

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PLAN/2008/0454
FULL APPLICATION DESCRIPTION	DRIVING RANGE AND ASSOCIATED CAR PARKING at SHARPLEY SPRINGS GOLF COURSE, SEATON
NAME OF APPLICANT	MR S WEIGHTMAN
ELECTORAL DIVISION	Seaham North
CASE OFFICER	Barry Gavillet 0191 5274305 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The application site is situated west of Seaton Village off the B1404 road and is located within the countryside and in a designated green belt. The site is located on an existing golf course that was granted outline planning permission in March 2000 with the reserved matters being approved in March 2006, the golf course is almost complete and ready to be opened to the public.

This application proposes a driving range and associated car park to supplement the approved golf course facility. A driving range was approved under the previous reserved matters application, however the design and layout of the current proposals required a new planning application to be submitted.

The driving range building would be constructed of stained timber with a profiled metal sheeted roof. The building is approximately 49 metres in length and approximately 4.3 metres high, there would be 14 driving range bays in total with floodlighting attached to the roof of the structure to illuminate the driving range in the early evening and during winter months.

The associated car parking would be accessed through, and located next to the main entrance to the golf course but separated from the main car park, it would provide spaces for 22 cars, 8 disabled spaces, 6 motor cycles and 12 bicycles. A track would lead from the car parking to the driving range, approximately 100 metres to the east.

PLANNING HISTORY

The golf course on which the driving range is proposed was granted outline planning permission in March 2000 with the reserved matters being approved in March 2006. The

reserved matters included a driving range, however the current application differs in design and layout and thus, warrants a new planning application.

This application was advertised as being a committee item before the Durham councils were amalgamated and so it is being reported to the Central and East Durham Planning Committee to ensure a consistent procedure.

PLANNING POLICY

NATIONAL POLICY:

Planning Policy Guidance 2 (PPG2) outlines the history and extent of Green Belts and explains their purposes. It describes how Green Belts are designated and their land safeguarded. Green Belt land-use objectives are outlined and the presumption against inappropriate development is set out.

Planning Policy Statement 7 (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 4 - This defines the extent of the Tyne and Wear Green Belt that lies within County Durham.

Policy 17 - Development which adversely affects a wildlife corridor/link will only be approved where compensatory features are provided.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at www.easingtonlocalplan.org.uk

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

None.

INTERNAL CONSULTEE RESPONSES:

Highways Authority – level of car parking provision is acceptable. However, highways improvements must be made from the access to the B1404 and the car park surface must be constructed from a suitable material.

Environmental Health – no objections.

Local Plans – The proposed structures are considered necessary in terms of the car park, and acceptable in regard to the driving range, which would provide a more diverse recreational facility.

PUBLIC RESPONSES:

One letter of objection has been received which queried whether the conditions, which were attached to the previously approved golf course applications, had been properly discharged.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet>

PLANNING CONSIDERATION AND ASSESSMENT

The main considerations in relation to this application are considered to be the impact of the proposals on the green belt and countryside setting, impacts on nearby residents, highways issues and the letter of objection.

It should also be noted that if this planning application is approved, there would be a need for the applicant to enter into a legal agreement in order to rescind the previously approved car parking arrangements and club house. If this did not happen, there would be an opportunity for the applicant to commence both applications, which would result in a much larger car parking area and a club house in an inappropriate location in relation to the newly approved car parks.

Impact on green belt and countryside

PPG 2 states the general intentions of Green Belt policy, confirms the specific purposes of including land in the Green Belt, specifies objectives for land within it, states that Green Belts must be protected, maintains a presumption against inappropriate development and highlights the categories of development which are appropriate. PPG 2 states that essential facilities for outdoor sport, outdoor recreation and for other uses of land which preserve the openness of the Green Belt, and do not conflict with the purposes of including land within it are appropriate development.

There are five main reasons for designating green belt land, these are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

It is not considered that the proposed development would prejudice any of the above five reasons for including land within the Green Belt.

PPS 7 states that leisure activities are vital to many rural economies. It goes on to comment that Local Authorities should recognise that in areas statutorily designated for their landscape, nature conservation or historic qualities, there will be scope for tourist and leisure related developments, subject to appropriate control over their number, form and location to ensure the particular qualities or features that justified the designation are conserved.

The majority of the application site is already landscaped for use as a golf course and this application seeks to erect a single storey driving range building of modest size with associated access and parking. It is considered that the openness of the Green Belt would not be significantly affected by the proposed development and in addition there would be no adverse impacts on the countryside landscape. The proposal is not clearly visible to the surrounding area due to the position and height of the building and the topography of the site and therefore views across the site will be largely unaffected. Furthermore, a driving range and car parking already benefit from planning permission, and this revised scheme is not considered to have any greater impact on the Green Belt or the countryside.

Impacts on nearby residents

It is not considered that the proposals would have any impact on neighbouring residents. The nearest residents are located to the south of the site, approximately 100 metres from the main access and on a level which is significantly lower than the application site. As such, the residents' outlook would not be affected. The proposed floodlighting would be directed away from the residents and in addition, restrictions on floodlighting times and hours of operation should remove any possible disturbance to the residents. The car parking is located a sufficient distance from the nearest residential properties such that there should be no adverse impacts from users of the facility.

Highways Issues

The Highways Authority are satisfied with the level of car parking that is proposed to serve the driving range facility. However, the car parking surface should be suitable for disabled users and highways improvements should be made in order to ensure that the width of the access road is suitable for road traffic.

Letter of objection

A letter of objection was submitted on behalf of a nearby resident which queried whether the conditions attached to the previously approved planning applications had been properly discharged. This matter has been investigated thoroughly and evidence has been found which shows that all conditions relating to the previously approved applications have been satisfactorily discharged.

Applicants statement

The applicant has submitted the following information in support of the proposal:

After several years of hard work our new 18-hole golf course is now maturing nicely and ready to enhance the leisure of discerning golf players. It has become apparent during the course of the building works that a number of minor changes to the previously-approved planning drawings were needed to give the best design of course, hence this application.

We believe that the results will be a high-ranking course and that the Club should be a resounding success. Specifically:

- The revised car parking areas will be more effectively screened than previously from views to the south east by ground levels including mounding and will not be visible from the south west.
- The driving range will incorporate areas suitable for the coaching of younger club members.'

CONCLUSION

It is considered that the proposals are in accordance with the relevant development plan policies. The golf course development has been accepted by previous planning approvals and is now well established, the current proposals would create further recreational facilities on site. It is not considered that the proposals would harm the openness of the green belt or have any adverse impacts on the surrounding landscape, nor would they have any adverse impacts on surrounding residents. On the basis that the permissions for the previously approved club house and car parks are rescinded through a legal agreement, and that the conditions as listed below are imposed, it is considered that the proposals are acceptable.

RECOMMENDATION

That the application be **APPROVED** subject to the applicant entering into a Section 106 legal agreement to rescind the permissions for the clubhouse and car parking arrangements previously agreed in the approved reserved matters application and subject to the following conditions;

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The driving range facility shall only be operated and used between the hours of 08.00 and 22.00 hours.
3. The proposed floodlights shall be installed, focussed and maintained in accordance with a scheme to be approved in writing with the local planning authority to minimise light spillage and glare outside the designated area.

4. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials to the driving range building have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.
5. The floodlighting shall not be operated between 22.00 hours and 08.00 hours on the following day.
6. The car park shown on the plan hereby approved shall be constructed and marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be agreed with the Local planning authority. Thereafter the car parking spaces shall be used and maintained in such a manner as to ensure their availability at all times for the parking of private vehicles.
7. The proposed driving range shall not be brought into use before the cutting back of the existing grass verges on either side of the public highway from the proposed Golf Club access road junction to the existing junction with the B1404 to achieve a minimum resultant carriageway width of 5 metres. The highway shall be maintained as such throughout the lifetime of the development.
8. Prior to being discharged into any watercourse, surface water or soakaway system, all surface water drainage from parking areas and hardstandings shall pass through an oil interceptor designed and constructed in accordance with a scheme to be submitted to and approved in writing by the Local planning authority.
9. Before the development hereby approved is brought into use, details of the proposed car parking surface materials shall be submitted to and approved in writing by the Local planning authority. Thereafter, the development shall be implemented and maintained in accordance with those agreed details throughout the lifetime of the development.

REASONS FOR THE DECISION

1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN
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DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
PLANNING POLICY STATEMENT/GUIDANCE
PLANNING POLICY STATEMENT/GUIDANCE

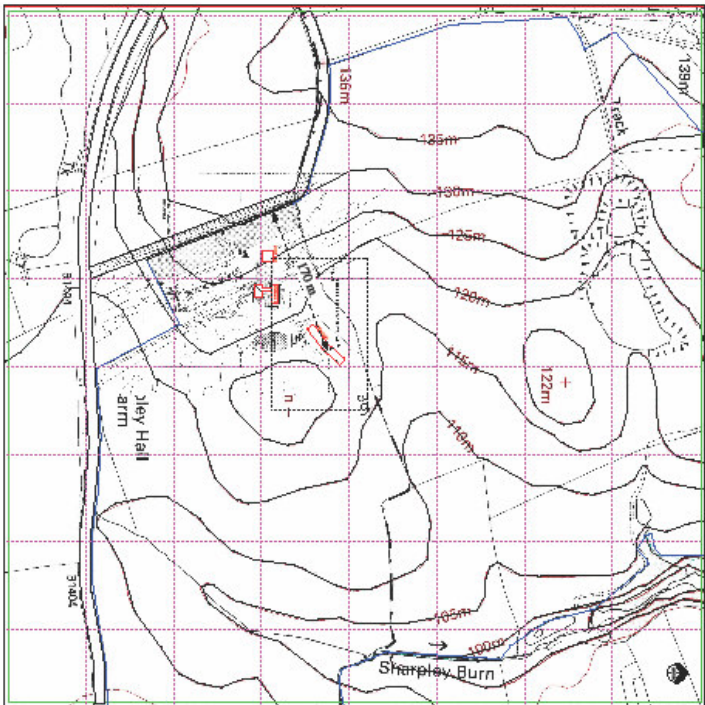
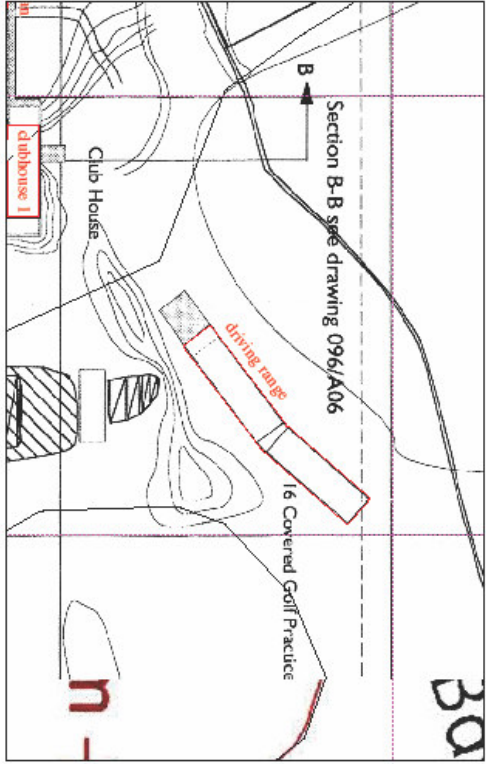
ENV03 - Protection of the Countryside
ENV04 - Greenbelt Extension in County Durham
ENV17 - Identification and Protection of Wildlife Corridors
ENV35 - Environmental Design: Impact of Development
ENV36 - Design for Access and the Means of Travel
GEN01 - General Principles of Development
PPG2 - Green belts
PPS7 - Sustainable Development in Rural Areas

