

## **DURHAM COUNTY COUNCIL**

### **AREA PLANNING COMMITTEE (CENTRAL AND EAST)**

At a Meeting of **Area Planning Committee (Central and East)** held in the **Council Chamber, County Hall, Durham** on **Tuesday 13 June 2023** at **9.30 am**

#### **Present:**

**Councillor D Freeman (Chair)**

#### **Members of the Committee:**

Councillors D Oliver (Vice-Chair), A Bell, L Brown, I Cochrane, M Currah (substitute for J Cosslett), S Deinali, J Elmer, L A Holmes, R Manchester, I Roberts (substitute for D McKenna), K Robson, K Shaw and A Surtees

#### **Also Present:**

Councillors R Ormerod and M Wilkes

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors J Cosslett, D McKenna and C Marshall.

#### **2 Substitute Members**

Councillor I Roberts substituted for Councillor D McKenna and Councillor M Currah substituted for Councillor J Cosslett.

#### **3 Minutes**

The minutes of the meeting held on 9 May 2023 were confirmed as a correct record by the committee and signed by the Chair.

#### **4 Declarations of Interest**

Councillor J Elmer declared an interest in Item 5b, noting he was Local Member and had called the item to Committee. He explained he would speak in objection to the item and leave the meeting during the consideration thereof.

Councillor L Brown noted she added that she was a member of the City of Durham Trust, however she was not a Trustee and had not been party to their submissions in objection to applications on the agenda. The Chair, Councillor D Freeman noted he too was a member of the City of Durham Trust, however he was not a Trustee and had not been party to their submissions in objection to applications on the agenda.

## **5 Applications to be determined by the Area Planning Committee (Central and East)**

### **a DM/21/02982/FPA - Sunridge Farm House, Thornley, Durham DH6 3EE**

The Principal Planning Officer, Leigh Dalby 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 visited the site and were familiar with the location and setting. The application was for change of use from agricultural to off road motorcycle training centre, with creation of motor track and was recommended for refusal.

The Principal Planning Officer asked Members to recall that the application had originally been deferred at the Committee's meeting of 12 July 2022, to allow for further information as regards noise, transport and business issues to be brought forward, as well as to allow a site visit to take place. He added that there had been 33 letters of objection to the application and five letters of support, as summarised within the agenda papers. The Principal Planning Officer noted that while some aspects of the application were acceptable, Officers felt that the proposed use, in such a rural setting, impacted on the tranquillity and amenity of the area and relied upon unsustainable modes of transport.

The Chair thanked the Principal Planning Officer and asked Mr Emery, on behalf of the Applicant, to speak in support of the application.

Mr Emery explained that the point of setting up the facility was to help reduce the number of off-road bikes plaguing the disused railway tracks and village greens within our towns and villages. He understood the point raised in terms of transport to the track being via an unsustainable mode, however, that was a necessity to ensure no one simply rode to the track and gained access. He added that there would be a marshal on the gate, with no bikes were admitted, only those transported in a van or on a trailer.

He explained that there would be an attempt to encourage bikes to be kept on-site, with 10 purpose-built workshop/storage facilities, with a fee of £20 per week, for each of the 10 units, with each unit holding up to five bikes for a total of 50 bikes that would be kept off public roads and from illegal use. Mr Emery noted that in addition to the storage on site, members of the club would have access to workshops and tutorials and lessons. He added that this was all in with the £20 fee, which was for track days once per week, 45 times per year. He added that the operation times would be 10.00am until 4.00pm and that those under 14 years of age would pay £5.

Mr Emery reiterated that the aim was to take bikes out from the community and limit their use to the track. He explained that there would be an ethos created where the members would take pride in their bikes, learn how to work on them, creating a club atmosphere similar to other sporting clubs, such as boxing gyms. He noted that there was noise measuring equipment, and should a bike not pass in terms of decibel levels, then it would not be permitted to be used. He added that there were clip on baffles for use.

Mr Emery summarised that the application included 10 units for storage, car parking, a toilet block, plumbed in and with drainage, first aid facility, member registration and would help suppress motorbike use on the road and encourage use on the track.

The Chair thanked Mr Emery and asked the Principal Planning Officer to respond to the points raised.

