

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 December 2015 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, J Lethbridge, B Moir, R Lumsdon and K Shaw

1 Apologies for Absence

Apologies for absence were received from Councillors A Bell, S Iveson, A Laing and J Robinson.

2 Substitute Members

There were no substitute Members in attendance.

3 Minutes

The minutes of the meeting held on 10 November 2015 were confirmed as a correct record by the committee and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest submitted.

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

a DM/15/02572/FPA - Southernwood, 17 Quarryheads Lane, Durham

The Committee considered a report of the Planning Officer regarding an application for the erection of a part two-storey/part single storey extension at the side and to the rear of the dwelling and the erection of a first floor extension to the front at Southernwood, 17 Quarryheads Lane, Durham (for copy see file of Minutes).

A Dobie, Principal Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed

layout. Members of the Committee had visited the site and were familiar with the location and setting.

Katie Wood of R and K Wood Planning addressed the Committee to object to the development on behalf of Mr and Mrs Orr, local residents. Ordinarily Mr and Mrs Orr would have addressed the Committee but this was not possible for health reasons.

Ms Wood stressed concerns in relation to advice the Committee was being given and asked the Committee to refuse the application. Mr and Mrs Orr lived in 18 Quarry Heads Lane which was the house next door to the application site. Their property was the one which would be most affected by this proposal, particularly in relation to their residential amenity, but there were also wider concerns in relation to the impact the proposed extension may have on the Conservation Area and the World Heritage Site.

Ms Wood referred to amenity. The two properties were currently separated by a 4 metre gap and a single storey garage. Despite recent amendments to the proposed scheme, it would still result in a two storey development extending to within just 1 metre of Mr and Mrs Orr's house. This gable included a bedroom window on the second floor and two downstairs living room windows and all of these windows lit the rooms themselves as well as the middle of the house. This proposal would result in a 6 metre wall approximately 1 metre from three windows in the side of the property. Ms Wood hoped that the site visit carried out by Members of the Committee let them appreciate the sheer scale and proximity of the proposed large extension and that it would undoubtedly have an adverse impact on the light available within both upstairs and downstairs rooms as well as a significant impact on the outlook available to the residents of the property.

It had been suggested that the resulting dwelling would be of the same size as others on the street, however this was irrelevant. In this instance it was the impact that the proposed extension had on adjacent properties, including 18 Quarry Heads Lane which must be carefully considered.

Referring to the impact the scheme would have on the Conservation Area and World Heritage Site, Ms Wood informed the Committee that it would result in a two-storey building filling the entire plot bringing it in close proximity with 18 Quarry Heads Lane. This was not a characteristic of this area, which may be acceptable on a modern housing estate but not at this location.

The close proximity would create a terraced effect as seen from certain points on Quarry Heads Lane. This was particularly significant because this was Durham City Conservation Area and the County Council's draft Conservation Area appraisal included a section on Quarry Head Lane which included *'the gaps between the buildings are clearly planned to allow local views through to the Durham Cathedral'*. The character appraisal also talked about the gaps between the buildings affording views of the backdrop of mature trees in the peninsula river bank. Although a draft document, it still identified the key elements that were important to the Conservation area, that was, houses on large plots with gaps between them, giving views of the Cathedral, whether in winter or summer. This was the character of the

Conservation Area and by approving this scheme the Committee would be ignoring this and could set a precedent for future development that would result in the erosion of this part of the character of the Conservation Area.

There was also the setting of the World Heritage Site to be considered. This development may not impact on the nine principle views of the Cathedral but it would impact on the partial views achieved when walking around the Conservation Area. These views of the Cathedral, framed by existing buildings, were all part of the setting of the World Heritage Site and gave the area a sense of place. Ms Wood stressed that developments such as this would destroy the setting of the World Heritage Site and sense of place. The applicant's desire for additional living accommodation and en-suite accommodation did not justify its impact on the World Heritage Site. In policy terms the NPPF afforded the World Heritage Site and its setting the highest protection and the proposed development had failed to do this as well as acknowledging the Conservation Area appraisal.

The Authority had previously acknowledged the importance of the gaps and glimpses of the Cathedral as it refused a similar application to this just one door away.

In concluding, Ms Wood asked the Committee to refuse the application on the basis that there was an adverse impact on the residential amenity of Mr and Mrs Orr at 18 Quarry Heads Lane and an adverse impact on the character of the Conservation Area and the setting of the World Heritage Site.

Roger Lee of Roger Lee Planning addressed the Committee on behalf of the applicant.

