

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, County Hall, Durham on **Thursday 12 May 2022 at 9.30 am**

### **Present:**

**Councillor G Richardson (Chair)**

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

Councillors A Savory (Vice-Chair), E Adam, J Atkinson, V Andrews, L Brown, D Oliver, S Quinn, M Stead, A Sterling and S Zair

#### **1 Apologies**

Apologies for absence were received from Councillor J Cairns.

#### **2 Substitute Members**

There were no substitute Members in attendance.

#### **3 Declarations of Interest**

Councillor Savory declared a non-prejudicial interest in item no. 5a) as a Members of Wolsingham Parish Council.

Councillor Zair declared an interest in item no. 5b) as the site was within his ward boundary and he intended to speak on the item and withdraw from the meeting during the debate and determination.

#### **4 Minutes**

The minutes of the meeting held on 22 April 2022 were agreed as a correct record and signed by the Chair.

#### **5 DM/20/00479/FPA - Land West Of 20 Durham Road, Wolsingham**

The Committee considered a report of the Planning Officer which provided details of an application for the construction of 16no. dwellings and associated works at land west of 20 Durham Road, Wolsingham (for copy see file of minutes).

S Pilkington, Principal Planning Officer, provided a detailed presentation of the application which included a site location plan, aerial photograph and photographs of the site.

The Principal Planning Officer confirmed that in addition to the conditions outlined in the report, he sought permission from the Committee for delegated authority with regards to a number of detailed conditions regarding drainage and landscapes. In the event of approval, the conditions would be finalised between the Planning Authority and Chair and Vice Chair of the Committee.

K McGill had attended on behalf of the Applicant to answer questions.

Councillor Brown had noted in the report that the Applicant had committed to ensuring Policy 29 was adhered to and that calculations had not been undertaken as the properties were bespoke, however she did not see a condition despite the report alluding to this in paragraph 126 of the report.

The Principal Planning Officer advised that a condition would be added to agree CO2 emissions as per County Durham Plan.

Councillor Brown asked whether this condition would override building regulations which were changing in June 2023 and the Principal Planning Officer advised that if permission was granted, the conditions would remain however N Carter, Planning and Development Solicitor advised that the condition imposed was based on the current building regulations requirement but the developer would be required to comply with any changes to building regulations at the build stage.

Councillor Savory advised that as Local Member she was aware of the development which had been talked about locally, for a considerable number of years. This was a close community and if there were any objections to the development there would have been comments in the community. She had not heard any comments and therefore assumed that locals were not against the proposal and therefore moved approval as per the Officer's recommendation.

The proposal was seconded by Councillor Atkinson.

Councillor Brown queried whether the site was within village boundaries and the Principal Planning Officer advised that it was outside of the village boundary, however the County Durham Plan did no longer set boundaries, instead the policy ensured that a site was well related to the existing area and with landscaping and design layout, it was concluded to be acceptable.

Councillor Oliver expressed the need for additional housing in Wolsingham and this site was well connected with a shop and petrol station opposite. He concluded the location to be satisfactory and supported the application.

### **Resolved**

That the application be **APPROVED** subject to conditions outlined in the report, a S106 agreement to secure:-

- 3 Affordable Housing units
- £33,108 education contribution
- £29,249 Open Space, Sport and Play Provision contribution
- £8000 Habitat Mitigation

And the addition of the following condition;

- Prior to the construction of the dwellings above base course level, a scheme to achieve a reduction in CO2 emissions of 10% below the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on the 2013 edition of the 2010 Building Regulations shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to achieve the CO2 reductions are required by Policy 29 of the County Durham Plan

### **6 DM/22/00746/FPA - 63 Dene Hall Drive, Bishop Auckland, 63 Dene Hall Drive, Bishop Auckland**

The Committee considered a report of the Planning Officer which provided details of an application for the demolition of existing bungalow and garage and construction of 3 bedroom dormer bungalow at 63 Dene Hall Drive, Bishop Auckland (for copy see file of minutes).

R Young, Planning Officer provided a detailed presentation of the application which included a site location plan, aerial photograph and photographs of the site.

Councillor Zair spoke as Local Member, having called the application in to Committee due to the number of residents who had made contact with him to voice their concerns. One of the main reasons that residents were opposed to the application was due to the visual impact the bungalow would have once it had been rebuilt. The plans had been amended and front facia of bungalow changed to reflect the Tudor design of the existing buildings however there was still a concern that the two gable ends were bland and out of keeping. He appreciated that the Applicant had adjusted the front elevation to blend in to the street but wondered if

they were willing to amend the gable end design to have a more subtle impact for residents.