The Principal Planning Officer noted that the 10 units did not form part of the planning application and that this was the first Officers had heard in respect of such units, which themselves may require planning permission. Mr Emery noted if retrospective application was required it would be made.

The Chair thanked the Principal Planning Officer and asked the Committee for their comments and questions.

Councillor A Bell noted he felt it was a difficult decision and could appreciate the work the applicant had undertaken. He added that all Members could appreciate efforts to relieve public areas of the plague of illegal off-road bikes and in that respect it was commendable. He noted, however, the location was next to a cemetery and while he had not been able to attend the site visit he asked as the location was being used, how many complaints had been made so far, and asked as regards permitted development rights, and how many days could be operated without permission. The Principal Planning Officer explained that permitted development allowed for use on 14 days per year, however, did not allow for the engineering works that had created the track.

He noted that while the track had been in use there had been some objections to the use, reiterating there had been 33 written objections to the application, while not a lot of objections, there was one objector who contacted when every event took place at the track.

Councillor A Bell asked what day the track operated, he assumed Saturday. The Chair asked Mr Emery to respond, Mr Emery noted that the track operated on Sundays. Mr Emery noted that the cemetery was well screened with trees and bunds created on the track site. He noted the applicant was in contact with the cemetery manager at 8.00am to enquire as regards any funerals taking place, and if so, activity would be shut down 30 minutes before until 30 minutes afterwards. The Chair noted that people visited cemeteries at all times, not just for funerals. The Principal Planning Officer noted that information from Environmental Health showed 13 noise nuisance complaints since March 2023.

Councillor D Oliver asked if there were any similar motorbike tracks elsewhere in the county and whether there was any evidence that such were removing illegal bikes from public roads. He noted that the report from Environmental Health suggested if conditions were in place that they would be sufficient to mitigate statutory nuisance and asked Officers if they were in place would they remove the noise concern or not. The Principal Planning Officer noted there had not been any recent applications for motorbike tracks in County Durham, however, there were a number of historic tracks in the county. He explained that Environmental Health had commented that the noise level of +4dB was not sufficient to harm residential amenity, however, within County Durham Plan (CDP) Policy 10 wider amenity issues were considered and Officers felt that there was potential impact on noise sensitive receptors, so while the residential amenity may not be impacted, other use of the nearby countryside and cemetery was felt to be impacted.

Councillor L Brown asked as regards the members' fee and noted that £20 for use of the track for one Sunday, and £20 for storage may put a lot of people off due to the cost. She also noted that in terms of CDP Policy 29, motocross use was inherently harmful. The Chair asked if Mr Emery could respond. Mr Emery noted that the storage was across 10 units, each holding five bikes, therefore each person would pay £4. He noted around 60 members on a Sunday and noise assessments that were carried out.

Councillor J Elmer noted he had attended the site visit and looked at the proposals. He felt the site was well screened, had several bunds in place as well as a very wide tree belt. He did not however that the cemetery was directly on the side of the site and therefore noise would impact upon the cemetery.

In respect of membership fees, if one was to store one's motorbike on site and attend the Sunday meeting, that would equate to around £100 per month and questioned whether those that would ride motorbikes illegally on public roads would be the type to pay for such a facility. He added that he struggled to see how those type of people would afford the cost, noting perhaps if it was free of charge, else he felt it could be only for the relatively wealthy to use.

Councillor A Surtees noted that she welcomed this type of application, however, she felt that this specific application may not necessarily alleviate the issues associated with off-road bikes. She asked as regards the storage of fuel on the site or whether users would need to travel to the nearby JET petrol station at Wheatley Hill. She noted the use of the cemetery next to the application site and noted that cemeteries were a sanctified place and should be peaceful to allow people to spend time with those they have lost. She added that she felt that it was almost guaranteed that there would be people travelling on motorbikes to the track to use the facility. She added that the turnover of bikes was huge, with any illegal bikes seized and crushed replaced very readily by eBay purchases or other means. She reiterated she did not feel she could 100 percent support the application and asked as regards fuel storage, those turning up already on their bikes, and the interruption to the cemetery.

