

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 11 July 2017** at **1.00 pm**

Present:

Councillor P Taylor (Chairman)

Members of the Committee:

Councillors H Bennett (substitute for J Clark), D Brown, K Corrigan, N Grayson, K Hawley, A Laing (Vice-Chairman), R Manchester, S Quinn (substitute for M Davinson), J Robinson, A Surtees (substitute for G Bleasdale) and O Temple

Also Present:

Councillors D Bell, J Blakey, J Chaplow, S Dunn, M McKeon and M Wilson

Prior to the commencement of the meeting, the Chairman noted the sad passing of Councillor Morris Nicholls. The Chairman added that all would agree that Councillor M Nicholls had been a gentleman, an excellent Member and champion for his local area. The Chairman noted that his thoughts, and indeed those of Officers and Members, would be with the friends and family of Councillor M Nicholls and he asked those in attendance to join in a moment's silence as a mark of respect.

1 Apologies for Absence

Apologies for absence were received from Councillors G Bleasdale, J Clark, I Cochrane, D Freeman, S Iveson and P Jopling.

2 Substitute Members

Councillor H Bennett substituted for Councillor J Clark, Councillor S Quinn substituted for Councillor M Davinson and Councillor A Surtees substituted for Councillor G Bleasdale.

3 Minutes

The minutes of the meeting held 13 June 2016 were confirmed as a correct record by the Committee and signed by the Chairman.

4 Declarations of Interest

Councillor K Corrigan noted in respect of Item 5b that she was the Cabinet Support Member for Transformation, with that Portfolio including Libraries. The Solicitor - Planning and Development, Neil Carter noted this and advised that she could take part in the debate and decision making.

Councillor A Laing declared an interest in Item 5b, as a Local Member who would be speaking on the item and therefore would take no part in the debate or decision making.

Councillor O Temple declared an interest in Item 5c, as he knew the applicant, and therefore would take no part in the debate or decision making.

Councillor A Surtees declared an interest in Items 5d and 5h as a Local Member for those items and noted she would take no part in the debate or decision making.

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

a DM/17/00871/FPA - 56 Dalton Crescent, Neville's Cross, Durham

The Planning Officer, Paul Hopper, 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 Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for change of use from C3 (dwelling house) to either C3 (dwelling house) or C4 (house of multiple occupation) and was recommended for approval, subject to conditions.

The Planning Officer noted a similar application had been approved by the Committee in February 2017 for a nearby property, 45 Dalton Crescent, however, the permission for this property had not been implemented. Members were reminded of the two purpose built student accommodation (PBSA) blocks to the rear of Dalton Crescent, near completion with students to begin occupation in September 2017.

The Committee was asked to note that the change of use application was to retain an element of flexibility in terms of the applicant being able to move between the uses for family home and house in multiple occupation (HMO). Members noted floor plans showing proposed internal changes to the layout giving 5 bedrooms and a kitchen/living area.

In terms of representations, the Planning Officer noted no objections from the Highways section, subject to an extension to the driveway to accommodate two vehicles. It was added that colleagues in Spatial Planning Policy had provided information in terms of council tax exempt properties within 100m of the application, the measure used in determining student density, the figure being 6.5%.

It was added that there had been no objections from the Noise Action Section or the HMO Licensing Officer in terms of the application.

The Planning Officer explained there had been objections from the City of Durham Trust, the Sheraton Park Residents Association (SPRA) and one letter of objection. Those noted that: it was felt the actual number of student properties within 100m of the property was such to give a density greater than 6.5%, and indeed greater than 10%; there were already two PBSAs directly behind Dalton Crescent; further student properties would be a detriment to the neighbourhood; and there were restrictive covenants on the properties at Dalton Crescent restricting their use to single family occupation only.

Members noted that in terms of the principle of development, the density of 6.5% was less than the 10% threshold as set out in the Interim Policy on Student Accommodation. It was explained that while the extant permission for 45 Dalton Crescent had not been implemented and therefore not considered within the 100m survey, even if that permission had been implemented, the density of Council Tax exempt properties would still have been below 10%. It was added that while two PBSAs were due to be occupied from September, these were controlled and managed by the University.

The Planning Officer concluded by noting that, as it was felt there was not significant impact on residential amenity and that the application was in accordance with the relevant National Planning Policy Framework (NPPF), saved City of Durham Local Plan, and Interim Policy on Student Accommodation, the application for change of use be approved, subject to the conditions set out in the report.

The Chairman thanked the Planning Officer and noted that the Local Councillors for Neville's Cross were unable to attend, however, the Committee Services Officer would read out a statement submitted by Councillors L Brown and E Scott.

"Chairman, Members of the Committee. Please accept the apologies of both Councillor Scott and myself, Councillor Brown. We are unable to with you today due to other commitments but we feel that we need to comment on this application as we object to any further student accommodation in this area of Neville's Cross.

