

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 8 July 2014 at 1.00 pm**

Present:

Councillor P Taylor (Chairman)

Members of the Committee:

Councillors G Bleasdale, J Clark, P Conway, M Davinson, K Dearden, D Freeman, S Iveson, J Lethbridge, B Moir and R Lumsdon

Apologies:

Apologies for absence were received from Councillors A Laing

1 Apologies for Absence

Apologies for absence were received from Councillor A Laing.

2 Substitute Members

There were no substitute Members.

3 Minutes of the Meeting held on 10 June 2014

Councillor Conway highlighted that during the discussions on item 5b at paragraph 3 of page 6, the reference to 83 beds should be changed to 83 properties.

With the amendment noted, the Minutes of the meeting held on 10 June 2014 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest, if any

There were no declarations of interest.

5 Applications to be determined by the Area Planning Committee (Central & East Durham)

5a DM/14/00921/FPA - Land at Magdalene Heights Old Scrap Yard, Gilesgate, Durham

The Committee considered the report of the Senior Planning Officer regarding an application for the erection of student accommodation for 198 units at land at Magdalene Heights Old Scrap Yard, Gilesgate, Durham (for copy see file of minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members had visited the site earlier that day and were familiar with the location. The Senior Planning Officer advised that by way of a late representation, should permission be granted an additional condition would be added to require full details of the cycle provision.

Ms R Zakrzewski, local resident, addressed the Committee. Ms Zakrzewski lived in Orchard Drive and raised concerns regarding drainage and geological matters. She felt that although no concerns had been raised by relevant officers regarding drainage and geological issues, there had in the past been stability issues resulting from a nearby underground watercourse and she felt that there had not been an adequate assessment of the effect of the development on the adjacent downward slope.

Ms Zakrzewski noted the condition 3 of the report regarding materials and queried whether residents would be able to view the proposed materials before they were agreed.

In relation to paragraph 96 of the report, Ms Zakrzewski disagreed that the development would not detract from the character or appearance of the area or of the amenities of residents, as she felt parking space was an amenity and this would be impacted upon.

In relation to paragraph 98 of the report, Ms Zakrzewski argued that policy 32 related to new build houses, not apartments. Furthermore she advised that while she was satisfied with the travel plan, she was concerned about vehicle access and she queried how the travel plan would be implemented.

Mr M Phillips, local resident, addressed the Committee, advising that he represented DBUG, the staff and student bicycle user group based in the University. Members were advised that DBUG were concerned about the quality of the cycle parking provision and the access to the site by bike. Although the group had made written suggestions regarding the application, it was felt that they had not been adequately addressed.

Mr Phillips advised that in relation to the number of cycle parking places, there had been some confusion in the report over the Council's current policies for student residencies. He stated that those policies stipulated a minimum of 1 cycle parking place per 5 student residents plus a further 1 place per 20 residents to cover visitor cycle parking. That amounted to 50 places for the proposed development and it was noted that the developers were offering 52. However Mr Phillips felt it should be noted that the policy set a minimum and it should therefore be expected that more would be appropriate in some circumstances. As such, Members were advised that DBUG suggested that a car free development on the periphery of the student housing area would merit more than the minimum provision, as did the applicant who had originally proposed 100 places in line with BREEAM standards.

Secondly, Mr Phillips advised that DBUG had concerns about the quality of cycle parking. He quoted from the Department for Transport's Manual For Streets regarding storage facilities for cycles. Members were advising that the developers were proposing the very least cycle storage provision:- cycle stands enclosed by low railings topped by a flat roof. Mr Phillips stated that rain, leaves and other debris could easily blow in from the sides, giving owners a battle to keep their bikes clean and well maintained. He felt that a far better provision would be well lit basement storage designed into the buildings at the outset. He therefore requested that a condition be imposed that the bike shelters for residents' parking be properly enclosed at the sides.

