

DURHAM COUNTY COUNCIL

At a Meeting of **County Planning Committee** held in Council Chamber - County Hall, Durham on **Tuesday 4 December 2018 at 1.00 pm**

Present:

Councillor J Robinson (Chairman)

Members of the Committee:

Councillors A Bell, J Clare, I Jewell, C Kay, A Laing, L Maddison, J Maitland, L Pounder, G Richardson, A Shield, A Simpson, P Taylor and F Tinsley (Vice-Chairman)

At the commencement of the meeting Councillor Robinson informed the Committee that when the application to be considered at Agenda Item 5 (a) was last considered by the Committee on 3 July 2018 he had declared an interest and withdrawn from the meeting. The application at that time was deferred.

Following that meeting Councillor Robinson had taken further legal advice and been informed there was no requirement for him to declare such an interest. As such he would remain in the meeting and vote on the application.

1 Apologies for Absence

Apologies for absence were received from Councillors Hawley, Nicholson and Wilson.

2 Substitute Members

Councillor J Maitland as substitute Member for Councillor H Nicholson and Councillor L Pounder as substitute Member for Councillor S Wilson.

3 Declarations of Interest

Councillor Shield informed the Committee that he was one of the local Members for the Leadgate and Medomsley Division which was the area in which the application at Agenda Item 5 (f) was located. However, he had no prejudicial interest in the application.

Referring to the same application, Councillor Jewell informed the Committee that while he knew the applicant he had no prejudicial interest in it.

4 Minutes

The minutes of the meeting held on 6 November 2018 were confirmed as a correct record and signed by the Chairman.

Councillor Robinson referred the Committee to the query on the minutes of the meeting held on 2 October 2018 raised by Councillor Wilkes on 6 November 2018. C Cuskin, Planning and Development Solicitor informed the Committee that subsequent to the meeting the hand written notes of the Clerk and the Legal Adviser had been checked and no reference could be found to the levels of the ponds.

5 Applications to be determined

Councillor Robinson informed the Committee that Item Nos. 5 (a), (b) and (c) would be presented in one presentation with separate votes being taken on each.

- a DM/18/00894/FPA - Former Milburngate House, Framwelgate Waterside, Durham**
- b DM/18/00896/VOC - Milburngate House, Framwelgate Waterside, Durham**
- c DM/18/02924/FPA - Milburngate House, Framwelgate Waterside, Durham**

The Committee considered the following applications:

DM/18/00894/FPA – Former Milburngate House, Framwelgate Waterside, Durham

92 bed hotel and two commercial units for shop, professional and financial service and/or food and drink uses (Class A1-A5) with associated works;

DM/18/00896/VOC – Milburngate House, Framwelgate Waterside, Durham

Variation of conditions 4 and 20 pursuant to planning permission DM/16/01228/FPA (mixed use development on Milburngate House site) so as to permit new service yard access, car parking and servicing yard amends, additional cinema screen, replacement of unit 9 leisure use with residential, insertion of mezzanine level in unit 7, movement of 7 residential units from Block 1E to Blocks 1B, 1C and 1D and replacement with storage, increase in roof terrace space at Block 1D and removal of 2 meeting rooms, fenestration amends, landscape and public realm adjustments and amendment to Framwelgate Peth access so as to permit non-residential traffic;

DM/18/02924/FPA - Former Milburngate House, Framwelgate Waterside, Durham City

Erection of office block (identified as Block 1E) (B1 use class) with flexible permission for shop, food and drink and assembly & leisure uses at ground floor level (Use Classes A1, A3 and D2) and associated public square and landscaping
(for copy see file of Minutes)

H Jones, Principal Planning Officer provided the Committee with a detailed presentation on applications DM/18/00894/FPA and DM/18/00896/VOC.

Application DM/18/00894/FPA had been deferred by the Committee on 3 July 2018 because of the following concerns:

- Highways safety concerns of the proposed layby access – this had now been removed with the service/loading area being taken from the riverside.