Councillor A Bell agreed with the issues raised by Councillor A Surtees, however, noted that under permitted development, the issues would be occurring, only on fewer days, and noted whether this was an opportunity to regulate the operation. He asked if it were possible to grant a temporary permission. The Principal Planning Officer noted that permitted development allowed for 14 days for motor events. He added that granting a temporary consent was an option open to the Committee, however, there would need to be justification as such temporary permission was the exception rather than the rule, and timescales in terms of coming back and reassessing. Councillor A Bell proposed that the application be approved for a period of 12 months, then to be assessed. The Legal Officer (Planning and Highways), Laura Ackermann noted that the application was recommended for refusal by the Officers. Councillor A Bell noted this and noted his motion was as he felt contrary to the Officer's recommendation. The Principal Planning Officer noted that the track had been operating already for two years, though once mitigations were all in place the situation could be assessed after. Councillor A Bell agreed, after 12 months.

Councillor J Elmer noted he supported and would second Councillor A Bell, specifically approval for 12 months and for the situation to be monitored to establish whether there were complaints, and to be in touch with Durham Constabulary to gather feedback in relation to anti-social behaviour and off-road bikes.

He noted they were unlikely to be able to be conditions, however, suggested that such monitoring took place. He added could there be a condition to be in regular contact with the Cemetery Manager.

Councillor A Surtees reiterated she had concerns as regards fuel being transported and noted that a number of complaints were set out within the Committee report, adding that 12 months was a long to see if additional complaints were received. She noted she felt she could not support the application in its current form and noted the complaints received over the last two years. She added she was not convinced that that there would be less in the 12 month period if operating every week, indeed it was likely more complaints would be received. She reiterated that she was not convinced that the proposals would make any difference to the situation in terms of illegal off-road bikes.

Councillor L Brown noted she was quite unhappy in terms of looking for improvement over the 12 months and also was wary as regards the 10 units that may require permission, and the toilet block that also may require permission. Accordingly, she moved that the application be refused as per the Officer's report.

The Principal Planning Officer noted he was not sure at this point whether the 10 units would require permission, and in terms of fuel he had received no details, with no fuel pumps forming part of the application before Members. He reiterated that under permitted development rights, there could be 14 events per year, however, the facility had operated most weekends, and it was reiterated that Environmental Health had received 13 complaints. He asked, should the Committee be minded to approve the application for 12 months, when permission would be granted from, for example 12 months from when works were completed. Councillor A Bell noted he agreed, 12 months from when works were completed.

Councillor K Robson noted all Members were familiar with the problem of off-road bikes in County Durham, and indeed nationally, and therefore he felt that there would be interest in the proposals if they could be shown to have an impact in terms of any reduction in illegal use. The Principal Planning Officer noted he did not have any additional information on such schemes elsewhere, however, information may be able to be gathered should Members be minded to approve for 12 months. The Chair noted that none of the Local Members were in attendance today at Committee.

Councillor A Surtees asked how those riding up to the track would be prevented from accessing the facility and noted she had not noticed a decrease in anti-social behaviour associated with off-road bikes in the east of the County. The Chair asked Mr Emery to respond.

Mr Emery noted that on track days, there would be a Marshal at the entrance and if a bike was ridden up to the entrance it would not be permitted entry. He noted the facility was gated and any such riders would not be able to get past and gain entry and reiterated that bikes would need to be transported in a van or on a trailer. Councillor A Surtees noted she was not convinced.

The Chair noted the motion from Councillor A Bell, seconded by Councillor J Elmer had been for temporary approval for 12 months. The Legal Officer (Planning and Highways) asked Councillor A Bell if the suite of conditions would be delegated to Officers, in consultation with the Chair and Vice-Chair of the Committee. Councillor A Bell agreed.

Upon a vote being taken, it was:

### **RESOLVED**

That the application be **APPROVED** for 12 months, with a suite of conditions to be delegated to Officers, in consultation with the Chair and Vice-Chair of the Committee.

Councillor L Brown asked what the process would be at the end of the 12 month period. The Principal Planning Officer noted that any decision on further permission would be under delegated authority unless the application was called-in to Committee.