Thirdly, DBUG felt that for a car free development it was important to ensure walking and cycling routes were safe and convenient. It was proposed that the footway along the north side of the A690 be widened to 3m as part of the off site works and the Highways Authority envisaged that would form the main cycle and pedestrian access to the site. DBUG had concerns about the proposed width. Mr Phillips advised that the Department for Transport minimum for pedestrian only footways was 2.4m. As such he felt 3m was sub standard for shared cycle/pedestrian use by the side of a National Speed Limit dual carriageway. The plan of proposed works showed no alterations to enable cycle access to the path which would be required from the Gilesgate roundabout and Leazes Lane.

DBUG therefore requested that this be addressed and that the conversion to shared use should proceed only after consultation on the design with local cycling bodies.

Mr Phillips advised that students would also need to access local shops further east along Gilesgate. The most direct route was across the adjacent footbridge over the A690 and the transport assessment commissioned by the developers noted it was already used by cyclists. Mr Phillips pointed out that this was only a footbridge and was not wide enough for shared use, it had tight corners and the parapet was not up to the height required for safe riding.

Mr Phillips stated that the assessment also mentioned routes to the south via Station Lane, but failed to observe that the street was currently one-way for all vehicles, feeding onto a National Speed Limit dual carriageway. DBUG suggested adding a contraflow cycle lane permitting two way cycling on that street and they also urged upgrading and signing of the network of paths between the footbridge and Gilesgate to enable access to the local shops.

In conclusion, Mr Phillips advised that DBUG requested:-

- Commitment in the travel plan to increasing the cycle parking spaces as demand grew
- An initial provision of 70 spaces recognising that the proposal was to be car free
- Cycle shelters fully protected from the weather and preferably lockable
- Pedestrian and cycle access along the A690 to be widened to 4 or 5 metres where possible, with good connections for cycling to neighbouring roads and paths
- A further S106 contribution to pay for adaptations to the footbridge, two way access on Station Lane and other improvements to the network on the south side of the A690.

The Senior Planning Officer responded to the points raised as follows:-

- Geological issues – it had been recognised that there were concerns regarding the stability of the land. Some investigative work had been done but it was conditioned that further works be undertaken should permission be granted. Information of that nature would come from the developer and be sent on to relevant bodies such as the Coal Authority to ensure that the land was indeed sufficiently stable.
- There was no statutory consultation requirement to consult with residents in relation to the discharge of conditions.

The Highways Officer responded to the points raised as follows:-

- The developer did not intend to provide student parking as the development was within the parking zone and students would not receive parking permits. It would therefore be pay and display for any visitors.
- Members were advised that the proposals did comply with the standards for cycle and vehicle parking.
- The Highways Authority felt that there was a need for good cycle parking provision and as such a condition would be imposed to ensure that covered, closed and secure facilities were provided. Members were also advised that 52 spaces was above the minimum standard.

- Lanes – It was acknowledged that cycle lanes could be a contentious issue as there was various guidelines. Lanes that were too wide could attract vehicle parking therefore widening the pathway would encourage cycle use.

Mr P Colebrook addressed the Committee, speaking on behalf of the applicant. Members were advised that the developer specialised in the delivery of student accommodation and over the past 20 years had developed a good reputation for high quality accommodation through well managed purpose built housing, managing the initial development of the scheme, the construction of the buildings and the ongoing management of the resulting accommodation.

Members were advised that the proposed development at Chapel Heights was for purpose built student accommodation which fully complied with the NPPF and local policy in so far as it was well located within Durham City Settlement boundary, well linked to services, re-used brownfield land, was of high quality design and fully considered the wider landscape and historical setting.

Mr Colebrook advised that at least 64 construction jobs and a number of full and part time jobs once the facility opened, would be created. Further subcontractor work during the construction phase and operation of the facility would also be created.

Every effort would be made to employ local people where appropriate and the planning process the developer would also be making a financial contribution to local employment and training.

Mr Colebrook suggested that purpose built student accommodation such as that proposed would help free up HMO's for more family and affordable housing in the City.