- The proposed back of house elevation onto Leazes Road - this had been amended and was now an area of public realm;
- The proposed roofscape had been considered too block-formed – the amended design had now introduced sloping roofs.

The Principal Planning Officer displayed the deferred and proposed layout, the loading bay arrangements proposed for the riverside, deferred and revised views, the revised southern elevation and the eastern elevation with feature landscaped terrace, recessed and projecting elements. The Principal Planning Officer also displayed the proposed increased glazing to the lower floors and proposed materials to be used.

The amended service access from the riverside would require the suspension of eleven parking bays to allow the flow of two-way traffic.

Application DM/18/00896/VOC sought to amend a proposed signalised junction at Framwelgate Peth and the wording of condition 20 so that it could be utilised for vehicular traffic for not only the residential units but also for access to the public car park more generally (short stay parking). However this had now been removed from the proposal and no longer formed part of the application.

The application sought approval for a further servicing access point to be provided within the development, approximately mid-way along the Framwelgate Waterside frontage and to the immediate north of the Block 1F building. Aside from the access amendments proposed further amendments were sought to rationalise remaining elements of the development having regards to all the changes sought as follows:

- the approved cinema within the development be provided with an extra screen, making it a four screen cinema as oppose to the previously approved three. This would occur at level 00.
- In Block 1b the commercial Unit 9 on level 03 be replaced with residential accommodation.
- In Block 1c a void space at level 03 comprise of a commercial mezzanine.
- To relocate 7 apartments from Block 1e (separately sought for replacement with an office block under DM/18/02924/FPA) into Blocks 1b, 1c and 1d.
- In Block 1d a roof terrace be enlarged and relocated to the southern end of the block and in so doing replace a meeting space at level 08.
- Some external treatment amendments to the Blocks are also proposed. On Blocks 1b, 1c, 1d and 1f some adjustments to the fenestration and elevational detailing is proposed together with amendments to plant screening.
- Amends to the energy strategy for the development are proposed.
- Amendments to the car parking and servicing elements of the development are also proposed on the lowest levels of the development. The layout of the car parking areas and circulation road/route itself is proposed to be amended and the total number of parking spaces to be provided within the phase 1 of the development (the detailed planning permission) is proposed to reduce from 339 to 323. Alterations to the servicing areas include amendments and

repositioning of plant rooms, water tanks, substation, design of service yard space, lift and stairway position amends and store location amends. The alignment of the supporting wall to the podium on its western side is proposed to be amended. A car park vent housing is proposed to be introduced adjacent to the Block 1d.

- Amendments to the layout, design and materiality of the hard and soft landscaping proposals across the development were also proposed, the final detail of these matters to be controlled under condition on the existing planning permission.

One of the most significant changes proposed to the public realm was the amendment to the feature pedestrian route which cascaded down from Framwelgate Peth through the development. The position and alignment was proposed to be amended with a repositioning approximately 3m further north and it was now proposed to be formed in part formed via a suspended staircase/walkway design rather than a cascading solid set of steps.

It was therefore proposed to amend the content of condition 4 of the existing planning permission to account for the necessary amendments to the affected plans.

A Inch, Strategic Development Manager provided the Committee with a presentation on application DM/18/02924/FPA. The application sought to replace the approved residential building with one that would be occupied predominantly as an office (Class B1), although the ground floor could be utilised as office space or for retail (A1), food and drink (A3) or assembly and leisure (D2) uses. The building would comprise 6 storeys of commercial floor space albeit part of the building ceased at 5 storeys. Beneath the building would be levels of parking and servicing.

The footprint of the revised building would differ from that previously approved. The gross external area (GEA) was less than that previously approved (approx 6,350m² as opposed to 10,300m²). The shape of the footprint would in turn alter.

The northern elevation of the building would be set on a diagonal responding to a pedestrian route and vista through the development. The external facades of the building would principally comprise of reconstituted stone, masonry, aluminium metalwork and curtain walling. The building would essentially adopt a flat roofed approach to its roofscape though this would not be uniform as it would include a distinct step/cascade and would also contain a roof terrace.

