

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 9 October 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, K Corrigan, M Davinson, D Freeman, S Iveson, P Jopling, A Laing (Vice-Chairman), R Manchester, J Robinson, O Temple and H Bennett (substitute for J Clark)

Also Present:

Councillors A Hopgood, J Maitland and M Wilkes

1 Apologies for Absence

Apologies for absence were received from Councillors J Clark and I Cochrane.

2 Substitute Members

Councillor H Bennett substituted for Councillor J Clark and Councillor J Blakey substituted for Councillor I Cochrane.

3 Minutes

The minutes of the meeting held on 11 September 2018 were confirmed as a correct record by the Committee and signed by the Chairman, subject to the inclusion of apologies for absence in for Councillor S Iveson.

4 Declarations of Interest

There were no Declarations of Interest submitted.

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

a DM/18/00080/FPA - Land North of St. Ives Place, Murton

The Senior Planning Officer, Barry Gavillet, 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 24 no. bungalows, 4 no. dormer bungalows and 22 no. two storey houses (50 dwellings) and was recommended for approval, subject to conditions and a Section 106 (s106) Legal Agreement as set out within the report.

The Senior Planning Officer, BG noted the site had been cleared around 25 years ago, with housing on the site previous to this, and was bounded on the south, east and west by existing residential dwellings. He explained a hedgerow to the north of the site would be retained and there were no objections from statutory or internal consultees, save the Education Section noting a lack of school places in the area, with a contribution in relation to school places therefore being set out as part of the proposed s106 Legal Agreement. Members noted that the s106 Agreement would also seek contributions towards the Durham Coastal Management Plan and provision of play facilities within the Electoral Division. It was noted that the application was for 100% affordable housing.

The Senior Planning Officer, BG informed Members there had been three letters of objection with concerns including: traffic; loss of open space; there already being too many houses in the area; and not being sufficient school places.

It was explained by the Senior Planning Officer, BG that the application was acceptable in principle, being in a sustainable location on a previously developed site. He added that it was felt there would not be impact in terms of residential amenity and highways and that the issue in terms of school places was dealt with by way of the s106 contribution, noting the figure being subject to a viability appraisal, checked by the Council's Assets Section. Members noted the 100% affordable provision, with a large number of bungalows and that the recommendation was for approval.

The Chairman thanked the Senior Planning Officer, BG and asked Councillor J Maitland, Local Member for the Murton Division to speak in relation to the application.

Councillor J Maitland noted that she, and her fellow Divisional Member, Councillor A Napier, supported the application. She added it was great that there was a good provision of bungalows within the application, effectively doubling the provision within Murton and reiterated that she supported the application.

The Chairman thanked Councillor J Maitland and asked Mr J Brooks, Agent for the Applicant, to speak in support of the application.

Mr J Brooks noted he was from Indigo Planning Consultants and represented the Applicant, the County Durham Housing Group (CDHG). He noted the benefits of the scheme had been set out by the Senior Planning Officer, BG as well as the rationale for a recommendation for approval. He noted that the application had received no objections from statutory and internal consultees, and that the application was in accord with the National Planning Policy Framework (NPPF) and was not resisted by the saved Easington District Local Plan in terms of the land use. He reiterated the points previously mentioned in terms of: 100% affordable housing provision, provision of bungalows; surrounded by existing housing; greater than minimum parking provision; and quality design incorporating wheelchair user adaptable standards. Mr J Brooks concluded by noting the s106 contributions and that he asked the Committee to approve the application for quality, affordable housing for County Durham as per the Officer's recommendation.

The Chairman thanked Mr J Brooks and asked Members of the Committee for their comments and questions.

Councillor O Temple noted he too supported the application, however, asked for clarity in terms of statements at paragraph 64 of the report relating to an Inspector expressing reservations in terms of housing supply calculations. The Solicitor – Planning and Development, Clare Cuskin noted that there had been a number of Appeals Decisions that had contradicting views, however notwithstanding the latest Government policy was such that the Authority could demonstrate a greater than five year housing supply and therefore the Officer opinion was that they did not agree with the Inspector in this regard.

Councillor A Laing moved that the application be approved, she was seconded by Councillor G Bleasdale.