Members were advised that the site had been vacant for 15 years and was currently in poor condition and was a remnant of a former scrapyards. The scheme represented a beneficial sustainable development which re-used a brownfield site.

Mr Colebrook stated that highways improvements to the existing access to Ashwood from the A690 would also benefit local residents.

The site adjoined St Mary Magdalene Scheduled Ancient Monument to which there was currently no public access and the grounds of which weren't currently maintained and were overgrown.

The proposals included landscaping around the monument, a new access via steps and a disabled compliant ramp, maintenance of grass and planting around the monument and the erection of an interpretation board. The landscaped area would also provide a more accessible entrance to public footpath 75 which would reduce the number of people walking on the grass verge along the A690 between the carriageway and the pedestrian footbridge.

Members were advised that during the planning application the applicant had worked with various officers as well as English Heritage to develop a design which took on board all of the issues raised, such that the proposal had received support from all statutory consultees.

Mr Colebrook advised that the applicant had also received Scheduled Monument Consent from English Heritage for the proposed works.

The applicant and secured support from Durham Cathedral who owned the Monument and reached an agreement with them to maintain the ancient grounds moving forward.

Following an on site meeting with residents, Mr Colebrook advised that all comments had been considered and the applicant had sought to address them wherever possible.

In summarising Mr Colebrook advised that the applicant believed they were delivering a well designed, purpose built accommodation scheme which had been fully considered, taking into account all concerns raised through the design process, on a brown field site and in a manner which took into consideration the schemes relationship with the wider environment. It also addressed the challenges of the immediate neighbouring ancient monument and its ongoing maintenance.

Councillor Moir acknowledged that while the University and Cathedral would obviously support the scheme with the restoration of the monument and the provision of student accommodation, he could understand the concerns of residents. There seemed to be an influx of such accommodation and he was not comfortable with the numbers being proposed across the city which appeared to be in excess of what was actually required.

In relation to cyclists, Councillor Moir commented that he saw more students on foot than on bike and indeed some students would have cars, it was therefore unrealistic to think that student accommodation should be a car free zone.

In relation to access to the Chapel, Councillor Moir was pleased to see the plans for its restoration. If access was restored to the monument then it was inevitable that some visitors would come by car through an area not intended as a thoroughfare.

Councillor Freeman stated that Durham had an issue regarding the proliferation of student accommodation and he questioned the need for the number of student accommodation developments which were being proposed.

In referring to policy H16 he raised concerns regarding the density of students and highlighted that should the application be approved, there would be 85% student population in that area which was a clear imbalance in population.

On the S106 contribution, Councillor Freeman highlighted that none were mentioned in the report, despite the impact on the surrounding area being immense, particularly with large numbers of students regularly walking to and from Durham on what were already poor footpaths. He felt that a S106 contribution could see the improvement of highways, cycling provision on the Gilesgate roundabout and improvements to pathways. As such, in the absence of a S106 contribution, Councillor Freeman felt unable to support the application.

The Senior Planning Officer responded to the points raised as follows:-

- Student Accommodation Applications – while it was acknowledged that lately there were a lot of student accommodation applications coming forward, there was no requirement for a developer to demonstrate need.
- H16 – Policy H16 did relate to the mix in population in an area and data on that postcode area showed that only 13% of accommodation in that area was for students.
- S106 – It was felt that the public art contribution, the improvements to the Chapel and the introduction of interpretation boards was sufficient contribution to benefit the area. Also condition 8 would see improvements made to access and highways.

Councillor Lethbridge was disappointed about the distressed state of the Chapel and felt the scheme would adequately address that, however the gradient and narrowness of the access road would limit vehicle volume and that gave him cause for concern. On balance however he welcomed the contribution which the University made to the city and so moved approval of the application.

Councillor Lumsdon was encouraged by the high quality development which was being proposed however shared concerns of residents and Councillor Lethbridge. In referring to Part 1 of the NPPF regarding economic growth, she highlighted that the Committee had not been provided with any significant data.

In relation to NPPF Part 4 regarding the need to travel, Councillor Lumsdon felt that the application would actually maximise the need to travel.