Dalton Crescent is part of the Sheraton Park estate, built on the site of the old teacher training college. It was envisaged as a residential estate with one of the original blocks earmarked to be luxury apartments and the other an upmarket hotel. The estate was built within an open site with plenty of community space. Sadly the expected apartments and hotel did not materialise and the two original sites were left for several years as an eyesore (one eventually had to be demolished). They were eventually turned into student accommodation now due to be taken over by Ustinov College, Durham University's postgraduate arm.

The houses in the meantime have started to be let out privately and this conversion is the latest in a long line of lets, many of which have come in below the radar.

Dalton Crescent we are told in the report has 6.5% HMOs within 100m. However my data on council tax exemptions, sent by Durham County Council's Spatial Policy Manager gives me 8.6% for this postcode (council tax exemptions are the main indicator for student properties). Moreover, let us look at the surrounding streets. Kirkwood Drive, the next street along, 11.3%, Faraday Court in the same estate, 28.8%. Can I also point out that I know at least one student house in this area where one of the occupants works meaning that the property is not council tax exempt. Then there's the elephant in the room... two huge blocks of student accommodation behind this site which will house 418 students. Is this a balanced community as described in NPPF paragraph 50. This states planning requirements need to "create sustainable inclusive and mixed communities and to maintain an appropriate housing mix".

I would ask committee to think very carefully before they grant the applicant his permission. Parts of Durham have become student ghettos to the detriment of all Durham residents. This area has a thriving community spirit with a mixture of ages. Approving this application may not seem like a big deal but it could be the step that leads to the loss of yet another community for no-ones benefit except that of private landlords who have no interest in the area and no investment in the local community. Thank you Chair, for your indulgence".

The Chairman thanked Committee Services Officer and asked Mr B Hesselink to speak in objection to the application.

Mr B Hesselink thanked the Chairman and Committee for the opportunity to speak and noted he was speaking on behalf of the SPRA in objection to the application. He noted that the SPRA had over 130 followers on the internet and worked for a balanced community for Sheraton Park and Neville's Cross.

Mr B Hesselink explained that residents objected to the increasing of student numbers in the area, with the two new PBSAs as mentioned due to open in September 2017. He added that new rules were introduced in 2016 to try and give a balanced mix within communities, however more HMOs did not support this balance and therefore the application was contrary to National Planning Policy Framework (NPPF) paragraph 50.

Mr B Hesselink asked that the Committee take into account the most up-to-date information, based on the students living in the area, with not all students being registered as such, with some that work paying Council Tax. He added that those, and the volume that would be introduced by the PBSAs should be taken into account, Sheraton Park having a very high percentage of HMOs, as explained by the Local Members.

Mr B Hesselink added that there were several restrictive covenants in place on the properties within the estate, including those to prevent people running a business from their property or use their property as a HMO. It was added that the Planning Committee should not be looking to support the breaking of such covenants, and that he would urge Members to not approve the permission to allow the property to be used as a HMO.

Mr B Hesselink reiterated that in the area there was around 30% HMOs and that to avoid student ghettos the application should be refused. He concluded by noting that and that if the application was approved then it would appear that the new rules introduced in 2016 were not doing their job.

The Chairman thanked Mr B Hesselink and asked Mr T Swindells, the applicant to speak in relation to his application.

Mr T Swindells thanked the Chairman and noted he had lived in the property for 7 years and had bought the property from Barratt Homes on the basis of it being a family home in a residential area. He added he felt this was a broken promise, in respect of the building of the PBSAs, and therefore the application at Committee represented the most viable option for his family. Mr T Swindells added that the immediate neighbour had not objected to the application and there had been no complaints as regards anti-social behaviour or noise in terms of the other HMOs nearby. Mr T Swindells noted the 10% cap on HMOs and felt this was a fair balance and also added that he would be willing to extend the driveway as mentioned by the Planning Officer. Accordingly, Mr T Swindells asked that Members approve the application.

The Chairman thanked Mr T Swindells and asked Members of the Committee for their questions and comments on the application.

Councillor J Robinson noted that he clearly understood the issues raised by the residents' associations though noted where applications which had been refused had been subsequently approved at appeal. He added that the policy was set and that he therefore supported the Officer's recommendation.

Councillor J Robinson moved that the application be approved; he was seconded by Councillor A Laing.

RESOLVED

That the application be **APPROVED** subject to the conditions detailed in the Officer's report to the Committee.

b DM/17/01470/FPA - Peterlee Leisure Centre

The Principal Planning Officer, Alan Dobie, 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 Principal Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for relocation of Peterlee Library within the Leisure Centre and associated refurbishment and was recommended for approval subject to conditions.

