

## **DURHAM COUNTY COUNCIL**

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

At a Meeting of **Area Planning Committee (Central and East)** held in the **Council Chamber, County Hall, Durham** on **Tuesday 14 February 2023** at **9.30 am**

**Present:**

**Councillor D Freeman (Chair)**

**Members of the Committee:**

Councillors A Bell, L Brown, I Cochrane, J Cosslett, S Deinali, J Elmer, C Kay, D McKenna, R Manchester, J Quinn, K Robson, K Shaw and A Surtees

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

Apologies for absence were received from Councillors LA Holmes and C Marshall.

#### **2 Substitute Members**

There were no Substitute Members.

#### **3 Minutes**

The minutes of the special meeting held on 20 December 2022 and meeting held 10 January 2023 were confirmed as correct records by the Committee and signed by the Chair.

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

In respect of Item 5b, Councillor A Surtees noted she was one of the Local Members and would speak on the item then leave during the consideration of the item by the Committee.

In respect of Item 5d, Councillor L Brown noted she was a Member of the City of Durham Parish Council, however, she had not been party to their representations on the application.

In respect of Item 5d, the Chair, Councillor D Freeman noted he was a Member of the City of Durham Parish Council, however, he was not a member of their Planning Committee and had not had any input into their submission in objection.

In respect of Item 5a, Councillor I Cochrane noted he was one of the Local Members and would leave during the consideration of the item, with the Committee Services Officer to read out a statement on his behalf.

*Councillor I Cochrane left the meeting at 9.35am*

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

**a DM/20/02681/FPA - Land North of Windsor Drive, South Hetton, DH6 2UU**

The Senior Planning Officer, Laura Eden (LE) gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The application was for the erection of 80no. dwellings with associated works (revised description 16/11/2021) and was recommended for approval, subject to the conditions and s106 Legal Agreement as set out in the report.

The Senior Planning Officer (LE) noted that an additional condition was requested in relation to the provision of six car parking spaces replacing the seven spaces that would be lost as a consequence of the development, with those six to be completed prior to first occupation. She added that an amendment to the condition relating to drainage materials would be required as they had been agreed and therefore the condition would be for adherence, rather than agreement.

The Chair thanked the Senior Planning Officer (LE) and asked the Committee Services Officer to read out a statement from the Local Member, Councillor I Cochrane.

*"I wish to confirm the withdrawal of my previous objections to the intention to build dwellings at the land north of Windsor Drive, South Hetton.*

*Now that the developer has reduced the number of properties to eighty, and all my other concerns have been addressed, I am happy to support the progression of this development"*

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

Councillor L Brown noted paragraph 106 of the report referred to the Building for Life Supplementary Planning Document (SPD), adding she felt the number of 'amber' ratings was too high. The Senior Planning Officer (LE) explained that there had been no 'red' ratings and the application had passed the threshold test, but also had included a number of enhancements. Councillor L Brown reiterated she felt eight amber ratings was a lot and noted she would have been happier with four or five.

Councillor C Kay asked as regards the total number of properties within South Hetton, in order to understand the scale of the development. Officers noted that they would find the information while other comments and questions were made.

Councillor A Bell noted that there were s106 contributions in relation to primary school places and asked as regards the position in respect of secondary school places. He also asked as regards any s106 for onsite or offsite play areas. The Senior Planning Officer (LE) noted that the School Places Team had indicated insufficient primary school places, hence the s106 in that regard, however the number of secondary school places had been deemed sufficient. In relation to open space, it was noted that it was proposed for an enhancement to existing provision. Councillor A Bell asked if such was not onsite, whether it would be ringfenced to the Electoral Division. The Principal Planning Officer, Graham Blakey noted it would be within the Shotton and South Hetton Division. The Senior Planning Officer (LE) explained there were five types of open space set out within the Open Space Needs Assessment (OSNA) adding that the onsite provision was only for open space, natural or green space. She noted that the calculation for the other four types had produced the figure within the report, to be ringfenced for the Electoral Division as stated. She added that the reason for no onsite play space was due to an existing play space nearby to the site.

