

**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 July 2018** at **1.00 pm**

**Present:**

**Councillor P Taylor (Chairman)**

**Members of the Committee:**

Councillors J Blakey (substitute for I Cochrane), G Bleasdale, D Brown, J Clark, K Corrigan, D Freeman, K Hawley, S Iveson, I Jewell (substitute for M Davinson), R Manchester, L Pounder (substitute for A Laing) and O Temple

**1 Apologies for Absence**

Apologies for absence were received from Councillors M Davinson, A Gardner, P Jopling and J Robinson.

**2 Substitute Members**

Councillor J Blakey substituted for Councillor I Cochrane, Councillor I Jewell substituted for Councillor M Davinson and Councillor L Pounder substituted for Councillor A Laing.

**3 Minutes**

The minutes of the meeting held on 12 June 2018 were confirmed as a correct record by the committee and signed by the Chairman.

**4 Declarations of Interest**

Councillor J Clark declared an interest in Item 5d as a member of the Durham City Housing Group (CDHG) Operations Board. It was noted that she would leave the Chamber and take no part in the discussion or voting thereon. Councillor G Bleasdale declared an interest in Item 5c as a Local Member for that Electoral Division.

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

The Chairman noted that Item 5e, DM/18/01043/FPA - Garden Villa, Newcastle Road, Crossgate Moor, Durham had been withdrawn.

### **a DM/18/01115/FPA - Fram Well House, Diamond Terrace, Durham, DH1 5SU**

The Principal Planning Officer, Henry Jones, 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, HJ advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was redevelopment to provide 2/3 storey office building of 1251 sqm floor space and it was recommended that Members be minded for approval subject to referral to the Secretary of State and subject to conditions as set out within the report. Members were reminded that in the event the Secretary of State do not call the application in for their determination then the Council would then be able to issue the planning approval decision notice.

The Principal Planning Officer, HJ referred to site photographs highlighting the access to the site and explained that the application site did not include the "Main St. USA" building, rather Fram Well House located further to the rear of the photographs. He added the site access would remain the same location.

The Committee were informed that the Durham City Green Belt (DCGB) began where the existing building ended, and the Principal Planning Officer, HJ referred Members to a slide highlighting the proposed site plan, with the 5 metre encroachment of the proposed building into the DCGB being shown. Members noted there was already hard surfacing within the DCGB, with unmarked car parking, and that the application would seek to rationalise this and included demarked car parking spaces. It was added that a route for refuse/emergency vehicles was also shown on the site plan. The Principal Planning Officer, HJ referred to elevations and landscaping, noting brickwork, glazing and cladding used in the design. It was explained that due to the site levels, the ground floor was partially below ground, with the first and second floors being above ground. He added the height of the proposed building ranges from approximately 9m to 6.7m, due to the differing ground level at the site. The Principal Planning Officer, HJ referred to the South East elevation and noted the angle of the front of the building and also louvered windows to help protect privacy for residents of Diamond Terrace.

The Committee were informed of updates in terms of representations with 4 additional public letters of objection making 28 letters in total. It was explained objections had been made by: local residents; Sidegate Residents' Association, St. Nicholas' Community Residents Forum; the City of Durham Parish Council; and the City of Durham Trust.

The Principal Planning Officer, HJ noted that a summary of the objections was set out in the report, with the main issues raised being that objectors felt that special circumstances for development within the DCGB had not been demonstrated and in terms of the design of the proposed building.

The Principal Planning Officer, HJ noted that there had been no objections raised by statutory or internal consultees. Late additional representations had been received in the form of a letter of support from Business Durham, noting job creation and a lack of high quality office accommodation in Durham City and the withdrawal of any concerns from the Coal Authority

The Principal Planning Officer, HJ explained that the application did constitute inappropriate development as it encroached into the DCGB. He added that the key planning balance to be undertaken was whether very special circumstances clearly outweighed the harm caused by the encroachment into the green belt and any other harm. It was noted that while the encroachment into the DCGB had to be attributed substantial weight, the harm was nevertheless more limited in this particular case having regards to the degree of incursion and existing presence of hard surfacing within the DCGB. There would be an impact on the amenity of the occupiers of Diamond Terrace but this was not significant. The Principal Planning Officer, HJ noted that the very special circumstances principally revolved around the benefit of office accommodation, there having been very few developments of this type in recent years.

The Committee were informed there had been a lot of interest from potential occupiers. It was added that in terms of conditions, there was an update to Condition 5 as an updated revision of the Landscape Masterplan had been received whilst with the Coal Authority withdrawing their concerns, Condition 13 was no longer required.

The Chairman thanked the Principal Planning Officer, HJ and the Case Officer and asked Parish Councillor J Ashby, Chair of the City of Durham Parish Council's Planning Committee to address the Committee, speaking in objection to the application.

Parish Councillor J Ashby noted he was grateful for the opportunity to speak on behalf of the City of Durham Parish Council about its objections to the application. He added there were two key points that the Parish Council wished to emphasise: the size of the proposed development; and the unacceptable incursion into the Green Belt.

