

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST)

At a Meeting of **Area Planning Committee (Central and East)** held in Council Chamber, County Hall, Durham on **Tuesday 14 July 2015 at 1.00 pm**

Present:

Councillor P Taylor (Chairman)

Members of the Committee:

Councillors A Bell, J Clark, P Conway, K Corrigan (substituting for Councillor B Moir), M Davinson, K Dearden, D Freeman, C Kay, A Laing, J Lethbridge, J Robinson, K Shaw and A Turner (substituting for Councillor S Iveson).

1 Apologies for Absence

Apologies for absence were received from Councillors G Bleasdale, S Iveson and B Moir.

2 Substitute Members

Councillor K Corrigan substituted for Councillor B Moir and Councillor A Turner substituted for Councillor S Iveson.

3 Minutes

The Minutes of the meetings held on 9 June 2015 were confirmed as correct a record and signed by the Chairman.

4 Declarations of Interest

In relation to item 5b Councillor P Conway and Councillor K Corrigan both clarified that, although members of Belmont Parish Council, they had taken no part in discussions on planning related business at the Parish Council.

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

a DM/15/00455/FPA – Durham Cathedral, North Churchyard, Palace Green, Durham

The Committee considered a report of the Planning Officer regarding the relocation of “The Journey” sculpture from Millennium Place to North Churchyard, Durham Cathedral, widening existing entrance paths, alter the surfacing of the path to sandstone setts, relocating two seats and associated lighting at Durham Cathedral, Palace Green, Durham (for copy see file of Minutes).

The Principal Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members of the Committee had visited the existing site and were familiar with the location and setting, but were also familiar with the location and setting of the proposed re-siting of the sculpture. It was reported that 2 conditions had been suggested by the Archaeology Officer as follows:-

CONDITION 1 (for Archaeological monitoring)

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a mitigation strategy document that shall be submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

- i) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
- ii) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
- iii) Post-fieldwork methodologies for assessment and analyses.
- iv) Report content and arrangements for dissemination, and publication proposals.
- v) Archive preparation and deposition with recognised repositories.
- vi) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- vii) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.

The development shall then be carried out in full accordance with the approved details.

Reason: In the interests of historical and archaeological interest to comply with Policy E24 of the former Durham City Local Plan as the site is of archaeological interest.

CONDITION 2

Within 3 months of the substantial completion of the works a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record.

Reason: In the interests of historical and archaeological interest to comply with para. 141 of the NPPF which ensures information gathered becomes publicly accessible.

Ms K Thomas addressed the Committee to speak in objection to the application. Ms Thomas advised that as a founder member and Trustee of the sculpture, the Trust Deed stated that the objectives of the Trust was to promote the enhancement and improvement of the City of Durham through the erection and maintenance of a memorial to the history and heritage of the area and in doing so, advance the education of local people in areas such as art, literature and culture.

The objectives supported the social role of sustainable development for strong, vibrant, healthy communities' needs and also supported social and cultural wellbeing.

Ms Thomas spoke of the pride in the story of Cuthbert, which she believed to be a story for the cultural wellbeing of everyone, regardless of race, religion or background and for those that may not visit the Cathedral.

Members were advised that the bronze cast of the sculpture was commissioned for the people, paid for by the people and located in a city centre site with access for all. Ms Thomas highlighted that planning guidance recommended that local authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality.

Ms Thomas stated that uprooting the sculpture from the gateway site where children played around it, visitors photographed it and school parties gathered, would trample on the spirit of a publicly funded artwork. Members were advised that the former Durham City Council had fully supported the siting of the sculpture and had granted the £27,000 shortfall which, together with charitable funds, had paid for the cast.

Ms Thomas urged the committee to keep the sculpture where all could enjoy it and to support local initiatives to improve Millennium Place with funds already granted as part of environmental improvements.

Members were advised that the issue of anti-social behaviour was not reason enough to relocate the sculpture and instead efforts should be made to deal with the bad behaviour.

Ms Thomas concluded by stating that a Norman conquest cathedral was not an appropriate location for a sculpture depicting the passage of the coffin of a Celtic saint.

Ms E Ashby addressed the Committee to speak in objection to the application. She believed there to be significant errors in the report. She felt that the petition which was submitted in objection to the application did not receive the same coverage as the petition to support the application and as such Ms Ashby felt that Members had been denied evidence of the strength of objections.

Ms Ashby further advised that while the legal notice of the application might have been advertised properly, there were many stakeholders who had been unaware of the application, including local schools.