2. In particular the development was considered acceptable having regard to consideration of issues of the impact on the openness of the greenbelt and surrounding countryside, impact on nearby residents and highways issues.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement

- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses



Project
Driving range for Sharpley Springs golf course

Client
Mr. & Mrs. S. A. H. Weighman

Drawings
Driving range Location / Site As previously approved

Revisions
A. Previous approval scanned in. 14/09/09

2008.12.1 / 1/00 A

Scale Bands

SMITH & JONES Ltd
 1st Floor, 100 Broad Street
 Birmingham, B1 2JN
 Tel: 0121 510 0000
 www.smithandjonesplc.com

The Chartered
 Surveyors
 Chartered Surveyors
 No. 1881795

The accuracy of the position is dependent on the quality of the data used in the design. All dimensions are given unless otherwise stated.

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PLAN/2008/0456
FULL APPLICATION DESCRIPTION	CAR PARKING TO GOLF COURSE at SHARPLEY SPRINGS GOLF COURSE, SEATON
NAME OF APPLICANT	MR S WEIGHTMAN
ELECTORAL DIVISION	Seaham North
CASE OFFICER	Barry Gavillet 0191 5274305 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The application site is situated west of Seaton Village off the B1404 road and is located within the countryside and in a designated green belt. The site is located on an existing golf course that was granted outline planning permission in March 2000 with the reserved matters being approved in March 2006, the golf course is almost complete and ready to be opened to the public.

This application proposes a car parking area to serve the golf course and associated facilities. A car park was approved under the previous reserved matters application, however the location and size of the current proposals required a new planning application to be submitted.

The car parking would area would measure 53.3 metres long by 37.5 metres wide and would provide parking for 76 vehicles. The car park would be located directly adjacent to the main entrance to the golf course. The applicant has stated that it would be constructed of tarmac or gravel materials.

PLANNING HISTORY

The golf course on which the car parking area is proposed was granted outline planning permission in March 2000 with the reserved matters being approved in March 2006. The reserved matters included a main car parking area, however the current application is in a slightly different location and is a different size and thus, warrants a new planning application.

This application was advertised as being a committee item before the Durham councils were amalgamated and so it is being reported to the Central and East Durham Planning Committee to ensure a consistent procedure.

PLANNING POLICY

NATIONAL POLICY:

Planning Policy Guidance 2 (PPG2) outlines the history and extent of Green Belts and explains their purposes. It describes how Green Belts are designated and their land safeguarded. Green Belt land-use objectives are outlined and the presumption against inappropriate development is set out.

Planning Policy Statement 7 (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 4 - This defines the extent of the Tyne and Wear Green Belt that lies within County Durham.

Policy 17 - Development which adversely affects a wildlife corridor/link will only be approved where compensatory features are provided.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at www.easingtonlocalplan.org.uk

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

None.

INTERNAL CONSULTEE RESPONSES:

Highways Authority – level of car parking provision is acceptable. However, highways improvements must be made from the access to the B1404 and the car park surface must be constructed from a suitable material.

Environmental Health – no objections.

Local Plans – The proposed structures are considered necessary in terms of the car park, and acceptable in regard to the driving range, which would provide a more diverse recreational facility.

Regeneration – the regeneration unit supports economic investment in Seaham.

PUBLIC RESPONSES:

One letter of objection has been received which queried whether the conditions, which were attached to the previously approved golf course applications, had been properly discharged.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet>

PLANNING CONSIDERATION AND ASSESSMENT

The main considerations in relation to this application are considered to be the impact of the proposals on the green belt and countryside setting, impacts on nearby residents, highways issues and the letter of objection.

It should also be noted that if this planning application is approved, there would be a need for the applicant to enter into a legal agreement in order to rescind the previously approved car parking arrangements and club house. If this did not happen, there would be an opportunity for the applicant to commence both applications, which would result in a much larger car parking area and a club house in an inappropriate location in relation to the newly approved car parks.

Impact on green belt and countryside

PPG 2 states the general intentions of Green Belt policy, confirms the specific purposes of including land in the Green Belt, specifies objectives for land within it, states that Green Belts must be protected, maintains a presumption against inappropriate development and highlights the categories of development which are appropriate. PPG 2 states that essential facilities for outdoor sport, outdoor recreation and for other uses of land which preserve the openness of the Green Belt, and do not conflict with the purposes of including land within it are appropriate development.

There are five main reasons for designating green belt land, these are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

It is not considered that the proposed development would prejudice any of the above five reasons for including land within the Green Belt.

PPS 7 states that leisure activities are vital to many rural economies. It goes on to comment that Local Authorities should recognise that in areas statutorily designated for their landscape, nature conservation or historic qualities, there will be scope for tourist and leisure related developments, subject to appropriate control over their number, form and location to ensure the particular qualities or features that justified the designation are conserved.

The majority of the application site is already landscaped for use as a golf course and this application seeks to construct a parking area to serve the golf course facility, it is considered necessary for the proper function of the golf course. It is considered that the openness of the Green Belt would not be significantly affected by the proposed development and in addition there would be no adverse impacts on the countryside landscape. The application site is not clearly visible to the surrounding area due to the position and topography of the site and surrounding mature landscaping, and therefore views across the site will be largely unaffected. Furthermore, a car parking area already benefits from planning permission granted under the previous applications, and it is not considered that this revised proposal would have any greater impact on the Green Belt or the countryside.

Impacts on nearby residents

It is not considered that the proposals would have any significant adverse impact on neighbouring residents. The nearest residents are located to the south of the site, approximately 100 metres from the main access and on a level which is significantly lower than the application site. As such, the residents outlook would not be affected. The car parking area previously approved under the reserved matters application was situated closer to the neighbouring property to the south and on that basis, it is considered that the current proposal would lessen any impacts on the amenity of the residents.

Highways Issues

The Highways Authority are satisfied with the level of car parking that is proposed to serve the golf course facility. However, the car parking surface should be suitable for disabled users and highways improvements should be made in order to ensure that the width of the access road is suitable for road traffic.

Letter of objection

A letter of objection was submitted on behalf of a nearby resident which queried whether the conditions attached to the previously approved planning applications had been properly discharged. This matter has been investigated thoroughly and evidence has been found which shows that all conditions relating to the previously approved applications have been satisfactorily discharged.

Applicants statement

The applicant has submitted the following information in support of the proposals:

After several years of hard work our new 18-hole golf course is now maturing nicely and ready to enhance the leisure of discerning golf players. It has become apparent during the

course of the building works that a number of minor changes to the previously-approved planning drawings were needed to give the best design of course, hence this application.

We believe that the results will be a high-ranking course and that the Club should be a resounding success. Specifically:

- The revised car parking areas will be more effectively screened than previously from views to the south east by ground levels including mounding and will not be visible from the south west.
- The driving range will incorporate areas suitable for the coaching of younger club members.'

CONCLUSION

It is considered that the proposals are in accordance with the relevant development plan policies. The golf course development has been accepted by previous planning approvals and is now well established, the current proposals would create a main car parking area for the golf course which is considered necessary for the proper functioning of the golf course. It is not considered that the proposals would harm the openness of the green belt or have any adverse impacts on the surrounding landscape, nor would they have any adverse impacts on surrounding residents. On the basis that the permissions for the previously approved club house and car parks are rescinded through a legal agreement, and that the conditions as listed below are imposed, it is considered that the proposals are acceptable.

RECOMMENDATION

That the application be **APPROVED** subject to the applicant entering into a Section 106 legal agreement to rescind the permissions for the clubhouse and car parking arrangements previously agreed in the approved reserved matters application and subject to the following conditions;

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The car park shown on the plan hereby approved shall be constructed and marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be agreed with the Local planning authority. Thereafter the car parking spaces shall be used and maintained in such a manner as to ensure their availability at all times for the parking of private vehicles.
3. The proposed car parking area shall not be brought into use before the cutting back of the existing grass verges on either side of the public highway from the proposed Golf Club access road junction to the existing junction with the B1404 to achieve a minimum resultant carriageway width of 5 metres. The highway shall be maintained as such throughout the lifetime of the development.
4. Prior to being discharged into any watercourse, surface water or soakaway system, all surface water drainage from parking areas and hardstandings shall pass through

an oil interceptor designed and constructed in accordance with a scheme to be submitted to and approved in writing by the Local planning authority.

5. Before the development hereby approved is brought into use, details of the proposed car parking surface materials shall be submitted to and approved in writing by the Local planning authority. Thereafter, the development shall be implemented and maintained in accordance with those agreed details throughout the lifetime of the development.

REASONS FOR THE DECISION

1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN
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PLANNING POLICY STATEMENT/GUIDANCE
PLANNING POLICY STATEMENT/GUIDANCE

ENV03 - Protection of the Countryside
ENV04 - Greenbelt Extension in County Durham
ENV17 - Identification and Protection of Wildlife Corridors
ENV35 - Environmental Design: Impact of Development
ENV36 - Design for Access and the Means of Travel
GEN01 - General Principles of Development
PPG2 - Green belts
PPS7 - Sustainable Development in Rural Areas

2. In particular the development was considered acceptable having regard to consideration of issues of the impact on the openness of the greenbelt and surrounding countryside, impact on nearby residents and highways issues.

