer stated that the distance between the two properties was not an issue as the building line had already been established by the existing garage and therefore did not require to be in set as stated in the SPD.

Councillor Bell left the meeting.

Councillor Boyes **proposed** approval of the application and was **seconded** by Councillor Bainbridge.

Upon a roll call of members by the Solicitor to ascertain their voting intentions it was

Resolved

That the application be **APPROVED** subject to conditions in the report.

b DM/20/00830/FPA - Land at 27 Blind Lane, Chester-le-Street

The Committee considered a report of the Planning Officer for a new residential three-bedroom detached bungalow on land at 27 Blind Lane, Chester le Street (for copy see file of minutes).

The Planning Officer gave a detailed presentation of the application which included a site location plan, property elevation and floor plans, site photographs and the existing and proposed layout plans for the property.

The Chair thanked the Planning Officer for her presentation and asked Councillor Martin to address the Committee.

Councillor Martin, local ward Member addressed the Committee firstly to thank the Planning Officer for all their hard work in preparing the report and guiding both himself and residents through the process and secondly to object to the planning application. He felt the application needed to be brought to committee as the community needed further scrutiny on the lack of consultation with residents regarding the application. He informed the Committee that letters had been sent out to the neighbouring area that sit beyond the cul de sac behind trees, a grassed bank and a main road and who would not notice an additional property being built at Blind Lane. He added that only the house directly next door to the land within the cul de sac had received a letter and although the Council had fulfilled their statutory duty he was disappointed that those most affected by the application living in the cul de sac had felt left out. He noted that out of the 15 objection notices received only one would be genuinely affected.

Councillor Martin felt that there was a principle to develop in this area but only if people were sufficiently notified. He deemed that this had not happened in previous years. Through the process and asking questions he notified the Committee that an additional condition had been added to the application to protect trees in the area that acted as a buffer from the noise of the A693 which had not been done on previous successful applications.

Councillor Martin drew the Committee's attention to the unique design of the properties within the cul de sac that all had the same proportions which differed from that proposed in the design of the the new build. He felt that the application should be refused based on the NPPF regarding well-designed places as paragraph 127 stated that developments should be sympathetic to the character and create a strong sense of place. He acknowledged there was not a shortage of houses in the Chester le Street area with six years supply therefore one more property would not make a difference but would be detrimental to look of the area and would outweigh the slim economic benefit to the area.

Councillor Martin notified the Committee that due to his involvement with residents regarding the application he could not participate in any discussions with members in an objective manner and therefore agreed to leave the meeting after Ms Gregory-Martin had spoken.

The Chair thanked Councillor Martin and asked Ms Gregory-Martin to address the Committee.

Ms Gregory-Martin addressed the Committee by stating that she was not opposed to the principle of the development but was against the inappropriateness of it. She stated that the proposed design was out of scale, out of proportion and out of character with the neighbouring properties and would ruin the unique sense of place that was valued and enjoyed. She thought it was a shame that the local environment and a garden would be destroyed that involved the destruction of trees and hedgerows that provided homes for birds, owls, bats, insects and other wildlife. She added that they formed a barrier against the noise and pollution of the A693 that should be considered in respect of the climate change issues and carbon emissions.

Ms Gregory-Martin informed the Committee that the original builder in the 1970's could only site seven properties of the current design and scale on the land due to the limited amount of space after the construction of the single access road. She noted that over time the existing properties had been modernised but the overall design, size and gardens had not changed. In addition, the cul-de-sac had developed its own unique identity and character to live with a vibrant community spirit where everyone took pride in their gardens, two of which had won awards in the local 'Chesters best' competition

Ms Gregory-Martin felt to cram in a single build, completely at odds in design to its neighbours, would spoil the community character and neither number 27, nor the new build would have a garden anywhere near the size of the other properties. She acknowledged that the planning officer had admitted (paragraph 57) that the new design differed as it was both smaller and simpler. She thought the Planning Officer was wrong to say the new bungalow would not be noticed as it was at the end of the cul-de-sac but it would. She thought it was also wrong to imply that it was acceptable because it had not been opposed. She notified the committee that it had not been opposed because no one knew about it.