Concerns were raised regarding the archaeology of the area as Ms Ashby highlighted that conditions relating to archaeology would only come into force after any area was disturbed. She therefore queried whether saved Local Plan policy E24 was justified.

Members were advised that the proposed location for the sculpture would cause accessibility issues. If wheelchair users were to stop to look at the sculpture, an obstruction would be caused on the Cathedral pathway, thus restricting access to other visitors.

In relation to conditions 3 & 4 as detailed within the officers report regarding paving and lighting, Ms Ashby felt that those issues should not be left to be decided at a later date and should be determined as part of the consideration of the application.

Ms Ashby concluded by querying who the Journey Consortium were, they were not a group which she was aware of.

Councillor G Holland addressed the Committee to speak in support of the application. Members were advised that the sculptor was in full support of the plans to relocate the sculpture, believing that the move would raise the profile of St Cuthbert.

Councillor Holland advised that there was indeed occasions where vomit and urine were on the sculpture and this was wholly unacceptable and defamatory to the sculpture, the city and the artist. He believed that the relevance of the sculpture was lost in its current location. It had originally been placed off centre in Millennium Place as the area was intended to be used as a venue for performing arts, however that had never taken off.

Millennium Place was used predominantly at night-time and as such the sculpture was constantly at risk of being mistreated. Members were advised that the artist had been granted Freedom of the City and he was keen to see his piece moved to a more natural location.

Ms M Hawgood addressed the Committee to speak in support of the application. She spoke in her capacity as one of the 3 people who originally set up a steering group to raise money to pay for a metal cast of The Journey for the city of Durham. That had been back in 2003 and Members were advised that by 2005 the Steering Group had raised £140,000, half of which had been donated by the general public.

A site had then needed to be identified and Members were advised that the Trustees had not chosen Millennium Place, it was in fact the only site available to house the sculpture. Ms Hawgood advised that the artist had been concerned about how it would be treated in that location, as were the Trustees, however both were assured that Millennium Place was intended to become the cultural centre of the city.

Ms Hawgood advised that the plans for Millennium Place had not materialised and instead the area became a late night location for drinkers who took to desecrating the sculpture.

Members were advised that the assumption that the Cathedral had hijacked the sculpture was wrong. Ms Hawgood clarified that the Trustees asked for the site and also asked the Cathedral to apply for planning permission on their behalf. Indeed had that site been available originally, it would almost certainly have been used.

Ms Hawgood acknowledged that objectors felt that the Trustees should be attempting to improve Millennium Place rather than move The Journey. She queried why the objectors had never bothered to try to improve the area before now.

Members were advised that objectors also asserted that the current location was more accessible to the disabled. Ms Hawgood advised that she herself was disabled and required transport to both locations. She stated that it was very much easier to be dropped and collected at the Cathedral than at Millennium Place,

Ms Hawgood believed that it was the Trustees who owned the statue and therefore had the right to move it. Indeed Ms Hawgood had a letter from the County Council Chief Executive which supported that assertion.

Members were advised that there were 5 Trustees and when they voted on the move, only 1 Trustee had voted in objection to it.

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

- Accessibility – The volume of visitors to the Cathedral was proof enough that it was an accessible location;
- Public Funded Artwork – The funding of the sculpture was not a matter for consideration by the Committee;
- Nightlife – While the effects of the city nightlife was a factor in the proposals to move the sculpture, it was not a planning consideration;
- Archaeology of the Area – It was reiterated that the Archaeology Officers were satisfied with the proposals;
- Petitions – The report was a balanced report and reflected both the views of supporters and objectors equally;
- Stakeholders – The placing of the notice did meet statutory requirements which was the limit of what the Planning Authority could do. Furthermore it was clear that there had been far reaching interest in the application;
- Planning conditions – Conditions attached to any permission which was granted was considered an adequate way to deal with any matters such as paving and lighting;
- Journey Consortium – While it was not clear who comprised the Journey Consortium, that was not a matter for the Committee.

Councillor A Bell had been present on the site visit earlier that day which had visited the current location of the sculpture. He commented that it might have been useful for the visit to have taken in the proposed location also.

In referring to paragraph 25 of the report, Councillor Bell would have preferred the opinion to be that the sculpture would make a positive contribution to the setting of the Cathedral, rather than just a neutral contribution. He personally did not believe that the sculpture would add anything to the Cathedral and as such moved refusal of the application.