Public realm would enclose the building to its north, west and east. To the north would be sections of a feature pedestrian route through the site leading from Framwelgate Peth and ultimately ending at the riverside level. To the east would be a feature area of hard and soft landscaping public realm. To the west between the building and Framwelgate Peth an area predominantly comprising of soft landscaping was proposed. To the immediate south of the building a narrow strip of public realm was proposed before the vehicular access route from Framwelgate Peth down to the car parking beneath the build was located.

There were no changes to the proposed access and parking arrangements for customers/visitors and staff. The main access to the public car park proposed under the wider redevelopment would remain off Framwelgate Waterside at the riverside level.

D Wafer, Strategic Traffic Manager informed the Committee that concern had been expressed about the proposed vehicular access from the Peth. The design and safety of the access was for the County Council to administer and monitor and the right-turn could be withdrawn should this prove to be necessary.

Councillor D Freeman, local Member addressed the Committee to object to the applications.

The proposed development at the former Milburngate House site had changed element by element since the site had received planning permission in March 2018. Although the proposed hotel was a slight improvement on that previously proposed because it had removed the proposed service area layby and introduced landscaping, the proposed access on the riverside would spoil the riverside walk. The proposed new roof was still box-like but not the same as the Riverwalk development. Councillor Freeman had concerns regarding the impact of the impact of the hotel development on the City and on the World Heritage Site.

The proposed two commercial units could be bars and restaurants and Councillor Freeman expressed safety concerns that these would be located only 1 metre away from a busy road. Such uses would also have a negative impact on local residents and this was contrary to Policy H13 in the City of Durham Local Plan which protected residential areas from development that would have a significant adverse effect on their character or appearance or the amenities of residents within them.

Councillor Freeman expressed concern of the impact of the proposed hotel development on the Premier Inn accommodation across the river which he was concerned may become student accommodation.

Finally, Councillor Freeman expressed concern at the loss of residential provision that would result from the proposed office block. This proposal, together with the proposed hotel, would result in the reduction of two residential blocks on the development, which originally was hoped would be an opportunity to bring new residents into the city. There was no evidence of demand for such an office block, the design of which Councillor Freeman considered to be bulky and block-like. The office building would be higher than the residential building which was initially proposed and would be contrary to Policy E3 of the City of Durham Local Plan. The proposal neither preserved nor enhanced the special character, appearance and setting of the Durham City Centre Conservation Area and was therefore contrary to Policy E6 of the Local Plan.

Councillor Freeman urged the Committee to consider the reports and objections and to refuse the applications.

Councillor J Ashby of the City of Durham Parish Council addressed the Committee on behalf of the Parish Council to object to the application to replace the approved residential apartment building with an office building.

Councillor Ashby expressed appreciation for the planning officer's masterly summary and impeccable presentation of a great deal of complex information and of the considerations that applied in this case. The Parish Council also appreciated the genuine commitment of the developers to delivering hundreds of jobs and hundreds of homes here, and was fully supportive of the overall package for the site. What mattered was getting the details right.

In that regard, the Committee's decision on the first design of the proposed hotel was a highly significant statement of what was required in this very prominent location in the shadow of the World Heritage Site.

The Parish Council's objection endorsed the comments of Historic England which stated that that *"the combination of height and uniformity would result in a conspicuously block-like mass rising incongruously against its more varied neighbours and immediate surroundings. The proposal represents a weakening of the design ethos that underpinned the consented scheme which sought to balance its scale with references to the pattern of Durham's historic town buildings. This proposal uses some of those references but the more uniform appearance and height ensures that the overall effect would be a negative one."*

The Parish Council also endorsed the concerns of the Council's own Design and Conservation Officers that *"the overall height, scale, and mass remain at odds with the original masterplanning concepts and, as such, reflects negatively on the Conservation Area and setting of the World Heritage Site. Should the opportunity arise, the re-masterplanning of the site including the relocation of this block to a less sensitive location should be undertaken."*

The Parish Council differed from the planning officer's report in that it considered that substantial harm was represented and that full weight should be given to these concerns. The benefits did not outweigh the harm because the same benefits promised on this very important site could and should be delivered in accordance with the already approved detailed planning permission.