Councillor Bleasdale seconded the motion to approve the application and upon a vote being taken it was:-

Resolved:- That the application be approved subject to the conditions detailed within the report and an additional condition to require full details of the cycle provision.

5b DM/14/00349/OUT - Land to the west of Elemore View and south of Front Street, South Hetton

The Committee considered the report of the Senior Planning Officer regarding outline residential development (access to be considered) at land to the west of Elemore View and south of Front Street, South Hetton (for copy see file of minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout.

Ms G Rodgers, local resident, addressed the Committee to speak in objection to the application.

Members were advised that the village had just approved the building of 80 houses at the rear of Windsor Drive which would more than cover any demand for new housing, as significant development had already taken place recently throughout the village. Four houses completed in the immediate vicinity of the site in the last 2 months were currently unsold and many houses in the village had been up for sale for more than a year.

In relation to road safety, Ms Rodgers advised that the proposed access to the A182 would be very close to a very busy bus stop which already caused problems for local residents. That current problem would be exacerbated by the already approved 80 houses.

Ms Rodgers stated that the comments of the Highways Authority appeared to show no appreciation of the considerable time spent and money required to install 3 further traffic calming measures in addition to those already in situ at the site of the proposed access. Members were advised that the Parish Council had also expressed their surprise that no highways issues had been highlighted by the Highways Authority.

In relation to public amenities, Ms Rodgers stated that the village was on the boundary with Tyne and Wear, its school was full and had already had 2 extensions. There was no scope to extend the school further and Haswell had no school, thus putting pressure on Shotton. Furthermore the small school at Easington was always full. Ms Rodgers argued that looking to Tyne and Wear to have children educated was unsatisfactory for local County Durham children and as there had already been significant housing expansion in Easington Lane and Hetton, there was now pressure on their schools.

In referring to sewerage and surface issues, Ms Rodgers highlighted that the plan showed a flood plain which covered part of a number of properties on Pinedale Estate. Members were advised that the inability of the pumping station and drainage beck to cope had been an issue for many years, Ms Rodgers stated that one property had partially collapsed under heavy rainfall and acute run off 2 years earlier when drains were overwhelmed. Parts of the field, beck and footpath adjacent to the proposed development had collapsed with sink holes appearing as the water which was drained underground had been too much for the system provided to date.

Ms Rodgers advised that residents at the Pinedale Estate had met the original costs as part of the development and without assurance that significant additional provision would be built into the planning application there was no sound reason to consider that flooding would be an inevitable consequence for both existing and new housing in that area.

In relation to visual impact Ms Rodgers advised that currently the approach to the village from Easington Land and Haswell reflected the rural nature of the village. The former industry was completely invisible and development on green belt land, which was in use for grazing, was felt to be inappropriate while there was sufficient infill and brown field opportunities elsewhere in the village.

On the issue of natural habitat, Ms Rodgers advised the Committee that the area in question was home to a wide range of wildlife and local residents noted that the applicant submitted a superficial view from a conservation society who made one visit, that there may be bats in the area. Ms Rodgers stated that there had been, and remained, a significant number of bats in the area. Furthermore, Members were advised that there were owls, newts, toads and a variety of other wildlife living in the area which would be threatened by the proposed development.

The Senior Planning Officer responded to the points raised as follows:-

- Education - Members were advised that there had been a late response from the Education Department. Officers were of the view that while there was a deficiency of school places in South Hetton, that could be overcome by S106 contributions.
- Flooding – Members were advised that a flood risk assessment had been submitted and both Northumbrian Water and Drainage Officers were satisfied that there would be no impact

The Highways Officer responded to points raised as follows:-

- Visibility – Highways Officers had concluded that there would be adequate visibility in both directions
- A182 – The volume of traffic which would be generated from the new development would amount to approximately 20 extra vehicle trips per hour which was not enough to suggest that there would be a severe impact on the network

Mr J Whitfield, agent for the applicant, addressed the Committee. Mr Whitfield suggested that there was an overwhelming need to bring out sustainable sites to meet the target for new development over the coming 5 years. The proposal satisfied the NPPF in terms of sustainability. The proposals brought economic benefits to the area in terms of jobs, council tax and New Homes Bonus and from a transport point of view the proposals were also sustainable.