Councillor J Elmer noted that, where the entrance to the proposed development would be created, there would be the loss of a number of trees in addition to loss of trees where parking would be provided. He asked if the parking could be provided within the site and therefore retain those trees and vegetation. The Senior Planning Officer (LE) referred Members to the proposed site plan and explained that the access proposed was the only option, being between two existing properties. Councillor J Elmer asked as regards the seven parking spaces from Ravensworth Court and loss of trees and whether Officers felt the conditions were sufficiently robust in terms of planting, landscaping and maintenance, noting the latter was often something not followed up with by some developers.

The Senior Planning Officer (LE) noted the condition within the report relating to landscaping and management, with residents contributing to a management fund. In respect of biodiversity, she explained the s106 referred to a s39 Agreement relating to 30 year management and monitoring of biodiversity.

Councillor J Elmer noted the design of the buildings, complying with Part L of Building Regulations and asked what was being done in relation to County Durham Plan (CDP) Policy 29. The Senior Planning Officer (LE) noted that previous application would seek 10 percent reduction in CO<sub>2</sub>, however, Part L regulations would provide greater benefits and therefore conditions under Policy 29 were not required. Councillor J Elmer asked as regards solar panels, battery storage and electric vehicle (EV) charging points. The Senior Planning Officer (LE) noted that EV charging could be provided at all properties and there was also outside cycle storage provision.

The Principal Planning Officer (GB), in reference to the question from Councillor C Kay, that the population in South Hetton was approximately 1,500, with that split into three roughly equal population areas, therefore the development represented 80 additional properties within an area of around 500 existing properties. Councillor C Kay thanked the Officer and noted that he was not minded to support any refusal, especially given the support for the scheme by the Local Member. He did note that it was interesting that the development was considered undeveloped land, and was not being considered under CDP Policy 4, rather with CDP Policy 6 appeared to be superseding.

Councillor A Bell noted there had been little objection to the scheme, the Local Member supported the development and therefore he would propose that the application be approved, subject to the conditions and s106 as set out within the Officer's report. Councillor K Shaw seconded the proposal and upon a vote being taken it was:

## **RESOLVED**

That the application be **APPROVED**, subject to the conditions and s106 Legal Agreement as set out within the report.

*Councillor I Cochrane entered the meeting at 10.00am*

**b DM/22/01768/FPA - Land and Buildings West of Hallfield Drive, Hall Walk, Easington Village**

The Senior Planning Officer, Lisa Morina (LM) gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Senior Planning Officer (LM) advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for the demolition of existing agricultural buildings and erection of 38no. dwellings (Class C3) with associated access and landscape works and was recommended for approval, subject to the conditions and s106 Legal Agreement as set out in the report.

The Senior Planning Officer (LM) noted that an outline permission had been granted in 2019 for a smaller area, though that had now lapsed, and permission for 24 dwellings had been refused in 2020 with impact on residents and future residents, as well as a lack of ecological information having been cited.

The Chair thanked the Senior Planning Officer (LM) and asked Councillor A Surtees, Local Member to speak in respect of the application.

Councillor A Surtees noted that development in principle was the right type, including a mix of properties and affordable homes. She noted, however, there were traffic issues and explained that while the proposed entrance may appear to be at a shallow angle on the photographs within the presentation, in was actually very steep. She added that she had concerns with the access on to the B1283, Hall Walks, with the road being wide and with a 30mph limit. She explained that a survey over one week in November 2021 had shown that 61 percent of vehicles were travelling at over 30mph, and with 20 percent being over 36mph. Councillor A Surtees noted three separate instances of speed awareness activity, with 17 drivers having to attend court, 105 fixed penalty notices being issued, 1,047 drivers having to attend speed awareness courses and with 7.084 vehicles having been shown to be above the 30mph limit. She noted she had tried to speak with Planning Officers to note disappointment as regards no allocation of s106 monies for traffic works to improve the situation. She noted the proposed development, and during its construction, would exacerbate the traffic situation. Councillor A Surtees explained as regards the single track access to the 12 properties on Durham Lane and her concerns relating to the impact of addition traffic.

She reiterated that the development in principle was good, however, she thought it would be better placed within Easington Colliery rather than the proposed location within the Village, it was the right development in the wrong place adding there was also the impact on the Conservation Area (CA). Councillor A Surtees noted that if the application was approved she would continue to fight as regards traffic issues raised.

*Councillor A Surtees left the meeting at 10.12am*

The Chair asked Julie Catterall, Local Resident to speak in relation to the application.