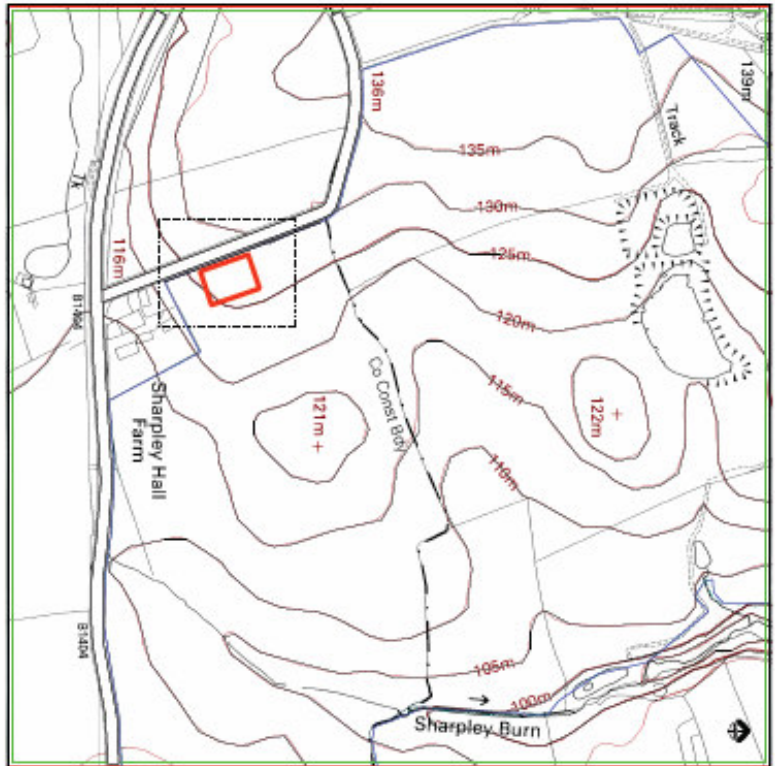
BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses

Site As Existing scale 1/1000



Site Location Plan scale 1/5000



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PL/5/2009/0091
FULL APPLICATION DESCRIPTION	RESIDENTIAL DEVELOPMENT COMPRISING TWENTY HOUSES at ABATTOIR AND FORMER CO-OP SITE HIGH LANE, HASWELL
NAME OF APPLICANT	MCINERNEY HOMES
ELECTORAL DIVISION	Haswell & Shotton
CASE OFFICER	Philip Johnson 0191 5274332 philip.johnson@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The Application Site:

This site lies at the northern end of Haswell, to the north of High Lane and on the west side of Front Street/Salters Lane. It extends to some 0.38 hectares and is now occupied by only a former abattoir, which has been converted to a butcher's shop, other buildings on the site, including a co-operative store, having been demolished.

The site is predominantly flat at its wider, southern end but rises significantly to the north and west.

The Proposed Development:

The proposal involves the erection of a total of twenty houses of two-storeys in height, variously two- and three-bedroomed, arranged as a pair of semi-detached and five short terraces.

It is proposed that the houses will be built to current Housing and Communities Agency standards, including their Design & Quality Standard and Sustainable Code for Communities Level 3. All the properties would be built for and managed by a Housing Association, would comprise a full 100% affordable allocation and be available for rent.

PLANNING HISTORY

Main part of site:

06/481: Residential development (outline) – Approved 09/06.

Former Co-op site:

- 04/419: Erection of four houses (outline) – Approved 06/04.
- 05/592: Erection of five houses (outline) – Refused 06/05.
- 06/897: Erection of three houses – Refused 04/07.
- 08/374: Residential development (outline) – Approved 07/08.

PLANNING POLICY

NATIONAL POLICY:

Planning Policy Statement 1 (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 3: Housing (PPS3) underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Statement 9 (PPS9) sets out planning policies on protection of biodiversity and geological conservation through the planning system.

Planning Policy Statement 22 (PPS22) sets out the Government's policies for renewable energy, which planning authorities should have regard to when preparing local development documents and when taking planning decisions.

Planning Policy Statement 25 (PPS25) sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.

REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

The North East of England Plan - Regional Spatial Strategy to 2021 - Policy 38 (Sustainable Construction) sets out that in advance of locally set targets, major developments should secure at least 10% of their energy supply from decentralised or low-carbon sources.

LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with

sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 18 - Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

Policy 37 - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).

Policy 66 - Developers will be required to make adequate provision for children's play space and outdoor recreation in relation to housing development of 10 or more dwellings. Provision may be secured elsewhere if it is inappropriate to make provision at the development site.

Policy 67 - Housing development will be approved on previously developed land within settlement boundaries of established towns or villages provided the proposal is of appropriate scale and character and does not conflict with other policies in the plan.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at www.easingtonlocalplan.org.uk

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

Parish Council:	Objection – overdevelopment (should only be 10-12 houses); inadequate parking facilities provided which will lead to highway dangers; bus stops on plans are redundant.
Northumbrian Water:	Development involves building over or close to apparatus.
Environment Agency:	Land contamination survey needs further work – conditions requested.
Police Architectural Liaison:	Layout, design, and physical security meet criteria for Secured By Design.
Natural England:	Unlikely to have adverse effects on protected species – request conditions on checking survey and bat mitigation measures.
Durham Bat Group:	Need to ensure delivery of bat mitigation.

INTERNAL CONSULTEE RESPONSES:

Highways Section:	Detailed comments on initial scheme have been incorporated in revised drawing.
Landscape Section:	No response
Environmental Health Section:	Contaminated land risk assessment needed; suggest restriction on construction hours.
Housing:	No response.

PUBLIC RESPONSES:

Neighbours:	1 e-mail of support; 1 comment that development is welcome but 20 houses is too many.
Press/site notices:	No response.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet>

PLANNING CONSIDERATION AND ASSESSMENT

The material considerations relevant to this application are:

- Housing policy;
- Affordability
- Design;
- Effects on local environment;
- Renewable energy;
- Protected species;
- Highways matters;
- Objections.

Housing Policy

Being a previously developed piece of land within the Haswell Village boundary, as defined in the former District of Easington Local Plan, the proposal falls to be considered, in the context of 'saved' policy 67, as a windfall site on which housing development is considered to be acceptable in principle.

The number of houses involved in this proposal is in accordance with current government guidelines relating to recommended housing densities in this type of location.

Outline planning permissions for residential development on the whole of the site have been granted previously and are still extant. Overall, the proposal is considered acceptable in principle in the context of national and local policy.

Affordability

The whole of this proposed development is intended to allow for twenty Housing And Communities Agency-compliant houses, which will be available for rent by Hartlepool Housing (a registered social landlord) who will own and manage all the properties. The HCA grant for the development has been awarded.

The applicants have, however, identified a number of unforeseen abnormal costs which have been highlighted by site investigation findings. These include the grubbing up of relic foundations; a significant amount of made ground which necessitates the use of piled and raft foundations; and the need to import clean topsoil to allow 600mm clean cover in garden areas due to elevated concentrations of arsenic and zinc, together with localised copper and nickel identified in the made ground recovered from the site.

In normal circumstances, 'saved' policy 66 of the local plan would require the provision of children's play facilities within the development or, alternatively, the payment by the developers to the Council of a sum of £10,000 (based on £500 per house) for use on the provision or enhancement of play facilities elsewhere in the village.

However, in view of the abnormal costs involved in the development and the fact that it is proposed as a 100% affordable housing scheme, the applicants are concerned that the available funding for the site is already stretched to capacity and that the normal play facilities contribution would seriously inhibit the viability of the scheme. They also point out that there does already exist an extensive area of open space and an equipped play area adjacent to the site.

In these circumstances, it is considered that the advantages of the scheme reaching fruition outweigh the need for additional play facilities in the immediate vicinity and that, therefore, the normal requirement for a financial contribution in accordance with 'saved' policy 66 can be waived in this case.

Design

The proposed layout involves an arrangement of five short terraces and a pair of semi-detached, two-storey houses arranged around a short cul-de-sac, with appropriate vehicle parking areas and landscaping. The normal privacy and separation distances between houses have been allowed for in the positioning of the houses.

The layout has incorporated a facility for the access road to be extended into the adjacent land at "Lorinda Cottage" to the north-east of the application site which already benefits from outline planning permission for residential development.

The houses are all of traditional brick and tile construction, with vertical emphasis fenestration and feature window sills and heads and all have private rear garden areas.

This form of development is considered to be entirely appropriate for this particular location. Furthermore the Permitted Development rights for the site have also been removed in order to ensure privacy distances are maintained and to limit any further developments impact upon the design of the site.

Effects On Local Environment

The site is located at the entrance to Haswell from the north and the layout includes six houses facing Front Street along the site's eastern side in order to enable the provision of a strong frontage. This feature of the scheme was suggested to the applicants prior to the submission of the application so as to avoid the development 'turning its back on' the main road through Haswell and the prospect of high fences and the backs of houses being presented to Front Street.

The site is essentially triangular in shape, being bordered by open fields to the west and High Lane to the south, on the other side of which is an area of open space. The eastern

side partly fronts Front Street and partly by the residential grounds attached to “Lorinda Cottage”, which is, therefore, the only property adjacent to the site. The houses in the submitted layout are arranged so that there will be no problems of overshadowing or overlooking of “Lorinda Cottage”.

It is concluded, therefore, that the development will have a positive effect on the local environment without any adverse effects on existing nearby residents.

Renewable Energy

Policy 38 of the Regional Spatial Strategy requires that all major developments include at least 10% decentralised and renewable energy or low carbon sources. The proposed dwellings would be built to Code for Sustainable Homes level 3, however, in order to ensure that 10% of energy produced comes from a renewable source, a suitable condition should be imposed.

Protected Species

Natural England have advised that satisfactory information has been provided to show that the proposed development is unlikely to have an adverse effect in respect of species especially protected by law, subject to a further ‘checking survey’ and the normal mitigation measures and precautionary working methods being employed in the demolition of the currently existing former abattoir building.

Highways Matters

The proposed development will all be served by a new access road penetrating the site from High Lane, with no direct vehicular access being required to Front Street. This arrangement and the detailed layout of the roadway and parking facilities are all considered acceptable.

Objections

Haswell Parish Council and one local resident have commented that the proposal involves an excessive number of houses for the site but, as stated earlier in this report, twenty houses on an area of 0.38 hectares (equating to 52 houses/hectare) is within government guidelines and, as long as all other aspects of the proposal are satisfactory, is an acceptable density of development.