Ms Gregory-Martin drew the committee's attention to the 'hammer-head' turning bay at the end of the cul-de-sac that was a valuable asset but if this build went ahead would be directly in front of new build that would provide a temptation for the new occupants to treat it as an extra parking space. She noted that if this area was blocked with cars, then large HGVs would have no option than to reverse all the way back onto to the A693.

Ms Gregory-Martin concluded that the application be refused as the NPPF justified refusal due to the inappropriate development of residential gardens (paragraph 70), highway safety (Paragraph 109), design that failed to improve the character of the area (paragraph 130) and Councillor Martin mentioned paragraph 127. She thanked the committee for the opportunity to address them with her objection.

Councillor Martin left the meeting.

The Chair thanked Ms Gregory-Martin and asked the Committee for any questions or comments.

Councillor Boyes wanted to know if there was a history of planning applications for this area that had been refused as they were not listed in the report.

The Planning Officer notified the committee that only the most recent applications were included in reports, she detailed four applications that had been approved that dated back to 2008. The Officer was aware of earlier refusals on the site however she confirmed that these would have been assessed against the relevant policy at the time and that policy has changed since these earlier refusals. The Officer confirmed that for the previous applications the necessary statutory consultation required would have been carried out.

The Planning Officer confirmed Cllr Hopgood's query that the five letters of objection had been received as a result of extending the consultation to residents within the cul de sac.

Councillor Hopgood queried from the previous planning applications that had been approved how many had been made through delegated decisions.

The Planning Officer was aware that the last two applications had been dealt with by delegated decisions but did not have access to information on any other previous applications

Councillor Jewell wanted to know whether notices had been displayed on lamp posts in the vicinity.

The Planning Officer informed the Committee that notices had not been attached to lamp posts as they were not required. She added that due to the Covid 19 pandemic the Governments safety guidance had been for people to remain at home therefore Officers had not been able to get on site.

Councillor Wilson raised the issue of safety regarding the access on to the highway from the development.

The Planning Officer had received no issues from Highways regarding any safety concerns.

The Highway Development Manager stated that Highways had assessed the planning application and had found that the cul de sac had parking facilities for seven vehicles including three in curtilage parking spaces per existing property and two visitor laybys that catered for four cars which was above Durham County Council's parking requirements. He noted that the cul de sac had a hammer head at the top that acted as a turning area for vehicles that would be at the back of the development. He acknowledged that there had been issues in the past with existing visitors parking in the hammer head making turning difficult.

The Highway Development Manager advised that the new development would provide three additional parking spaces that would decrease the need for people to park in the hammer head keeping it clear for people to turn easily.

Councillor Jewell requested clarity as to whether the parking issues in the hammer head were existing and whether the new development would create additional problems.

The Highway Development Manager clarified that parking issues were an existing problem and the new development would not make the situation worse.

Councillor Wilson was satisfied with the response regarding highway safety.

Councillor Tucker was not clear how the egress and access was going to be granted with the new development and whether the drive was to be a separate or shared one.

The Planning Officer explained that the egress and access to the development would be at the top of the hammer head with a long unshared drive with parking for three cars plus a garage.

Councillor Tucker thanked the Planning Officer for the explanation.

Councillor Bainbridge was concerned that the design was greatly different to the existing properties and wondered if it could be made more similar.

The Planning Officer informed the committee that all the established bungalows were similar but the proposed property would be a simple designed bungalow that would sit at the top of the cul de sac and would not be visible on the street scape.

Councillor Milburn reiterated Councillor Bainbridge's concerns that was answered satisfactorily by the Planning Officer.

Councillor Jewell thought that there were a variety of types of buildings on Blind Lane in Chester le Street.

The Planning Officer confirmed that Blind Lane accommodated a variety of types of properties.