He explained firstly, in terms of size, the existing building presented its biggest side to Diamond Terrace, that side being 5.5 metres high, while the proposed side would be 9.5 metres high, nearly double. Parish Councillor J Ashby noted Members would appreciate the significant adverse impact that this would have on the amenity of the residents of Diamond Terrace.

He noted that the Officers' report stated that "the development would represent an improvement in this part of the Conservation Area over and above the existing building", however, design was a matter of subjective judgement.

Parish Councillor J Ashby noted the Parish Council Planning Committee's judgement was that the proposal, because of its over-bearing impact, would not be an improvement.

Parish Councillor J Ashby added that secondly, Members would be well aware that Green Belts were designed to protect openness and to create boundaries that mark the line between buildings and open land. He added that the whole point of the boundary was to say 'no buildings beyond this point'.

He noted that the main argument put forward in favour of the proposed development was to bring "an under-used building back into a productive re-use". Parish Councillor J Ashby noted that argument carried little weight because the National Planning Policy Framework (NPPF) was clear that the harm caused by inappropriate development in the Green Belt should be given substantial weight. He added that it was felt the case being made in the application was a weak one and it did not outweigh the need to protect the Green Belt.

Parish Councillor J Ashby explained that the Parish Council would also like to draw the Committee's attention to the fact that the application was a speculative development. He added that there was certainly no prospective tenant waiting, and indeed the developer offered the alternatives of letting the building either as a single unit or floor by floor. Accordingly, he felt the argument that the building had to be as big as proposed in order to meet the unsubstantiated needs of the market lacked any conviction. He noted furthermore, the claimed financial benefit relied upon the new occupiers being from outside the region yet the prospects identified in Table 3.1 of the applicants' Green Belt Assessment were from within the region and two of them were from within the City.

Parish Councillor J Ashby reminded Members there was already a major building site nearby at Milburngate House and the planning permission there included five office blocks, nearer to the city centre and would be available to prospective tenants relocating in the city or in the region. He added that Salvus House at Aykley Heads was being marketed right now on behalf of the County Council. Parish Councillor J Ashby noted it was a very attractive building in a superb setting, on a designated office development major site. He noted it offered office suites comparable to a single floor of the proposed new offices at Sidegate, with those at Salvus House being ready for occupancy now.

In conclusion, Parish Councillor J Ashby noted all sides agree that this was an inappropriate development in the Green Belt. He added it would turn what was now open land into a bulky and very tall building and that there could be no doubt that it would eliminate openness.

Parish Councillor J Ashby noted Courts had held that reduction in Green Belt openness, however slight, cannot be claimed to be acceptable. The NPPF (paragraphs 87 and 88) requires that the application should not be approved except in very special circumstances. He added that this was a high bar, and the case advanced did not meet it. He noted that in any case, the test was not a simple balance of probabilities, the benefits had to clearly outweigh the potential harm to the Green Belt, and in this case they did not.

Parish Councillor J Ashby noted that accordingly, the City of Durham Parish Council asked the Committee to refuse the application on the grounds that it represented inappropriate development which was by definition harmful within the Green Belt, in conflict with Policy E1 of the Local Plan and NPPF paragraphs 87 and 88, and that it represented new office development causing significant adverse impact on the amenity of neighbouring occupiers, contrary to Policy EMP14 of the Local Plan.

The Chairman thanked Parish Councillor J Ashby and asked Mr J Lowe, Chairman of the Sidegate Residents' Association to speak in objection to the application.

Mr J Lowe explained he lived at Diamond Terrace just a few yards from the proposed office block, chaired the Sidegate Residents' Association and also the City of Durham Trust, and he was speaking on behalf of both. He added that detailed objections had been set out within written submissions and they had been re-affirmed in response to the recent slightly amended application.

Mr J Lowe noted site was very constrained and only accessible from the busy dual carriageway of Framwellgate Peth. He added that the Durham City Green Belt actually started within the site, the site simply did not have the capacity for a large office block. He explained that the offices to be demolished accommodated about 12 employees and the proposed block was designed to take about 120, a tenfold increase, though many of the jobs will relocate from elsewhere. He noted that the developers claimed that the building had to be so big to meet the needs of potential clients. Mr J Lowe noted that the fact that they were prepared to let the three floors as separate units contradicted this and that potential clients must clearly be happy with one third of the space. Mr J Lowe noted he felt the true reason for the proposed mass was to make the venture financially viable.

Mr J Lowe noted he would give just one measure to illustrate the increased mass of the building. He explained that the wall currently facing Diamond Terrace was 5.5 metres high and the proposed wall would be 9.5 metres high. He noted that this would have a dramatic and negative impact, towering over the residents of Diamond Terrace, contrary to saved policy EMP14 in the Durham City Saved Plan.