RESOLVED

That the application be **APPROVED** subject to the conditions and s106 Legal Agreement as detailed in the Officer's report.

b DM/18/01745/OUT - Land and Buildings West of Hallfield Drive, Hall Walk, Easington Village

The Senior Planning Officer, BG, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Senior Planning Officer, BG advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for residential development (outline, all matters reserved) and was recommended for approval, subject to conditions and a Section 106 (s106) Legal Agreement as set out within the report.

The Senior Planning Officer, BG noted some amendments to the conditions as set out within the report: the s106 contribution to be “£323.92 per dwelling”; and for delegated authority in terms of restricting to a maximum of nine dwellings, with seven at the “bottom” site and two at the “top” site.

The Senior Planning Officer, BG noted the two areas within the application site, just outside of the settlement boundary, close to the A19 dual carriageway. He explained that in negotiation with the Applicant the majority of the area of land would be left as open space, with this remaining as a green buffer with the A19. Members noted some unused agricultural buildings located on the lower site that would be removed as part of the development. He added that the smaller site represented a logical extension to the row of existing properties.

In relation to statutory consultees, the Senior Planning Officer, BG noted that Easington Parish Council had objected to the application on the grounds of increased traffic and associated problems with access and egress from the site onto the B1285.

Councillor M Wilkes entered the meeting at 1.20pm

Members noted that in relation to noise from the A19 at the reserved matters stage mitigation measures such as triple glazing and acoustic barriers would be sought. He added there were no objections from internal consultees subject to a contribution in relation to the Durham Coastal Management Plan, noting the Highways Section had noted they felt a safe scheme of access would be achievable at the reserved matters stage.

The Senior Planning Officer, BG noted that there had been six letters of objection in terms of application, with concerns including: impact upon school places; ecology; and residential amenity. The Officer reiterated that it was felt at the reserved matters stage that all matters relating to highways; landscaping; scale; and residential impact could be adequately met. He concluded by noting that the application was felt to be in a sustainable location and that therefore the outline application was recommended for approval subject to the s106 Legal Agreement and conditions set out within the report, with the amendments as previously mentioned by the Senior Planning Officer, BG.

The Chairman noted the Applicant was in attendance and was happy to answer any questions from the Committee if required. He noted no other registered speakers and therefore asked the Committee for their questions and comments.

Councillor M Davinson noted he had attended the site visit earlier in the day and the two parcels of land were as described within the report and he could not see any reason why development would not be a success and moved the recommendation for approval, subject to the amendments as mentioned by the Officer. He was seconded by Councillor A Laing.

RESOLVED

That the application be **APPROVED** subject to the conditions and s106 Legal Agreement as detailed in the Officer's report, with the amendments as detailed by the Officer within his presentation.

Councillor D Freeman entered the meeting at 1.30pm

c DM/18/02035/FPA - The Gate House, Dalton-le-Dale, Seaham

The Senior 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 Senior Planning Officer, PH advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for partial change of use of existing stable/barn to 10 dog kennels and construction of freestanding storage building and was recommended for approval, subject to conditions as set out within the report.

The Senior Planning Officer, PH noted the application was part retrospective, in terms of the change of use, with the freestanding storage that was proposed being a new pre-fabricated structure. It was explained that access would be the same as The Gate House, from the B1432 and plans showed the site layout and context with other nearby properties. Members noted there had been no objections from statutory consultees and that the Environmental Health and Contaminated Land Sections had no objections, subject to conditions.

The Senior Planning Officer, PH noted there had been objections from Local Members and also from Dalton-le-Dale Parish Council who had cited concerns relating to detrimental impact from noise, odour and drainage. It was added there had been four letters of objection received, with issues including: impact upon residential amenity; overlooking and loss of privacy; parking and means of access; drainage and the storage and removal of waste material; impact upon existing trees; the retrospective nature of the application; animal welfare; loss of property value; disruption during the construction phase; discrepancies within the application; and restrictions placed upon use.

The Senior Planning Officer, PH noted that the application was for permission for the applicant only, and was conditioned as such, for his use only and only for the period which he occupies the building. In response to objections relating to noise, the Council's Environmental Health Section had noted no objections to the application, with suggested mitigation and conditions. In terms of managing waste, the Applicant had noted less than best practice in the past, however, had agreed to appropriate mitigation and also that a Kennel Management Plan be submitted to the Planning Authority.