Mr Whitfield advised that a wide choice of homes would be delivered along with a significant area of public open space. Furthermore the applicant was committed to helping avoid a flood risk.

In referring to the third reason for refusal as detailed in the officers report, Mr Whitfield advised that a phase 1 ecological report had found no evidence of badgers in the area.

In referring to paragraph 60 of the officers report, Mr Whitfield failed to see the difference between the proposed development and the Windsor Drive application, which had been deemed by officers to have good access. The current application was for less properties than the Windsor Drive development and so would have less of an impact.

In relation to education, Mr Whitfield advised that in the previous academic year South Hetton Primary School did not fill all of its places. He concluded by requesting that the application be approved.

The Senior Planning Officer responded to the points raised as follows:-

- Sustainability of the site – Members were advised that officers did not dispute whether the site was or wasn't sustainable, indeed an 80 dwelling development had already been approved nearby. The recommendation for refusal was not on the grounds of sustainability, but rather that the development would encroach on the countryside due to the location being on the outskirts of South Hetton;
- Need for Housing – There was a need for housing across the county, however in accordance with the emerging County Durham Plan, South Hetton did not have any further allocations and so the proposed scheme was not considered critical to the delivery of the county's houses.

Seconded by Councillor Bleasdale, Councillor Moir moved that the application be refused in accordance with officer recommendations. Councillor Clark echoed the motion to refuse.

Upon a vote being taken it was:-

Resolved:- That the application be refused for the reasons detailed within the report.

5c DM/14/01024/FPA - Land adjacent to 1 Bewley Terrace, New Brancepeth

The Committee considered the report of the Senior Planning Officer regarding the development of 6no. two bedroom flats at land adjacent to 1 Bewley Terrace, New Brancepeth (for copy see file of minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members had visited the site earlier that day and were familiar with the location.

Councillor J Chaplow, local Member, addressed the Committee. She was extremely pleased that the application had come forward and was fully in support of the proposals.

Councillor D Bell, local Member, addressed the Committee. He advised that his only concern with the application had been regarding access to the street for residents at no.1 Bewley Terrace. Members were advised that the occupier of no.1 Bewley Terrace owned an out building nearby and so were concerned about vehicles potentially parking in the vicinity of it should they choose to develop it in the future. However the application site was currently a blight site in New Brancepeth and on balance Councillor Bell fully supported the application.

Mr M Abley, agent for the applicant, was in attendance at the meeting and was willing to answer any questions the Committee might have regarding the proposals.

Councillor Lethbridge had been on the site visit earlier that day and concurred that the area was indeed a blight site. As such he fully supported the proposals and moved that the application be approved. Councillor Moir seconded the motion for approval, concurring that the development would be a major improvement to the area.

In response to a query from Councillor Conway, the agent for the applicant advised there was a shortage of flats in the area, hence the applicant had chosen to develop 6 flats rather than 3 houses.

Councillor Freeman commented that the development could only be an improvement and advantage to the area, he hoped that local Members would be able to deal with the remaining blight site near the development.

Resolved:- That the application be approved subject to the conditions outlined in the report.

5d DM/14/01389/OUT - Relley Farm Cottage, Front Street, Broompark, Durham, DH7 7RJ

The Committee considered the report of the Planning Officer regarding the development of 1no. dwelling – outline – all matters reserved except access, at Relley Farm Cottage, Front Street, Broompark, Durham, DH7 7RJ (for copy see file of minutes).