Mr J Lowe noted a further harmful consequence of trying to squeeze such a large block onto such a constrained site was that it intrudes into the Green Belt by at least 15% of the floor area. He noted that this was inappropriate development and it was not a minor intrusion. He added that in the Green Belt the building would be three floors high and so significantly impact on the openness of the Green Belt, one of its key purposes. Mr J Lowe noted he felt there were no very special circumstances to justify this, all developments have to be financially viable.

Mr J Lowe explained that the design of the building was totally wrong for the Durham City Conservation Area. He noted it was a large box with a flat roof, with its materials being dark rough bricks and concrete cladding. He added that according to Policy E22 of the Durham City Saved Plan, materials in the Conservation Area must be "reflective of the existing architectural details". Mr J Lowe noted the proposed materials do not even remotely reflect the traditional red brick and sloping slate roofs of all the current buildings in the area.

He noted that, in short, the proposal offended against national policy by its unjustified intrusion into the Green Belt. He added that it offended against local policy by its inappropriate architectural design in a Conservation Area. He also noted that it offended against the amenities of local residents by its overbearing scale.

Mr J Lowe concluded by asking the Committee, as the people's elected representatives, to listen to the voices of the local people who all oppose this development and vote to reject this unsuitable application.

The Chairman thanked Mr J Lowe and asked Mr N McMillan representing the Hanro Group, the Applicant, to speak in support of the application.

Mr N McMillan, iMpeC Developments, noted that the applicant Hanro were seeking planning approval for redevelopment of Fram Well House in Durham City to deliver much needed new, modern office space. He added there were three main points he wished to bring to the attention of the Committee, namely: need/demand; the encroachment into the green belt; and the design.

He noted that Durham City had almost no modern office space and the application represented a way of addressing the issue now. He noted that surveys had shown a demand for around 1.1 million sq ft of office space, with only 250,000 sq ft being available in County Durham and therefore the County was missing out on jobs. Mr N McMillan noted to attract the best talent, who would want a range of amenities nearby and good transport links, companies were more and more having to offer city centre locations and he felt that the proposed site was perfectly placed. He added that surveys had also noted businesses were looking for larger space and therefore there was a need for such accommodation.

Mr N McMillan explained, in terms of the encroachment into the green belt, that the existing floorplan was not large enough for modern use and the encroachment had been kept to a minimum. He added that only 16% of the proposed floorplan was within the green belt and if all of the current office building had been constructed within the green belt, the proposed extension would be allowed. Mr N McMillan noted the existing car park, which was of poor construction, and that he had worked with planners in order to move the development forward.

In respect of the design, Mr N McMillan explained that he had met with Sidegate Residents' Association and had updated the proposals after dialogue, however, he respected their opinion and hoped to be able to continue to engage. It was noted that the architects, MawsonKerr had featured in Channel 4's Grand Designs: House of the Year programme and that there had been reference to the site's industrial heritage within the design. He added that the design overall was respectful and of a high quality.

Mr N McMillan noted that there was demand and the development represented the first speculative office building in Durham City for over a decade. He added it would complement the developments at Millburngate and proposed development at Aykley Heads and that should permission be granted, building could commence quickly, beginning on site before the end of the year.

The Chairman thanked Mr N McMillan and asked the Senior Planning Officer, HJ to respond to the points raised by the speakers.

The Principal Planning Officer, HJ noted a reference made to the development being only 5m from Diamond Terrace and added that the report highlights that the proposed development would be 9.6m away at the nearest point. He added that the height of the proposed building would be approximately 9m, with typical 2 storey houses being around 8m, therefore the development was domestically scaled. In terms of design, the Principal Planning Officer, HJ noted that while this was always subjective, Officers had felt it was acceptable, used traditional materials, and there had been no objections from the Council's Design and Conservation Section and added that the design was more appealing than that of the existing building.

The Principal Planning Officer, HJ explained that officers are in agreement with objectors that the development constitutes inappropriate development in the Green Belt. However, the Principal Planning Officer, HJ note that the overall harm to the green belt was limited, the overall impact on the openness of the green belt was limited and Officers felt this limited impact was clearly outweighed by the benefits of the development. In respects to the points raised about alternative sites the Principal Planning Officer, HJ added that most of the office development proposed at Milburngate only has planning permission in outline at the moment and would take considerable time from now to come forward. The proposals at Aykley Heads are only emerging proposals within the County Durham Plan and do not have planning permission. In contrast the Principal Planning Officer, HJ explained that in terms of this application, the developers had explained they would be able to build out the relatively small development quickly, while the Millburngate and Aykley Heads would take longer to come to fruition.

The Chairman thanked the Principal Planning Officer, HJ and reminded Members of the Committee that the recommendation within the report was Minded to Approve.

Councillor J Clark noted she was surprised on the site visit to see an existing car park already on the green belt. She added she was surprised at the level of objections as the existing building was very dated and if left would likely end up in a state of disrepair. She noted as regards the design and the site being a former engineering yard, the design fitting in nicely. Councillor J Clark noted she had some sympathy with the residents of Diamond Terrace, however, she proposed the recommendations as set out in the Officer's report.