The Senior Planning Officer, PH noted that the design was deemed to acceptable, with the existing structure not being altered externally and the proposed new structure not being incongruous with the area. It was noted the Highways Section had no objections, with the use not being for business and use being restricted. Members noted that it was felt drainage issues could be dealt with via condition and there had been no objections from Northumbrian Water or the Contaminated Land Section.

The Senior Planning Officer, PH noted that the balance test within paragraph 11 of the NPPF noted refusal if the harm “significantly outweighed the benefits” and added that given the positive use of part of an existing building, the restriction to personal use by the applicant, and suite of conditions as set out in the report the recommendation was therefore for approval.

The Chairman thanked the Senior Planning Officer, PH and asked Local Councillor, J Maitland to speak in relation to the application.

Councillor J Maitland noted she spoke on behalf of both herself and fellow Local Member, Councillor A Napier in objection to the application. She added she had spoken to the Officer and had asked for the application to be determined by Committee so that all the issues could be looked at. It was noted that she felt 20 dogs was a lot, two per kennel, and she had visited the site. Councillor J Maitland added that there were 4-5 houses in close proximity to the site and that she felt in summer they would need to close doors and windows in respect of odour. She asked in terms of the conditions within the report, who would monitor and enforce these. Councillor J Maitland noted she would ask that the Committee refused the application.

The Chairman thanked Councillor J Maitland and asked the Chairman of the Dalton-le-Dale Parish Council, Parish Councillor Mrs M Oliver to speak in objection to the application.

Parish Councillor M Oliver thanked Members for the opportunity to address their concerns to the Committee. She explained that their initial objections centred around control of noise, odour, site drainage, the disposal of foul water and the close proximity of the site to neighbouring properties. She added that matters regarding site drainage and the disposal of foul water, had, in their opinion been addressed. It was explained that the Parish Council still maintained their objection with regard to noise, odour and the close proximity of the site to neighbouring properties.

Parish Councillor M Oliver noted that Members attended the site and therefore would note the close proximity of local residents to the application site, it being no great distance away to other properties. She noted Members would hear further representations by local residents, and they had their own important points to make on the matter.

Parish Councillor M Oliver explained there were a number of children living with residents in close proximity to the site, with some of these being foster children with sensory differences. It was added that these sensory differences can affect behaviour, and can have a profound effect on a person's life.

Parish Councillor M Oliver noted that their health and wellbeing had suffered as a result of burning waste and bedding materials. It was noted that children like to play outside and that parents were naturally concerned for their welfare and added that barking and howling dogs would only create more distress.

Members were referred to paragraph 108 of the NPPF which stated that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects, including cumulative effects, of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. It was added that they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. Parish Councillor M Oliver explained that they believed that this development will have a significant adverse effect on the health and quality of life of those people living nearby. She added that the Environmental Health team commented on this in their initial response and she noted 20 dogs, housed two per kennel had the potential to generate notable levels of noise particularly if the animals became distressed causing them to bark and howl for continuous periods. Parish Councillor M Oliver explained that the follow-up response from Environmental Health, following two site visits, when only 10 dogs were housed, was that the 'granting of planning permission for the development may potentially result in a statutory nuisance being created'. Parish Councillor M Oliver noted that the addition of a further 10 dogs would simply exacerbate this situation and that one would expect the applicant to operate with the maximum capacity in the facility should it be approved.

Parish Councillor M Oliver noted that agreeing the application would have a significant adverse impact upon the residential amenity of surrounding occupiers, affecting their health and quality of life from environmental and neighbourhood noise. She added that the noise policy statement for England, to be read in conjunction with the NPPF, referred to this.

Parish Councillor M Oliver noted Members may consider that reasonable steps were being proposed to mitigate and minimise adverse effects on health and quality of life sufficient to mitigate the potential for a statutory nuisance. However, she added that the underlying fact remains clear to the Parish Council, taking into account the guiding principles of sustainable development, as detailed in the NPPF, and the second aim of the Noise Policy Statement for England, it did not mean that such adverse effects cannot occur. She added that she would ask the Committee to consider the matter carefully.

Parish Councillor M Oliver noted that the NPPF stated that development should protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for that reason.

It was added that Parish Council had noted the planning conditions proposed to control the precise nature of the use, the number and breed of dogs housed, however, they were unfortunately still of the opinion that the development would have a significantly adverse impact in terms of noise, odour and their quality of life for the reasons outlined.

