

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 10 November 2015 at 1.00 pm**

Present:

Councillor P Taylor (Chairman)

Members of the Committee:

Councillors A Bell, G Bleasdale, J Clark, P Conway, M Davinson, D Freeman, A Laing, J Lethbridge, J Maitland (substituting for Councillor R Lumsdon) and B Moir

1 Apologies for Absence

Apologies for absence were received from Councillors S Iveson, R Lumsdon, J Robinson and K Shaw.

2 Substitute Members

Councillor J Maitland substituted for Councillor R Lumsdon.

3 Minutes

The Minutes of the Special Meeting of the Committee held on 22 September 2015 and the Meeting of the Committee held on 13 October 2015, were confirmed as correct records and signed by the Chairman.

4 Declarations of Interest

There were no declarations of interest.

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

a PL/5/2011/401 and PL/5/2011/402 – Hardwicke Hall Manor Hotel, Hesleden Road, Hesleden, TS27 4PA

The Committee considered a report of the Senior Planning Officer regarding the development of four detached residential properties including private vehicular access road (PL/5/2011/401) and the partial demolition of Grade II listed garden wall and proposed repair of remainder, partial demolition of boundary wall within curtilage of Hardwicke Hall Manor Hotel in association with residential development of four dwellings (PL/5/2011/402) at Hardwicke Hall Manor Hotel, Hesleden Road, Hesleden, TS27 4PA (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.

Councillor R Crute, local Member, addressed the Committee, to speak in support of the applications on behalf of himself and fellow local Member Councillor L Pounder. Members were advised that both Members had noted that planning consent had been granted in 1999 for the development of a number of apartments at Hardwicke Hall Manor Hotel, followed by a subsequent similar consent in 2005. As such the local Members were surprised that the current application had been recommended for refusal.

Councillor Crute advised that the NPPF fully supported and promoted a strong, prosperous economy, the modernisation of existing facilities and the provision of good quality housing, all of which were strong features of the current application. No objections had been raised by the Ecology officers of any statutory consultees and while it was noted that objections had been submitted by Design and Conservation and Landscape officers, Councillor Crute believed that the benefits of the proposals far outweighed the partial removal of the listed walls.

Members were advised that the Hall was a long established business which was frequented by local, regional national customers. It was the only hotel of its type in the East Durham area and so had many tourism and social contact benefits. Councillor Crute advised that if the business did not prosper, which was the key aim behind the planning proposals, then some 31 jobs would be at risk and the building would remain in a state of disrepair, including the wall.

Councillor Crute highlighted that the proposals were supported by the East Durham Business Service and he reiterated that previous consents had already been granted. The small scale enabling development would prove richly rewarding for the surrounding area, with strong economic benefits.

Mr Bradley, applicant, addressed the Committee. Along with his brother, he was joint owner of the hotel and had been for 29 years. The hotel was a beautiful building which did reasonably well, however proved hard to maintain just off normal income. It was essential that the building was preserved and well maintained. The fabric of the building needed money spending on it and repairs were ongoing all the time.

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

- Previous Planning Consents – The current application was not the same as previous applications which had been approved. Previous applications had been for managed apartments rather than standalone dwellings. There was no extant permission for the hotel;
- Wall – Issues which had been raised regarding the proposals for the wall were as much to do with setting as they were to do with the fabric of the wall;
- Enabling Development – Other enabling development proposals which came forward would normally be supported with a detailed plan of the works to be undertaken and more specific proposals for how revenue from the enabling development would be spent. The current application lacked such detail.

Councillor J Clark was opposed to the officer recommendation and was fully in support of both planning applications. She refuted the suggestion that the location was isolated as several properties lay on the access into the hotel. Furthermore, in referring to paragraph 123 of the report, Councillor Clark believed the benefits of the applications far outweighed any negatives, especially when taking into consideration the improvements which would be made to the access road.

Councillor B Moir agreed and found that the applications accorded with part 1 of the NPPF and saved Local Plan Policy 36. The location was not isolated nor would there be any disturbance caused by the proposals. He further highlighted that in terms of residential amenity and ecology, there were no grounds to refuse the applications.