Councillor D Freeman acknowledged that all interested parties had a common interest in that they all cared about the city. He felt that the issue of loss needed to be considered, the loss to the city centre if the sculpture were to be moved to a more remote location. If it had been a publicly funded sculpture, it should therefore be in the public domain.

The Cathedral was private property as opposed to public open space and Councillor Freeman felt that the current location was most appropriate, highlighting that Millennium Place was developed using the Walkergate S106 monies.

Councillor Freeman acknowledged that Millennium Place could be improved environmentally, but reiterated that The Journey was central to that area. The current position of the sculpture allowed for contemplation and photography by visitors.

In referring to paragraph 34 of the report, Councillor Freeman highlighted that the application actually ignored the preferred location of officers, near the North door of the Cathedral. He believed removal of the sculpture from its current location would be contrary to saved Local Plan policies E6 and E22 as to move it would neither preserve nor enhance the character of the area. Councillor Freeman therefore seconded the motion to refuse the application.

Councillor P Conway acknowledged the wealth of views on both sides of the argument and believed it would have been prudent for a public consultation to have been undertaken. He believed that the views of the public were a material consideration and therefore relevant to the consideration of the application.

Councillor Conway stated that as the journey of Cuthbert's coffin was made there would have been no reverential treatment, it was everyday life, which was exactly what occurred in present day at Millennium Place. While Councillor Conway had much respect for the artist, the sculpture was public art in a public domain. Furthermore, it was entitled The Journey as opposed to The Arrival and so its current location was wholly appropriate. He concurred with Councillor Freeman and stated that there were justified grounds in saved Local Plan Policies E6, E21 and E22 to refuse the application. He did not believe the proposals would in any way enhance the world heritage site.

In response to a query from Councillor Kay, the Principal Planning Officer advised that the Cathedral had paid for the planning application.

Councillor Kay stated that the current location was very relevant, Cuthbert had been buried at the Cathedral which was the end of the journey therefore it was a tangible link to have the sculpture en-route to the Cathedral. He supported refusal of the application.

Councillor J Lethbridge advised that during the site visit earlier that day he had witnessed stains on the sculpture which were completely abhorrent. He believed that sculpture deserved respect and appreciation. He felt that the current location was too modern and relocating the sculpture would be an important enhancement to the approach to the Cathedral door. Furthermore it would be an important contribution to the Christian heritage of that area. Councillor Lethbridge supported the views of Councillor Holland and the other numerous supporters and moved that the application be approved.

Councillor J Clark could not agree with the proposals to relocate the sculpture, highlighting that it depicted a completely different historical period to that of the Cathedral. The sculpture was a conversation piece where it currently was and Councillor Clark highlighted that as well as the night time trade, there was also a significant daytime footfall through Millennium Place.

Councillor M Davinson noted that no permission was required for the Trustees to move the sculpture, permission was only required for its relocation. He felt that not enough emphasis was placed on the sculpture in Millennium Place and even the plaque set in the ground next to it, was easily overlooked. He believed that there would be more emphasis on the sculpture at the Cathedral and as such supported approval of the application.

Councillors Bell, Freeman and Conway clarified the reasons for refusal as follows:-

- That the application was contrary to saved Local Plan policy E6 – whether the area would be enhanced was a matter of judgement, however those Members believed it would not enhance the Cathedral;
- That the application was contrary to saved Local Plan policies E21 and E22 – the whole building period would be distorted if the sculpture were to be relocated and moving it would neither preserve nor enhance the character of the area.
- That the application be refused on the grounds that there were health and safety issues regarding accessibility and also because of the strength of public opinion and public views.

The Solicitor advised that public opinion was not a material planning consideration and should therefore not be cited as a reason for refusal.

The Chairman informed the Committee that a vote would be taken on Councillor A Bell's motion to refuse the application, as seconded by Councillor Freeman, on the basis that the application was contrary to saved Local Plan policies E6, E21 and E22.

Upon a vote being taken refusal of the application was defeated.

The Chairman informed the Committee that a further vote would be taken on Councillor J Lethbridge's motion to approve the application, as seconded by Councillor M Davinson.

Upon a vote being taken it was

Resolved: “That the application be approved subject to the conditions detailed within the report and the two additional conditions relating to archaeology”.

b DM/15/01689/RM – Land to the north of Willowtree Avenue, Gilesgate Moor

The Committee considered a report of the Planning Officer regarding a reserved matters application for appearance, landscaping, layout and scale for the erection of 38 no. dwellings and open space and discharge of conditions 1, 2, 6, 8, 11 and 14 of outline approval CE/13/01651/OUT at land to the north of Willowtree Avenue, Gilesgate Moor (for copy see file of Minutes).