The Parish Council have also raised concern that the proposed parking facilities are inadequate and that this could lead to dangerous conditions arising on the adjacent roads outside the site. The scheme actually incorporates a total of thirty parking spaces (one for each dwelling and ten visitors’ spaces) and this level of provision is considered to be wholly adequate.

CONCLUSION

This is a desirable proposal for affordable housing on a presently unsightly piece of land situated in a prominent location at the northern entrance to Haswell. The scheme is well designed and exhibits no unsatisfactory aspects, so, subject to the recommended conditions, the application is considered to be acceptable.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.
3. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the said Authority:
 - a) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme, based on a) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The site investigation results and the detailed risk assessment (b) above) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in c) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.
4. Prior to commencement of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the said Authority.
5. If, during development, contamination not previously identified is found to be present

at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the said Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

6. No development shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.
7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
8. Prior to the commencement of the development, a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include at least 10% decentralised and renewable energy or low carbon sources unless otherwise agreed in writing by the said Authority. Thereafter, the development shall be carried out in complete accordance with the approved scheme prior to first occupation and thereafter retained in perpetuity.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority on an application submitted to it.
10. No development shall commence until a scheme for the disposal of surface water from the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter, the development shall be completed in accordance with the approved details.
11. No development shall take place unless in accordance with the mitigation detailed within the protected species report "Haswell Bat Survey Report, June 2006" by Baker Shepherd Gillespie including, but not restricted to timing and spatial restrictions; undertaking checking surveys; adherence to precautionary working methods.
12. Prior to the commencement of the development hereby permitted, full details of a scheme for the diversion or abandonment of the 225mm public sewer and the 75mm water main, which cross the site, shall be submitted to and agreed in writing by the Local Planning Authority and, thereafter, the development shall be carried out in full accordance with the agreed details.

13. Notwithstanding the information shown in the submitted application, no works shall be carried out on the site which would prevent the future use of the new roadway as a vehicular access into the adjacent land to the north-east of the application site, which is currently occupied by "Lorinda Cottage".

REASONS FOR THE DECISION

1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN	ENV03 - Protection of the Countryside
DISTRICT OF EASINGTON LOCAL PLAN	ENV18 - Species and Habitat Protection
DISTRICT OF EASINGTON LOCAL PLAN	ENV35 - Environmental Design: Impact of Development
DISTRICT OF EASINGTON LOCAL PLAN	ENV36 - Design for Access and the Means of Travel
DISTRICT OF EASINGTON LOCAL PLAN	ENV37 - Design for Parking
DISTRICT OF EASINGTON LOCAL PLAN	GEN01 - General Principles of Development
DISTRICT OF EASINGTON LOCAL PLAN	HOU66 - Provision of outdoor play space in new housing development
DISTRICT OF EASINGTON LOCAL PLAN	HOU67 - Windfall housing sites
PLANNING POLICY STATEMENT/GUIDANCE	PPS1 - Delivering Sustainable Development
PLANNING POLICY STATEMENT/GUIDANCE	PPS22 - Renewable Energy
PLANNING POLICY STATEMENT/GUIDANCE	PPS25 - Development and Flood Risk
PLANNING POLICY STATEMENT/GUIDANCE	PPS3 - Housing
PLANNING POLICY STATEMENT/GUIDANCE	PPS9 - Biodiversity and Geological Conservation

2. In particular the development was considered acceptable having regard to consideration of issues of housing policy, affordability, design, effects on local environment, protected species, renewable energy, protected species and highways matters.
3. The stated grounds of objection concerning the number of houses were not considered sufficient to lead to reasons to refuse the application because the proposal is in accordance with national and local policy.

BACKGROUND PAPERS

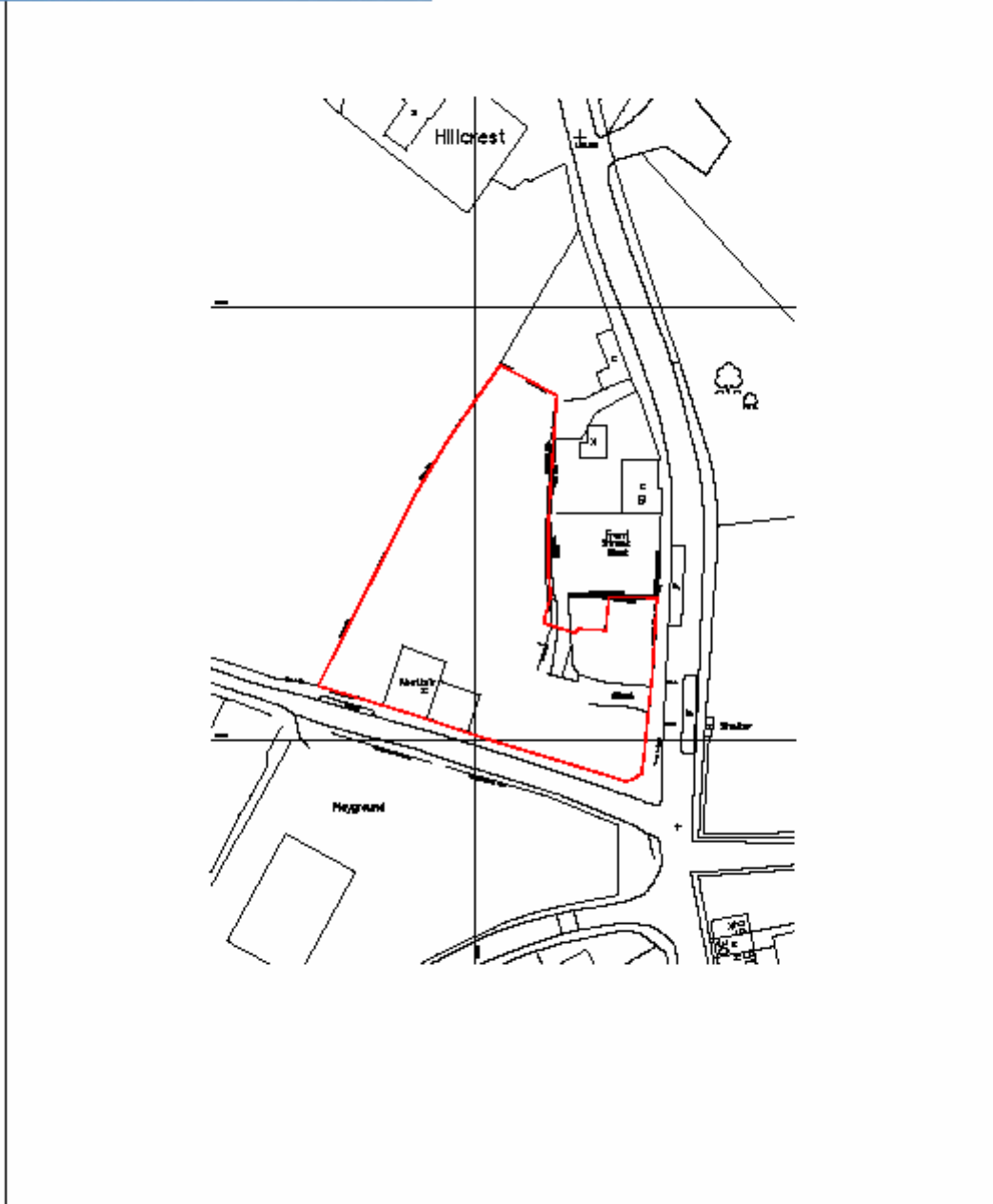
- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses



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Haswell Abattoir
Site Location Scale 1:1250

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PL/5/2009/0137
FULL APPLICATION DESCRIPTION	DEMOLITION OF CLINIC AND MAGISTRATES COURT AND ERECTION OF NEW PRIMARY CARE CENTRE, PHARMACY AND ASSOCIATED EXTERNAL WORKS at ST JOHNS SQUARE, SEAHAM
NAME OF APPLICANT	CARE PARTNERSHIPS 25 LTD
ELECTORAL DIVISION	Seaham Harbour
CASE OFFICER	Barry Gavillet 0191 5274305 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

St John's Square is a large civic precinct of nearly 2 hectares located behind the main shopping area of Seaham, just outside of the conservation area. The bus station was demolished in April 2008 leaving the health centre, library, new job centre, public house, disused magistrates court and pop in centre for the elderly as well as some other miscellaneous uses. The main pedestrianised area and most of the buildings were developed in the 1960s.

The current condition of this area is one of an underused and degraded public area with large areas of unlandscaped hard surfaces interrupted by a number of unused and unattractive buildings. The site suffers from a poor layout with hidden areas and a lack of natural surveillance, which encourages vandalism and anti social behaviour.

This proposal forms part of a large regeneration project for St Johns Square, which proposes to comprehensively redevelop the area and deliver a cohesive range of modern public buildings and services for the people of Seaham. It would also provide a safe and sustainable public space that is well used and respected by the general public. A multi-use centre has recently been approved on the site, which also forms part of the overall regeneration of the square.

The site for this planning application lies to the north of Viceroy Street, and is bounded by Sophia Street in the West and Shelley Street in the East. The site area is approximately 0.54 Hectares. The site is adjacent to Seaham town centre, and is surrounded by a mixture of uses including residential, a library (to be redeveloped in the St John's Square Multi-User Centre) and local Job Centre. It lies within the designated Seaham Town Centre boundary and just outside of the Seaham Conservation Area.

The intention of the proposed Health Centre will be to accommodate the GP practices currently located elsewhere in Seaham. In addition, a modern Primary Care Trust (PCT) led walk-in, therapy, and treatment centre will be accommodated including services such as a minor injuries clinic, x-ray, and community dentistry will be provided from the new facility. The new building is required to create better access for pedestrians and vehicles and to provide sufficient space for the delivery of modern healthcare services. The new building will also allow for future expansion or modification should healthcare needs change.

The proposed overall external gross area for the building is 4627 square metres, including an undercroft (underground) area for parking. Ground floor accommodation totals 1374 square metres which includes a pharmacy at 140m², the first floor accommodation totals 1374 square metres and the second floor accommodation totals 975m². Any future expansion would be built from the proposed undeveloped flat roof area to the eastern end of the second floor. The building is predominantly three storey but the height is stepped down to accommodate the fall in site levels.

The building would be constructed using three basic materials, reflecting the site's location and context, these would be red brick, timber cladding and an off-white render.