Councillor I Jewell noted the site visit had been very useful and noted the current building was vacant. He added this may be due to its size, and it may deteriorate if left empty. He noted that the application offered a chance for a new building and added that the railway embankment was much higher than the proposed building. Councillor I Jewell noted that the car park already encroached into the green belt and there was some derelict buildings too. He noted that the proposed development would not make anything worse and seconded the proposal to be minded to approve, as per the Officer's recommendation.

Councillor D Freeman noted he was a Member of the City of Durham Parish Council, however, was not a member of their Planning Committee and had not inputted into the statement made by Parish Councillor J Ashby. He added he was a Local Member, for the Elvet and Gilesgate Electoral Division.

Councillor D Freeman noted that he did have concerns as regards the application, adding that reading the report he felt it too was not fully supportive. In respect of green belt encroachment he noted that this was acceptable only in exceptional cases and he felt a standard office block did not justify this. He added that the Officer's report noted there was impact upon openness and a visual impact. Councillor D Freeman noted the existing car park was on the green belt, however, he explained that the green belt represented a boundary in terms of where development would end, and not to allow inappropriate development beyond it. He added the car park was not an excuse to allow development.

Councillor D Freeman noted he also had concerns in terms of paragraphs 104-108 within the report, which referred to residential amenity and the proposed building being dominant and larger. He added that the separation distance of 9.6m to Diamond Terrace did not seem satisfactory noted the speakers' comments in terms of demand. Councillor D Freeman explained that there was office space currently available at Salvus House, with the Council being very keen for businesses to move in as soon as possible.

Councillor D Freeman noted that there had been no objections from the Highways Section, however, a previous application for student accommodation at the site had comments from the Highways Section that the access was a dangerous junction and asked that if it was unacceptable in terms of highways safety for student accommodation, how was it not acceptable for office accommodation. He concluded by noting that he felt that it was an odd spot for office accommodation.

Councillor O Temple noted there had been a very good summary of the arguments from both sides. He added that in terms of the Committee it was a question of policy and to judge on that basis. He noted that the Officer's report had been clear that any application would have been recommended for refusal, unless there were very special circumstances. Councillor O Temple referred to paragraph 83 of the report which set out those circumstances, and he noted he felt he did not find them very convincing that the building must be of the size proposed and encroach into the green belt. He added that if less than 1,000 sq ft then the application would not require referral to the Secretary of State and noted that he would argue the development was not domestically scaled, the proposals being 1.5m higher than a domestic ridge height the proposal having a flat roof therefore the additional height being at the frontage, not a ridge. Councillor O Temple felt the developer was pushing the envelope of the area of land on the basis of jobs, however, he could not see any evidence that a slightly smaller office would be out of the question. He added that the design did not mirror the existing domestic dwellings and noted that the report gave the Committee every reason to decide whether the application had not demonstrated very special circumstances. Councillor O Temple concluded by noting that he had not heard any special reason and felt there was plenty within the Officer's report that could be used to reject the application and that would satisfy the Solicitor to the Committee.

The Principal Development Management Engineer, A Glenwright noted he was not the Highways Officer involved with the previous application referred to.

He explained he had read the Highways Development Manager's comments as set out in the previous report from student accommodation and while the Highways Development Manager had assessed the access was not adequate for the previous application that had not been referred to within the report for this application. The Chairman noted the report for this application set out that the Highways Section had stated the access was acceptable.

The Principal Planning Officer, HJ stated that the access being discussed is existing with space for around 30 or so spaces within the site at present. The proposed development would demarcate the spaces, totalling 21 spaces, therefore there would be limited scope for movements as a result of the development.

The Chairman noted the application had been moved by Councillor J Clark and seconded by Councillor I Jewell and asked Members to vote. Upon the vote being taken, the vote was tied. The Chairman noted he was minded to approve the application and in exercise of his casting vote the application was approved.

## **RESOLVED**

That the Committee was **MINDED TO APPROVE** the application be subject to referral to the Secretary of State and the conditions detailed in the Officer's report to the Committee.

### **b DM/18/00969/FPA - Land To The South And West Of Oakerside Drive, Peterlee**

The Senior Planning Officer, Laura Eden, 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 67 dwellings with associated infrastructure and landscaping and was recommended for approval subject to conditions as set out within the report and a Section 106 (s106) Legal Agreement.

The Senior Planning Officer, LE referred to site photographs and explained that the site partially includes land once utilised as a playing field by the adjacent school site however had not been used as such for over five years. She referred to the remainder of the land comprising of amenity open space which benefits from tree planting. Members were asked to note that access into the site will require the relocation of the existing northbound bus stop on Oakerside Drive, the details and implementation of which will be secured by Condition 7 and the removal of a number of existing trees. The Senior Planning Officer, LE explained that whilst there are no recorded public rights of way contained within the application site itself there was an informal path cutting across the land however this route would be broadly retained within the development.