The Principal Planning Officer noted the proximity to Peterlee town centre and the access to the Leisure Centre via a subway, ramps and steps. Members noted that the proposal was for the library and leisure facilities to share an entrance, reception and refreshment area, then to split into the separate functions.

The Committee noted Councillor K Hawley had requested that the application be brought to Committee for determination as concerns had been raised by residents in terms of parking. The Principal Planning Officer added that Peterlee Town Council had noted that they neither supported nor objected to the application, recognising the importance of the library as a community resource. It was added that the Town Council noted concerns in terms of the environmental conditions at the proposed location, namely noise, and questioned whether a more suitable location had been considered. The Principal Planning Officer added that Peterlee Town Council had also raised points in connection with parking and the access.

The Principal Planning Officer noted no objections from the Highways Section or Environmental Health, with one letter of objection received from a member of the public. It was explained that the main points raised by the objector included: access issues; noise from the leisure centre affecting those using the library; and insufficient parking, with any plans for charging for use of the car park likely to have a knock-on effect to people parking on-street, similar to the situation at the nearby Community Hospital.

The Principal Planning Officer explained that the existing library was one of the better used in the County, with good foot-fall and many activities for children and adults. It was added that the relocation of the library was required to allow other redevelopment works to take place. Members noted that the model of libraries co-locating within leisure centres was well established in the county and had proven to work well, with benefits in terms of asset management and in generally having longer opening hours than a standalone library.

The Principal Planning Officer explained that in principle it was felt the application was in a sustainable location, with good access to the town centre, and with a bus stop located directly outside of the leisure centre. It was noted the access was similar to that enjoyed by the current library facility. In terms of parking, Officers had spoken to the applicant in respect of the additional foot-fall and the impact this would have. It was explained that surveys undertaken bore out those concerns, however, highlighted an issue of misuse of the leisure centre car park and that the three hour maximum use with no return was not being enforced.

It was explained that this would be addressed and therefore there would not be displacement of vehicles such as to lead to parking in the street. Councillors noted that in terms of peak usage of the car park, for library users it would be in the morning and leisure centre users it would be the afternoon and evening. The Principal Planning Officer noted that the nearest residential properties were sufficient distance away that their amenity would not be impacted upon.

The Committee noted that in terms of other locations being considered for the relocation of the library, retail units were not financially viable and with the Authority already owning the leisure centre this was felt to be the best option available for a long term solution.

The Principal Planning Officer noted that the recommendation was for approval, subject to conditions, and with a Traffic Management Plan (TMP) to be submitted to and approved by the Planning Department prior to the library operating.

The Chairman thanked the Principal Planning Officer and noted Officers involved in the scheme were in attendance should Members have any queries. The Chairman asked Councillor A Laing, Local Member to speak in relation to the application, noting she had declared an interest and would leave the Chamber after speaking and take no part in the debate or decision.

Councillor A Laing explained that she felt that the library was a valuable asset in the local community and the many benefits of colocation within the leisure centre, such as longer opening hours would help sustain the facility. She added that while other locations had been looked at, this was the only site that was financially viable and with good accessibility, similar to the existing library location, with bus provision to the door. Councillor A Laing noted that the parking issues raised were dealt with by condition and added that normally an application such as this would be determined under delegated authority and not take up Committee time.

Councillor A Laing left the meeting.

The Chairman asked Members of the Committee for their questions and comments on the application.

Councillor K Hawley noted that the parking issue had been explained, however felt that the TMP should be looked at before the Committee grant the application.

The Principal Planning Officer noted that there had been full consultation with the Council's Highways Section and it was felt that if the traffic restrictions were enforced there would be a suitable number of car parking spaces available. It was added it was felt that the condition as set out was sufficient to be able to recommend approval.

Councillor K Hawley noted that it would be seen whether such enforcement would take place and alleviate the issues. The Chairman noted that it would be something Councillor K Hawley, as a Local Member, could monitor.

Councillor S Quinn noted that from the site visit she got the impression of friendly staff keen to take full advantage of a great opportunity.

Councillor O Temple noted from the site visit that the parking issue was real, with some parked on double yellow lines and on the pavement. He added that the condition stated "a" TMP, however, he asked if there was any scope to be more proscriptive in terms of how it was enforced, noting in his Electoral Division that automatic number plate recognition was used in some car parks.

The Solicitor - Planning and Development explained that the condition was drafted quite a widely but that it could be made more specific should Members require, however the Highway Development Manager may wish to comment.

The Highway Development Manager, John McGargill explained that to enforce there would be a need for a Traffic Regulation Order (TRO) to allow parking notices to be made and to enforce where people parked on footways, verges and double yellow lines. He added that the Highways Section felt that a TRO would be enforceable and that DCC had a contract in terms of enforcement and the contractors would be sent out on a regular basis as regards compliance. In respect of automatic number plate cameras, the Highway Development Manager noted that legislation was not in place as regards this as the car park was DCC owned, the Council would enforce.