Further to the reference made to paragraph 123 of the report by Councillor J Clark, the Solicitor took the opportunity to clarify the 2 tests which were set by paragraphs 14 and 55 of the NPPF and explained that given the issues of a listed building and isolated dwellings, there was a presumption against development. As such, in granting approval, there would need to be confidence that benefits of the proposals did outweigh the harm, to which considerable importance and weight had to be attached.

In response to a query from Councillor M Davinson the Senior Planning Officer clarified that all trees within the site were covered by a blanket Tree Preservation Order. While there was an understanding in broad terms of the impact development would have on the trees, because of the lack of detail regarding the enabling development and details on the actual works, a condition would be required should planning permission be granted.

The Senior Planning Officer further advised that there had been a lengthy delay in the application coming forward because the applicant and the Planning Authority had held numerous meetings to attempt to iron out all issues with the application.

Councillor Lethbridge supported the proposals, he found the development site to be a wilderness that would do well with development as long as the archaeologist investigations were supportive.

Councillor P Conway felt that the case for the public benefits of the application and the economic sustainability had been demonstrated by Councillor Crute. However he was uncomfortable with the lack of detail regarding the desired works to be undertaken with the receipts from the enabling development. Taking all matters into consideration, he was in support of the application.

Councillor G Bleasdale felt concerned about the impact the development would have on trees and she hoped that the new dwellings would blend in with the hotel. The Senior Planning Officer clarified that the proposed dwellings were of traditional design, as such officers did not have any issues with their proposed appearance.

Mr Bradley, applicant, advised that he had submitted some details of the works to be undertaken following the enabling development such as works to the wall, roof, carpark and outside structures of the hotel. In relation to the style of dwellings,

Members were also advised that the applicant had submitted four alternative design proposals.

In light of those statements by Mr Bradley, Councillor Conway queried the validity of paragraph 54 of the report which suggested that inadequate evidence had been submitted regarding future works and that detailed costings had not been provided.

The Senior Planning Officer clarified that paragraph 54 was only the comment of one internal consultee. However, it was accurate that in context, the Planning Authority did require the specific details of the enabling development. Although a wall survey had been submitted, it remained unclear what works or costs would be involved to preserve it. Such detail would be expected to be provided in the form of a well-rounded enabling development application.

Councillor A Bell suggested that it may be prudent to defer consideration of the application to allow more specific details to come forward. While it was clear that the hotel did require investment, costing details would be beneficial.

Councillor Laing highlighted that if the development did not go ahead, then 31 jobs were at risk.

Seconded by Councillor B Moir, Councillor J Clark moved approval of the application.

The Solicitor provided guidance as to the tests which the Committee would need to satisfy to justify approval.

Councillor Clark stated that she did not believe the site was outside of the settlement boundary or that it was isolated as there were dwellings in close proximity. Councillor Moir agreed, stating that while the site was divorced from its neighbouring property, it was somewhat closer than what he would consider to be isolated.

Councillor Clark added that the benefits to the access road would be a benefit to the locality and she fully accepted the enabling case. Furthermore, she advised that during the site visit she had struggled to see the inner listed wall and also noted that the application site was not a public site and that the public did not have access to the listed wall. The benefits outweighed any residual harm.

Following advice from the Solicitor, Councillor Clark clarified that in moving approval of the application, she also moved that authority be delegated to officers to draft appropriate conditions and S106 agreement.

Resolved: “That the application be **APPROVED** subject to appropriate conditions and S106 agreement to be prepared by officers”.

b DM/15/02514/OUT – Land adjoining Bowburn South Industrial Estate, Durham Road, Bowburn

The Committee considered a report of the Senior Planning Officer regarding an outline application, including access details, for a retail food store, incorporating car park, landscaping and new vehicular access at land adjoining Bowburn South Industrial Estate, Durham Road, Bowburn (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 were advised of an error at paragraph 80 of the report, which should actually detail that the petrol station was not to be included.

Members were further advised that should planning permission be granted, an additional condition would be required to restrict the floorspace to 4184sqm gross.

Seconded by Councillor Lethbridge, Councillor Moir moved approval of the application, both commenting that the store would be a welcome addition to the area.