#### **b DM/22/03125/FPA - Land to rear of 31A to 33, Lobley Hill Road, Meadowfield, DH7 8RQ**

The Planning Officer, Michelle Hurton 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 Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for a two storey detached 4 bed dwelling and detached double garage with associated external works and was recommended for approval, subject to the conditions as set out in the report. The Planning Officer noted that paragraph 93 of the report referred to the Town and Country Planning (General Development Procedure) Order, however, it should have referred to the Town and Country Planning (Development Management Procedure) Order.

The Chair thanked the Planning Officer and asked Ghulam Kamran, local resident in objection, to speak on the application.

G Kamran thanked the Chair and Committee and explained he was the resident of 31A Lobley Hill Road, the immediate neighbouring property to the application site. He noted he respected the applicant, adding they were a good neighbour. He noted the recent issue in terms of an area of unregistered land that was in use by the occupants of 31 and 32 Lobley Hill Road for 25 years. He noted that on the A690 side of Lobley Hill Road there was limited parking for friends and family to park and the elderly and children used the area at the rear of Lobley Hill Road, not the A690 side at the front. He referred to the turning head mentioned in condition 13 and noted that the turning head would need to be constructed prior to commencement of works on the dwelling and would be retained and be available for use in perpetuity. He noted that the applicant had acknowledged on several occasions that he and residents used the area in question and noted that while beyond the scope of the Committee, he felt it could set a dangerous precedent in respect of other applications.

G Kamran reiterated that 31A and 32 Lobley Hill Road used the area in question and were in a better position in terms of any potential adverse possession claim and explained that he had information within documents from a previous owner of his property in respect of the land. He noted it was not a simple proposal as regards laying tarmac on his land and reiterated that 31A and 32 maintained the area and used it for parking.

The Chair thanked G Kamran and asked Elaine Irving, the applicant, to speak in relation to her application.

E Irving thanked the Planning Officers for their work in relation to the application and noted that the proposals would improve the land and access situation in the area.

The Chair thanked E Irving and asked Councillor J Elmer, as Local Member, to speak in relation to the application.

Councillor J Elmer referred to National Planning Policy Framework (NPPF) Part 15 which noted applications should preserve or enhance the local environment and landscape. He referred to a slide which compared aerial photos from Google maps at different points in time and noted that the older aerial photo showed a high degree of vegetation around the site, including trees and bushes. He noted that the current aerial view showed the site had been cleared, very much thinned, clear felled other than some trees on the boundary of the site, noting a stack of timber on the site. He noted those works had been carried out prior to the application and therefore the assessments carried out by Officer were after the changes to the site. He noted CDP Policy 40 referred to no loss of trees or amenity unless there were demonstrable benefits.



He added that the Council's Arboriculturist had referred to the trimming of trees at the edge of the site and that an application may increase the pressure to prune or remove trees as a result of issues such as leaf drop or unwanted shade. He referred to the proposed site plan and the close proximity to those trees, leading to a high likelihood that they would be pruned.

Councillor J Elmer noted CDP Policy 24 referred to transport infrastructure and noted the points raised by the residents as regards land ownership and the turning head. He noted that residents had used the area for quite some time and asked therefore if it was viable for the applicant to convert, and if there was no turning head it would be difficult and dangerous as vehicles would need to reverse and such was the need that it was conditioned. He noted that he felt the application was invalid in terms of legal challenge to the turning head.

*Councillor J Elmer left the meeting at 10.46am*

The Chair asked the Principal Planning Officer, Paul Hopper to respond to the points raised. The Principal Planning Officer reminded Members that in terms of land ownership issues, Planning was not the arbiter, however, there was the condition within the recommendations relating to the turning head. He added that a Land Registry search showed that part of the site was unregistered, however, the requisite checks were satisfactory in planning terms. He noted that ultimately if the applicant did not have control of the land they would not be able to carry out the works proposed. In terms of the clearing of the site, he noted that this had taken place prior to the application being submitted and added that there was a Tree Preservation Order (TPO) made in 2022.

The Chair thanked the Principal Planning Officer and asked the Committee for their comments and questions.

Councillor A Bell noted he had been unable to attend the site visit and asked for clarification as regards the status of the back lane, whether it was an unadopted track given there were more than six properties. The Highway Development Manager, Phil Harrison noted that it was not maintained at the public expense and noted that it was possible for access to be a private road and that would not be deemed reason to recommend refusal of a planning application.