Councillor J Robinson noted that paragraph 33 of the report set out where there had been successes elsewhere with this type of co-location, and he wished he was so lucky as to have such a facility in his Division. He added that paragraphs 37-38 showed there was commitment to enforce in terms of the car park and he had personal experience in respect of parking issues in Peterlee.

Councillor O Temple moved that the application be approved; he was seconded by Councillor J Robinson.

RESOLVED

That the application be **APPROVED** subject to the conditions detailed in the Officer's report to the Committee.

*Councillor A Laing entered the meeting
Councillor O Temple left the meeting*

c DM/17/01655/FPA - 6 Abbey Road Pity Me, Durham

The Principal Planning Officer 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 Principal Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for proposed two storey extensions and a single storey extensions to side and rear and erection of porch to front and was recommended for approval subject to conditions.

The Principal Planning Officer noted a window in the neighbouring property, facing on to the application site and the existing and proposed elevations were shown.

It was explained that there had been no representations from the Parish Council, and no objections from the Highways Section if there was two off-street parking spaces. Members noted that one letter of objection had been received making reference to: the inappropriate scale and massing of the proposal; loss of light for the neighbouring property; impact upon amenity; and not being in keeping with area.

The Principal Planning Officer noted Members had been able to judge the impact on view while on site and added that Planning Officers felt the extensions were acceptable.

In terms of the neighbouring property, it was noted that the window in question was one of a number serving that room, with patio doors to the rear and therefore Planners felt that there was not an issue in terms of light. It was added that while there would be some impact, it was not felt that there were sufficient grounds for refusal.

The Principal Planning Officer noted that on site, the applicant had mentioned issues such as the "45 degree rule" and a skylight to be funded by the applicant. He added in the case of the skylight, this was an issue that could not be imposed via planning conditions on a neighbour and it was felt in any event such a skylight would not have much impact. The Principal Planning Officer added that the "45 degree rule" did not apply in Durham, however, it was not felt that that the application would impinge in any case.

The Principal Planning Officer concluded by noting that it was felt the proposals were acceptable, have limited impact on the amenity of the neighbouring property and therefore the application was recommended for approval.

The Chairman thanked Principal Planning Officer and asked Ms L Mann who would be speaking on behalf of Ms A Potter, owner of the neighbouring property, in objection to the application.

Ms L Mann thanked the Chairman for the opportunity to speak, and Members who were able to visit the site earlier in the day. Ms L Mann noted that Ms A Potter had three areas of concern, firstly the loss of natural light and sunlight. It was noted that the application proposed an extension very close to the boundary, an issue that was in dispute, and that it would be catastrophic in terms of light entering the kitchen. She added there would be no sunlight in the afternoon from the patio facing west, and the other window facing a brick wall, if the application were approved.

Ms L Mann added that, secondly, Ms A Potter's kitchen was a main living area, utilising the back garden and the significant loss of sunlight with the extension alongside the garden would be contrary to saved City of Durham Local Plan Policy Q9.

It was added that this would be a significant loss of amenity for Ms A Potter and would have a detrimental impact, which perhaps would not be so great if the proposed extension was not so big.

Ms L Mann added that, thirdly, there would be a loss of privacy in terms of the bathroom window, which would directly face the proposed bathroom window opposite. It was added that this would be a very short distance away and whilst frosted glass, they would be in fact so close together that it would be possible to shake hands across the distance. Ms L Mann noted that indeed the architect's design was such to incorporate a window that opened inward and added that at night time privacy would be also affected due to the close proximity of the windows.

Ms L Mann noted that therefore the issues of scale and magnitude, loss of light, loss of amenity and loss of privacy meant that there would be detriment to Ms A Potter and therefore the application should be refused. Ms L Mann added that deeds highlighted the ownership of the posts being with No.7 Abbey Road.

The Chairman thanked Ms L Mann, noting her five minutes had elapsed. Ms L Mann noted she had not heard a forewarning as regards having one minute remaining and therefore wished to continue. The Chairman and Committee Members noted that the forewarning had been given and it had been audible. The Chairman asked the Solicitor - Planning and Development and the Principal Planning Officer to comment on the issues raised.

The Solicitor - Planning and Development noted that the issues in terms of the boundary and posts were a private legal matter and not something the Committee could consider. The Principal Planning Officer noted that the proposed extension was large, however, the Officer recommendation and professional judgement was that the application be approved. He added Members of the Committee had visited the site and would therefore be able to make a decision based upon this. In response to the issue of the bathroom windows, the Principal Planning Officer noted the use of obscure glazing and while the windows were close, it was not felt that there would be an impact upon privacy.