Parish Councillor M Oliver also pointed out that the Planning Officers report expresses disappointment that some of the works have already been completed and as such were unauthorised. It was added the Parish Council were also disappointed that this has happened and were concerned that illegal burning of animal waste has occurred. Parish Councillor M Oliver suggested a registered trainer would have known these rules and regulations.

Parish Councillor M Oliver thanked the Committee for listening to the points raised and reiterated the Parish Council felt the adverse impacts of the application outweighed the benefits and urged the planning committee to give the matter very careful consideration and refuse the application.

The Chairman thanked Parish Councillor M Oliver and asked Ms E Reay to speak in objection to the application.

Ms E Reay explained she had been asked to speak on behalf of the residents at Committee today regarding the change of use application. She added that residents had all sent letters of objections to Planning Officers and noted they had not been published on the Planning Portal, accordingly Ms E Reay noted she would summarise some of the points.

Ms E Reay noted The Greyhound Board of Great Britain (GBGB) have categories of greyhound trainers as: Professional; to train a maximum of 12 dogs; Owner/Trainer who shall train a maximum of 2 without the need for licensed kennels; and Hobbyist, up to 6 dogs

Ms E Reay noted the Applicant had been running Dalton Kennels Limited, which was only dissolved on 2 October 2018, which she presumed was for the benefit of the planning application. She added that the Applicant was named, together with the occupants of The Gate House, as persons of significant interest and control of the Applicant's wife's company, Hesledon Enterprises Limited. Ms E Reay noted at Paragraph 65 of the Planning Officer's report the statement that the site would be used for personal use as part of an ongoing hobby was probably a temporary matter and would probably be resurrected as part of Hesledon Enterprises if planning permission is granted.

Ms E Reay added that at paragraph 5 the application was noted as being retrospective, stating 10 dogs were housed in a barn. She asked why then did it show on UK Dog Racing that the Applicant was already the trainer of 16 runners. She added that the application did not meet the requirements of GBGB as the plans did not meet the appropriate drainage, fencing, flooring, exercise paddock requirements.

Ms E Reay referred to paragraph 27 and asked if the Applicant had gained permission from GBGB to exceed his number of greyhounds and also asked if the Recorder data actually been verified, as dogs barking all day and every day had been witnessed by all immediate neighbouring properties.

Ms E Reay noted paragraph 39 stated that the number of dogs in the future would not increase and added that it had been noted and seen by an Enforcement Officer when he visited the barn that there were excessive amounts of dogs in the barn before this application was even submitted. In reference to paragraph 40 she noted existing residential properties were actually between 25 and 27 metres away.

In reference to paragraph 42 she explained that only one resident was asked to Lodge barking issues and although other residents reported barking problems, which are all day and every day, this did not seem to have been recorded or reported. Ms E Reay added that in paragraph 43 the Officer had stated that the increase in dog numbers had the potential to cause further noise and asked therefore why planning permission was being recommended. She added that paragraph 45 of the planning report stated that greyhounds generate less noise than some other dog breeds. Ms E Reay noted this was not the case when you have a pack of dogs, as witnessed at most greyhound events.

Ms E Reay referred to paragraph 62 where the Officer stated that it was disappointing that some of the works have already been carried out. She noted that the Applicant only applied for permission after he was reported to the Council. She added that paragraph 65 stated that the Applicant was a hobbyist, though she felt that with sixteen greyhounds under his control he could not be classed as a hobbyist.

Ms E Reay noted both the Applicant and his wife worked full time and therefore she felt there was a question in terms of who would look after the extra animals: 20 greyhounds; three horses; ducks, geese, chickens; and their own house dogs.

Ms E Reay asked, if permission were granted, who would police activities at the application site noting that surely Durham County Council could not afford their Officer's time and cost to an already overstretched budget. She also noted the access was on to a 60 mph road and it was asked if Highways had been consulted.

Ms E Reay noted some residents had moved to Cold Hesledon with foster children with special needs, because of the nature of our little community and the once peaceful nature and life we used to have. She noted that these children's welfare needed to be considered and they should be allowed to live a peaceful and happy life, that they have not had in the past, without noise from barking dogs and the constant turmoil that we have endured over the past months.