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

Mr M Pears, local resident, addressed the Committee to speak in objection to the application. He stated that the developers clearly hoped to wear down the resolve of the Committee with the submission of repeated applications, each time making only minor changes to the proposals. Using that approach, Mr Pears stated that once again the applicant had re-submitted another unsympathetic application, creating the illusion that they had reduced the density of the scheme by simply converting what would have been 2 small semi-detached houses and effectively knocking through the partition wall to create one large 5 bedroomed house. Members were advised that the footprint of that unit had barely changed at all and it left the overall layout of the scheme completely unaltered.

Members were advised that the minor cosmetic changes had taken place in the far north west and north east corners of the field, the very locations which had no impact on the concerns of existing residents. Mr Pears stated that making such minor alterations at those locations did nothing to protect the privacy of local residents and nothing to lessen the severe detrimental impact which the development would have on the area. Furthermore Mr Pears believed that the application remained contrary to saved Local Plan Policies Q8 and H13.

Mr Pears advised that it was the southern boundary of the site which would directly affect existing residents as the southern block of 10 houses would deprive residents of privacy. Furthermore that block would be intrusive and overbearing.

Mr Pears concluded by stating that nothing had been done to alter the reasons behind the previous rejection of the scheme, he therefore urged the Committee to refuse the application.

Councillor B Howarth, Belmont Parish Council, addressed the Committee. She advised that the Parish Council was very much aware that numerous residents continued to have grave concerns about the latest application, concerns which covered aspects of layout, design and landscaping. As such the Committee was advised that the Parish Council wished for residents suggested amendments to the

layout to be fully considered by all parties, in an effort to resolve the continuing dissatisfaction with the plans.

It was highlighted that there was a stark contrast between the executive properties in the design and the one bedroom apartments, which had clearly been included to satisfy the affordable housing element. The Parish Council believed that there was no dwelling within the scheme which could be considered as a family starter home or accommodation for the disabled or elderly. This was further emphasised in the latest application with the omission of eight 3 bedroomed houses and the inclusion of three 5 bedroomed houses.

Despite those changes, Members were advised that the Parish Council considered the removal of all 2.5 storey houses and 2.5 storey apartments, along with the redesigning of the apartments to form two blocks, to be a welcome improvement.

However the Parish Council remained concerned about the unchanged position of the apartment blocks on the right hand side of the site entrance. Councillor Howarth reiterated that concerns in that regard were as follows:-

- Road side parking and waiting vehicles related to flat occupancy so near to the estate entrance;
- The inappropriateness of the apartment bin store near the entrance.

The Parish Council suggested that an alternative position for the apartments would be at the top right hand side of the development, facing on to the cul-de-sac, where properties 28 and 29 were presently sited. Properties 28 and 29 could then be repositioned to face onto the entrance road alongside property 38. The Parish Council was confident that there was sufficient space to accommodate such redesign.

Councillor Howarth also picked up on the landscape advice detailed within the Committee report. Certain aspects of suggested landscaping were not adequately undertaken on the Revised Landscape Plan.

It was further highlighted that reference was made to a public Right Of Way in the report, part of which was to be absorbed into the building design. The Parish Council wished to make clear that the Right Of Way beyond the houses to the A690 slip road had, up to present time, been a Belmont Parish Path and as such was maintained by the Parish Council. Councillor Howarth advised it would need to be maintained for it to remain passable and open to the public and so that responsibility would need to transfer to some other agency.

Councillor Howarth highlighted that there was a report on behalf of the Noise Action Team which pointed out inadequacies in the acoustic fencing, glazing and ventilation proposals.

As such, the Parish Council concluded that there were problems with the discharge of conditions and responsibility for future open space maintenance. However, Councillor Howarth advised that the main Parish Council objection was on the grounds that the layout and design were contrary to neighbourhood amenity and

character and appearance of the area. She therefore requested that the application be refused or referred back for further modification as it remained contrary to policy Q8 of the City of Durham Local Plan and Part 7 of the NPPF.