The City of Durham Parish Council requested that the application DM/18/02924/FPA be refused on the grounds that it failed to preserve or enhance the Conservation Area and interfered with views of the World Heritage Site contrary to City of Durham Development Plan 2004 Saved Policies identified in its written objection.

The Principal Planning Officer informed the Committee that the existing permission for the lower floor of the hotel block contained some commercial space and this applied for uses individual from the hotel. However, it was more than likely that the lower floor would be ancillary to the restaurant space of the hotel above.

The Strategic Development Manager informed the Committee that the proposed office block was half a metre lower in height than the residential block which had

been consented. Design and Conservation and Historic England had both stated that the proposed office block would result in a minor degree of harm, although this was less than substantial.

Mrs E Grimes addressed the Committee to object to the applications. The proposed change of residential apartments to a hotel and offices was yet another change to the plan originally approved for the site.

The residential apartments originally proposed for this site would have allowed for balance to be brought into the city and a presence in the city during periods of student holidays. Mrs Grimes asked why the developers had originally applied for residential apartments if it was known these would not be viable.

The proposed hotel was an opportunity for a leading design, yet the resubmitted application contained only the smallest of changes over that previously deferred by the Committee, with a pitched roof and some design tweaks.

The proposed office block was a huge massing in monolithic style, which would look like a huge office block on one descent route from the railway station and would obliterate the view of the World Heritage Site.

The massing of large buildings would lead to a tunnelling effect across Milburngate Bridge. The proposed servicing area from the riverside would lead to congestion along the riverside and would result in views across the river being worsened. Any vehicle using the riverside service area would need to turn and may use the bottom of Sidegate or entrance to Crook Hall to do so which would create congestion and vehicles struggling to make the manoeuvre.

Mr J Lowe of the City of Durham Trust and Sidegate Residents Association addressed the Committee to object to the applications. The former Milburngate House development was constantly changing with three proposed amendments being considered by the Committee at today's meeting and there was no confidence that approval if granted would be built. The applications would result in a significant reduction in the number of residential units with one proposed residential block to become a hotel and another to become offices.

The hotel application had been deferred when considered by the Committee on 3 July 2018 because the design was not considered to be worthy. However, the visuals provided to the meeting showed that the delivery of a high quality and sensitive scheme was not happening.

The proposed delivery arrangements from the riverside were dangerous and would necessitate lorries to park in the road and lead to the loss of parking spaces. The Radisson Hotel slightly further along from this location had originally been refused planning permission because it proposed a similar type of delivery system as that currently being proposed.

The change of use would also significantly lead to an increase in the leisure and night time economy which could lead to increased problems of anti-social behaviour and rowdiness. It was crucial the details of this development were right and the

scheme originally approved must have been considered workable. The revised hotel design was not worthy and Mr Lowe asked the Committee to reject the application.

Mr M Dowson of the Radisson Hotel addressed the Committee. The access arrangements for the proposed hotel would result require the realignment of the riverside road onto the riverside verge and the removal of two pedestrian seats. Lorries, rather than trying to turn in the proposed service yard, would attempt to turn up the waterside and Sidegate which would result in congestion. Additionally, should two lorries or buses arrive at the same time at the location this would cause a road blockage.

The Principal Planning Officer informed the Committee that although concerns had been expressed about the loss of residential units, the proposed alternatives of a hotel and office block were both compatible uses for a city centre location. Should the applications be approved the development as a whole would retain a substantial number of residential units with approval granted for 153 residential units in detail and potentially 150 more in outline. A loading bay was proposed for the wider development beneath the podium elements of the development, however because of its location, a separate dedicated service arrangement was proposed for the hotel.