Ms E Reay noted residents would urge the Planning Committee to refuse the application on the grounds of the detrimental impact the application would have on resident's quality of life because of noise and odour which would impact on our everyday lives.

She added that the upset this planning application has caused a small community was massive, to the point where some residents had considered putting their properties up for sale after living and loving being in Cold Hesledon for over twenty years. She noted residents had suffered for months during the long hot summer with burning of waste, barking dogs to the point they could not leave windows and doors open. Ms E Reay noted that the planning application, if approved, would have a detrimental and sad impact on residents and noted resident urged the Committee refuse the application.

The Chairman thanked Ms E Reay and asked the Applicant, Mr P Bedding to speak in support of his application.

Mr P Bedding noted his wife had asked neighbours as regards noise, with a reply being "if we heard noise, you would know". He noted that a noise activated recorder had not recorded any howling or barking from the dogs. He added that Members had attended the site earlier today and noted that the dogs had not barked during the visit, only one bark, and no barking when Councillors had entered the kennels. He explained that when the dogs were exercising they did not bark.

Mr P Bedding explained he had young children and added that in terms of noise and odour, the nearby industrial estate, around 30 metres away, had two spray painting facilities, and there was odour from the industrial estate. In terms of incinerating waste, he had been advised as regards how to properly dispose of waste and this would be collected weekly by the Council.

Mr P Bedding noted the barn had been in place around 30 years and the new property nearby had been built around three years ago and there had been no complaints until the planning application had been submitted. He added he had not known as regards the requirement for a change of use, however, as soon as he was aware he had submitted an application.

Mr P Bedding noted objectors had referred to barking, however, the dogs owned by those people barked, Jack Russells and a German Shepherd, more so than Greyhounds. He added on the subject of noise there was more significant noise from sirens from the nearby Ambulance Station, located at the industrial estate.

In reference to having 16 runners, Mr P Bedding noted this was not the case and that keeping and racing greyhounds was a hobby to be enjoyed in his retirement, and that the numbers proposed were in order to have a number of runners in the event of any dogs becoming lame or if they came into season. He noted his wife's business was her own.

Mr P Bedding noted that wildlife had not and would not be harmed, adding no trees would be cut down and that there were no restrictions in term of his property. He noted that property values had not been affected and that proposed new addition had been deemed to not look out of place. He noted there would not be access before 6.00am or after 8.00pm and reiterated that as he has small children himself, he would not wish to upset anyone. He asked that the Committee consider the recommendation of their Officer and approve the application.

The Chairman thanked all the speakers for their comments and asked the Senior Planning Officer, PH to respond to some of the points raised.

The Senior Planning Officer, PH noted that in terms of noise recording and issues, a representative from Environmental Health was in attendance at Committee. In reference to the application being retrospective, the Senior Planning Officer, PH noted this was a legitimate process by which application could be made to seek to regularise a situation and the Applicant had every right to use this mechanism. In reference to a comment asking if the Highways Section had been consulted, he reiterated that they had and that they had not objected on the basis the application was for personal use and with the conditions as proposed within the report.

The Senior Planning Officer, PH added that there were also conditions within the report as regards noise and times as regards use would be covered within the Kennel Management Plan. He added that in terms of who would enforce the conditions, then this would be for the Authority, with there being mechanisms in place for resident to report any issues.

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

Councillor A Laing noted in her opinion the amenity of nearby residents was being affected, with barking at night and she noted the proximity to nearby properties had been shown in the Officer presentation and on the site visit. It was added an issue in terms of noise was still open with the Authority. Councillor A Laing noted that she was not reassured in terms of being able to mitigate impact by personal use or a management plan. She added that she felt noise will occur and that by virtue of this disturbance that the residential amenity of those living nearby would be negatively impacted, contrary to saved Easington Local Plan Policies 1 and 35 and Paragraph 180 of the NPPF. Accordingly, Councillor A Laing moved that the application be refused.

Councillor J Robinson noted he seconded the motion for refusal of the application and asked how 20 dogs in addition to the other animals mentioned could be managed effectively. The Chairman noted that when on the site visit it was clear the other animals mentioned were located in another area, not the application site.

Councillor P Jopling noted that when attending the site visit the dogs looked very well kept, however, she tended to agree with the comments from residents in terms of potential commercial activity in the future.