The Principal Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members had visited the site earlier that day and were familiar with the location. Members were advised of a representation which had been received from the City of Durham Trust which objected to the application for the following reasons:-

- Compensation (“allowance”) for a nearby Western Relief Road is not a material planning matter
- It was premature to assume that the Inspector at the County Plan EiP would sanction the Western Relief Road and de-scheduling of the Green Belt

- Even if the Western Relief Road got the go-ahead, it was still contentious whether “exception circumstances” could be justified in removing Green Belt status from the immediate vicinity of Relley Farm Cottage
- The applicants were incorrect in stating that the Durham Local Plan would cease to be in force before the adoption of the County Plan, since several policies of the former had been specifically “saved”

The Highways Officer addressed the Committee. He advised that although the Western Relief Road (WRR) was not secure within the County Durham Plan as of yet, it was most certainly an aspiration. The route of the road had not yet been fixed though the geological layout would dictate where the route would be. As such, it was likely that the access would be via a roundabout at the Broompark Picnic area, approximately 100 metres from the nearest dwelling, though that could move approximately 15 metres in either direction. Members were advised that the Western Relief Road would go ahead subject to approval by the Inspector.

Councillor J Chaplow, local Member, addressed the Committee. She had been involved in talks with planning officers for 3 years in relation to the applicants situation and officers had been sympathetic to the issue. Members were advised that the potential WRR would be very close to the applicants property and as he was already in bad health, the WRR would only exacerbate his illness with increased pollution from fumes. As such, the applicant now had an opportunity to move but if action was not taken now then it would be too late.

Councillor Chaplow advised that it was a poor situation for the applicant to find himself in, they would certainly be affected by noise and fumes from a significant volume of traffic.

Members were advised that the application site was the applicants own greenfield and as such they were the only ones who would be affected by the loss of amenity.

Councillor D Bell, local Member, addressed the Committee. He concurred with the statement made by Councillor Chaplow and advised that although the WRR would be welcomed, it would affect the applicant, he therefore called for the Committee to approve the application.

Mr M Boyle, applicant, addressed the Committee. Mr Boyle advised that he was born in Esh Winning and had lived alongside the B6302 most of his life, so was confident in stating that there had never been a major junction added to that road, as such the Western Relief Road brought about a once in a lifetime change of circumstances to the locality.

Members were advised that Rely had been changing since medieval times, indeed a map which Mr Boyle had showed Rely in the 1600's before the conurbation built up around Durham City and before most of the surrounding villages existed. The local character had evolved over time, a larger settlement existed in medieval times

then again during the industrial period when Deerness Cottages brought the number of local houses up to 8. Members were advised that the cottages disappeared in the 1960's and a new dwelling was added in the 1990's bringing the current number of houses to 3. In 2004 a major scheme took place with the Relly Bridge reconstruction straightening and widening the road. Mr Boyle advised that during his 16 years at Relly, he and his wife had improved the look and feel and would maintain such standards with the proposed new development, thus improving the DH7 housing stock.

Mr Boyle advised that from the image supplied by the Council, the scale and extent of the road and roundabout was visible, together with its potential impact on the Green Belt and Relly Cottage. However Mr Boyle suggested that the Durham Plan maps placed the road even closer to his home than the Council image showed.

In effect, Mr Boyle suggested that the Relly settlement would be boxed in by the WRR, the East Coast main line and the B6302 by boundaries that were likely to be permanent thus preventing urban sprawl.

Mr Boyle advised that he had become aware of the WRR three years earlier and at the outset had been advised by Council officers that, in relation to the siting of executive homes on their one hectare site, it would be only fair that they got approval in light of the 2500 houses which were planned at Sniperley roundabout. However since then, despite following the advice of Planning Policy officers, Mr Boyle advised that he had failed to make satisfactory progress.

As such, Mr Boyles local Member, Councillor J Chaplow, had suggested he apply for planning permission for a single dwelling moving away from the WRR. The pre planning advice accepted the likely disturbance to Relley Cottage by the WRR, the secluded site location and accepted the access arrangements.