Mr D Brocklehurst, agent for the applicant, addressed the Committee. He highlighted that for the third time, the application was recommended for approval. Members were reminded that the site did have outline permission for 49 dwellings and Mr Brocklehurst advised that the applicant had not rushed the revision of the application, there had been a public consultation and significant talks throughout the whole process. The latest application reduced all dwellings to two storey and the separation distance was not less than 21m anywhere on the site.

Members were advised that the application now complied with all policies which were cited as reasons for refusal previously and Mr Brocklehurst highlighted that officers representing Landscaping, Urban Design, Affordability and Highways, all supported the application.

The applicant had now demonstrated that all topography concerns would be addressed and it was believed that the proposed dwellings did reflect the character of the surrounding properties.

The alternative scheme which had been suggested by officers was not a financially viable option as it would significantly reduce the number of units.

Mr Brocklehurst concluded that all issues had now been addressed and the current application was compliant with saved Local Plan Policies Q8 and H13 and parts 6 and 7 of the NPPF.

Councillor Conway had hoped that since the application was last before the Committee, there would have been meaningful discussion between all parties. He was unaware of the resident's proposals and so was not prepared to pass comment on them.

In response to queries from Councillor Conway, the Senior Planning Officer advised that the resident's proposals were not produced on a plan and were just raised during discussions. As such those alternative proposals could not be considered as part of the current application. The Senior Planning Officer further clarified that saved policy Q8 had now been satisfied as all separation distances had been met or exceeded.

Councillor Kay expressed sympathy for the local resident's. He too had hoped that discussions between all parties would have occurred since the last application had been presented before the Committee, he was disappointed that did not appear to be the case.

In response to a query from Councillor Kay the Senior Planning Officer clarified that there had been 2 previous applications from the applicant for the scheme, the first one of which was now in the appeal process with the Planning Inspectorate. If the application now before the Committee was approved, then the appeal would be withdrawn.

Councillor Conway acknowledged that policy Q8 had now been satisfied however he queried whether the application could possibly be deferred to allow for further discussions to ensue between the applicant and local residents.

The Solicitor advised that was not an appropriate reason to recommend deferral of the application, a deferral would only be appropriate if the Committee felt it did not have adequate information to make a decision.

Seconded by Councillor Kay, Councillor A Bell moved approval of the application.

Resolved: "That the application be approved subject to the conditions detailed within the report".

Councillors A Bell and J Robinson left the meeting.

c DM/14/00338/OUT – Land at Station Road, Coxhoe

The Committee considered a report of the Senior Planning Officer regarding an outline application (all matters reserved except access) for up to 50 dwellings at land at Station Road, Coxhoe (for copy see file of Minutes).

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

Mr D Cherrie addressed the Committee to speak in objection to the application on behalf of various local residents.

Members were advised that there was no longer term economic benefit to the development of the site, the only such benefit would be short term by way of employment during the construction of the development. The site was within the greenbelt and as such development on the land would be contrary to saved Local Plan policies H3 and H5. In terms of landscape, Mr Cherrie advised that valuable green space would be lost should the site be developed and would therefore have an adverse effect on the surrounding area.

Mr Cherrie believed that a suitable brownfield site should be identified for the proposed scheme. In terms of access to the site, Members were advised that additional traffic would be using an already crowded junction.

In relation to the ecology of the area, Mr Cherrie advised that crested newts, bats and owls were all present and mitigation to protect their habitats would be unachievable as it would require buy in from the gardens adjacent to the site.

Furthermore Members were advised that noise levels from the site would also be unacceptable and there was no means of mitigation, thus development of the site would have an adverse effect on the health of neighbouring residents.

Ms G Field, agent for the applicant, addressed the Committee. Members were advised that the site was an emerging allocation in the County Durham Plan and that at the current stage, the NPPF was the key material planning consideration.

The site was sustainable and there were no objections from statutory consultees. Any necessary mitigation measures would be addressed by way of condition when a full application was submitted at a later stage.

In relation to habitats on the site, Ms Field clarified that there was a small population of crested newts in the area which would be captured and relocated to a less isolated habitat. A detailed strategy would be agreed with Natural England and no third party land would be required.

Members were advised that the applicant had worked with the adjacent resident when preparing the plans and the applications accorded with the NPPF and the current Position Statement.

Ms Field advised that there would be 20% affordable housing on the site, the development was sustainable in terms of the surrounding local businesses and facilities and there would be an economical benefit in terms of New Homes Bonus and Council Tax receipts. Furthermore the scheme would help meet the housing needs of the county.