Councillor Shuttleworth left the meeting.

Councillor Wilson **proposed** approval of the application and was **seconded** by Councillor Tucker.

Upon a roll call of members to ascertain their voting intentions by the Solicitor it was

Resolved

That the application be **APPROVED** subject to conditions in the report.

Councillor Martin was invited back into the meeting.

c DM/20/00219/VOC - 7 St Ebba's Way, Ebchester

The Committee considered a report of the Planning Officer for the variation of approved plans and access conditions of planning permission DM/15/01563/FPA to regularise works done and allow changes including extended driveway, front seating area, alternative windows, access ramp, moving garage further from rear wall, raising of garage roof height and raising boundary wall height at 7 St Ebba's Way, Ebchester (for copy see file of minutes).

The Planning Officer delivered a detailed presentation of the application which included a site location plan, site photographs and the existing and proposed layout plans for the property.

The Chair thanked the Planning Officer and asked Councillor Stelling to address the Committee.

Councillor Stelling, Local Ward Member addressed the Committee to object to the planning application. He was aware of the history of the development transforming a former church into a house that had been ongoing for four to five years without completion. He felt that the applicant had not completed any stages of the original application and had failed with the completion of the proposed front drive and landscaping that had left the area a mess as illustrated in the photographs. He had empathy with the residents of Cohort Close and St Ebbas Way as the residents had had to endure the eyesore for years.

The Senior Committee Services Officer read out a letter of objection on behalf of the residents of Cohort Close and St. Ebbas Way who thanked the committee for allowing them the opportunity to submit their letter for consideration. The residents asked that the planning committee consider their points that objected to the planning application. The residents noted that the Local Plan Policy stated that conversions should 'respect the character of the existing building and locality'. The residents disagreed with the planning officer's conclusion that the change to the original plans met this requirement.

The residents informed the committee that the plot housed a chapel, which although on a large plot had lots of open landscaped garden to the front and a small vestry building to the side, which blended in seamlessly with its neighbours. The residents felt that the proposed changes would result in an over developed site, that produced a prominent and imposing build that 'stood out' from its neighbouring properties. They thought by extending the driveway to nearly 11 metres the frontage would resemble a public carpark and be totally out of character for the area. In their opinion it would not be visually attractive and sympathetic to the local character and surrounding built environment.

The residents were concerned that the highway officer's report had been compiled without a site visit and thorough evaluation of the road and its usage had not picked up on. The residents asked the committee to consider, that as residents they had invaluable knowledge and experience on the usage of the road and the footpath that ran parallel to this conversion as they used the facility on a daily basis. The residents were very worried about their safety should the proposed plans be approved.

The residents explained that Cohort Close and St Ebbas Way alone had over 40 vehicles coming and going, in addition to visitors and service vehicles. They added that pedestrians used the footpath and road to walk to school, the shops and access local amenities and it was a very busy area. They added that the road was already very difficult to negotiate, without the additional hazard of an expansive driveway onto what had effectively become a single carriageway with extremely poor visibility at the junctions where Fossway and Cohort Close join St Ebba's Way.

The residents stated that whilst the applicant had expressed that there was a problem with safe parking, it should be noted that this was not the case prior to him purchasing the property. They noted that there could not be any guarantee that the current on street parking would be improved or made any safer, by allowing the applicant to make the changes he was proposed. They felt that by agreeing to these changes, the legal right to park on a considerable length of dropped kerb would be given to one household, with absolutely no legal obligation that this area of dropped kerb was kept clear of his vehicles and therefore allowing a safe, clear and unobstructed view for other road users and pedestrians. The residents believed that the safety of their community should be the prime consideration, not the applicant's ability to park as many vehicles as he chose, where he chose. They informed the committee that the applicant had numerous vehicles which could not physically be accommodated off road under the proposed changes.