The design of the development will promote free movement around and through the site for all, including disabled people and older people. A new bus stop is intended close to the main entrance off Viceroy Street, dependent on the public transport provider accepting an additional stop on the routes. Vehicular access into the site is taken from both Viceroy Street and Shelley Street. The car parking area is split due to steep level changes across the site. Viceroy Street will give access to an easily accessible car park at main entrance level. Shelley Street will give access to both the secure staff car-parking area in the undercroft of the building, and open parking on the lower level of the site. In total there are 85 proposed car parking spaces including 15 spaces in the building undercroft, 4 motorcycle spaces, 4 disabled spaces and 2 parent and child parking spaces.

The aim is that the building will achieve a BREEAM excellent rating. This rating will ensure the building achieves very high standards for energy usage thus reducing the impact the building has on the environment.

PLANNING HISTORY

Outline planning permission was granted for the comprehensive redevelopment of the St Johns Square site in October 2007, this included the approval of the health centre building in principle.

There have been a number of planning applications since the early 1990s relating to the individual buildings within this site. In September 2005 the Master Plan for St John's Square was published. This was a draft document prepared by the County Council on behalf of the former District of Easington Council, Seaham Town Council and Easington PCT.

The main purpose of the document was to provide guidance on how the site could look following redevelopment and to set out the design principles that should be followed in order to achieve that end.

The current proposals are intended to reflect the aims of the Master Plan and the details included in the outline planning application.

PLANNING POLICY

NATIONAL POLICY:

Planning Policy Statement 1 (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 6 (PPS6) sets out the Government's policy on planning for the future of town centres.

REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

Policy 1 - Strategies, plans and programmes should support and renaissance throughout the North East.

Policy 2 - Planning proposals and Local Development Frameworks should support sustainable development and construction through the delivery of environmental, social and economic objectives.

Policy 3 - All strategies, plans and programmes in the Region shall contribute to mitigating climate change and assisting adaptation to the impacts of a changing climate.

Policy 6 - Plans, strategies and programmes should support and incorporate the defined locational strategy to maximise the major assets and opportunities in the North East and to regenerate areas affected by social, economic and environmental problems.

Policy 7 - Strategies, plans and programmes, and planning proposals should seek to improve and enhance the sustainable internal and external connectivity and accessibility of the North East.

Policy 8 - Strategies, plans, programmes, and planning proposals should seek to maintain and enhance the quality, diversity and local distinctiveness of the environment throughout the North East.

Policy 9 - Strategies, plans and programmes, and planning proposals should support the polycentric development and redevelopment of the Tyne and Wear City Region. This includes supporting the regeneration of Chester-le-Street, Consett, Stanley, Crook, Seaham and Peterlee, sustainably developing the tourism potential of Durham, supporting the sustainable growth of Seaham Docks, promoting the improvement of rail services on the Durham Coast and East Coast Main Line and ensuring the Green Belt continues to safeguard the countryside.

Policy 13 - Strategies, plans and programmes should support brownfield mixed use developments in sustainable locations throughout the Region.

Policy 24 - Strategies, plans and programmes and planning proposals, should assess the suitability of land for development and the contribution that can be made by design.

Policy 38 - Strategies, plans and programmes, and planning proposals should facilitate the generation of at least 10% of the Region's consumption of electricity from renewable sources within the region by 2010.

LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1 - Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 22 - The character, appearance and setting of the conservation areas will be preserved and enhanced.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

Policy 37 - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).

Policy 38 - The design and layout of development should have due regard to personal safety and security of property, particularly in hours of darkness.

Policy 95 - Health centres, doctors', dentists' and other surgeries will be approved provided they are located within or on the edge of town and local centres, do not adversely affect local amenity and accord with policies 36 and 37.

Policy 101 - Peterlee and Seaham town centres will be protected and promoted as the main retailing centres. Permission will be granted for further town centre uses and the improvement of the town centre through redevelopment and environmental and transport infrastructure improvements.

Policy S32 - Defines the area of the main shopping centre in Seaham.

Policy S33 - A comprehensive environmental enhancement scheme will be carried out by the council within and around the town centre.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

Northumbrian Water – no objections.

Environment Agency – no objections.

INTERNAL CONSULTEE RESPONSES:

Design and Conservation Officer – the proposal would result in a positive contribution to the regeneration of St John's Square. Green roofs are a good sustainable feature and the landscaping scheme is of high quality. Samples of finishing materials should be submitted before development commences.

Highways Authority – the means of access and level of car parking provision are both acceptable. Informal advice should be passed to applicant relating to vehicular crossings, bus stop design etc.

Travel Plan Officer – the travel plan is acceptable, subject to a further site-specific travel plan being submitted within 12 months of occupation.

Planning Policy – The proposed development would accord with development plan policies and provide a significant physical improvement to the brownfield, town centre site. Approval would be supported.

Environmental Health – no objections – the noise and lighting assessments appear acceptable. However, care should be taken to avoid illumination of residential properties.

Countryside officer – No objections. Survey reports conclude that bats were not using the buildings and the risk of them being harmed as a result of the development are very low. However, there will be a need for further survey work should the buildings not be demolished by the end of July 2009.

PUBLIC RESPONSES:

Durham Bat Group – the bat survey is inadequate.

Seaham Environmental Association – queries relating to car parking, roof styles, building design etc.

Durham Constabulary – the proposals adhere to the principles of Secured by Design and would provide a safe, secure and sustainable development.

NHS County Durham – letter of support.

A press notice and site notice have been published. No public responses have been received.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet>

PLANNING CONSIDERATION AND ASSESSMENT

Following outline approval of this proposal, the main planning considerations are considered to be the design and layout, parking and access, the suitability of the building within Seaham Town Centre and protected species.

This planning application seeks detailed approval for the health centre building within the St Johns Square site, outline approval for the whole redevelopment of the site was granted in 2007. Specific relevant policies are noted earlier in this report; it is considered that the proposed development conforms to the District of Easington Local Plan, Regional Spatial Strategy and Planning Policy Statements. The building would be constructed on previously developed land, and within an existing urban area.

Design and Layout

The buildings appearance, materials and detailing are designed to enhance the setting of the site and would relate well with surrounding buildings. The red brick, timber cladding and off-white render would be robust and have a long life expectancy. The majority of windows would be timber and supplemented by aluminum where necessary. Sedum roofs which are flat roofs covered with planting, be used across the site in order to promote biodiversity. The applicant met with Durham Constabulary before the planning application was submitted to ensure that the building would provide a safe, secure and sustainable development.

The main entrance is located at the towards the centre of the building, with an axis in line with future proposals for the public realm in St John's Square. This would ensure a prominent and easily identifiable entrance. Large areas of glazing would provide a visual connection between inside and outside of the building and would promote an active frontage and a safer public realm.

The design and layout of the proposal generally conform to that which was approved in the outline application. In addition, the proposal is considered to be in accordance with the relevant design and layout policies. There are no adverse impacts on the street scene or surrounding occupants.

The design and conservation officer agrees that the proposal would make a positive contribution to the square and has no objections to the proposals.

In accordance with policy 38 of the RSS, 10% of energy should be generated from decentralised and renewable energy or low carbon sources, it is noted that all occupiers of the St John's Square site have signed a development agreement which ensures that this target is achieved across the site as a whole, however, a condition should be imposed requiring a scheme to be submitted showing how this will be achieved.

Parking and access

The Highways Authority have deemed the proposals acceptable subject to some informal advice being passed to the applicant in relation to issues such as vehicular accesses, bus stop design and turning areas for refuse vehicles.

It is considered by the Highways Authority that the level of car parking provision (85 spaces) is acceptable in relation to the size and scale of the proposed building. This is further improved due to the proposed health centres town centre location, which is well accessed by public transport.

The applicant has signed up to the St John's Square Travel Plan which involves all users of the site. However a site specific travel plan should be submitted by the applicant within 12 months of the occupation of the buildings. This will help reduce reliance on the private motor vehicle and promote more sustainable forms of transport.

Town Centre Location

The application is considered to accord with all relevant town centre policies. St John's Square is identified by saved Local Plan Policy S33 as a site for a comprehensive enhancement scheme, implemented by the Council and other partners. It is considered that the development would enhance this area of the town centre and would therefore be in accordance with this policy. The site also falls within the town centre of Seaham, where a range of uses are encouraged in Local Plan Policy S32. Particular attention was given to RSS policy 9, which promotes the regeneration of Seaham, and PPS 6 - Planning for Town Centres, which promotes viability for town centres as an importuning precursor to the renaissance of urban areas, and encourages a wide range of services for public and personal provision with high quality designs in a bid to improve public realms as a priority to inclusiveness of an area.

Protected Species

An existing magistrates court and clinic would need to be demolished to accommodate the new health centre building. As such, bat surveys have been submitted in support of the planning application. The Council's Countryside Officer is satisfied with the outcome of these surveys, the survey reports conclude that bats were not using the buildings and the risk of them being harmed as a result of the development are very low. However, there would be a need for further survey work should the buildings not be demolished by the end of July 2009. A suitable condition should be imposed to ensure this takes place if required. It was also requested that consideration be given to incorporating some bat friendly features into the new buildings. Although bat activity is low around the area at present, the proposed landscaping could attract foraging bats in the future and incorporating some roost features at the design/ building stage would be a low cost way of increasing opportunities for bats and contribute to the PCT's and DCC's 'Duty' under the NERC Act. This advice will be passed to the applicant.

Applicant statement

The applicant has submitted a statement in order to support the proposals. The applicant is committed to the joint effort to regenerate St Johns Square. This application marks a major milestone in the development of the St Johns Square project and works toward fulfilling the aspirations of the local NHS and the Government's commitments to improve primary health and social care provisions within local communities. This development would facilitate much-needed modernisation and expansion of the primary health and social care services and associated pharmacy to the benefit of the local Seaham and Murton population. The design follows both local and national planning guidance and specific guidance with its use as a health centre. The contemporary design will enliven the street scene, relate well to the future public realm proposals, and will meet the sustainable requirements set by both the NHS and Local Government.

CONCLUSION

This application has been submitted in order to progress the regeneration of St John's Square – a major central public open space which includes buildings that are in the main in a physically run down condition and contribute negatively to the overall appearance of this part of Seaham. The St John's Square Master Plan provided guidance of how the site could look following redevelopment and set out the design principles that should be followed in order to achieve that end.

This application is for one more element of the regeneration of St Johns Square and carries forward the aims of the Master Plan.