The Chairman noted Ms L Mann wished to speak further, however explained that she had used her allotted time and was not permitted to speak again or over the top of the Chairman or Committee Members.

Councillor J Robinson moved that the application be approved; he was seconded by Councillor A Laing.

RESOLVED

That the application be **APPROVED** subject to the conditions detailed in the Officer's report to the Committee.

*Councillor O Temple entered the meeting
Councillor A Surtees left the meeting*

d DM/17/00444/OUT - Land To The North Of Lauren Court Easington Village

The Principal Planning Officer 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 an outline application with all matters reserved for the erection of approximately 59 no. residential units and was recommended for approval subject to conditions and a Section 106 Legal Agreement.

The Principal Planning Officer noted that permission had already been granted for land adjoining the application site, and that this application was, in effect, to extend that development. It was explained that plans at this stage indicated an indicative site layout and suggested a mix of two and three bedroom semi-detached properties, linking through to the existing site and with a mini-roundabout at Seaside Lane.

The Principal Planning Officer explained that Easington Village Parish Council had submitted objections with concerns including: a lack of infrastructure; a large number of developments already approved in the area; and development of a greenfield site.

Members noted there had been no objections from Planning Policy, Ecology or Education. It was added that the Highways Section had no objections, with the access for the previously agreed development being deemed sufficient for this development in addition.

The Principal Planning Officer noted seven letters of objection, with issues including: additional congestion; potential flooding; and the development being outside of the settlement boundary. The Principal Planning Officer explained that while the application was not in accord with the saved District of Easington Local Plan, as the Authority could not demonstrate a 5 year supply of housing land, then NPPF Paragraph 14 was triggered and the saved Local Plan was considered out of date.

The Principal Planning Officer added that it was felt that the application was sustainable, with good access to services, and there was a provision of 10% affordable housing. It was noted that there would be a Section 106 Legal Agreement in terms of contribution towards protection of coastal footpath and provision of play facilities within the Easington Electoral Division.

Members noted that the Education Department had been contacted and at June 2017, there were 100 places over the next 8 years, taking into account all the developments currently with permission.

The Chairman thanked Principal Planning Officer noted there were three speakers in objection to the application and asked Councillor B Day, a Parish Councillor who was speaking as a member of the public, to explain his objections to the application.

Councillor B Day thanked the Chairman and noted that the application was on a greenfield site and that this would be a loss and also there was a number of brownfield sites that could be used, with there being a large number of developments already approved in the area. He added that he did not feel that there would be sufficient school places, with 250 properties already in the pipeline nearby and the impact this would have in addition to this proposal.

Councillor B Day noted that the Highways Section had not objected, he added that they should try driving in Easington Village, it was horrendous. He added that he felt it was very presumptuous of the developer to have already created turning heads that could then lead through to a further phase of development, a similar issue to that of another development in the village at Fennel Grove, previously considered by the Committee.

Councillor B Day noted that the infrastructure was out of date and therefore he would urge the Committee to reject the application.

The Chairman thanked Councillor B Day and asked Mr A Bannister to speak in objection to the application.

Mr A Bannister noted he was opposed to the application and noted the previous approval of around 100 properties in March 2016, which if an average of 1.5 cars per property was used, equated to an extra 150 vehicles in this area. Mr A Bannister added that the nearby Aged Miners Homes had elderly residents that struggled to cross the busy road, even with the introduction of a mini-roundabout to try and deal with traffic. He added that around 90% of the traffic turned right to the A19, and drivers used the mini-roundabout to avoid delay at the T-junction between Thorpe Road and Seaside Lane, with the proposed additional mini-roundabout likely to encourage this behaviour even more. He suggested that in terms of safety, an island at Hopper Street in terms of slowing traffic and to provide a crossing with lights.

In terms of schools, Mr A Bannister noted the Academy could not keep taking more children and Easington Village Church of England Primary School was full to capacity. He added that the local nurseries were also having to deal with changes in legislation, with the provision of up to 30 hours, up from 15, from September 2017. In conclusion, Mr A Bannister asked that the application be refused.

The Chairman thanked Mr A Bannister and asked Mr M Gaffney to speak in objection to the application.

Mr M Gaffney noted he objected in terms of the amount of additional traffic that would be associated with all the developments, adding he felt it was silly in respect of a further 150 vehicles and explained that he would not cross the busy road at this point with his grandson. He added there was not a traffic crossing point for 2.1 miles along the main road. Mr M Gaffney concluded by noting that there would be 1.8 metre high fencing less than 1 metre from his property and that this would block light at the lower floors.

The Chairman allowed Mr A Bannister to use the remaining time allotted for objectors. Mr A Bannister added that 20mph schemes would be a good idea in terms of the local schools and that the noise from all of the works, those current and those proposed were, and would be intolerable, especially for elderly residents.