J Catterall noted that in respect of the previously refused application, the impact of noise levels had been a major issue, and they had not been rectified with this current application. She explained that the A19 adjacent to the site was in an elevated position, with the traffic visible above the application site. She noted the danger in terms of the number of accidents on that stretch of the A19, and a fear that vehicle could come over the top of barriers and into the application site. She explained that 2019 data showed that there were around 72,000 vehicles daily travelling on the A19 and that Department for Transport (DfT) data had shown a significant increase in the traffic levels over the last 10 years. She noted the gardens of the proposed properties would border the A19 and the noise from traffic could heard as a roar and no work appeared to have been done to mitigate that.

The Chair thanked J Catterall and asked Graeme Hill, Local Resident to speak in relation to the application.

G Hill explained he was a resident of Mill Terrace and that the proposed development was not wanted and was not needed. He added that 57 objections demonstrated the strength of feeling on the matter, alongside the objections from the Parish Council and residents in all areas. He noted there were already a number of developments at Easington Village and residents were felling 'under siege', with this development being a step too far. G Hill noted that Planning Officers had dismissed the 57 objections, however, had not made a great deal in terms of establishing need, in short the views of local residents were being swept aside in favour of the landowner and developer. He concluded by hoping that Members would have regard for residents and the damage to the wellbeing of residents that would be caused and put people before profit.

The Chair thanked G Hill and asked Lee Fulcher, Planning Agent on behalf of the applicant, to speak in support of the application.

L Fulcher explained that the development was proposed by a local developer, for social housing in conjunction with Believe, with the demolition of some agricultural buildings and the erection of 38 new affordable dwellings, helping to meet the Council's targets in that regard. He reminded Members that Believe were also developing another scheme in Easington, adding that demand for such properties was very high, with 90 bids per property and 500 enquiries for rent to buy schemes. He referred to the previous refusal and noted that the issues relating to noise and landscaping had been addressed within the current application, and the Council's Highways Team and Highways England had offered no objections to the current application. He explained that a construction management plan (CMP) was conditioned, and the scheme proposed included a range of house types, noise mitigation and landscaping. He noted that the principle of development had been established with the previous outline permission and the current application was in accord with CDP Policy 6.

L Fulcher explained that the developer had taken onboard feedback received, with an example being the removal of the pedestrian link. He noted the scheme had a number of benefits: 100 percent affordable housing; bungalows; open space; New Homes Bonus; additional Council Tax receipt; and future residents using the amenities in the area. He noted biodiversity net gain for the site, with a 30 year management plan and low carbon buildings with improved insulation. L Fulcher concluded by reiterating that the proposals were in accord with local and national policies and asking that the Committee vote in favour of the application.

The Chair thanked L Fulcher and asked Officer to respond to the points raised by the speakers.

The Senior Planning Officer (LM) noted that in terms of any 'need' for the development, there was no policy requirement to do so. In respect of noise, she noted a noise assessment had been submitted and Environmental Health had stated the proposals were acceptable, albeit with a condition for further information to be submitted (Condition 12). In relation to traffic, she noted the CMP at Condition 5 and no objections from Highways England in respect of the application.

The Principal DM Engineer, David Battensby noted the proposed access to the site from Hall Walk / B1283 and explained that when assessed there were specific design criteria that were looked at. He added such criteria included the capacity of the highway, vehicle speeds and visibility. He noted that in terms of capacity there were no issues, and that an extension to the protected right turn would help in that regard. He noted that the vehicle speeds on the B1283 at this location were high due to the lack of credibility of the speed limit.

He explained that in terms of visibility, that there were criteria in respect of the measured 85th percentile speed, with those requirements being met in this case. The Principal DM Engineer noted that in respect of the gradient of the access, there was an established Durham County Council (DCC) Design Guide, and that the developer would be required to put in shallower access in line with that guide. He explained that the 12 properties at Durham Lane only represented 10 trips at peak times and therefore he was not concerned in terms of capacity. He concluded by noting there were no grounds for a highways objection to the proposals.

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

Councillor C Kay noted the application was a full planning application and noted often an outline application would be received where highways or traffic issues would be noted and asked whether there had been an outline permission sought in this case. The Senior Planning Officer (LM) noted that the application had been submitted as a full planning application, adding there was no requirement to submit in outline as a first stage and the application before Members contained all the necessary details in order for determination.