It is considered that the proposals are acceptable in planning terms, conforming to relevant planning policies and guidance as well as promoting the regeneration of this part of Seaham, therefore it is recommended that planning permission is granted.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The car park shown on the plan hereby approved shall be constructed and marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be agreed with the Local planning authority. Thereafter the car parking spaces shall be used and maintained in such a manner as to ensure their availability at all times for the parking of vehicles.
3. A site specific Travel Plan should be submitted to and approved in writing by the Local planning authority within 12 months of the occupation of the building(s). The site specific Travel Plan surveys should be undertaken within 6 months of the occupation of the building(s) The development shall thereafter be implemented in accordance with the approved details.
4. Notwithstanding any details of materials submitted with the application no construction shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.
5. Prior to the commencement of the development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local planning authority. The scheme shall include at least 10% decentralised and renewable energy or low carbon sources unless otherwise agreed in writing by the Local planning authority. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to first occupation and thereafter retained in perpetuity.

6. The development hereby approved shall be carried out in accordance with the Recommendations (Section 5) of the Middlemarch Environmental report submitted on 26th March 2009, unless otherwise agreed with the Local Planning Authority.
7. The construction of the development hereby permitted shall not be commenced until:
 - a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority if identified as being required following the completion of the desk-top study.
 - b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority.
 - c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority.
 - d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme.
 - e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material shall be agreed with the Local Planning Authority
8. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the Construction of development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.
9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development (or occupation of buildings or commencement of use) and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local planning authority gives written consent to any variation.

REASONS FOR THE DECISION

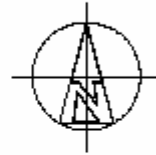
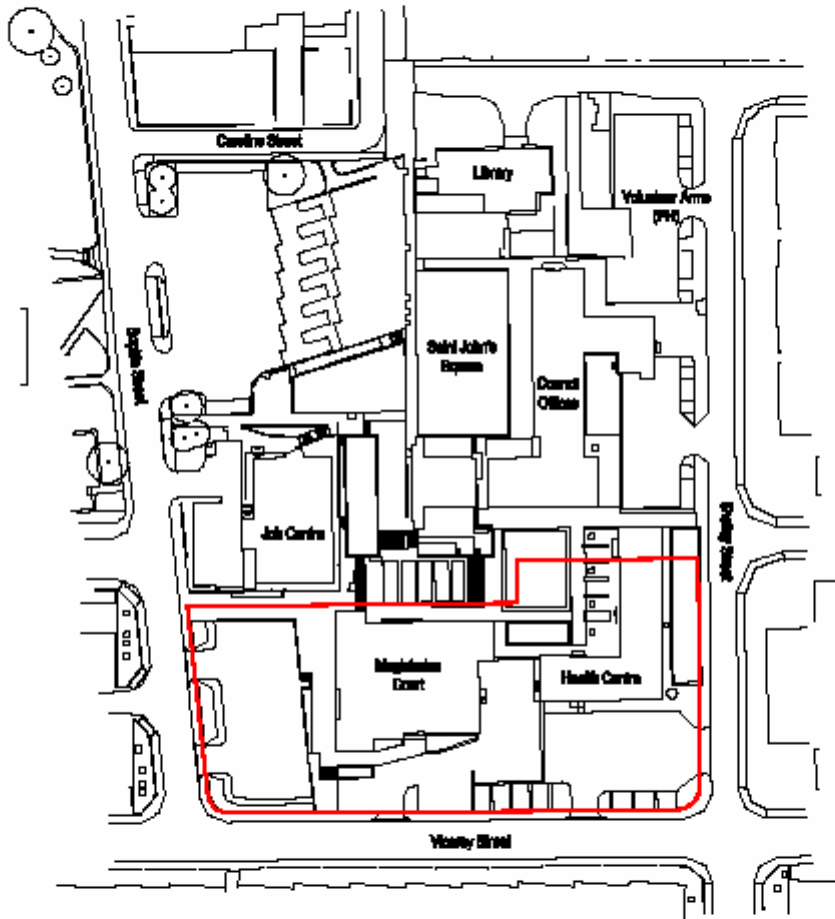
1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN	GEN01 - General Principles of Development
DISTRICT OF EASINGTON LOCAL PLAN	ENV22 - Preservation and Enhancement of Conservation Areas
DISTRICT OF EASINGTON LOCAL PLAN	ENV35 - Environmental Design: Impact of Development
DISTRICT OF EASINGTON LOCAL PLAN	ENV36 - Design for Access and the Means of Travel
DISTRICT OF EASINGTON LOCAL PLAN	ENV37 - Design for Parking
DISTRICT OF EASINGTON LOCAL PLAN	ENV38 - Designing Out Crime
DISTRICT OF EASINGTON LOCAL PLAN	REC95 – Provision of Health Facilities
DISTRICT OF EASINGTON LOCAL PLAN	SHO101 - Protection and promotion of town centres
DISTRICT OF EASINGTON LOCAL PLAN	S32 - Main shopping centre
DISTRICT OF EASINGTON LOCAL PLAN	S33 - Environmental improvements initiative in Town Centre
REGIONAL SPATIAL STRATEGY	Policies 1, 2, 3, 6, 7, 8, 9, 13, 24, 38
PLANNING POLICY STATEMENT/GUIDANCE	PPS1 - Delivering Sustainable Development
PLANNING POLICY STATEMENT/GUIDANCE	PPS6 - Planning for Town Centres

2. In particular the development was considered acceptable having regard to consideration of issues of the principle of development, design, layout, highways issues and impacts on surrounding occupiers.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses



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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PL/5/2009/0183
FULL APPLICATION DESCRIPTION	TIMBER FRAME AND TIMBER CLAD ENTRANCE WAY, 2 NO. LOCKUP STORAGE EQUIPMENT CONTAINERS, CCTV, STEEL CONTAINER, TIMBER FRAME LEAN-TO OFFICE BUILDING (RETROSPECTIVE) (RESUBMISSION) AT LAND SOUTH OF SHARPLEY HALL FARM, SEATON
NAME OF APPLICANT	MR S WEIGHTMAN
ELECTORAL DIVISION	Seaham North
CASE OFFICER	Barry Gavillet 0191 5274305 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The application site forms part of the established "Massive Attack" paintball leisure facility located in open countryside approximately one kilometre to the west of Seaton Village. The site overall includes a paintball playing area, a collection of buildings to service the use, and associated car parking, mounding and landscaping.

This application seeks permission for various structures, which are used as part of the paintball activity, details of which are listed below. The structures subject of the application lie between the paintball playing area and a screening mound towards the front of the site and form the facilities used by visitors to the site such as toilets, seating and equipment storage.

The application consists of the following structures:

- Timber frame entrance
- Two lock up storage containers
- CCTV container
- Steel container
- Timber frame lean to buildings
- Office container

The application is retrospective apart from the office container. Previously approved structures represent around 56 square metres, whilst this application proposes additional structures covering approximately 204 square metres.

This application is a resubmission of a similar previous application that was refused by members of the former District of Easington Development Control and Regulatory Panel, contrary to the officer's recommendation. Members of that panel refused the application citing adverse impacts on the countryside and impacts on a nearby resident as reasons. This resubmitted application proposes the same structures as listed above and previously refused, however the applicant now proposes to paint the structures green and cover them in camouflage netting in an attempt to overcome members previous concerns.

It should also be noted that the applicant has submitted an appeal to the planning inspectorate against the previous refusal of planning permission. This has yet to be determined.

PLANNING HISTORY

04/0379 – Change of use to Paintball operation and associated works – Withdrawn

05/0665 – As above – Approved

PLAN/2008/0240 – Steel storage containers and lean to structures – Withdrawn

PL/5/2009/0026 – Timber frame and timber clad entranceway, 2 no. Lockup storage equipment containers, cctv, steel container, timber frame lean-to office building (retrospective) - refused

PLANNING POLICY

NATIONAL POLICY:

Planning Policy Statement 7 (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 17 - Development which adversely affects a wildlife corridor/link will only be approved where compensatory features are provided.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at (<http://www.easingtonlocalplan.org.uk/>)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

Parish Council – no response to date; however a response is expected before the committee meeting.

INTERNAL CONSULTEE RESPONSES:

Highways Authority – no objections. However the access should be improved in order to accommodate coach parties.

Planning Policy – The principle of the paintball facility has been established through previous applications, if the proposal accords with policy 35 then the application should be supported.

PUBLIC RESPONSES:

There have been 3 letters received from members of the public in response to the application, one objection, one letter of support and one neither objects or supports.

The objector has several concerns with the application including:

- The proposal conflicts with policy 35 of the District of Easington Local Plan and other local and national planning policies
- The paintball site is an intrusion into family life
- The application, and previous applications have all been retrospective
- The site has grown too big from what was originally approved
- The site resembles a bomb site, wildlife will be affected
- The application represents a further 204sqm for new 8 buildings

The letter of support states that it is an excellent facility, in an ideal and unobtrusive location.

The last letter seeks clarification as to whether amplified music would be allowed on site.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet>

PLANNING CONSIDERATION AND ASSESSMENT

This proposal is almost identical to a previous submission, which was refused by members of the former District of Easington Development Control and Regulatory Panel, however it is proposed to paint the structures green and cover them with camouflage netting. On this basis the planning considerations remain the same as per the previous application.

The main planning issues relating to this application are considered to involve the visual impact of the additional structures and whether they have a material impact on the character and appearance of the area or the amenities of local residents, whether any additional activity has or will result from the development, planning policy and highways issues.

Impact on visual amenity

As the majority of structures are already in place it is relatively easy to assess their visual impact on the locality.

Site inspection reveals that the structures are mostly screened from view from the entrance area to the site by the extensive landscaped mound that has been created to the front of the site. The mound also helps to screen the majority of the development from view from the adjacent public highway and from the two residential properties to the north of the site. In addition to the landscaped mound, the applicant proposes to paint the structures and cover them in camouflage netting in order to further reduce their visual impact.

It is considered that the structures are mostly hidden from public view and do not constitute a visual intrusion within the locality nor impose on the amenities of local residents and as such are acceptable in planning terms. The proposals to paint and cover the structures are considered to assist in reducing their visual impact and to overcome the previous reasons for refusal.

Additional activity

In view of the nature of the additional structures – which are mainly for storage of equipment, seating of participants and security purposes – it is considered that there will be no material increase in activity at the site sufficient to cause harm to the amenity of local residents or harm to the character of this rural location. It should be noted that a condition was imposed on the original approval for the paintball site which restricts the numbers of participants playing paintball at any one time, this condition is still in place and the current application would not alter these restrictions.

Planning Policy

The development the subject of this application lies in the countryside, and therefore needs to be assessed against Local Plan policies that seek to protect the countryside from inappropriate development. Policy 3 of the Local Plan states that “Development outside the 'settlement limits' will be regarded as development within the countryside. Other than specifically allowed for by other policies, development in the countryside will not be approved.” Planning policy statement 7 – Sustainable development in rural areas supports tourism and leisure facilities where they are located close to service centres or villages and do not detract from the surrounding countryside.