Members noted the change in height across the site and the palisade fencing that separates the site from the Shotton Hall Academy site.

The Senior Planning Officer, LE explained that the application was for full planning approval for 67 dwellings, with 2, 3 and 4 bedroom properties in a mix of detached, semi-detached and terraced options. She added that there would be 10% affordable housing, being 7 of the 2-bedroom properties spread across the site. It was added that all dwellings would have off-street parking and a garden. Members noted that an area of amenity land would be retained and a sustainable drainage system (SuDS) would be included. A landscape planting scheme had also been submitted.

The Senior Planning Officer, LE referred to the proposed elevations of the house types, noting the design was felt to be appropriate and materials would be dealt with by condition.

The Committee were informed that there were no objections from internal or statutory consultees. The Senior Planning Officer, LE noted there were some updates to bring to Members attention since the publication of the committee report and amendments were suggested to two conditions if Members were so minded. The construction management plan (CMP) was in the process of being improved to reflect the comments of the Environmental Health Officer, therefore delegated authority was sought to update condition 9 once the CMP was agreed. Amendments were also sought to Condition 2 (approved plans) to reflect the most up-to-date revisions of plans.

It was explained that there had been 6 letters of objections and 1 letter of support, with a summary as set out within the report. It was noted that it was not felt on balance that the issue raised could justify a refusal and the Senior Planning Officer, LE noted that while there was loss of open space, that which would be retained would be enhanced. She added that the application was not felt to be contrary to saved Local Plan Policies or the NPPF and there would be overall public benefit in terms of a contribution to housing land supply, affordable housing, construction jobs and the contributions secured through the s106 legal agreement. The Senior Planning Officer, LE concluded by noting the application was in a sustainable location, well related to the surrounding area and was recommended for approval, subject to conditions, the amended conditions as discussed, and a s106 legal agreement.

The Chairman noted there were no registered speakers and asked the Committee for their comments and questions.

Councillor J Blakey asked if there was any bungalows included within the application. The Senior Planning Officer, LE noted there was not, all the properties were two storey.

Councillor J Clark noted that she gave credence to the comments from the Arboricultural Officer and noted from local experience that Peterlee itself had been developed deliberately with large public open spaces.

She added that she supported the landscaping in terms of replacement trees and noted there was plenty of open space retained and also elsewhere nearby. Councillor J Clark moved that the application be approved, subject to the amended conditions and s106 agreement.

Councillor I Jewell noted the number of objections was very small for a development of this size and some did not constitute valid planning considerations. He noted the need for additional housing and seconded the motion for approval.

## **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, subject to the amendments as noted by the Senior Planning Officer.

### **c DM/18/00189/FPA - Seaham Hall Hotel, Lord Byrons Walk, Seaham**

The Team Leader – Central and East, Sarah Eldridge 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 Team Leader – Central and East 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 of land for holiday accommodation, engineering operations to create 20 bases for holiday lodges, access and car parking, erection of four permanent holiday lodges and landscaping and was recommended for approval, subject to conditions and a s106 agreement.

The Team Leader – Central and East noted the proposed holiday lodges fell under the definition of a “caravan” as set out at the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1986.

She added that the application was by Seaham Hall Ltd, and was to complement the existing hotel and spa offer. Members were referred to aerial photos and plans and asked to note the heritage assets in the area: Seaham Hall – Grade II listed; the Church of Saint Mary the Virgin (Grade I listed); and the 19<sup>th</sup> Century rectory (Grade II listed). The Team Leader – Central and East referred the Committee to the main entrance to Seaham Hall and the north-eastern entrance, used by service and emergency vehicles. Members were referred to paragraph 129 of the report and asked to note it should read north east, not west of the site.

The Team Leader – Central and East noted there had been representations from Historic England, though it was noted that there would be less than substantial harm from the development and Natural England had raised no objections to the application. It was added that Visit County Durham had noted their support for the application and the Council's Regeneration and Economic Development Officers were also in support of the application.

Members noted no objections from the Highways Section, subject to the improvements to the visibility splay at the western entrance being conditioned. It was noted there were no objections from the Archaeology Section, subject to a programme of archaeological work being submitted alongside a written scheme of investigation. The Team Leader – Central and East explained there had been no objections from Ecology Officers and the Public Rights of Way Section had offered no objections to the application and no objections to a proposed diversion of the right of way located to the north east of the site, subject to the usual public consultation process. Members were informed that Landscape and Design Officers had noted some harm, though less than substantial.

The Team Leader – Central and East noted that there were a number of public representations, 9 letters of objection and a letter from the local Easington MP, Graeme Morris. Members noted a summary was included within the report, with the main issues including: impact on heritage assets; the benefits not outweighing the harm of development; issues with access, blocking of the public right of way; drainage issues; and impact upon amenity.

The Committee were reminded that the hotel was well established and that the principle for accommodation for tourism was acceptable. It was added that the level of harm of the development had been assessed as less than substantial and Officers felt that the benefits included: more visitor nights, 25 full-time equivalent jobs at Seaham Hall and construction jobs; and adding to the vitality of the existing offer.