Councillor A Bell noted that issues relating to the trees had been referred to by Councillor J Elmer and asked if there was anything within the conditions relating to this, such as the protection of roots.

The Principal Planning Officer noted that the proposed position of the dwelling had been moved to be outside of the area where root systems existed and therefore, based on the information from the Council's Arboriculturist, Planning Officers were satisfied. He noted now issues in terms of overshadowing and noted the conditions contained sufficient protections in respect of trees.

Councillor A Surtees asked for clarification on a piece of land that had cars parked on it. The Principal Planning Officer referred to the aerial photograph on the projector screen and highlighted the area in question, noting it fell outside of the red line boundary for the application.

Councillor L Brown noted a number of neighbouring properties surrounding the site and suggested that, should the application be approved, that construction start time began at 8.00am rather than 7.30am to protect residential amenity.

Councillor I Roberts noted she had attended the site visit and noted the area to the bottom of the aerial photograph was being used as a car park and asked if that was the area G Kamran referred to, he confirmed it was.

Councillor A Bell noted it was a difficult application, however, issues of land ownership were outside of the scope of the Committee. He asked if all the requisite notices had been served in respect of the unregistered land, adding if so he would propose that the application be approved as per the recommendation. The Principal Planning Officer noted that the necessary press notices had been completed. Councillor D Oliver seconded the proposal for approval. The Legal Officer (Planning and Highways) asked if that included the proposal from Councillor L Brown in relation to the 8.00am start time for construction. Councillor A Bell noted it did.

Upon a vote being taken, it was:

## **RESOLVED**

That the application be **APPROVED** as per the conditions set out within the report, subject to amendment of the construction hours to have an 8.00am start time.

*Councillor J Elmer entered the meeting at 10.58am*

**c DM/23/00889/FPA - 4 St Marys Close, Shincliffe, Durham, DH1 2ND**

The Principal 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 Principal Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for a two storey rear extension with Juliet style balcony, pitched roof dormer to rear, front porch extension, conversion of garage into storage, external alterations to appearance and installation of solar PV panels to front facing elevation and was recommended for approval, subject to the conditions as set out in the report. The Principal Planning Officer noted a typographical error within the report, noting that the final paragraph 62 should include the word not so it would read '*As mentioned previously, the dormer window is also considered not to be permitted development*'. He explained that such permitted development rights were withdrawn within conservation areas, and this was the case in this instance, therefore requiring planning permission. He noted an update to conditions in terms of a matching brick finish rather than render.

The Chair thanked the Principal Planning Officer and asked Parish Councillor Ann Callaghan, representing Shincliffe Parish Council, to speak in relation to the application.

Parish Councillor A Callaghan thanked the Chair and Committee and explained that while Shincliffe Parish Council reviewed all the planning applications within its area, it only rarely put forward any objections to an application, rather more usually recognising and supporting residents who wished to make improvements to their properties. She noted however, where it was felt there would be an impact upon the conservation area, green belt or residential amenity then the Parish Council would make representations, as in this case. She set out that the two main issues were the development within the conservation area, adding St. Mary's Close an award winning development designed by renowned Architect Donald Insall, and the loss of amenity for neighbours.

Parish Councillor A Callaghan noted that the properties at St. Mary's Close were one of only 11 Civic Trust award areas in County Durham and was the only housing development within those 11. She noted it had been recognised for its openness and low density design, with rectilinear design and leading up to St. Mary's Church. She explained that the proposals within the application did not take those factors into account and noted the applicant had questioned the status of the conservation area.

Parish Councillor A Callaghan noted the status was incontrovertible, noting its boundary flowing along the line of homes and to the boundary of the village and A177. She noted that the proposals would break the roof line of the houses in St. Mary's Close and therefore impact upon the visual amenity of the conservation area and also would not be in keeping with the established rectilinear style and noted other dormer window applications that had been rejected in the area.

Parish Councillor A Callaghan noted that policy relating to extensions was such that they should not impact upon the amenity of neighbouring occupants. She noted the scale of the proposals were disproportionate, representing a 44 percent increase in footprint, where 33 percent was deemed as an acceptable increase. She added that none of the extensions within St. Mary's Close were beyond 3.0 metres, with the proposals being for 4.5 metres. In terms of the brick finish rather than render, she noted this was an improvement.