The Strategic Traffic Manager informed the Committee that the bulk of the Milburngate development would be serviced from a central service area, however the location of the hotel meant that it would need to be serviced from a service area on the waterside. This would result in the loss of 11 parking bays. The development overall would create a car park of approximately 440 spaces. It was anticipated that only linen and refuse collections would be made by the dedicated hotel service area. The loading bay would be located on a relatively quiet waterside and vehicles would be able to turn in the service yard and Sidegate.

Mr N McMillan of MGH Card LLP addressed the Committee in support of the applications, which were all intrinsically linked.

The proposed development would comprise a 92-bed hotel with two commercial units for flexible A1-A5 use at ground floor level at Block 1A of the Milburngate site.

Following deferral by Committee in July 2018, the concerns of the Members in relation to design and highway safety had been taken into account and addressed by the applicant.

The roofscape of the hotel had been re-designed to incorporate pitched roofs to reflect and respond to the surrounding development form. Further design amendments had also been introduced to create a more active frontage at ground floor level and changes to the proposed brickwork had been incorporated which reduced the overall mass of the building. These changes respect the backdrop of Highgate and the wider urban context.

The proposed service layby on Milburngate Bridge had been removed in its entirety and replaced by a service loading bay on Framwelgate Waterside at level 00. The

proposed loading bay would be located on the northbound carriageway and allowed sufficient space for massing vehicles.

Overall, the proposed development was considered to compliment the other components of the previously consented mixed-use scheme and would contribute to all three dimensions of sustainable development by delivering benefits within each of the social, economic and environmental areas.

The proposed development would assist in the delivery of £160m additional inward investment in this area as part of the wider Milburngate scheme. The hotel would provide additional bed spaces for overnight visitors to the city and continue to contribute to a truly mixed-use scheme which provided employment opportunities, along with improved leisure and retail facilities for residents of the local community, enhancing consumer choice within a sustainable and accessible location.

The scheme provided the opportunity to boost tourism and overnight visitors to the city, an aspect which the Durham Tourism Management Plan 2016-2020 stated was currently static, possibly due to a lack of new overnight accommodation. The construction of a new hotel within the city centre would increase the capacity for overnight stays within Durham and would subsequently create the opportunity to attract more visitors to spend money within the city. There were 1.43 million overnight tourists in Durham in 2014 spending £308 million, which also provided the opportunity to support job creation, as tourism currently supported more than 10,800 full time equivalent jobs in the county, and up to 75 jobs were associated with the hotel and commercial floorspace with 24 additional to the existing permission. There were also 80 direct and 121 indirect jobs proposed during the construction period.

In summary, the development of Milburngate House Hotel would deliver a significant number of social, economic and environmental benefits within the context of the approved wider Milburngate Masterplan and would subsequently compliment the neighbouring components of the consented scheme.

The s73 application sought minor material amendments to Conditions 4 and 20, to implement minor changes to the permission.

The amendments sought were as a result of contemporary changes to commercial market requirements and captured all the changes necessary to pave the way for the successful development of the site and construction starting on site in Spring 2019 on Phase 1. Overall, the proposed amendments were considered minor and would not significantly alter the overall scheme.

Finally, referring to the proposed office block development, Mr McMillan informed the Committee that this comprised an office block (Class B1) with ancillary uses on the ground floor and an associated public square and landscaping at Block 1E of the Milburngate site.

Under the existing consent, Block 1E had permission for residential use. This proposed use was based on market intelligence and forecasting at the time of the application. However, following updated advice and detailed engagement over the

last two years with potential occupiers/funders/tenants, it had become apparent that delivery of large residential schemes in this market area was not a viable and deliverable option in the first Phase of the development. For these reasons, a requirement to deliver alternative uses within Phase 1 had been identified.