The Team Leader – Central and East noted that the Highways Section had noted the access could be improved which was in accord with the NPPF and policies 30 and 36 of the saved District of Easington Local Plan. It was added that the increase in tourist numbers was mitigated by alternative green space and a financial contribution via the s106 legal agreement, in accord with the NPPF and policy 18 of the saved District of Easington Local Plan. She reminded the Committee of the conditions in terms of archaeological surveys and investigations on site.

The Team Leader – Central and East noted that the Applicant had suggested amendments to conditions 6, 10 and 16 in terms of minor investigation/preparation works, Officers had no concerns as regards these and therefore the recommendation was as per the report subject to those amendments.

The Chairman thanked the Team Leader – Central and East and the Case Officer and asked Mrs L Chapman to address the Committee, speaking in objection to the application.

Mrs L Chapman noted that she was speaking on behalf her mother who had lived for 30 years just metres from the proposed development site. She noted that there had been a number of developments in the past which had been carried out sympathetically in regards to the nearby heritage assets which had been in place for thousands of years.

Mrs L Chapman noted that there had not been sufficient public consultation up to this point and it appeared that discussions had been taken for years, however, residents had only found out around Christmas time. She added there would be impact upon the irreplaceable heritage assets and loss of amenity to her mother.

Mrs L Chapman noted in terms of the insufficient public consultation that in terms of the local event, residents had only 2 days' notice and only 44 residents out of the 22,000 in Seaham had attended, not a substantial number. She added that she did not think a few hours was sufficient to allow discussions as regards a development that would impact upon sites of national significance, St. Mary's Church being one of the 20 oldest churches in the country, older than Durham Cathedral. Mrs L Chapman noted that the loss of historic setting and added she was not sure that the proposed economic benefits of an additional £890,000 to £2.1million was correct. She added that the NPPF and saved District of Easington Local Plan, at Policy 24, noted no development that had an adverse impact on character of the area would be permitted, unless there were substantial benefits. Mrs L Chapman noted that she felt the creation of around 30 jobs did not provide a greater benefit than the loss that would be caused by the development. Mrs L Chapman explained that there would be loss of amenity for her mother, with the proposed development meaning that 24 caravans would be in front of her mother's property. The Chairman thanked Mrs L Chapman and asked Mrs C Hindmarsh to address the Committee, speaking in objection to the application.

Mrs C Hindmarsh noted that she felt that the application should have been 2 separate applications as some aspects represented housing and some being caravans. She added she felt that it was having the application by the back door. Mrs C Hindmarsh noted that she felt the issue had not been publicised and that the report was deeply prejudiced and the process not democratic. She added there had not been reference to the work of the former County Archaeologist, Niall Hammond in 1998/99 and also noted that elements relating to the NPPF, for example that relating to Part 4 of the NPPF and transport. She noted that it was unrealistic that anyone would travel to the site other than by car, the proposed car park size suggesting this to be the case.

Mrs C Hindmarsh noted a number of assertions were being made and she added they should not be accepted if they were not evidenced. She referred to an application for a caravan site at the nearby clifftops in 2012 that had been turned down, noting no benefit. She explained that there was also an Anglo-Saxon graveyard, 650-750 AD, at the site and that iron hinge chest burials had been discovered at the site, noting that this suggested a high status ecclesiastical site. Mrs C Hindmarsh reiterated that St. Mary's Church was one of the oldest churches in the country, with 18 of the oldest 23 being in the North of England.

Mrs C Hindmarsh added that she felt the number of new jobs was exaggerated, much of the construction would be undertaken off-site, and the units would not require maintenance for a number of years, or indeed decades and therefore it was not encouraging jobs in the way suggested by Government. She noted that most people over 60 years old believed the "flower field" belonged to the medieval village.

The Chairman thanked C Hindmarsh, adding that the consideration of the application by Committee was not undemocratic, the recommendation and report having been prepared by professional Planning Officers with the Elected Members of the Planning Committee to make the decision.

The Chairman asked Mr R Grieve, Managing Director, Seaham Hall and Mr J Taylor, agent for the applicant to speak in support of the application.

Mr R Grieve explained that Seaham Hall, since 2000, was a 5 star boutique hotel and spa and had an excellent regional, national and international reputation. He added that since 2011 there had been significant investment to create a business model that was sustainable for the future and explained the proposed development would secure around 150 full and part-time jobs, predominately from the local area. Mr R Grieve added that the development would help to increase revenue for local businesses in the area.

Mr R Grieve added that the development would benefit local attractions and would added to the continued success of Seaham Hall, adding a diversity to the offer and benefits also in terms of length of stay.

He added that in the wider context of uncertainty arising from terrorism and Brexit, there had been an increase in “staycations” and therefore the proposals would help ensure a flexibility for the business and provide a quality environment.