This development is located close to Seaton Village and is associated with an established leisure use, the buildings are well screened by a landscaped mound and would be made less visible should the buildings be painted and covered by camouflaged netting.

Policy 35 of the District of Easington Local Plan states that the design and layout of development should have no serious adverse effect on the amenity of neighbouring residents or occupiers. In this instance, the nearest resident is approximately 115 metres to the north of the site across the main B1404 road, as mentioned above the application site is very well screened and as such, it is not considered that the proposal would have any serious adverse effect on the amenity of residents.

On this basis, the development is considered to accord with Local Plan policies.

Highways Issues

The Highway Authority has no objections to the proposals although considers that the access needs to be upgraded to a standard suitable to accommodate coaches.

Applicants Statement

The application seeks approval for the retention of a series of structures required to enhance the existing established paintball facility. In terms of the impact on surrounding countryside and on neighbours it is considered that the intention to paint the structures green and cover them in camouflage nets would offer a design solution in keeping with the paintball site and would assist in preventing the limited views of the site from the surrounding countryside.

In view of the above we would respectfully request the Council to support this planning application.

CONCLUSION

It is considered that the physical extent of the proposed and existing structures is restricted to such an extent that their impact on the wider environment is limited both in visual terms and in terms of their paintball customer generation.

The proposed painting and covering of the structures with camouflage netting along with extensive landscaped mounding already in place nearby would assist in screening the majority of the structures from public view and from nearby residential properties. The revisions to the previous application are considered to be sufficient to overcome the reasons for refusal, and as such it is considered that there are no planning reasons why planning permission should not be granted in this instance.

RECOMMENDATION

That the application be approved subject to the following conditions;

Conditions:

1. The structures hereby approved shall be painted within six weeks of the date of this permission in accordance with details of colour to be agreed in advance with the Local Planning Authority, or such other period as may be agreed by the said

authority. Thereafter, the agreed colour shall be maintained on all the approved structures throughout the lifetime of the development.

2. Notwithstanding the information shown on the submitted plans, details of access improvements to provide satisfactory coach access shall be submitted to and approved in writing by the Local Planning Authority and implemented within six weeks of the date of this permission, or such other period as may be agreed by the said authority. Thereafter, the approved access shall be retained throughout the lifetime of the development.

REASONS FOR THE DECISION

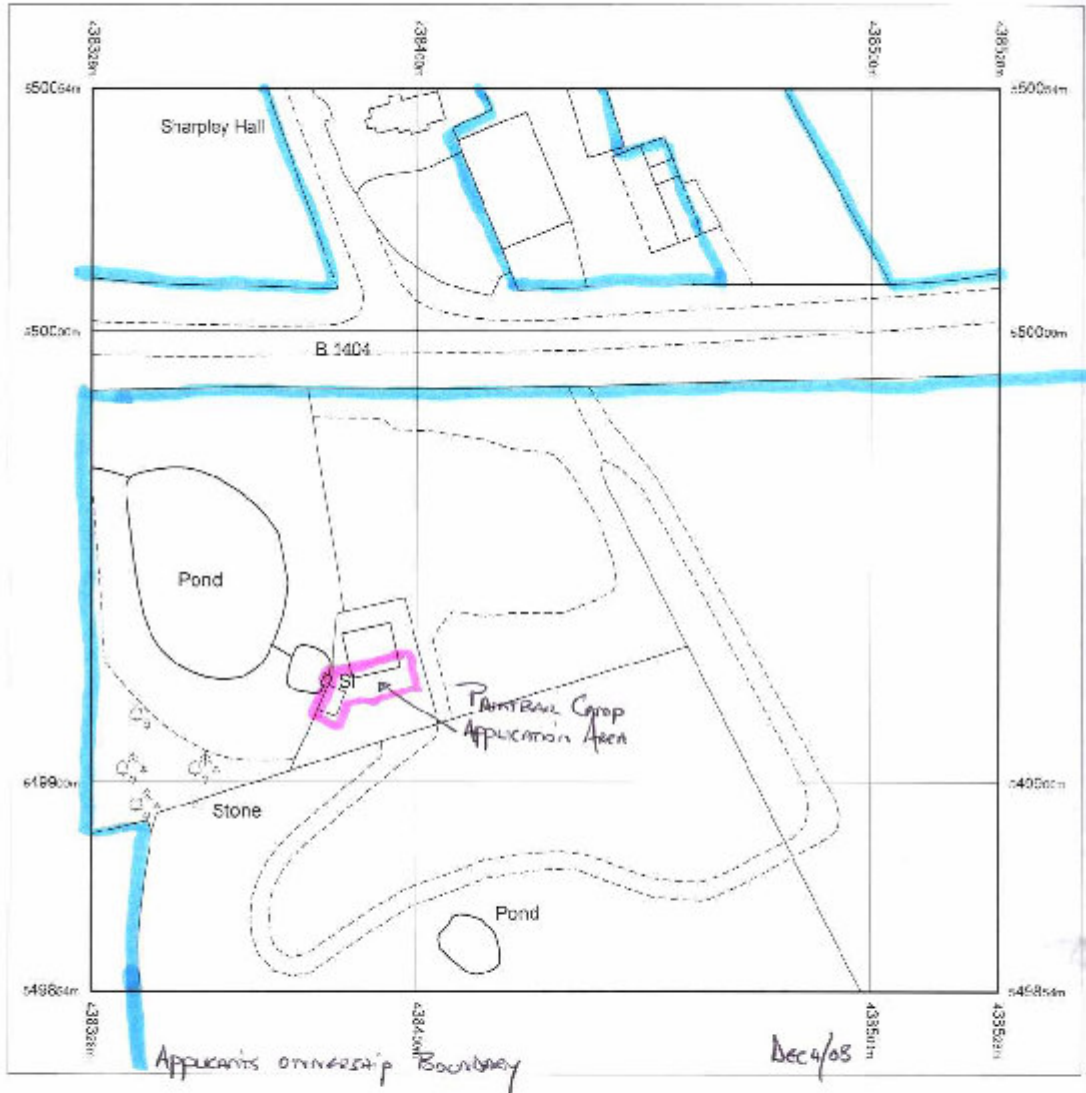
1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN	GEN01 - General Principles of Development
DISTRICT OF EASINGTON LOCAL PLAN	ENV03 - Protection of the Countryside
DISTRICT OF EASINGTON LOCAL PLAN	ENV17 – Wildlife corridors
DISTRICT OF EASINGTON LOCAL PLAN	ENV35 - Environmental Design: Impact of Development
DISTRICT OF EASINGTON LOCAL PLAN	ENV36 – Travel and access
PLANNING POLICY STATEMENTS	PPS7 - Sustainable Development in Rural Areas

2. In particular the development was considered acceptable having regard to consideration of issues of the visual impact of the development on the countryside and amenity of nearby residents.
3. The stated grounds of objection concerning impacts on the countryside and impacts in residential amenity are not considered significant enough to warrant refusal of planning permission.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance PPS7
- Consultation Responses



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Scale 1:1250

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District of Easington	
Paintball Site	
Sharpley Hall	
Seaton	

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	4/09/00174/FPA
FULL APPLICATION DESCRIPTION:	Land At Ridding Road, Esh Winning, Durham
NAME OF APPLICANT:	Demolition of 17 no. existing dwellings and erection of 30 no. 2 and 3 bedroom dwellings with associated access, parking and landscaping, together with closure of existing access road (revised and resubmitted)
ELECTORAL DIVISION:	Deerness Valley
CASE OFFICER:	Mr S France steve.france@durham.gov.uk 0191 301 8711

DESCRIPTION OF THE SITE AND PROPOSALS

This application by Durham Villages Regeneration Company proposes the residential re-development of a prominent corner site an Woodland Road/Ridding Road in the village Esh Winning, 6.5 miles west of Durham City. The site is currently occupied by an open-plan development of 17 bungalows served from a cul-de-sac. The site is bound to the north, west and east by Local Authority built two storey dwellings, of mid-link and semi-detached arrangement, with a garage court, electricity sub-station and cemetery facing the eastern boundary of the site across Woodland Road. The roadways adjacent to the site boundaries to the north and east are main estate roads accessing large housing estates, connecting to the highway network beyond the village, There is a school to the south of the site. Two mature trees are sited on the northernmost point of the site, adjacent to the cross-roads. The site slopes to the south.

The application proposes the redevelopment of the existing properties, known as Pinetree, with removal of the exiting bungalows and cul-de-sac.

Proposed in their place is a development of 30 no. new dwellings of two and two and a half storeys in height. The main layout is served by a hammer-head cul-de-sac, with highways layout accessed from Ridding Road in a location similar to the existing site entrance. A vehicular archway through the mid-link units proposed on the eastern boundary serves the four units in that part of the site. The existing trees on the cross-roads are to be retained. The site is within easy walking distance of the nearby school, and the village centre beyond.

Ten of the thirty houses proposed are to be 'Social Rented Houses'.

PLANNING HISTORY

Whilst there is no planning history pertinent to the development of this site, it is noted that the application was submitted originally with proposals to develop a nearby site on the corner of Woodland Road and College View. That application was a site of 100% affordable housing, but as part green-field represented a departure from Policy, and was considered by Committee as 'minded to approve', subject to ratification by the Government Office North-East (GONE). Confirmation that the decision may be issued, and the application will not be 'called in' has been received from GONE and the Section.106 agreement to secure delivery of the affordable homes is now in process, after which the formal planning notice will be issued.

In the meantime the proposals for this application site were withdrawn at the request of Officers, and elements of the scheme, proposed at 3 storeys, redesigned.

PLANNING POLICY

NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development, sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. This PPS replaces Planning Policy Guidance Note 1, General Policies and Principles, published in February 1997.

Planning Policy Statement 3: Housing, underpins the delivery of the Government's strategic housing policy objectives and our goal of ensuring that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Statement 9: Biodiversity and Geological Conservation, sets out planning policies on protection of biodiversity and geological conservation through the planning system. These policies complement, but do not replace or override, other national planning policies and should be read in conjunction with other relevant statements of national planning policy.

Planning Policy Guidance 13: Transport, objectives are to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight. It also aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car. To deliver these objectives, the guidance says that local planning authorities should actively manage the pattern of urban growth, locate facilities to improve accessibility on foot and cycle, accommodate housing principally within urban areas and recognise that provision for movement by walking, cycling and public transport are important but may be less achievable in some rural areas.