Parish Councillor A Callaghan noted the Parish Council felt the application was in conflict with CDP Policy 29 and the Residential Amenity Standards Supplementary Planning Document (SPD) as the proposed extension was not sympathetic with the existing buildings and conservation area as a result of the roof design, material, scale and size. She added this also meant the proposals were in conflict with CDP Policy 6. She noted that the recently updated Residential Amenity Standards SPD required that extensions were sympathetic and subordinate to the main dwelling. She added the proposals were not in accord with NPPF Part 12 in terms of sustainability and conserving of the character of the conservation area. She noted previously Planning Officers had ensured scale and proportion, citing examples at numbers 10 and 28 St. Mary's Close.

In reference to loss of amenity for neighbouring residents, Parish Councillor A Callaghan noted the proposals would be overpower and dominate neighbouring properties and shade the garden of neighbours, impacting upon their residential amenity. She added the proposed Juliet balcony and window would look directly into 5 St. Mary's Close, a considerable loss of privacy. She added that two of the three proposed windows were unobscured glass and gave views into 3 St. Mary's Close, in conflict with national and Council guidelines referring to 21 metres between windows of habitable rooms. She added that should Members be minded to approve the application, she felt that obscured glazing should be used in all windows.

Parish Councillor A Callaghan noted that the application was in conflict with CDP Policy 31 in terms of the proposals representing a visual dominance and loss of light that would not be mitigated and therefore should not be permitted. She reiterated that the proposals were also in conflict with CDP Policies 6 and 29, as well as NPPF Part 12.

She reiterated that Shincliffe Parish Council supported development to properties in the Parish, however, they must abide by the appropriate policies in place. She noted the Parish Council would work be happy to work with the applicant to help with proposals that would meet their needs.

The Chair thanked Parish Councillor A Callaghan and asked Christine Warburton, local resident, to address the Committee.

C Warburton thanked the Chair and Committee and explained she was putting forward the views on behalf of herself, resident of 3 St. Mary's Close, and of the resident of 5 St. Mary's Close, Anne Stark.

She noted the proposals were not consistent with other granted permissions for extensions, such as that approved in 2021 for an extension at 28 St. Mary's Close. She noted that extension had been developed with a sympathetic design, however, the proposals for 4 St. Mary's Close and Officer's report either rejected or ignored the concerns of residents. C Warburton noted the scale of the proposals, being 3.5 metres in size, with a maximum height of 6.5 metres and explained this represented over 40 percent increase in comparison to the host building. She added this would present a visually dominant addition to the area and due to its orientation, would block garden sun to neighbouring properties.

C Warburton explained that there would be loss of privacy, given the floor to ceiling glazing, and with two obscure glazing windows to be replaced by a balcony window. She noted paragraph 52 of the report stated '*...sufficient areas of adjacent gardens would remain unaffected*', however, she noted it would result in a loss of privacy not only in the garden, but also in terms of her kitchen reiterated that the proposals would have an overbearing impact upon her and her neighbour's property. She noted the removal of a garage and siting of the extension closer to her property, adding the visual dominance could not be ignored. She noted the applicant stated that the application was small, however, the proposals represented around 8 metres by 3.3 metres.

C Warburton noted that the application was not in accord with CDP Policies 6, 29 and 31 and Part 12 of the NPPF. She added she felt Planners had not considered the designated status and added that other garages on the Close had not been developed in such a manner and other extensions had been developed in sympathy with the area. She noted that she understood the desire to improve one's property, however, any development must respect the design of the area and the residential amenity of neighbours.

The Chair thanked C Warburton and asked the Committee for their comments and questions.

Councillor L Brown asked if the Design and Conservation Team were aware of the award status of St. Mary's Close. The Principal Planning Officer noted that there were, at very least through the representation made by those in objection. Councillor L Brown asked if they had been aware at the time of their consultation response to the application. The Principal Planning Officer noted that they were.

Councillor K Shaw noted the reference made by objectors to visual amenity and impact upon the conservation area and asked if there was a conservation area management plan in place. The Principal Planning Officer noted he was not aware of such a plan.