Mr J Taylor thanked the Committee and noted that he felt the Officer’s report was well balanced and noted there had been no objections from the statutory or internal consultees. He added that the Council’s Archaeological Section had noted no objections, subject to the scheme of site investigations, and the Highway Section had offered no objections, subject to improvements in terms of the visibility splay at the access. In reference to the public consultation event, Mr J Taylor noted that 45 attendees was a fair representation in terms of the number of people that attend such events.

Mr J Taylor noted that the proposed lodges would complement the other tourism offers and in terms of the “flower field”, the proposals would formalise the existing footpath. He concluded by noting that through thoughtful design, the development would help improve the offer to the area and Seaham Hall and asked that the Committee support their Officers’ recommendation for approval.

The Chairman thanked the speakers for their comments and asked the Team Leader – Central and East to respond to issues raised.

The Team Leader – Central and East in terms of loss of amenity to The Lodge, there were proposed access improvement and a change such that staff would access via the west access as opposed to the north east access. It was added that loss of a view was not a material planning concern. She added that pre-application public consultation was undertaken and at the application stage, the requisite statutory consultation was undertaken, with direct contact and notices in the press and on site. In respect of the public right of way, the realignment would improve use of the Grade 1 Listed Church and keep people away from the landscaping.

The Team Leader – Central and East noted she would ask colleagues from the Archaeology Section and Visit County Durham to speak as regards issues within their areas.

The Principal Archaeologist, Dr D Mason noted that the medieval cemetery had required archaeological evaluation using geophysics and trial trenching and that there had been no archaeological features or deposits had been noted, he having personally inspected the trenches. It was added that the reasonable approach was the requirement for a written programme of investigation works by the Local Authority.

The Destination Project Manager, Visit County Durham, C Wilson explained that the Seaham and the Heritage Coast had attracted around 3.2 million visitors in 2016, tourism being worth over £109 million - £20.18 average day visitor spend - £154.50 average spend per trip of overnight visitors and with 1,592 employed within the visitor economy. He concluded by noting that the type of development as proposed would help to develop the area over the next 5-10 years.

The Chairman thanked the Officers and asked Members of the Committee for their questions and comments.

Councillor G Bleasdale noted she was a Local Member for the Seaham Electoral Division and was horrified that the application was at Committee. She added she felt there should have been residents' meeting in terms of this "crown jewel". Councillor G Bleasdale added that the Church and surrounding area was very old and that she recalled walks along the area with her children, grandchildren and great-grandchildren, adding it was very sad if it became a commercial area. She added that the access was on to a very dangerous road and she felt that the impact upon Seaham Hall and the listed Church would be terrible.

Councillor J Blakey noted concern as regards what could be lost once development began, asking would it be possible or preferable to defer until archaeological works had been undertaken. The Principal Archaeologist noted the information within the report was up-to-date and that the further investigations would be undertaken before development started.

Councillor S Iveson noted some confusion in terms of lodges and caravans. The Team Leader – Central and East explained that 20 "lodges" were being considered in terms of the 1960 Act, and were for change of use, with conditions to be placed upon their use. She added that 4 units were 2-storey buildings and these would be considered as dwellinghouses via a full planning application, with conditions for future control. Councillor J Blakey asked if dwellinghouses was there a requirement to live at those property for 12 months of the year or otherwise. The Team Leader – Central and East noted there was not, as they were not principal places of residence and therefore not lived in permanently.

Councillor I Jewell noted that there had recently been many improvements at Seaham, however, further development required additional tourism assets and with appropriate accommodation as needs grow. He noted that paragraph 59 of the report highlighted information in terms of mitigation in relation to the public right of way.

He proposed that the application be approved as per the Officer's report. The Team Leader – Central and East noted that as the development formed part of the hotel site, it was not expected that there would be further applications in terms of shops and laundry facilities.

Councillor O Temple asked as regards site ownership, the tenure of the lodges and the terms of any leasehold in respect of unrestricted use, or whether it was by booking via the hotel itself. He added he took some comfort in the improved access arrangements, and reiterated that he felt it would be in the hotel's best interest in terms of reputation to control the operations. The Chairman allowed Mr R Grieve to answer the question. Mr R Grieve noted that Councillor O Temple was 100% correct, all booking would be via Seaham Hall as would all maintenance. Councillor O Temple noted he seconded Councillor I Jewell.

Councillor J Clark noted that she understood the emotions in respect of the important heritage assets, however, she had been satisfied that the application was not for a "caravan site" as such. She added that St. Mary's Church was a relatively unknown gem and she understood that the Church struggled in terms of volunteers and suggested that those that may choose to use such lodges may be those interested in such work. Councillor J Clark noted many positives associated with the application and added her support.

Upon a vote being taken it was:

## **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, subject to the amendments as noted by the Team Leader – Central and East.

*Councillor J Clark left the meeting at 2.45pm  
and took no part in the following item.*

### **d DM/17/04124/FPA - Tamar Close and Teign Close, Peterlee**

The Team Leader – Central and East, Sarah Eldridge 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 14 dwellings at Tamar Close and 27 dwellings at Teign Close, Peterlee (41 dwellings) and was recommended for approval, subject to conditions and a s106 agreement. It was noted that the application was for the Passfield Electoral Division, rather than Peterlee East as set out within the report.