Mr M Lee spoke on behalf of the Applicants Mr and Mrs Jackson, who had purchased the property with the intention of creating retirement home. Upon completion they had found that due to the condition of the existing building it required a full renovation. There were issues with damp in the property and the kitchen layout was limited as was the parking. They were able to extend with permitted development rights and renovate the existing building however it would be a poor design and cause a lot of disruption to residents. The rebuild option had been considered as the optimal solution and a replacement building offered a professional solution and work would be completed sooner and with minimal disruption.

Mr Lee referred to the detailing advising that one of the gable ends was shielded by the neighbouring property and that the Applicant could be open to adding the Tudor detailing however he would leave that to Planning Officer.

He added that it was rare that an Applicant wanted to build a zero emission property but this home would generate minus emissions and meet the Councils green agenda.

Councillor Zair left the Council Chamber at this point.

Mr I Wood confirmed that he had been asked to speak on behalf of all residents in the cul-de-sac who all opposed the application.

The report made reference to a 16 signature petition but he disputed that it was actually 27 signatures and that perhaps a page was missing. He disagreed with comments made by the Planning Officer as their concerns did not appear to have been taken into consideration. With regard to the gables, numbers 59 and 61 would look directly on to them and would this would have a significant visual impact.

In addition, the application would increase the value of this modest bungalow, removing the affordability and social housing aspect of bungalows for the elderly, would make the area less inclusive and more exclusive. He did not believe there were any existing dormer windows on any other properties and the new layout of the plot would make the front garden disproportionately small and only accommodate parking.

Mr Wood advised that there was also a covenant in which no building work could be carried out in front of the existing building line, although acknowledged that this was a separate legal issue.

Despite the findings in the report, the residents did not consider their objections had been taken into consideration, nor did the application comply with policies in the CDP or NPPF. The design was totally different to the existing properties and the scale was disproportionate. Mr Wood advised that with his technical background, he considered it would be easy enough to achieve a high standard of renovation. With regards to the installation of a heat pump, there had been no comments

regarding the noise disturbance and in summary, the demolition and replacement of a building that was 32 years old and still in good order, could not be justified.

The Planning Officer assured Mr Wood that all of the comments had been taken into consideration and with regards to visual impact, if residents were inclined to want additional detailing, this could be secured by means of a planning condition to ensure it better related to the street scene, although she acknowledged that the Planning Authority had no issues with the existing proposal. With regards to reducing the affordability of the housing for elderly residents, this was not something that could be considered as part of the planning process.

With regards to the air source heat pump, the Planning Officer advised that the environmental health nuisance action team had not raised any issue and there was legislation to allow action to be taken should residents report any issues.

Councillor Stead had looked on Google maps street view and observed that the house opposite had a large gable at the front and there was no feature on the gable end. He also did not agree that a dormer bungalow would need a feature. He also observed another house in the street with Tudor effect, with a dormer window at the top of the roof. He did not see any issues with the application and in his opinion it would improve the look of the street. He moved the recommendation to approve.

Councillor Quinn agreed that this application was a no brainer, the homeowner was investing a lot of money to make this a better dwelling to enjoy for the rest of their lives. This would only improve house prices for other dwellings and she saw no reason to oppose the proposal. The existing bungalow was overshadowed by the properties around it and if it did have some impact to a small number of properties, it was not significant enough to refuse.

Councillor Brown confirmed that given her strong support on carbon neutrality it would be hypocritical to object to a zero carbon proposal and she therefore supported the application.

Councillor Oliver had also been looking on Google maps street view and the current property did not seem to have the design features of the other properties. The proposal would enhance the existing property and standards, with useful eco features and he was also in support.

Having listened to objectors Councillor Adam noted that the bungalow was a lot larger and whilst serving the needs of people with disabilities, by converting the upstairs into additional bedrooms, it seemed like over expansion of a property in that particular location, especially since there were only two people living there. He did not object on that basis but was interested to know the Planning Officers thoughts on the matter.

The Planning Officer advised that under permitted development rights the footprint of the property was able to be increased and the house had been designed so that the occupants could live entirely on the ground floor. There were only two bedrooms with the first floor designed as a hobby study space. The home had

been designed to be a lifetime home and there were no accessibility issues and it was considered to be in keeping with the character of the area.

**Resolved**

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