There had been a proven demand for employment use within the city. Research by North-East agents showed that in the first six months of 2018 there were enquires from occupiers looking for a combined 730,000sqft of office space across the region which could have considered Durham with an average enquiry size of 40,000sqft, equating to in the region of 6,700 jobs. Other towns and cities in the North East had all increased commercial property development in recent years which was attracting footloose occupiers whilst Durham had no office space to meet these requirements. The proposed office would create a vital kick starter to enable Durham to be promoted to the occupier market as a city that was truly open for business. It would provide a central part of the City's core infrastructure and would enable Durham to attract occupiers who were increasingly being drawn to CBD locations, and importantly allow the City to compete with the other North East regional city centres.

The proposed office was within the maximum height parameters set by the existing permission and had a footprint which was 11% smaller than the approved scheme and had created additional opportunities for landscaping and public realm. The massing of the proposed office had been developed with careful consideration of its context and avoided unsuitable uniformity by introducing several breaks in massing and materiality. The building geometry was subtle yet dynamic in the range of massing/scale relationships presented across various vantage points. This approach provided visual clarity of the different use and step change in this area to the commercial context leading on to additional office development proposed in Phase 2, thus providing a further layer of variety which was vital to all good masterplans.

The proposed development would complement the other components of the consented mixed-use scheme and provided a more attractive environment for residents and visitors. The scheme would provide high-quality office space accommodation within a sustainable city centre location which would create up to 416 jobs once operational. This had the potential to increase footfall within the city and result in additional spending in the city and local economy. In addition, the scheme would also enable the delivery of a key axial link providing a direct route from Framwellgate Peth to the heart of the Milburngate site and through to the riverside as well as the delivery of Durham Square.

In summary, the development of the office would meet the proven demand for high-quality office space in the city and deliver a significant number of social, economic and environmental benefits itself and within the context of the approved wider Milburngate Masterplan.

Mr L McGlaughlin provided the Committee with a presentation which showed views along the proposed Milburngate terraces and a visualisation of the residential courtyard. The development would provide a high quality internal environment and would always focus on view and context within a modern setting.

Councillor Laing informed the Committee that she had considered the reports and representations made at the meeting. She considered that the applicant had made a positive attempt to address the concerns of the Committee when the hotel application was considered in July. The amendments, including the redesign of the roofscape had been positive. There were no objections from Historic England and Design and Conservation and Councillor Laing considered that all three applications should be supported.

Councillor Clare informed the Committee that when it last considered the hotel application in July 2018 it had not wanted to refuse the application because of its economic importance, yet at the same time could not approve the application because it turned Milburngate Bridge into a service yard. Hence the Committee deferred the application to allow amendments to be made.

The objectors had referred to the changes made to the application as being slight and tweaked. The pictures of the proposed development showed the proposed glass frontage to the hotel with access directly off Milburngate Bridge and sight lines, particularly from the station to the east. Councillor Clare concurred with Councillor Laing that the developer had properly addressed the concerns of the Committee. The Design and Conservation Team had raised no objections as detailed at Paragraph 89 of the report and the World Heritage Site Coordinator had raised no concerns, as detailed at Paragraph 98 of the report.

The Committee of Councillors had a strong duty to listen to the concerns of objectors and Councillor Clare had made notes of these concerns. A lot of regret had been expressed at the loss of residential units, which Councillor Clare shared, although the issue for the Committee to consider was whether the application before it was acceptable in planning terms. The loss of residential units was not a ground on which to refuse permission.

Referring to the concern expressed regarding the proposed loading bay and access from the riverside, Council Highways Officers had advised that the proposed arrangement was acceptable and therefore to refuse on such grounds would be challengeable at appeal.

The presentation made by Councillor Ashby was fair, balanced and genuine but contained no grounds to suggest that the proposed office would have a substantial harm on the World Heritage Site.

While Councillor Clare was less convinced by the design of the proposed office block, which he considered to be of a block nature, he did not consider there to be any grounds of a sufficient weight to refuse the application.

These applications were acceptable proposals for the site and there were no grounds of sufficient weight to object to them. The development would have a positive economic impact on the city with the hotel receiving enthusiastic support from Visit County Durham.

Councillor Clare informed the Committee that he supported the scheme in its entirety.