Councillor O Temple asked as regards enforcement action and paragraph 6 of the report, in relation to no trade or business and the dogs to be owner by the Applicant only. He asked how ownership was established. The Chairman noted that it was now a requirement for dogs to have a microchip that would carry such details. The Senior Planning Officer, PH noted a standard condition had been used in this regard that was felt to be fit for purpose in this regard. The Chairman allowed the Applicant to speak in order to clarify, Mr P Bedding noted that the dogs were microchipped and registered with the GBGB.

Councillor J Blakey noted concern in respect of potential issues and added that any animals lame or in season would still be on site and therefore potentially have an impact.

Councillor D Brown noted he was wary of retrospective applications, however, given the Officer's report and the two explanations given, he felt the Applicant should be given the benefit of the doubt. He added that within the Applicant's statement he had noted the high GBGB standards included "greyhound proof" fencing. Councillor D Brown noted that there were no gates leading on to the main road and therefore this did not seem secure.

The Senior Environmental Health Officer, Ted Murphy noted that in terms of noise, odour and concerns as regards a number of dogs in close proximity, his site visits had not indicated any issues. He noted indeed that three of the four complaints as regards noise were closed, with two of them having stated there had been a measureable improvement at the site. In terms of the remaining outstanding complaint, he noted a letter had been sent out to ask for more evidence within 10 days else the matter would be closed.

Councillor O Temple asked if the motion for refusal fell, did this mean the application was approved. The Chairman noted that if that motion fell, then any other motion, including that for approval as per the recommendation, would require a proposer and seconder as usual prior to a vote. The Chairman noted the motion for refusal had been proposed and seconded and asked Members to vote.

RESOLVED

That the application be **REFUSED** as it would, by virtue of noise and disturbance, result in an adverse impact on residential amenity for the occupiers of the nearby dwellings, which could not be sufficiently mitigated by planning conditions, contrary to Policies 1 and 35 of the District of Easington Local Plan and Paragraph 180 of the NPPF.

d DM/18/01943/FPA - New College Durham, New College Road, Framwellgate Moor, Durham, DH1 5ES

The Senior 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 application was for a three storey extension to existing building and associated landscaping works and was recommended for approval, subject to conditions as set out within the report.

The Senior Planning Officer, PH noted the setting of the existing college and the proposed extension. He explained that it was proposed in order to provide specialist IT classrooms, workshops, conference rooms and also include an external storage hardstanding area.

It was added there had been no objections from statutory consultees and no objections from internal consultees, subject to conditions, including those relating to landscaping.

Members noted the key consideration and the Senior Planning Officer, PH noted NPPF paragraph 11 and Part 8 in terms of the application and noted the previous redevelopment of the college in 2005. He noted that the design and scale were well considered and deemed acceptable subject to conditions. The Senior Planning Officer, PH noted that access would be unaltered, however, there would be a loss of 21 parking spaces, though no objections had been raised in relation to this by Officers.

The Senior Planning Officer, PH noted that Local Members had raised concerns in relation to the loss of parking, though he reiterated there had been no objections from the Highways Section, though a condition relating to an update to the travel plan could be included. He concluded that the recommendation was for approval.

The Chairman noted that Councillor A Hopgood, Local Member for the area was in attendance to speak in relation to the application.

Councillor A Hopgood thanked the Committee for the opportunity to speak in relation to the application. She noted she wished to make it very clear that she, fellow County Councillor Divisional Members and Parish Councillors welcome the facilities as described and considered New College Durham to be an excellent asset and did not object to the application in principle. She added that however there were a number of concerns in relation to the increase in the number of students and the lack of an up-to-date travel plan. Councillor A Hopgood noted the Highways Section had offered no objections, however, she asked were they aware of the additional numbers that would attend the college and in turn how this would affect highway safety. She noted there were several examples where applications had asked for travel plans and these had not been brought forward or had been unenforceable. Councillor A Hopgood noted that the application should be considered in conjunction with other activity and proposed developments within the area, including: the strategic site at Aykley Heads, including the current County Hall site; extensions to Accident and Emergency at the University Hospital of North Durham; the Arnison Centre; and Northumbrian Water.

She therefore asked if the Committee would defer the application, in order for an amended travel plan to be produced, with the opportunity to work with Local Members in this regard.