The application had been developed in a positive manner with officers of the Council to a point where it was acceptable to the professional officers of the Council. The development would have no significant impact on the amenity of the area and the use of materials, including render, would match existing buildings in the area.

The development had variations to the design and scale which matched with the street scene and was similar to a property which had been modernised to the west of the property on the opposite side of the road.

Referring to the World Heritage Site, Mr Lee informed the Committee that neither the County's Conservation Officer nor the County's Planning Officer could find any issue with this proposal. Although the development would close the gap between properties, the current view of the Cathedral was limited and at an angle. The view was significantly different to that at Number 19 Quarry Heads Lane, which was the property which had been refused permission.

The application was a well thought out extension which satisfied all national planning policies and Mr Lee asked that the Committee grant approval.

The Principal Planning Officer responded to issues raised. Referring to the impact of the extension on the windows of the neighbouring property, Members had looked

at these in detail while on the site visit. Changes had been made to the proposed development to minimise the adverse impact it may have on the neighbouring property, and the worst affected window was a secondary window for the kitchen of the neighbouring property.

The County Council's draft Conservation Area appraisal was currently out for public consultation and had been drafted by the same officers who had provided comment on this application. With regard to the views afforded of the World Heritage Site, paragraphs 53 and 54 of the report provided an assessment of this application against NPPF Paragraph 132.

Councillor Freeman informed the Committee he had concerns about the impact of the development on the Conservation Area. The Council's draft Conservation Area appraisal highlighted that the gaps between the properties on Quarryheads Lane were planned to allow views to the Cathedral and it was contradictory to accept this application which would diminish these views. An application for an extension at Number 19 Quarryheads Lane had been refused because it was detrimental to the Conservation Area, and views relating to this application were still important. Paragraph 55 of the report suggested that the view was not important because it was only achieved when the tree leaves had fallen, although this was for approximately 5 months of the year. Councillor Freeman considered that the application should be refused because it would be detrimental to the Conservation Area.

Councillor Moir considered there were two aspects to consider on this application – the relationship of the extension to the neighbouring property and the impact on the Conservation Area. Although the development would reduce the view of the Cathedral between the two properties, Councillor Moir considered that this was not significant as there were better places around the City to view the Cathedral. Although the two properties would be close together once the extension was built, the applicant wished to extend his property in an acceptable manner and had amended his proposals to mitigate as much as possible the impact of it. Councillor Moir **moved** approval of the application.

Councillor Shaw informed the Committee that he considered that the proposed extension would block natural light to the downstairs windows by 50% and that windows were there to let light in.

Councillor Lethbridge informed the Committee that he first became aware of the housing in Quarryheads Lane while travelling to school and that he had always admired them for their diversity in design. Rendering on the proposed extension was not an issue as there were a number of houses in the area which currently had rendering. The amount of light to the windows of the neighbouring property varied by season. Referring to the view towards the Cathedral, Councillor Lethbridge informed the Committee that this was only applicable this time of the year and the trees were clothed by ivy which reduced the view. He had explored the rear views of the properties while on the site visit and was not convinced there were any valid reasons to challenge the views put forward by the Council's officers. Upon taking a balanced view of the application, Councillor Lethbridge **seconded** approval of the application.

Councillor Bleasdale sought further information on the proposed cinema room in the extension. The Principal Planning Officer replied that this was part of the original application, but because the garage had been moved, it was no longer part of the proposal. Councillor Bleasdale expressed concern about the loss of light to the neighbouring property.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the Conditions contained in the report.

b DM/15/03050/AD - Bristol Street Motors, Pity Me, Durham

The Committee considered a report of the Planning Officer regarding an application for the display of 9 internally illuminated fascia signs, a 5.885 metre totem sign, a welcome sign and a directional sign at Bristol Street Motors, Pity Me, Durham (for copy see file of Minutes).

A Dobie, Principal Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan and photograph montages of the proposed signs. The Principal Planning Office informed the Committee that there was an additional Condition to be added to the permission that the signs only be illuminated while the business was open.

Councillor Dearden **moved** approval of the application, subject to the addition of the additional Condition. This was **seconded** by Councillor Moir.

Councillor Freeman informed the Committee that Framwellgate Moor Parish Council had requested the application be submitted to Committee because of parking problems being experienced in the area of the business, however, this application had nothing to do with parking.

Councillor Davinson expressed disappointment that, having requested the application be brought to Committee, there was no representation from the Parish Council.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the Conditions contained in the report and an additional condition that the signs only be illuminated while the business was open.