Mr Boyle suggested that looking around Durham, there were many other Green Belt sites either proposed, already approved or in the process of being developed. Such sites were being approved for development so Mr Boyle stated that the arguments used against his proposal were self defeating and contradictory because they did not show consistency in their Green Belt decision making. Members were advised that the 4000 houses, helping to fund the relief roads and the 4% loss of Green Belt, were in conflict with the planning policies quoted by officers as reasons for recommending refusal on his application. He felt it would be fair to refuse his application only if all Green Belt applications were always refused.

Mr Boyle stated that his proposal was for one home on land which would not be seen from the existing road or the proposed road because of the landscape and screening would provide a healthier environment for he and his wife, by

dramatically reducing noise and air pollution. This was particularly important to him as he had industrial dust damage.

Members were advised that the application was in line with policies E1 and E7 plus NPPF guidelines part 9, in particular paragraph 87 which allowed for special circumstances, as well as paragraphs 88 and 85.

In summary, Mr Boyle stated that as one of the few homeowners directly affected by the WRR, he hoped the Committee would approve his application.

The Principal Planning Officer responded to the points raised as follows:-

- The officer's case and reasons for refusal were clearly stated within the report.
- The issues regarding the Green Belt were re-emphasised.
- Moving House – it would be a possibility to look at the application again when the situation regarding the WRR was fixed as there would be a potential to review the position
- Members were reminded that the proposal was not to replace a property, it was for the addition of a dwelling and as such the application was contrary to Green Belt policy.

The Highways Officer clarified that although there would be noise and air pollution from the WRR, appropriate mitigation would be undertaken.

In response to a query from Councillor Bleasdale, the Principal Planning Officer clarified that the Coal Authority defined how much at risk an area was in terms of safety and stability for development. For an outline planning application a detailed investigation would not be undertaken, rather it would be a condition imposed on any outline permission.

Councillor Moir had been on the site visit earlier that day and stated that the site was undeniably in the Green Belt.

Although he was unconvinced that living in close proximity to the road would have a serious impact on the applicant's health, he stated that the application site was actually the applicants garden and so it was their own land which was Green Belt. He was therefore uncomfortable to dictating that their own land could not be developed.

Councillor Lethbridge stated that the Green Belt existed to mitigate against large scale urban sprawl of built up areas, however by contrast, the application was for one dwelling which would be quite secluded. Furthermore, it seemed that although

the applicant had been dealt with somewhat sympathetically for 3 years, a template was now being slapped on his application with no room for discretion or flexibility.

Councillor Lethbridge felt it would be unfair to refuse the application and stated that to say the WRR was just an aspiration was untrue, his understanding was that it was a very determined objective.

He failed to see how the application was in any way harmful to the Green Belt and as such urged that the application be approved.

Councillor Dearden failed to see how the effect of noise and fumes experienced at the cottage would be any different at the application site, as there was very little difference between the two locations.

Councillor Freeman felt to cite the WRR as a special circumstance was premature as it currently didn't exist. As such, the Committee were in effect dealing with open land and Green Belt. The application site was not a garden, it was a grazing field clearly situated in the Green Belt, as such Councillor Freeman was in support of the recommendation to refuse the application.

Seconded by Councillor Freeman, Councillor Dearden moved that the application be refused and upon a vote being taken it was:-

Resolved:

That the application be refused for the reasons detailed within the report.

5e CE/13/00752/OUT - Land to the East of Aldridge Court, Ushaw Moor, County Durham, DH7 7RT

The Committee considered the report of the Planning Officer regarding the development of residential accommodation for over 55's and Care Home/EMI Facilities and access road at land to the east of Aldridge Court, Ushaw Moor, County Durham, DH7 7RT (for copy see file of minutes).

The Principal Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout.

Councillor J Chaplow, local Member, addressed the Committee. Members were advised that there was a real need for the proposed development as dementia patients were increasing. The development would mean that dementia patients would be able to reside in 2 bedroom bungalows and would no longer need to travel further afield for care and support. As normal residential care homes were unsuitable for such patients, there was a growing need for specialist dementia care facilities such as that which was proposed. In addition Councillor Chaplow highlighted the extended benefit the development would have on general housing in that area, as it would mean that social housing properties would be freed up.