Resolved: “That the application be approved subject to the conditions detailed within the report and an additional condition to restrict the gross floor space to 4184sqm”.

c DM/15/02694/FPA – 32 Whinney Hill, Durham, DH1 3BE

The Committee considered a report of the Planning Officer regarding the erection of part two storey/part single storey extension at rear of dwelling and construction of pitched roof over existing flat roof at side (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.

Members were advised that paragraph 23 of the report should reflect an objection being raised by Whinney Hill Community Group and not Whinney Hill Resident Group.

Councillor Freeman advised that as local Member for the area, he had been approached by Whinney Hill Community Group who had wanted the application to come before the Planning Committee, however unfortunately were not able to be represented at the meeting. Their case was however detailed within the report.

Councillor Freeman advised that for the past two years the property had been advertised for rent as a 6 bed let, as such there were concerns locally that the proposals would mean the property would have between 8 and 10 occupants, making it a HMO. It was felt that the proposals would have an adverse effect on the character of the area, an area of which 75% of the population were students. Councillor Freeman advised that in that regard, the proposals contravened saved Local Plan Policy H9 which sought to preserve the character of an area, as well as saved Policy Q9.

Members were advised that the proposals had originally been opposed by Design and Conservation Officers on the grounds of poor design. The current application only slightly reduced the height of the elevation next to 31 Whinney Hill, it was therefore unclear how any significant changes had been made in relation to the visual effect.

The Senior Planning Officer clarified that the application proposed a 6 bed let and not a HMO. Should additional bedrooms be created, it would take the property over the limit to a HMO and so would require a change of use. As such it was suggested that should approval be granted, an informative be placed on the certificate to that affect.

In response to a concern raised by Councillor J Clark, the Senior Planning Officer clarified that there would be no windows overlooking no.31 Whinney Hill. With that assurance, Councillor Clark was satisfied with the application and moved approval.

Councillor Lethbridge seconded the motion for approval. He felt that the current flat roof at the property was unattractive and noted that flat roofs could be problematic. He was therefore pleased with the proposed pitched roof design. It was not up to the Committee to presume whether the property might become a HMO and so with the assurance from officers, Councillor Lethbridge was satisfied with the proposals.

Councillor Conway accepted that the property would be improved visually but could not understand why the applicant wanted to extend the property if it was to remain as a 6 bed let.

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

d DM/15/01743/FPA – Cheveley House, Brackendale Road, Belmont, Durham

The Committee considered a report of the Senior Planning Officer regarding the demolition of care home and construction of 26 dwellings and associated works at Cheveley House, Brackendale Road, Belmont, 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.

Councillor Conway moved approval of the application. While he recognised that there had been previous objection from local residents, he was satisfied that many concerns had been settled throughout the consultation process. The site was in real need of attention and the proposals would greatly improve the appearance of the site.

Councillor Moir seconded the motion for approval. While it had been regrettable that Cheveley House had closed as a care home, there had been significant problems

with the building. The proposed development would be attractive and Councillor Moir welcomed the S106 proposals and the 20% affordable housing.

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

e DM/15/02242/FPA – Land South of 58 Cuthbert Avenue, Sherburn Road Estate, Durham

The Committee considered a report of the Senior Planning Officer regarding the development of 16 no. houses, 23 parking bays and new adopted turning head at land south of 58 Cuthbert Avenue, Sherburn Road Estate, 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.

Councillor Conway moved approval of the application. The site had previously been a residential area however was now an eyesore, he was therefore delighted that it was to be returned to housing. Furthermore he welcomed the level of affordable housing which was to be provided.

Councillor Moir seconded the motion for approval. Four Housing already had a proven track record in the area and so he was happy to support the application.

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

f DM/15/02400/FPA – Grampian House, Grampian Drive, Peterlee, SR8 2LR

The Committee considered a report of the Senior Planning Officer regarding the demolition of existing care home building and construction of 55 bedroom care home with associated landscaping and car parking at Grampian House, Grampian Drive, Peterlee, SR8 2LR (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.

Councillor A Laing moved approval of the application. The applicant had a proven track record for developing high quality care homes and so the proposals were welcomed. Councillor Lethbridge seconded the motion for approval.

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