In response to a query from Councillor Conway, the Senior Planning Officer clarified that the application was contrary to saved policy H3 as the site was outside of the settlement boundary. Saved Policy H5 related to new homes in the countryside, however the Planning Authority believed the site to be acceptable in that regard in terms of sustainability and the applications compliance with the NPPF.

Councillor Lethbridge moved approval of the application, recalling that a similar application in the same area was approved by the Committee some months earlier.

In response to a query from Councillor M Davinson the Senior Planning Officer clarified the footprint of the site. Furthermore, Members were advised that should the application be approved, the applicant would be required to remove trees and shrubs from the verge next to the access, to allow for suitable road visibility. The Senior Planning Officer clarified that none of the trees in the vicinity were protected and relevant officers were comfortable with the proposals. Members were reminded that landscape considerations were not part of the current application.

Resolved: “That the application be approved subject to the conditions detailed within the report”.

Councillor Kay left the meeting.

d DM/15/01101/FPA – Land to the rear of 21 Market Place, Durham

The Committee considered a report of the Senior Planning Officer regarding the demolition of garage units and redevelopment to provide 55 bed student accommodation and associated communal and ancillary facilities at land to the rear of 21 Market Place, Durham (for copy see file of Minutes).

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

Mr D Smith, agent for the applicant, addressed the Committee. Members were advised that the applicant was a local family run business which already had 60 student properties within the city and the business would manage the proposed scheme itself. All parcels of land within the application site were owned by the applicant and there was confidence that the scheme could be delivered in its entirety.

Members were advised that there were low levels of footfall in the area surrounding the application site, as such other uses for the site were not particularly viable. There was a lack of student accommodation in that area of the city and so bringing the scheme forward would create a healthy mix of uses in the area.

Mr Smith advised that the proposed design of the scheme was considered to be of a high quality by relevant officers, especially as the site was currently considered to be an eyesore brownfield site. Mr Smith was confident that the proposals would enhance the surrounding economy and regenerate a rundown part of the city.

In response to a query from Councillor M Davinson, the Senior Planning Officer clarified that a response had now been received from the Highways Authority. The Highways Officer clarified that although there were some concerns regarding the positioning of the cycle bays behind the bin store, there had been a late revision to the scheme. Disabled parking provision was now included and the cycle parking had been slightly moved, as such officers were satisfied with the proposals.

Councillor Lethbridge commented on the eclectic mix of building periods within that area of the city and he queried whether any historical research had been undertaken in relation to the application site.

The Senior Planning Officer advised that a Heritage Statement had been submitted, further to which Archaeology Officers had added conditions 9 and 10 to the application.

Councillor A Turner advised that despite supporting the scheme in principle, he was dismayed that bringing the scheme forward would mean the removal of several mature trees from the area.

Councillor J Clark queried whether the removal of the trees would have any impact on any additional water which would need to run off.

The Senior Planning Officer highlighted condition 6 as detailed within the report which stated that no development should take place until a scheme came forward regarding drainage of the site.

Councillor D Freeman made the point that there were not more students coming to Durham and so further student accommodation was not required. He highlighted that there had been two previous applications for the site, both of which had been refused because of the impact on the conservation area.

He stressed that any building erected in that area would have to be of a particular and correct height because of the sloping nature of the buildings in that location. He highlighted that a 5 storey building would not be in keeping with the character of the area as it would be highly visible and overbearing on Fowlers Yard.

Councillor Freeman further advised that local residents would be adversely affected by the introduction of students to the area. He believed that the application failed to satisfy saved Local Plan Policies Q8, E22 and H13.

The Senior Planning Officer advised that while there had been previous applications for the site which had been refused, they had been for smaller developments and not across the full width of the site. The current application would fill the whole area and the proposed height of the building would sit well within the surrounding buildings.

Councillor M Davinson believed the proposed scheme would complement the surrounding area, as such he moved that the application be approved. Councillor Lethbridge seconded the motion for approval and upon a vote being taken it was:

Resolved: “That the application be approved subject to the conditions detailed within the report”.

Councillor K Dearden left the meeting.

e DM/15/01090/OUT – Land to the south east of Brackenhill Avenue, Shotton Colliery

The Committee considered a report of the Senior Planning Officer regarding a residential development comprising 44 houses (outline) at land to the south east of Brackenhill Avenue, Shotton Colliery (for copy see file of Minutes).

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

Seconded by Councillor Shaw, Councillor Laing moved approval of the application.

Resolved: “That the application be approved subject to the conditions detailed within the report”.