Councillor J Elmer noted reference to the site being adjacent to the Easington CA and asked what the Council's response was in terms of impact upon the CA. The Senior Planning Officer (LM) noted it had been considered to be 'less than substantial harm', with agreement to the proposals from the Design and Conservation Team being set out at paragraphs 138 to 149 of the report. She added it was felt the minimal levels of harm were outweighed by the benefits of the scheme and therefore Officer felt that the proposals were acceptable.

Councillor J Quinn noted the application was a tough one, being able to see both sides of the argument in terms of the proposals. He noted he had sympathy with local residents, however, there was a need for such affordable housing.

Councillor A Bell agreed with Councillor J Quinn, and while he too had sympathy with residents and acknowledged the number that had objected, there were no policy reasons to refuse the application, and therefore if refused the application would likely be successful at appeal. He agreed there was a need for affordable housing of all, including young families, and therefore it would be difficult decision in terms of the application. He noted that Councillor A Surtees had referred to traffic issues and the Principal DM Engineer has spoken on the matter. He asked if there was any opportunity to be able to enhance any element of the scheme, such as improved road markings, to help in terms of the concerns raised.



The Principal DM Engineer explained that the speed limit already lacked credibility and that the proposed development, as one drove into the village, would hopefully provide additional frontage properties that had been demonstrated to encourage lower speeds by drivers. He noted as the road in question was classified as a B Road with strategic importance, with the road linking to the A19. As such, he explained that there were limits in terms of what could be done regarding the provision of physical traffic calming. He noted there would be appropriate signage and reiterated that the existing protected right-hand turn would be extended. Councillor A Bell asked as regards options for signage or road markings to help. The Principal DM Engineer noted that the location was on the rotation for the speed visor equipment and there had been considerable efforts from Durham Constabulary, as heard, in terms of enforcement. He added that road markings went hand in hand with speed limit credibility, with such signs and road markings being shown to only impact around one mph on speeds, given the width of the road. He noted that the provision of rumble strips was not appropriate due to the noise generated during quiet night time periods affecting adjacent properties.

Councillor R Manchester noted the comments from Councillor A Bell as regards affordable housing and asked as regards any comments from Durham Constabulary, who had objected, in relation to the application and whether there had been any discussions with them in terms of road improvements. The Principal DM Engineer noted that there was not a history of personal injury accidents in the area and in the last 10 years there had been one such accident. He added that therefore the area was not considered one that need intervention. The Senior Planning Officer (LM) note that Durham Constabulary had objected to the originally proposed footpath link, now removed from the scheme.

Councillor A Bell asked as regards the sustainability of the site, access to schools, shops, bus stops and other amenities. The Senior Planning Officer (LM) noted the links to the village and close proximity to bus stops and other amenities.

Councillor L Brown explained she felt the Principal DM Engineer had dealt with the issues relating to highways and therefore she would propose that application be approved as per the Officer's report.

Councillor S Deinali asked whether accidents on the nearby stretch of A19 were included when looking at incidents, and whether the development would impact in that regard. The Senior Planning Officer (LM) noted Highways England, as the relevant body had been consulted in respect of impact upon the A19 and, subject to the CMP conditions they had raised no objections.

The Principal DM Engineer noted that the A19 was controlled by Highways England, not the Council, and noted that in respect of the potential issue raised in terms of vehicle leaving the carriageway there was a dense vegetation belt providing separation.

Councillor J Elmer agreed with other Members that it was a difficult application to determine given the high level of community opposition, however, it was for the Committee to consider proposals against policy and material considerations and that if the application was refused when in accord with policy it was likely such a decision would be overturned at an appeal. He noted he would comment on the issue of need brought up by the local resident, that the affordable housing to be delivered by Believe, a reputable provider, would meet a clearly identified need. He noted he would second the proposal for approval. The Senior Planning Officer (LM) noted paragraph 88 of the report referred to consideration of affordable housing provision in respect of the application. The Team Leader (Central and East), Sarah Eldridge noted that policy requirement was 10 percent affordable, and that the fact that development would be 100 percent affordable could not be given weight, rather simply that the application was in line with the policy requirement in that regard.

Councillor K Shaw explained while he understood the local residents and had sympathy with their concerns, there needed to be material reasons in objection to the application if it was to be refused. He noted that the Principal DM Engineer had explained as regards the highways issues and therefore he would be supporting the application as there were no policy reasons not to.