Councillor Jewell thanked officers for their detailed report and presentation, and thanked local residents for providing a balanced assessment of the applications. In July, the concerns of the Committee led to the application being deferred on the grounds of design, materials and access arrangements. The amended application addressed these concerns and Councillor Jewell considered that officer recommendations should be approved.

Councillor Shield informed the Committee that he had listened to both officers and objectors and was troubled by the distinct views of officers and residents. The City of Durham Trust considered that the design of the hotel had improved and the World Heritage Site Coordinator considered that the roofscape had helped to absorb the hotel into the city. The Committee had previously been appalled at the proposed site of the layby and Councillor Shield expressed concern that the new access arrangement may only be moving the problem to a different location. Councillor Shield ask that this be reviewed again. However, in the absence of objections from statutory or internal consultees Councillor Shield had no alternative other than to propose and approve acceptance.

Councillor Maddison considered there to be an economic need for the development and this was endorsed by Business Durham. Councillor Maddison shared Councillor Shield's concerns regarding the relocation of the loading bay and asked why only the hotel needed this loading bay.

The Strategic Traffic Manager displayed a plan of the development showing the proposed loading bay. Most of the development would be serviced from a main podium, but the site was very large and the hotel was located at the extreme of it. If problems were caused by vehicles entering Sidegate then the Council could, if needs be, introduce an access only restriction.

Councillor Tinsley informed the Committee that this was an important application with the Committee being custodians of the historic environment. The principal of the development, a hotel, residential and offices, within a city centre location was acceptable. Although this would lead to the loss of some residential units, the development as a whole would still deliver residential accommodation.

The access to a service area from the roadside rather than access to the central podium area was not a major detrimental impact. In July, a design problem was how the building fronted onto Milburngate Bridge, and the amended design was a much-improved solution. A sloped roof had been introduced and the design, with recesses, was a nod back to Georgian design and was not monolithic. The approach to open spaces had resulted in a strong pedestrian permeability through the site.

The development would have a less than substantial harm on the World Heritage Site and there were no grounds to refuse it under the NPPF. The applications should be supported.

The Committee then voted on each individual application

DM/18/00894/FPA – Former Milburngate House, Framwelgate Waterside, Durham

Moved by Councillor Laing, **Seconded** by Councillor Jewell and

Resolved:

That the application be approved subject to a S106 Deed of Variation and the Conditions contained in the report.

DM/18/00896/VOC – Milburngate House, Framwelgate Waterside, Durham

Moved by Councillor Laing, **Seconded** by Councillor Jewell and

Resolved:

That the application be approved subject to a S106 Deed of Variation and the Conditions contained in the report.

DM/18/02924/FPA - Former Milburngate House, Framwelgate Waterside, Durham City

Moved by Councillor Laing, **Seconded** by Councillor Jewell and

Resolved:

That the application be approved subject to a S106 Deed of Variation and the Conditions contained in the report.

Councillors Maddison and Simpson left the meeting

d DM/18/02950/FPA - Bishop Barrington School, Woodhouse Lane, Bishop Auckland DL14 6LA

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of building, associated external works, landscaping and car parking and demolition of 3 teaching blocks at Bishop Barrington School, Woodhouse Lane, Bishop Auckland (for copy see file of Minutes).

S Pilkington, Senior Planning Officer provided a detailed presentation of the application which included a site location plan, demolition plan, proposed site plan, site sections and 3D proposed visuals of the site.

Councillor Kay informed the Committee that while he was not the Ward Member, he lived three minutes from the site. While the proposed new school was an excellent opportunity for young people he expressed disappointment that school coaches would not alight within the curtilage of the large school grounds. There were two schools opposite each other at this location and this resulted in a very busy 10 minutes at the start and finish of the school day when pupils were being transported. Councillor Kay **moved** approval of the application.

Councillor Clare informed the Committee that the current school buildings were in a decrepit condition and **seconded** approval of the application.