Councillor J Elmer noted the change to brick rather than render, adding he felt that was a positive step. He noted however, listening to the comments from the Parish Council and residents he felt split in terms of the application. He noted it was important for the Committee to pay heed to those comments, though noted he felt that the proposals while not impacting the conservation area, did impact upon residential amenity. He noted it was finely balanced, however, he felt support for those local residents.

Councillor A Bell noted the points raised by the Parish Council and asked for further comments from Officers on those issues. The Principal Planning Officer noted that the refusal of a dormer window referred to related to a property within the green belt, refused on that basis. In terms of the size and being 'disproportionate', reference had been made to a desired extension size of 33 percent. He noted that while some Local Authorities referred to such a percentage, it was not included within the CDP and each application would be judged on its own merits. He noted that Design and Conservation had been happy the proposals represented a neutral impact and Planning Officers had attached weight to their response.

Councillor D Oliver noted he felt similarly torn, as Councillor J Elmer had noted. He added that, while understanding the comments from the Parish Council and residents, he felt the comments from the Officers tipped the balance in his opinion.

Councillor L Brown asked as regards any construction management plan, noting the residential nature of the area. The Principal Planning Officer noted that for residential extensions it was not normal practice to require a construction management plan, however, that would be for Members to decide, though he felt it would not pass the test in terms of the reasonableness of such a condition. Councillor L Brown noted she would like to see one, given the residential nature of the area.

Councillor A Bell noted that from the responses from the Principal Planning Officer to queries and points raised, he felt that the application should be approved with a construction management plan as suggested. Councillor L Brown noted she would propose an 8.00 am construction start time and usual conditions relating to Bank Holidays and weekends. The Principal Planning Officer asked if Members were proposing extending the obscured glazing to the additional windows, it was noted they were. Councillor D Oliver seconded the motion for approval put forward by Councillor A Bell.

Upon a vote being taken, it was:

## **RESOLVED**

That the application be **APPROVED** as per the conditions set out within the report, amendment to obscure glazing and a construction management plan.

*Councillors I Roberts and K Robson left the meeting at 11.33am*

### **d DM/22/03237/FPA - Sniperley Park and Ride, Sniperley Park, DH1 5RA**

The Senior Planning Officer, Chris Shields 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 an extension to the Sniperley Park and Ride by 262 total bays accommodating 29 disabled bays, 18 electric charging bays and 4 motorhome bays and was recommended for approval, subject to the conditions as set out in the report.

The Chair thanked the Senior Planning Officer and asked the Committee for their comments and questions.

Councillor J Elmer noted he was very supportive of the application and welcomed the inclusion of additional electric vehicle charging bays, in the move to such technology. He asked as regards any electric bus charging provision, whether it was included or would require a refit of technology. He also asked as regards provision for cyclists, how they could park and access the service in terms of cost and connectivity.

The transport and Infrastructure Manager, Craig MacLennan noted the safeguards for future electric vehicle charging, with the Council looking to seek opportunities for electric bus charging, noting the issues in terms of retrofit of equipment.

He noted there were cycle lockers on site, and payment for the 'ride' was made upon boarding the bus. In terms of connectivity, he explained the design was complemented the existing access through the site with a shared path and links to the wider cycle network.

Councillor J Elmer reiterated that he felt the proposals represented a very positive addition to the facility and moved approval. Councillor A Surtees noted it was very clear the proposals were required to help meet increasing demand and therefore seconded the motion for approval.

Councillor L Brown noted she would support the application, adding that the increased capacity would help alleviate traffic issues in her Electoral Division. The Chair noted he too supported the application, noting it would help to improve the poor air quality in the city centre, with his Electoral Division being one of those within the city. He noted that while there would always be traffic that needed to travel through the city centre, the potential reduction of 250 vehicles coming into the city by the proposals was welcomed.

Councillor A Bell noted the proposals were welcomed and commented that he felt there could have perhaps been more additional motorhome bays, say up to 12, as he felt this was an area of increasing demand explaining a nearby caravan site on the A690 always being full and that perhaps there could have been an opportunity in terms of additional and overnight parking.

Upon a vote being taken, it was:

## **RESOLVED**

That the application be **APPROVED** as per the conditions set out within the report.