Councillor J Quinn he would echo the comments from Councillors J Elmer and K Shaw, noting that if the application were refused, it would likely be approved at appeal, with costs to the Council and ultimately the taxpayer, therefore he too would be minded to approve.

The Chair noted the application had been proposed for approval by Councillor L Brown and seconded by Councillor J Elmer, upon a vote being taken it was:

## **RESOLVED**

That the application be **APPROVED**, subject to the conditions and s106 Legal Agreement as set out within the report.

*Councillor A Surtees entered the meeting at 10.46am*

**c DM/22/00987/FPA - Land adjoining Snook Acres, Front Street, Witton Gilbert, DH7 6SY**

The Senior Planning Officer, Jennifer Jennings (JJ) gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Senior Planning Officer (JJ) advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for residential development for 29 dwellings and associated works (amended title) and was recommended for approval, subject to the conditions and s106 Legal Agreement as set out in the report.

The Senior Planning Officer (JJ) explained that the proposed site was an allocated site within the Witton Gilbert Neighbourhood Plan (WGNP) and all properties would have photovoltaic (PV) cells and comply with Part L Building Control Regulations, with options for all properties to have EV charging, four properties proposed to have such provision as part of the development.

The Chair thanked the Senior Planning Officer (JJ) and asked Helen Heward, Agent for the applicant to speak in support of the application.

H Heward thanked the Committee and noted that the proposals by Homes by Carlton would provide housing on an allocated site which was highly sustainable that would address a local housing need. She explained the developer had engaged with the Parish Council and local community and the final application reflected feedback received, with 25 percent affordable homes, with two bungalows. She noted that trees would be retained where possible and there would be landscaping and amenity space, with hedgerows replaced. She noted good amenity space, with all properties having in-curtilage parking and garden space compliant with the Council's latest Residential Amenity Supplementary Planning Document (SPD). She added there was visitor parking dispersed throughout the development, and the layout was such to allow access for emergency and refuse vehicles. She noted that all properties exceeded Nationally Described Space Standards (NDSS), 66 percent of the properties met M42 Accessibility Standards, with 10 percent being suitable for elderly persons. H Heward noted the proposed footpath link, integrating the development, and renewable energy via PV, and EV infrastructure being in place for the development. She concluded by noting no objections from Technical Officers, subject to conditions and the s106 Agreement, that there was support from the Parish Council, and that as the proposals were in line with policy, she would ask the Committee to approve the much needed development.

The Chair thanked H Heward and asked the Committee for their comments and questions.

Councillor A Bell explained he was very familiar with the site, and he felt the application was a well thought through scheme and it was brilliant that the developer had engaged positively with the Parish Council and local community. He moved that the application be approved.

Councillor J Quinn noted there had only been one objection to the application and therefore he would second the approval of the scheme.

Councillor J Elmer noted he would make the following points in respect of the application. Firstly, that the development was an example of development up to the edge of a bypass and how the chance of infill development could be increased as a result. Secondly, in relation to CDP Policy 29(c) and reaching carbon neutrality, PV was welcomed, however he would hope that air or ground source heat pumps would be used in addition, rather than connect to the mains gas supply. His third point related to Northumbrian Water Limited (NWL) not objecting to surface water draining into their sewer. He noted while not objecting, it was an opportunity for them to look for contributions to help with capital works to improve and modernise the sewer system. Councillor J Elmer added that densifying the tree boundary was welcomed, noting that shade tolerant species would be needed. He explained that it was very important to recognise that the proposals were supported by the WGNP, and for the Committee to look to support neighbourhood plans as they are the result of long consultation exercises. He noted he would support the application as presented.

The Senior Planning Officer (JJ) noted that there had been discussions with NWL on the application and they had agreed the proposals were acceptable. She added the landscape plan in terms of shrubs was already conditioned, however, there would be discussions with the Landscape Team as regards what would be appropriate. She noted that there was no requirement not to have gas boilers within properties, rather to meet policy requirement and Part L Building Regulations. H Heward confirmed that the proposals were for gas boilers, however, the comments from Members would be taken forward in future developments.

The Chair noted the application had been proposed for approval by Councillor A Bell and seconded by Councillor J Quinn, upon a vote being taken it was:

## **RESOLVED**

That the application be **APPROVED**, subject to the conditions and s106 Legal Agreement as set out within the report.