The Planning Officer responded to both Cllr Stelling and the letter from residents in that she was aware of the situation and the enforcement history of the site, however the planning authority could not insist on a time scale for completion under policy guidance especially under the circumstances with the Covid 19 pandemic. She added that the design and landscaping would be for half of the frontage of the property but had to be in keeping with the surrounding area.

The Highway Development Manager acknowledged that the development would provide additional parking with a double drive to accommodate two vehicles and a garage. He understood that enforcement had been involved with the construction with site visits undertaken by Highway Officers and the Neighbourhood Protection Manager. He noted that in terms of highway safety he had no concerns as it was a residential area where the speed of traffic was expected to be low. He agreed that there were issues with cars that parked on the footpath in the estate but that did not pose any visibility impairment. He added that there was a requirement that driveways should be kept clear and people could park outside their own property as long as they did not cause any obstruction.

Councillor Jewell stated that he had knowledge of the area and wondered how much movement of traffic went through the former social housing estate.

The Highway Development Manager clarified that there would be approx. 40 vehicles that would be in and out of the estate spread across a ten-hour period. In highway terms he classified this as low traffic movement.

The Chair asked Committee Members for any questions or comments.

Councillor Shield as a local member addressed the committee with a peripheral view towards the planning application. He informed members that he was aware of the development and knew that the applicant had failed to comply with elements of the original planning application that had forced planning enforcement to investigate that resulted in the new planning application being submitted. He notified the committee that during the Covid 19 pandemic where the Government had stipulated that people should stay at home the applicant had continued work on the development subsequently involving Planning Enforcement again who gave him a verbal warning to cease any further work.

Councillor Shield was concerned that the footpath outside the development that served as the main access route in and out of the estate would be prone to an expansive dropped kerb. He was unclear as to how the canty lever gates would operate on such a large scale. He was conscious that if the proposed drive was constructed it would only accommodate three of the applicants cars with one in the garage but the remainder would be situated on the highway near his property that would cause visibility issues and unsafe for cars entering and exiting the drive.

The planning Officer explained that the electric gate would be raised off the ground and would move together behind each other as it opened and closed.

The Highway Development Manager stressed that there would be no way to determine whether or not high sided vehicles would park near to the driveway to obscure visibility or cause obstructions. He acknowledged any high sided vehicle parked alongside any driveway may cause a visibility issue. He advised Members that they should not consider the users of the existing development when they assessed the application, as vehicle ownership and type could change throughout the lifetime of the development. He acknowledged there was an issue of vehicles that parked on footways in the estate to avoid blocking the carriageway. He added that this would be less likely if there was more in curtilage parking spaces.

Councillor Shield felt that there was not enough recess within the grounds to allow for the cantilever gates to work and have in curtilage parking spaces. He thought that there was a large amount of dropped kerb for access into just one property and was not convinced that residents would be safe whilst the work would be carried out to install it. He stressed that this footpath was the only means of access into and out of the estate and it would be required to be closed in the process forcing pedestrians into the road. He was fearful that an accident would occur in this area as he was aware that the applicant had numerous vehicles including high sided ones and trailers that would be parked near to the property that would cause visibility issues. He was also aware that the estate was used as a rat run therefore moved that the application should be refused.

Councillor Tucker was concerned that the hedge along with bends at either end of the road would cause impaired visibility for anyone pulling out of the driveway.

The Highway Development Manager notified the committee that the bends at either end of the road was a positive element acting as a buffer to slow traffic down as it would be most likely vehicles would not be travelling in excess of 15mph and that would calculate to enough safe stopping distance to where the driveway would be constructed.

Councillor Milburn had sympathy for Councillor Shield as she had a similar issue in her ward with an old chapel being turned into a house. She was concerned that there would not be enough room at the front of the building for the driveway for cars to park.

The Planning Officer showed the photographs of where the garage had been demolished that made room for the proposed driveway should the application be successful.

Councillor Milburn was still unclear as how the proposed driveway would accommodate three cars at the front of the property and wondered if the drive could go to the rear.

The Planning Officer assured the Councillor that there was enough room for the driveway as measurements had been taken.