The Chairman thanked the speakers and asked the Principal Planning Officer to respond in terms of the issues raised.

The Principal Planning Officer noted that the site was felt to be in a sustainable location, and while was greenfield it was felt to be acceptable in terms of the NPPF, as previously explained. He added that in terms of school places, the relevant professional Officers from the Education Department had been contacted and they noted there was no requirement for additional places. The Principal Planning Officer explained that in response to the inclusion of turning heads within a previous scheme being used as access to a further scheme, this was not unusual and also that as this application was at the outline stage, access issues would be looked at on their merits once a further detailed application was submitted. He noted in terms of traffic issues, the Highways Section had not noted any objections.

The Principal Planning Officer concluded that while the resident had noted potential impact upon his property, the scheme was in outline, with an indicative layout and there would be a further opportunity to comment on any potential impact on residential amenity at the later reserved matters application stage.

The Chairman thanked the Principal Planning Officer and asked Members of the Committee for their questions and comments on the application.

Councillor A Laing asked if the Highway Development Manager could comment on the issues raised by the objectors.

The Highway Development Manager noted that the objectors had suggested the number of properties would generate 150 additional cars on the road, however, this would assume all potential vehicles would be on the highway at the same time. He added that it was noted the development would equate to an additional 36 trips at the peak hour, and this was in the context of around 6,000 trips per day along Seaside Lane. It was explained that the predicted 36 peak hour trips was within the daily variation for journeys along this road and therefore it was not felt to be an issue.

Councillor A Laing noted the site was in a bit of a state and the County needed more homes and proposed the application be approved.

Councillor J Robinson noted his only concern was that the views of the objectors seemed to be opposite to those stated, with objectors stating the schools were jam-packed, and the Education Department saying there was capacity. He noted that NPPF Paragraph 14 was triggered and also that Highways had not objected, therefore he felt the Committee must support the recommendation.

The Chairman asked if the objectors had any evidence that the schools did not have capacity, and Mr A Bannister gave some information, however the Chairman noted this was anecdotal, and not evidence that the schools were indeed at capacity.

Councillor A Laing moved that the application be approved; she was seconded by Councillor J Robinson.

RESOLVED

That the application be **APPROVED** subject to the completion of a Section 106 Legal Agreement and the conditions detailed in the Officer's report to the Committee

Councillor A Surtees entered the meeting

e DM/17/01164/FPA - Land of former Parkside School, Heathway, Seaham

The Senior Planning Officer, Graham Blakey 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 116 dwellings including associated infrastructure and landscaping and was recommended for approval subject to conditions and a Section 106 Legal Agreement.

The Senior Planning Officer, G Blakey noted close walking distance to services from the site and good bus links to Easington, Peterlee and Sunderland. It was explained that the site included the area of the former Parkside School, now demolished and some former Local Authority housing stock, also demolished. Members noted the inclusion of a Sustainable Urban Drainage System (SuDS) within the proposals and were referred to photographs showing the changes in level across the site and it was added that the woods were now of greater density than when the photograph was taken. The Senior Planning Officer, G Blakey explained that there was an informal pathway leading through to other nearby sites and that this would be incorporated into the development. It was added that in addition, the upgrading of footpaths would be sought in order to help protect the heritage coastline and mitigate impact.

The Senior Planning Officer, G Blakey noted that there had been no objections from the statutory consultees and an objection had been received from Sport England in terms of the loss of the former school playing field, however, it was added that the site had been closed for around 10 years. It was added that there had been no representations from residents, neighbours or the Town Council.

The Committee noted that in this case, NPPF Paragraph 14 was engaged and while there was some limited impact, it was not felt sufficient to recommend refusal and therefore the application was recommended for approval subject to conditions and a Section 106 Legal Agreement.

The Chairman thanked the Senior Planning Officer, G Blakey, noted there were no registered speakers and asked Members of the Committee for their questions and comments on the application.

Councillor A Laing noted she supported the application and would proposed that it be approved. Councillor D Brown noted that the key issue was that there had been no objections from residents and therefore he too supported the application. Councillor A Surtees noted she also supported the application.

Councillor A Laing moved that the application be approved; she was seconded by Councillor A Surtees.

RESOLVED

That the application be **APPROVED** subject to the completion of a Section 106 Legal Agreement and the conditions detailed in the Officer's report to the Committee.

f DM/17/00925/OUT - Land to the east of Aldridge Court, Ushaw Moor

The Senior Planning Officer Chris Baxter 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 an outline application for 23 no. bungalows for the over 55's and was recommended for refusal.

The Senior Planning Officer, C Baxter noted that the site was currently open grassland and within the Durham City Greenbelt, with some further fields to the east and north, and properties to the west. Members were referred to a photograph showing the proposed access point to the site and it was added that a public right of way ran along the eastern boundary of the site. Members also noted an indicative site layout, the application being in outline.