**d DM/22/02364/FPA - 1 St Monica Grove, Crossgate Moor, Durham, DH1 4AS**

The Planning Officer, Michelle Hurton gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The application was for change from dwellinghouse (C3) to small house in multiple occupation (C4) including conversion of the garage into a habitable room and single storey extension to rear and was recommended for approval, subject to the conditions.

The Chair thanked the Planning Officer and asked Parish Councillor Susan Walker, representing the City of Durham Parish Council, to speak in relation to the application.

Parish Councillor S Walker thanked the Chair and Committee and noted that in terms of car parking, the NPPF was clear that parking and transport were key to make a high quality development. She added that displaced parking was a known issue in Durham City and was specifically an issue in this area. She reiterated that car parking should be integral to development, especially in an area with known parking issues. She added that the Parish Council suggested that the Council's Parking Standards should be followed both in principle and spirit, in this case where a residential dwelling is being changed for use as a house in multiple occupation (HMO) and there was no proposed in-curtilage parking but would be a dropped kerb, actually decreasing on-street parking. Parish Councillor S Walker noted that the DCC Parking Standards referred to two parking spaces and a double garage for such developments and therefore the proposals were not in the spirit of the policy. She added there were additional issues, such as the loss of garden space, which could impact on flooding on the A167, already an issue in that area, risking conflict with CDP Policy 35. She explained that CDP Policy 31 related to amenity and pollution and as the new development could lead to additional traffic and congestion, this was in addition to the already significant traffic issues in the area. It was added that the area and junction specifically was part of the walking route to Durham Johnston School and therefore there would be an increased risk and perceived risk to children and therefore likely to lead to increased use of cars to drop children off at school, contrary to CDP Policy 21.

Parish Councillor S Walker noted that DCC had declared a Climate Emergency, something the Parish Council supported, and therefore all development should meet the requirements of CDP Policy 29. She added it was not clear how this particular application met that policy.

She explained that it was clear that if the application was allowed there would be impact upon residential amenity, with five unrelated adults generating significantly more noise and disturbance than a single family. She added that the CDP referred to 'mixed and balanced communities' and noted the Parish Council found it hard to find that within this application. She referred to the comments from Durham University in relation to a recent application for the Apollo Bingo in that there were sufficient properties to meet their projected need in terms of student accommodation. She noted the need for family homes in Durham City and asked that Members refuse the application, it being contrary to CDP Policy 16(3) relating to the quantity of cycle and car parking provided (referring to the Parking and Accessibility SPD) and on the basis of the many objections from residents to the proposals.

The Chair thanked Parish Councillor S Walker and asked Kate Gorman, Local Resident to speak in relation to the application.

K Gorman noted she was a homeowner living on St. Monica Grove and she was representing the 62 homeowners living in the area opposing the change of a family home into an HMO. She explained that their community was a stable, diverse and mixed community with those that worked, school age children and those that had retired. She noted the area was within walking distance of the school and was exactly the type of house for families. She added that the Council policies relating to protecting against the proliferation of HMOs were welcomed and explained that there were already four HMOs within 100 metres of the property in question and echoed the comments from the Parish Council in that student residents were very different from families. K Gorman noted that the application was contrary to CDP Policy 16(3) and represented an assault upon residents' amenity. She noted it was contrary to CDP Policy 29 in terms of sound proofing not addressing the additional noise from comings and goings of the student residents, and also in terms of separation distances and garden size not being sufficient. She added the proposals were not suitable.

K Gorman noted there was another application for 3 St. Monica Grove by the same applicant for a seven-bed HMO and therefore it would be appropriate to defer the application for 1 St. Monica Grove and for them to be considered together. She explained that the current application contravened CDP Policy 6(e) in terms of creating issue for access for emergency vehicles by exacerbating parking issues. She noted that the area was a direct route into the City Centre and part of the National Cycle Network. She noted comments from the Vice-Chancellor of Durham University who had stated that purpose build student accommodation (PBSAs) was only at around 50 percent occupancy, therefore there was no need for additional student properties. She asked that Members protect residents and allow them to grow old in their City, maintaining the strong balanced community that existed in the area.

The Chair thanked K Gorman and asked the Committee for their comments and questions.