Councillor Chaplow highlighted that the development was sustainable in terms of public transport, with 2 nearby bus stands which facilitated travel direct into Durham and into Ushaw Moor village.

In referring to the reasons cited by officers to refuse the application, Councillor Chaplow argued that the support desperately needed by elderly dementia patients was more important than protecting the Green Belt.

Councillor D Bell, local Member, addressed the Committee to reiterate the comments made by Councillor Chaplow and to pledge his support for the application.

Mr G Hodgson, agent for the applicant, addressed the Committee. He advised that the applicant fully acknowledged that the development was to be within the established Green Belt between Ushaw Moor and Bearpark, hence the recommendation for refusal. However in mitigation, Members were advised that the applicant had assessed the impact of the development within the Green Belt and the Design and Access Statement which had been submitted with the application demonstrated how little impact there would actually be.

Mr Hodgson stated that the development site, located on the eastern edge of Ushaw Moor, did not encroach northwards towards Bearpark, instead it filled in a small field between Aldridge Park and Broom Hall Farm.

Members were advised that the site area itself was of poor landscape value and by following the natural topography of the site area, Mr Hodgson suggested that the openness of the Green Belt would predominantly be unaffected by the development. Mr Hodgson advised that the site was currently subject to flytipping, grazing and anti-social behaviour. A number of environmentally sustainable measures would be included within the development, such as solar, bio-mass and geo-thermal, all of which had been incorporated successfully into previous similar developments.

Furthermore Mr Hodgson advised that the applicant would also include a full landscape scheme, details of which would be to follow.

Where it was fully accepted that the proposed measures would not justify the development within the Green Belt, Mr Hodgson hoped that the Committee would consider the divergence from policy in order to approve a much needed care and retirement facility which was a safe and secure premises.

The Principal Planning Officer responded to the points raised as follows:-

- Green Belt – The Officer reiterated the fact that the Green Belt issue, as detailed within the report, was a national issue and regardless of how

prominent a development might be, by definition it was inappropriate, irrespective of how well it would be screened. The development would see settlements encroach closer to one another which it was the purpose of the Green Belt to prevent.

- Condition of development site – The condition of the site was acceptable in its present form and officers had seen no evidence of fly tipping. It was in reasonable condition and displayed no adverse environmental impacts.

In response to a query from Councillor Dearden, the Principal Planning Officer advised that it had not been felt necessary to take the Committee on a site visit as the presentation was sufficient.

Although he found the proposal itself to be acceptable, Councillor Freeman did value the importance of the Green Belt and so supported the officer recommendations to refuse the application.

Seconded by Councillor Lumsdon, Councillor Moir moved refusal of the application in accordance with officer recommendations and upon a vote being taken it was:-

Resolved:

That the application be refused for the reasons detailed within the report.

5f DM/14/01428/FPA - Dalton Park, Murton, SR7 9HU

The Committee considered the report of the Senior Planning Officer regarding the erection of a retail building and associated works at Dalton Park, Murton, SR7 9HU (for copy see file of minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members were advised that conditions 7 and 8 were no longer required as they were removed by way of an application to remove the conditions from the previously approved non-food retail unit.

Seconded by Councillor Lethbridge, Councillor Bleasdale moved approval of the application.

Resolved:

That the application be approved subject to the conditions outlined in the report, with the exception of conditions 7 and 8.

5g DM/14/00414/FPA - Durham University Science Park, South Road, Durham

The Committee considered the report of the Planning Officer regarding the erection of a Physics Research Building at Durham University Science Park, South Road, Durham (for copy see file of minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout.

Although accepting of the proposed development in principle, several Members expressed dissatisfaction with the proposed design of the building, finding it to be a poor example of modern architecture and not in keeping with the style of buildings elsewhere in the City.

Seconded by Councillor Bleasdale, Councillor Davinson moved approval of the application and upon a vote being taken it was:-

Resolved: That the application be approved subject to the conditions outlined in the report.