The Senior Planning Officer, C Baxter noted that the Highways Section and the Drainage Team had noted they did not have enough information and would require more details. It was added that Environmental Health noted potential noise/odour from a nearby equestrian site may impact on the proposed development.

The Committee noted one letter of objection from a member of the public citing concerns relating to: a previous development for over 55's having residents below the age of 55; impact on traffic; and whether there was a need for housing given there were vacant properties in the area.

The Senior Planning Officer, C Baxter noted that the application site fell within the City of Durham Greenbelt and the saved Local Plan noted such development and NPPF was not permitted, except in very special circumstances. It was added that the Committee refused a similar application in 2014, with the Planning Inspectorate dismissing an appeal against that decision.

It was noted that while the Authority could not demonstrate a 5 year supply of housing land, it was not felt by Planners that this outweighed the impact of development in the greenbelt. The Senior Planning Officer, C Baxter noted that therefore Officers recommended that the application be refused.

The Chairman thanked the Senior Planning Officer, C Baxter and noted a Local Member, Councillor J Chaplow and Parish Councillor, and Alderman, P Stoddart wished to speak in support of the application.

Councillor J Chaplow thanked the Chairman and suggested that the area was not greenbelt, it was scrubland and was a mess due to fly-tipping. She added that the local community needed bungalows with many people unable to manage in two storey properties, with stair-lifts not being suitable in many cases. Councillor J Chaplow noted other applications for development on greenbelt that had been approved and asked why not for this application. In terms of any potential odour from the nearby equestrian centre, Councillor J Chaplow noted she had never received a complaint from residents in that regard.

Councillor J Chaplow added that she felt issues in terms of access could be resolved quite easily and there was a need for the elderly people in her Electoral Division. She added that there were services nearby, schools and a Doctor's Surgery and the land in question was of very poor condition, not even suitable for a horse to graze. Councillor J Chaplow concluded by noting the public right of way was well used and ideally situated as residents would be able to walk to nearby Bearpark to access facilities and entertainment, such as bingo.

The Chairman thanked Councillor J Chaplow and asked Parish Councillor P Stoddart for his comments.

Councillor P Stoddart thanked the Chairman and Committee for the opportunity to speak and noted this was not an ordinary planning application, it was about regeneration, and that he did not agree with the recommendation for refusal. Councillor P Stoddart noted that Ushaw Moor needed regeneration, with former regeneration, such as the Single Regeneration Budget (SRB) funds having previously been used for a flagship housing estate, 147 houses on greenbelt land.

He added that previous development had allowed people to move into, and back to the area, putting the life back into the village. He noted that since the economic downturn regeneration had slowed, however, Ushaw Moor needed bungalows and not a rubbish tip. Councillor P Stoddart explained that he welcomed a small, quality application and appealed to the Committee to give the village a lifeline, and support the application to regenerate the village.

The Chairman asked the Senior Planning Officer, C Baxter to respond to the points raised.

The Senior Planning Officer, C Baxter explained that green land and greenbelt were different, with this particular site being allocated as greenbelt and therefore it was clear in respect of the policy within the saved City of Durham Plan that development would not be permitted. He added that if there were incidents of fly-tipping these could be reported to the Council for investigation.

Councillor J Robinson noted the reasons to support the application were good, and had been well made by the local Councillors in terms of the provision of bungalows for elderly residents. He noted NPPF paragraph 14 and added he could see where there would be impact and asked for more reassurance in terms of, if Members approved the application, a decision could be upheld. Councillor J Robinson added that if there was insufficient detail in terms of highways and drainage would it not be more appropriate to defer the matter pending further information.

The Chairman noted that the decision was for the Committee and if Members wished to make a proposal in terms of approval, refusal or deferment then they were free to do so, giving reasons. He asked Officers to respond and advise the Committee.

The Solicitor - Planning and Development noted that paragraph 14 of the NPPF had a presumption in favour of granting planning permission unless the development was contrary to other restrictive policies. He explained that in this case there were other restrictive policies, in terms of greenbelt, and therefore that presumption in favour did not apply. It was added that the recommendation for refusal was on the basis that on balance the harm to the greenbelt was not outweighed by any very special circumstances or benefits.

The Senior Planning Officer, C Baxter noted the application had originally been timetabled for the last meeting of the Committee, however the applicant had asked for more time to provide information. It was added that as there had been no further information provided, the report was prepared for Committee with a recommendation for refusal.

Councillor J Robinson noted that he felt the issue of providing such bungalows for the area was important and therefore more information should be requested in order to determine the application. He therefore proposed that the application be deferred. Councillor A Laing agreed.

Councillor J Robinson moved that the application be deferred; he was seconded by Councillor A Laing.