Councillor J Elmer thanked the Officer and speakers for their comments. He noted concern as regards car parking, pushing cars on to the road as a result of a loss of parking. He noted the issue raised in terms of the application next door for similar development and whether the application should be considered together. He asked as regards cycle storage, waste bin and recycling storage in curtilage. He noted concern there were room sizes that did not meet NDSS and asked for clarity from the Officer. He asked as regards privacy, with separation distances of 15 metres where 21 metres was the requirement. Councillor J Elmer noted that he felt there was not much effort being made with the application in terms of CDP Policy 29 and carbon neutrality. He concluded by noting he could not see how the application identified a need, certain not the need of the area, which was not a student area.

The Principal Planning Officer, Paul Hopper noted there was some confusion in relation to space standards. He confirmed that the application was compliant with the NDSS and that separation distances were deemed acceptable as they were existing separation distances, the 21 metres could not be applied retrospectively and accordingly, the arrangements were considered satisfactory. He added that in relation to CDP Policy 16(3), need was not a requirement.

The Principal DM Engineer explained that while there were adjacent applications, each would be looked at on their own merits. He noted that in terms of parking, if additional parking was provided and there was a dropped kerb, there potentially would be a loss of on-street parking. He noted that the existing white 'H'-bar lines would extend across the proposed access driveway and therefore there would not be a loss of parking if drivers were complying with the rules. He explained that the application did comply with the Council's parking standards in terms of providing one additional space, the double garage requirement was for new development and therefore the application was acceptable from the Highways perspective.

The Principal Planning Officer (PH) noted that cycle and bin storage would be on-site, and Officers were comfortable as regards the condition managing the property, though the condition could be amended to contain precise details if Members were so minded.

Councillor L Brown noted it was a very difficult application for her, having been brought up living in St. Monica Grove and would wish for the impact on residents to be mitigated. She asked as regards the parking proposed and whether it would require a new dropped kerb.

The Principal DM Engineer noted a new drop kerb, with an informative to be included within any permission granted.

Councillor L Brown noted that would be a double entrance and asked if a condition could be put to ensure that any surface within the property was permeable, that and EV charging point be provided, and that at Condition 6 the start time of works be changed from 7.30am back to 8.00am and to finish at 2.00pm on Saturdays. She noted that parking on St. Monica Grove was an issue as it was the nearest street to Durham City Centre without a controlled parking zone. She noted that also its proximity to Durham Johnston School meant there were many parents that used the street for parking. She noted that there had been an attempt to get a controlled parking zone for the area, however, that had not been successful. She noted that further attempts would be made should the applications for 1 and 3 St. Monica Grove be successful, as it was becoming increasingly difficult for residents to park, with some people leaving their cars in the street and then going into Durham to commute to work at Newcastle via rail. She accepted there were no material concerns and therefore she hoped only to mitigate some of the issues faced by residents.

The Principal Planning Officer (PH) noted that it would be possible to add a condition relating to the surface material for the driveway and noted that the condition relating to hours of work was a standard condition and if Members wished to alter then a specific reason would help in that regard. In respect of a requirement for EV charging, it was not policy for development of this scale and therefore it would be for Members to explain why on a policy basis.

Councillor L Brown noted it was a shame in relation to the EV charging point, however, the reason in relation to 8.00am start times and 2.00pm finish on Saturday was as the development was near to existing family homes and would also be in line with the conditions as set out in the Witton Gilbert application previously considered. The Principal Planning Officer (PH) noted 8.00am start times Monday to Saturday and with a 2.00pm finish on Saturdays. The Lawyer, Planning and Highways Neil Carter noted those conditions were within the gift of the Committee to alter as they saw necessary. Councillor L Brown asked if the cycle/waste storage was already conditioned, the Principal Planning Officer (PH) noted that Condition 5 relating to the management plan could be amended regards cycle/waste storage. He asked if Councillor L Brown would wish for 2.00pm finish on Saturday to include internal works non-audible to outside the property, she confirmed that was the case.

The Chair noted that while additional HMOs were not wanted in the city centre, there did not appear to be grounds for refusal in this case. He noted that there had yet to be a motion in relation to the application.



Councillor S Deinali moved that the application be approved, subject to the additional condition and amended conditions as set out by Councillor L Brown, she was seconded by Councillor K Shaw and upon a vote being taken it was:

**RESOLVED**

That the application be **APPROVED**, subject to the conditions as set out within the report, with an additional condition relating to permeable driveway surface and amended conditions making reference to cycle storage and permitted hours of development, with 8.00am start times and 2.00pm finish time on Saturdays.