The Team Leader – Central and East noted there had been no objections from statutory or internal consultees following some amendments in terms of the landscaping scheme and subject to the conditions set out within the report.

It was added that the scheme represented 100% affordable tenure, though the s106 agreement noted 10% affordable housing on site, and that the element within the s106 agreement in terms of enhancement or provision of play facilities would be for the Passfield Electoral Division.

The Chairman thanked the Team Leader – Central and East and the Case Officer and asked Ms B McQue, Senior Planner, Indigo Planning - agent for the applicant to address the Committee, speaking in support of the application.

Ms B McQue thanked the Chairman and Committee and explained the applicant, County Durham Housing Group (CDHG) had engaged Indigo Planning in respect of this application. She added that as agent she agreed with the Planning Officer's report and reiterated that it was to provide 41 affordable units, and there had been no objections from statutory or internal consultees. Ms B McQue noted that the application was in accord with the NPPF and the saved District of Easington Local Plan, the application land not having been allocated a specific land use.

Ms B McQue explained that there were several benefits to the scheme, with Peterlee being a very popular town and the housing type was highly sort after. It was reiterated that the land was not protected open space and that up until around 25 years ago there was housing on the site. Ms B McQue noted that each property had parking provision for 2 vehicles, as well as there being 28 visitor spaces, alleviating some of the concerns raised by nearby residents. It was confirmed that all the properties would be constructed in line with wheelchair adaptable standards.

Ms B McQue noted that the Education Officer had reported that there were sufficient school places available in the area and that the s106 agreement would secure over £50,000 in terms of play facilities and the Durham Coastal Management Plan.

Ms B McQue reiterated that the application was in line with the planning policies in place and that the scheme was suitable, sustainable and deliverable, and was a clear opportunity to provide affordable housing for County Durham. She concluded by noting that there was an amended plan from that shown within the Officer's presentation, with plots 1-6 on the Tamar Close site having been rotated.

The Chairman thanked Ms B McQue and asked Members of the Committee for their questions and comments.

Councillor J Blakey moved that the application be approved, she was seconded by Councillor G Bleasdale. Councillor I Jewell agreed adding that not only did the application provide 100% of the properties as affordable housing, there was also provision of bungalows. He also noted that in relation to the concerns of residents as regards parking, there was provision of 2 spaces per property and 28 visitors' spaces in addition.

Councillor O Temple noted he was very happy with the proposals within the report and noted that where the site was located was surrounded by existing housing. He suggested therefore that a start time for works of 8.00am rather than 7.30am may be more suitable for this application.

The Chairman noted this was a good point and asked Officers for their comments. The Team Leader – Central and East noted that the standard start time being applied to applications for the last 6 months had been 7.30am, however, a start time of 8.00am would be a decision for the Committee to decide upon.

The Chairman noted the proposer and seconder were happy to accept an amended start time of 8.00am for works.

## **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, subject to the amended plan, the correction of the electoral division and start time for works of 8.00am.

*Councillor K Hawley left the meeting at 2.55pm*

*Councillor J Clark entered the meeting at 2.55pm*

**e     DM/18/01043/FPA - Garden Villa, Newcastle Road, Crossgate Moor, Durham**

The item had been withdrawn.

**f     DM/17/02848/OUT - The Bungalow, Sandgate, Shotton Colliery**

The Chairman noted the Senior Planning Officer, Chris Baxter was leaving the Authority and that this would be his last Committee meeting. The Committee thanked the Officer for his professionalism and good humour and wished him well for the future.

The Senior Planning Officer, CB 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 residential development – outline (all matters reserved) and was recommended for approval subject to conditions and a s106 agreement.

The Senior Planning Officer, CB noted the outline application had included an illustrative layout, to demonstrate that 18 semi-detached properties could be accommodated within the site area. He added that the existing bungalow would be retained and access would be from the main highway to the north of the site, with an area of open space being retained along the northern boundary. Members were also asked to note there was a public right of way that ran along the eastern boundary of the site.

The Senior Planning Officer, CB explained there were no objections from statutory or internal consultees, subject to the conditions within the report. He noted there had been 1 letter of objection from the public and 1 letter of support, with a summary being set out within the report.

The Senior Planning Officer, CB explained that the proposals were acceptable in principle, a sustainable development in a sustainable location, with a nearby bus stop. He added that the Highway Section considering that a suitable access could be made from the main highway. It was added there would be a s106 legal agreement securing: 10% affordable housing; a financial contribution towards off-site biodiversity works; and a financial contribution towards the Durham Heritage Coast Management Plan.

The Chairman thanked the Senior Planning Officer, CB and asked Members of the Committee for their questions and comments.

Councillor J Blakey moved that the application be approved, she was seconded by Councillor G Bleasdale.

## **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.