Councillor Tinsley, local Member for the adjacent Electoral Division asked how school children would be accommodated while the demolition and construction works were being carried out. Mr S Hunter, on behalf of the applicant, replied that the existing school would be operational throughout the construction period.

Upon a vote being taken it was

Resolved:

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

e DM/18/02594/FPA - Land to the East of Clare Lodge and Durham Road, Chilton DL17 0RW

The Committee considered a report of the Senior Planning Officer regarding an application for the re-plan of Phase II of Permission DM/17/01213/VOC comprising 110 dwellings on land to the east of Clare Lodge and Durham Road, Chilton (for copy see file of Minutes).

S Pilkington, Senior Planning Officer provided a detailed presentation of the application which included a site location plan, aerial photograph, approved site layout and indicative Phase II, proposed Phase II layout, typical elevations, view towards southern boundary of the site and view from the main road towards Phase II.

Mr J Ridgeon of Avant Homes addressed the Committee. He thanked planning officers and the local Member for their support and engagement during the application process. The principles of the outline development were being adhered to. Avant Homes were currently on site building and had received positive feedback from the site. There was a strong demand for smaller homes and it was proposed to introduce 20 additional dwellings on the development to meet this demand. The additional housing would be high quality affordable entry housing and would maintain the design principle of the development. The application also brought with it an increased contribution towards open space and sporting provision, highway infrastructure capacity, education contribution and biodiversity enhancements.

Councillor Clare expressed frustration at developers applying for permission then discovering they needed more smaller houses and submitting a further application. Design and Conservation officers had expressed concerns at the increased number of units on the development and density. There was a lack of open space on the development and roads would be narrow. While not prepared to reject the application, because this would fail at appeal, Councillor Clare expressed his objection to the process.

Councillor Richardson agreed with the views of Councillor Clare and suggested that the application should be refused on the grounds of increased density and the number of units.

Councillor Tinsley informed the meeting that he concurred with the views of Councillor Clare.

Councillor Kay informed the meeting that while he had sympathy with the views of Councillor Clare, it was unfair to single out one developer. He could not see any planning grounds to refuse the application and **moved** approval of it.

Councillor Shield **seconded** approval of the application.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the completion of a deed of variation to the existing Section 106 Legal Agreement to secure the provision of the following across the whole development site:-

- 23 Affordable housing units across the development.
- £131,258 towards open space and sporting provision within the Electoral Division
- £116,495 towards highway infrastructure capacity improvements at Rushford roundabout.
- £586,442 towards increasing the capacity of primary schools in the area.
- £33,165 to deliver targeted biodiversity enhancements in the area.

and the Conditions contained in the report.

f DM/18/02424/FPA - Ebchester Hill, Medomsley

The Committee considered a report of the Planning Officer regarding an application for the erection of stables, formation of associated parking and change of use of land for equestrian purposes at Ebchester Hill, Medomsley (for copy see file of Minutes).

N Graham, Planning Officer provided a detailed presentation of the application which included a site location plan, proposed plans and elevations and site photographs.

The representations of Councillor W Stelling, local Member, were read out to Committee as follows:

'Dear Members. Sorry I can't be present for this meeting. However, can I as Local Member fully endorse this application for refusal for the reasons set out in the report. Thank you Chairman.'

Councillor Jewell informed the Committee that the applicant lived within his electoral division and had sought his advice during the pre-planning process. This was a very small development and the proposed construction material had been changed to natural wood cladding. The applicant had addressed most of the objections to the development and Councillor Jewell considered that the application should be approved.

Councillor Shield informed the Committee that the application site was in a prominent location in open countryside and overlooked several properties. The location was a known highways accident blackspot and the development of Shotley Bridge Hospital would increase traffic. This was a comprehensive officers report and Councillor Shield **moved** refusal of the application.

Councillor Tinsley agreed with the views of the landscape officer that this was a development in open countryside and would have a detrimental impact. Councillor Tinsley **seconded** refusal of the application.

Upon a vote being taken it was

Resolved:

That the application be refused for the reasons contained in the report.