The Chairman thanked Councillor A Hopgood and asked Mr I Lambert representing the Applicant to speaking in support of the application.

Mr I Lambert reiterated the many virtues of the college, noting with was outstanding, and added that in general the Further Education sector was “on its knees” from a lack of funding. It was explained the application was important in terms of Science, Technology, Engineering and Mathematics (STEM). He added it was felt that issues of parking were overshadowing the benefits of the application and that the college offered free bus passes, with a 90% uptake.

He noted that not all 16-18 year olds were able to afford a car and that not all students were timetabled 9am-5pm, Monday to Friday, some only three days a week. He concluded by noting it was not felt that parking was an issue and that approximately 10 spaces may be needed in approximately 3 years.

The Chairman thanked Mr I Lambert and asked the Council's Strategic Traffic Manager, Dave Wafer, to comment on the issues raised.

The Strategic Traffic Manager noted that there was already a significant car park already and that it had been assessed that it would be unlikely that there would be impact to the highways network as a result of a reduction of 21 car parking spaces. He reiterated the point made in relation to a 90% uptake in free bus passes by students and noted there was not the opportunity for students to park outside of the college as residents' schemes prevented this. It was noted the existing travel plan had been produced a while ago and a condition could be used in terms of seeking a new and updated travel plan to be provided. He added that as parking at Framwellgate Moor was time-limited this would not be impacted upon.

The Chairman thanked the Strategic Traffic Manager asked Members of the Committee for their comments and questions.

Councillor M Davinson noted the issues that had been raised by the Local Member, Councillor A Hopgood, and agreed that an updated travel plan and speaking to Local Members would be useful and therefore proposed deferral of the application, Councillor A Laing seconded the proposal.

Councillor O Temple noted that it was not known what the impact would be on numbers of students and teachers, as there was not up-to-date evidence in terms of the current usage and he agreed with the motion for deferral. He added that he felt all Members were supportive of New College and applauded the important work they undertook, however, there was a duty to protect local residents.

RESOLVED

That the application be **DEFERRED**.

e DM/18/01875/FPA - Greenhill's Farm Cottage, Wheatley Hill, DH6 3QS

The Planning Officer, Lisa Morina 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 a hangar building for storage of micro-light aircraft and was recommended for approval, subject to conditions as set out within the report.

The Planning Officer noted that the application site was on the outskirts of Wheatley Hill and the site was already used for micro-lights, with the existing hangar provision not being sufficient, a number having to remain outdoors currently and there being a waiting list in terms of people wishing to store their aircraft. Members noted the use, parking and club house were as per previous permission and that there had been no objections from consultees, and with one letter of support having been received. The Planning Officer noted that it was felt the benefits of the scheme outweigh any impacts and therefore the application was recommended for approval. She concluded by noting that “no objection” from the Ecology Team was subject to an amendment to condition relating to mitigation measures as referred to within the ecological assessment being adhered to.

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

Councillor A Laing moved the application be approved subject to the amendments to the condition as mentioned by the Planning Officer, she was seconded by Councillor J Blakey.

RESOLVED

That the application be **APPROVED** subject to the conditions as detailed in the Officer’s report, with the amendment as detailed by the Officer within her presentation.

Councillor J Robinson left the meeting at 2.50pm

f DM/18/02224/FPA - Part of Vacant Warehouse, McIntyre Way, Durham City Retail Park

The Senior Planning Officer, Colin Harding, 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 insertion of a 1,672 sq.m mezzanine floor and was recommended for approval, subject to conditions as set out within the report.

The Senior Planning Officer, CH noted the Committee had previously considered applications for the insertion of mezzanine floors at this site, having been approved. He explained that the changes to the proposed mezzanine configuration were as a result of different potential businesses being associated with the vacant unit over a period of time, each having differing requirements.

It was explained there had been no objections and there were no restrictions in terms of the goods to be sold at the site. The Senior Planning Officer, CH noted that as policies were not considered to be up-to-date then it was considered to be a NPPF paragraph 11 balance. He added that the requisite sequential test had been undertaken and the application was felt to be appropriate in that regard.

Members were reminded of the extant permission in terms of a mezzanine that provided the Applicant with a strong fall-back position, and reiterated that the recommendation was for approval.

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

Councillor M Davinson moved the application be approved, he was seconded by Councillor A Laing.

RESOLVED

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