RESOLVED

That the application be **DEFERRED** to give the applicants an opportunity to provide additional information in response to concerns raised.

g DM/17/01168/FPA - Co-operative Buildings , Prince Charles Avenue, Bowburn

The Senior Planning Officer, C Baxter 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 redevelopment of Co-operative building to include change of use of one downstairs unit into A5 hot food takeaway and creation of A3 unit with new shop front to the ground floor; change of use of the upper floors into 11 no. self-contained flats and two rear extensions; new lobby access to the ground floor to access the upper floor flats; and 27 new bay parking facilities.

The Senior Planning Officer, C Baxter noted that a local Councillor had been in contact to ask if it were possible to include a condition to stipulate high kerbing to prevent people driving over the grass at the site and added that if Members were so minded a condition to request details to be submitted and agreed by the Council could be included.

Members noted there had been no objections from the statutory and internal consultees and Cassop-cum-Quarrington Parish Council had been supportive of the application, though noted concern in terms of bin collection and therefore further information on this would be requested.

The Senior Planning Officer, C Baxter noted that in principle the site was considered sustainable, there would be no adverse impact visually, to amenity or in highways terms. Members noted contributions would be secured by a Section 106 Legal Agreement towards public art and open space and recreational space in the Division.

The Senior Planning Officer, C Baxter concluded by noting that the application was recommended for approval, subject to conditions and the Section 106 Legal Agreement, and an additional condition in terms of high kerbing, should the Committee be minded to include such an additional condition.

The Chairman thanked the Senior Planning Officer, C Baxter and noted the three Local Members, Councillors J Blakey, S Dunn and M McKeon were in attendance and wished to speak in respect of the application.

Councillor J Blakey thanked the Chairman and noted she welcomed the proposals in terms of redevelopment of the Co-operative Buildings, which had become run down over the years, and with fewer and fewer shops, businesses having tried and failed. She added that in terms of the car park the inclusion of higher kerbing could help alleviate potential issues.

Councillor J Blakey explained that works to improve the frontage of many of the shops had been carried out, supported by Regeneration, though there had not been sufficient funding available to complete all shop fronts. Councillor J Blakey asked the Committee to support the recommendation to allow further regeneration and build upon what was already done.

The Chairman thanked Councillor J Blakey and asked Councillor S Dunn to speak in respect of the application.

Councillor S Dunn noted he echoed the comments of Councillor J Blakey in respect of the application, in that it would help to regenerate a tired arcade and that shops were essential for the local area. He added that the paths in the area were currently of a poor quality and noted the introduction of parking and new shops was welcomed. Councillor S Dunn concluded by noting improvements to the visual aspect would be welcomed, and he hoped the applicant would do as much to maintain a food store at the site.

The Chairman thanked Councillor S Dunn and asked Councillor M McKeon to speak in respect of the application.

Councillor M McKeon noted she only wished to add that the application proposed a housing type that would help to fill a gap in the local property offer and the application was welcomed.

The Chairman thanked the Local Members and asked Members of the Committee for their questions and comments on the application.

Councillor A Laing moved that the application be approved; she was seconded by Councillor K Corrigan.

RESOLVED

That the application be **APPROVED** subject to the completion of a Section 106 Legal Agreement and the conditions detailed in the Officer's report to the Committee, with a further condition in respect of high kerbing.

Councillor A Surtees left the meeting

h DM/16/03647/FPA - Land to the north west of Dairy Houses, Little Thorpe, Easington

The Senior Planning Officer, C Baxter 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 29 new build detached dwellings with associated roads and parking and was recommended for approval subject to conditions and a Section 106 Legal Agreement.

The Senior Planning Officer, C Baxter noted that there had been several applications for residential schemes approved over recent years and added that there were some issues to note in terms of amended plans, protected trees and a public right of way through the site.

It was explained there had been no objections from statutory or internal consultees, with seven letters of objection from the public, including objections from Easington Village Parish Council noting the application was contrary to NPPF paragraphs 50, 75 and 109, citing the application would not deliver a wide choice of high quality homes, there was a public right of way, and there were a number of protected trees.

The Senior Planning Officer, C Baxter noted the Committee had approved 26 properties in outline in April 2016, establishing the principle of development at the site. He added the Highways Section had considered that the proposed development would not compromise highways safety. The Committee noted the application would be subject to the completion of a Section 106 Legal Agreement to secure contributions in relation to play and recreational equipment in the Easington Electoral Division and towards the strategic programme in the Durham Heritage Coast Management Plan.

The Chairman thanked the Senior Planning Officer, C Baxter and asked Members of the Committee for their questions and comments on the application.

Councillor A Laing moved that the application be approved; she was seconded by Councillor J Robinson.

RESOLVED

That the application be **APPROVED** subject to the completion of a Section 106 Legal Agreement and the conditions detailed in the Officer's report to the Committee.