Councillor Wilson wanted to know if the new development would add to the issues of parking in the estate.

The Planning Officer confirmed that the parking issues were already in existence due to the age of the estate as properties were built without curtilage parking.

Councillor Jewell asked whether the development would make the parking issues worse or would it improve the situation.

The Planning Officer anticipated that the development would improve the parking situation.

Councillor Hopgood wanted to know why the applicant had not anticipated that the retaining wall would be an issue by moving the garage in the original application. She was concerned that the applicant had warranted planning enforcement to become involved with the site by not adhering to or honouring the original application

The Planning Officer explained that originally the applicant had not expected there to be any problems with the retaining wall but concerns were raised when there were complications with the neighbour's fence that had fallen and the applicant needed to help with the situation.

Councillor Thompson voiced concern that the original planning application had been successful.

The Planning Officer confirmed that the original application had been assessed accordingly with planning principles and policies that had highlighted no concerns with the design or highway safety that deemed the application to be successful.

The Solicitor stressed that the committee needed to determine the planning application that was presented and not the previous application. She added that the planning enforcement involvement with the site could not be taken into consideration.

Councillor Wilson proposed that the application should be refused and was seconded by Councillor Thompson.

Councillor Boyes advised the committee that the reasons for any decision should be supported in case the application went to appeal.

The Solicitor stated that Members could consider the changes from both applications.

Councillor Tucker had serious reservations over the safety of the variations due to the substantial bends at either end of the road, the operation of the gate to allow safe passage in and out of the driveway and would not be in favour of the application being approved.

The planning Officer advised that an additional condition could be placed in the application to cover the operation of the electronic gates.

Councillor Shield had concerns with the application and would not support its approval as he believed it breached GP11 and HP7 policy as it did not reflect the character of the area. He felt that the development contradicted the NPPF and the Derwentside Local Plan with regards to the safe and suitable access to the property. As a local member he knew the area and the people who needed to be listened to as the implications of the development outweighed any benefits to the area.

The Highway Development Manager assured the committee that Highways had no concerns over the standard width of the road that allowed the passing of two cars without being too narrow. He advised that as the dropped kerbs works were undertaken by the County Council, he could guarantee that every safety precaution would be put in place when the dropped kerb would be constructed with the erection of barriers and bollards to allow pedestrians to step into the road safely while works took place. He estimated that the works would take approximately one day that would limit the inconvenience caused. He reiterated that the bends at either end of the road would be beneficial to reduce the speed of traffic and there would be no defence at an appeal from a Highway safety perspective.

Councillor Bainbridge asked why the extension of the driveway and dropped kerb had not been in the original application.

Councillor Martin was concerned about the closing of the footpath and the ability for pedestrians to get past. He wondered if there was a footpath at the rear of the property that could be used as a diversion.

Councillor Shield explained that there was a passageway at the rear of the property that led to a garage site but it was not a suitable footpath although it could be walked on.

The Solicitor advised upon listening to the debate that there had been no substantial reasons put forward to justify a refusal of the application.

Councillor Jewell also noted that the number of vehicles that the applicant owned could not be taken into consideration by the committee.

Councillor Boyd left the meeting.

Councillor Shield **proposed** that the application be refused and was **seconded** by Councillor Thompson but stated that should the application be successful he requested that additional conditions be included regarding the restricted hours when work could be carried out.

Councillor Boyes **proposed** a counter recommendation that the application be approved subject to the inclusion of additional conditions that was **seconded** by Councillor Bainbridge.

Upon a roll call of members by the Solicitor to ascertain their voting intentions on the proposal to refuse the application it was

Resolved

That the proposal to refuse the application be **rejected**.

Upon a roll call of members by the Solicitor to ascertain their voting intentions to approve the application with the inclusion of additional conditions it was

Resolved

That the application be **APPROVED** subject to conditions in the report and additional conditions applied that would be determined with the Chair, Vice Chair, Legal, Planning Officers and Local Ward Members.