Planning Policy Guidance 17: Sport and Recreation, describes the role of the planning system in assessing opportunities and needs for sport and recreation provision and safeguarding open space which has recreational value. The guidance observes that it is part

of the function of the planning system to ensure that through the preparation of development plans adequate land and water resources are allocated for organised sport and informal recreation. It says that local planning authorities should take account of the community's need for recreational space, having regard to current levels of provision and deficiencies and resisting pressures for development of open space which conflict with the wider public interest. It discusses the role of all levels of plan, planning agreements, and the use of local authority land and compulsory purchase powers. It discusses provision in urban areas, the urban fringe, the Green Belts, and the countryside and particular sports including football stadia, water sports and golf.

REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

This document reinforces national guidance in respect of the re-use of previously developed land and buildings, requiring Local Authorities to achieve 60% of new housing on 'brownfield' sites by 2008. Policies are also included to ensure incorporation of alternative energy production methods to reduce carbon emissions.

LOCAL PLAN POLICY:

Policy E14 (Trees and Hedgerows) states that in considering proposals affecting trees and hedgerows the Council will not permit the loss of ancient woodland, designate TPOs as necessary, require development to retain important groups of trees, individual trees and hedgerows, requiring a survey of such when development may affect such.

Policy E5a (Open Spaces within Settlement Boundaries) does not permit proposals which would detract from the functional, visual and environmental attributes they possess will not be permitted.

Policy E16 (Protection and Promotion of Nature Conservation) is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. Unacceptable harm to nature conservation interests will be avoided, and mitigation measures to minimise adverse impacts upon nature conservation interests should be identified.

Policy H3 (New Housing Development in the Villages) addresses the Council's approach to new housing development in the villages, Esh Winning being identified as a 'larger' village. New housing development in addition to that formally identified in the Local Plan comprising previously developed land will be permitted, providing it is appropriate in scale, design, location, and number of units, with such site likely to be limited in number in smaller villages. The area proposed to be developed must not possess important functional, visual or

environmental attributes which contribute to the settlement's character. There is exceptional opportunity for the development of small 'green-field' sites in identified villages, where clear and quantifiable regeneration benefits can be demonstrated, and cannot be achieved on 'brown-field' land. Esh Winning is an identified village.

Policy H12 (Affordable Housing) seeks the provision of an element of affordable housing on schemes where over 25 units are provided or where the site area would exceed 1.0ha. The associated Cabinet approved (December 2006) Supplementary Planning Document advises that 30% of all dwellings on a site providing over 25 dwellings should be provided as affordable units in perpetuity. Affordable Housing is defined in PPS3 as being housing which includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should meet the needs of eligible households including availability at low cost and should include provision for the homes to remain affordable in perpetuity.

Policy H14 (Improving the Character of Residential Areas) encourages developments and initiatives which secure environmental improvements within existing housing areas, providing that development respected and where appropriate enhanced local character.

Policies T1 and T10 (Highways – General and Parking) of the Local plan relate to general and parking related highways policies, starting from the point that planning permission will not be granted for development that would generate traffic which would be detrimental to highway safety and/or have a significant affect on the amenity of occupiers of neighbouring property. Vehicular parking for new development should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of developments.

Policy R2 (Recreational and Amenity Space) In developments of 10 units or more open space is required in or adjacent the development, to a prescribed formula, or where it is shown this cannot be achieved, monies in lieu, to allow the Council to provide for such in the locale.

Policies Q1 and Q2 (Quality of Development) sets out criteria all new development must take into account in its design and layout, including elements of personal safety and crime prevention, the needs of the disabled and the elderly, minimising conflict between pedestrians and vehicles and so on.

Policy Q8 (Quality of New Residential Development) the Councils standard requirements to ensure the quality of new residential development are set out. Criteria include providing for adequate amenity and privacy for each dwelling, minimising the impact of the proposal upon the occupants of existing nearby and adjacent properties, provision of safe, accessible and attractive open space, retaining existing features of interest including trees and hedgerows, and being appropriate in scale, form, density, and materials to the character of its surroundings, along with making the most efficient use of the land.

Policy Q5 (Landscaping General Provision) sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.

Policy U7 (Pollution) states that development sensitive to pollution will not be permitted on land subject to unacceptable levels of noise.

Policy U8a (Foul and Surface Drainage) outlines the requirements for accommodation of foul and surface drainage within development schemes.

Policy U14 (Energy Conservation – General) states that the energy efficient materials and construction techniques will be encouraged.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

The Highway Authority note the existing Cul-de-sac will need to be stopped up.

Northumbrian Water asks for conditions to ensure redirection of their apparatus on the site, and agree a scheme for the drainage of surface water on the site.

INTERNAL CONSULTEE RESPONSES:

None

PUBLIC RESPONSES:

One adjacent resident has asked how an adjacent area of grassland will be accessed for maintenance.

No response has been received from Brandon and Byshottles Parish Council.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=09/00174/FPA>

PLANNING CONSIDERATIONS AND ASSESSMENT

In principal this application represents redevelopment of 'brownfield' or previously developed land, and is acceptable in principle. Policy H3 sets out the requirements for New Housing Development in the Villages around Durham City, requiring them to be appropriate in scale, location, design and number of units, whilst respecting the character of the settlement. Policy Q8 gives more general advice on the requirements of new residential development, with specific reference to the need to protect the privacy and amenity of existing and potential residents. The other principal policies that should be considered against these proposals are H12 on Affordable Housing, and E14 in relation to the on site trees.

The proposals represent a denser form of development for the site, with the existing 17 no. bungalows being replaced with 30 dwellings of two storeys or above, in line with modern site densities. Government guidance set out in PPS3 requires Councils to make the most efficient use of housing land, albeit this must be balanced against the aspirations of PPS1 with its emphasis on quality of design issues, reflected in the similar requirements of Policies Q8 and H3, which also emphasise the need to protect residential amenity.

Officers consider that the higher density of dwellings proposed, both in layout, and type of accommodation is justified and acceptable in the current scheme. The layout has been slightly amended during the course of the application to ensure adequate separation distances from the existing housing to the south. There are some internal facing relationships within the scheme that are slightly deficient compared to the guidelines set out in the supporting justification to Policy Q8, but these relationships will be apparent to new residents, and are likewise considered acceptable. PPS3 also states that good locations for new residential development are those, 'which offer a range of community facilities, and (have) good access to jobs, key services, and infrastructure'. Whilst situated towards the outskirts of the village, the site is very close to the primary school, and less than 500m walk from the Market Place, which has a range of shops and facilities, and a regular bus service to Durham. A bus service runs approximately every 35mins along Woodland Terrace, that fronts part of the site.

The predominantly two-storey form of development is in scale and character with the existing surrounding environment, with the higher properties proposed facing the crossroads reflecting the topography of the site, and an improvement over the originally submitted three storey designs. Each of the dwellings, with the exception of the apartment over the vehicular archway mentioned above, benefits from private residential curtilage, and an appropriate level of garaging / parking, in private courtyards is provided in line with Policy T10. All parking is off-street. The applicants have developed a house style that is an appropriate fit for the vernacular of the former pit villages, with simple detailing, artstone heads and cills and a range of appropriate materials, meeting the requirements of policies H3 and Q8 in respect of scale, character and design.

The recent Strategic Housing Market Housing Assessment (GVA Grimley, 2008) recommends that the majority of new housing in County Durham should be two- and three-bedroomed houses, while 30% of new Housing in Durham City (District), Teesdale and Chester-le-Street should contain 4 or more bedrooms. With the proposed development including two-, three- and four- bedroomed houses, this aspiration is met, and complies with Policy H12 of the Local Plan, and is also compatible with the approach set out in PPS3. Policy H12 of the Local Plan also requires the Council to negotiate for a 'fair and reasonable' proportion of affordable housing and in this respect the proposed scheme's 33% provision exceeds this policy's requirements.

The scheme is submitted by the Durham Villages Regeneration Company (DVRC), a partnership committed to providing affordable energy efficient housing in the County Durham Area. The DVRC's proposals for this site involve 10 of the 30 proposed dwellings to be built to the Homes and Communities Agency (HCA) National Affordable Housing Programme, April 2007 Design and Quality Standards. All of the homes will be contracted for sale to a registered Social Landlord, prior to works commencing on site. The DVRC, in partnership with Nomad E5 and the ISOS Housing Group, are prepared to accept a condition of a Section.106 legal agreement to ensure the 10 dwellings are passed to a Registered Social Landlord for onward rent or shared ownership, in line with current HCA procedures and policies. The Annual Audit and Inspection Letter issued by the Audit Commission (Feb. 2009) in examining the Durham Villages Regeneration partnership commended this 'highly effective Public Private Partnership (in) delivering affordable housing and low cost home ownership within the area... this partnership has delivered significant community benefits in terms of affordable housing, enhanced access and better community facilities'.

A supporting technical report submitted with the application notes the site as of 'low ecological value', with the exception of the two trees to be retained, which being oaks, have the ability to support a range of vertebrate and invertebrate species, including small numbers of birds and individual roosting bats. The buildings to be demolished on the site do not meet the generic screening criteria used to assess the likelihood of bat roosts in buildings, being of post-war construction. The trees on the corner of the site, and the open space upon which they sit are proposed protected in line with Policies E14 and E5a. A condition to protect them during site works is proposed.

The extended area of grassland referred to by the neighbour is not landlocked, but accessible for maintenance between residential properties in the adjacent cul-de-sac.

The impact of the extent of hard-standing within the development will be mitigated by the use of a variety of materials and colours, through imposition of an appropriate condition. Similarly conditions are proposed to meet the detailed technical requirements of Northumbrian Water. Given the density of development of the site it is suggested that permitted development rights be removed from walls, fences, extensions and outbuildings, to give the Council as Local Planning Authority further control over these elements in future. Finally, given that the development is proposed in a mature residential area, close to a school, where a high proportion of families and children could be expected, restrictions on site working hours are proposed.

APPLICANTS STATEMENT

Durham City's Affordable Housing Supplementary Planning Document dated March 2007 calls for the provision of 30% affordable housing on all sites above 25 dwellings. The policy document calls for 70% of the affordable homes to be for rent and 30% to be for low cost market housing. It seeks to ensure that the affordable homes remain affordable in the long term. It recognizes the role that Registered Social Landlords (RSL) can play in this respect and acknowledges that their involvement is an "*effective way of controlling occupancy without the need for additional occupancy controls*". The policy states that where there is no RSL involvement a legal agreement under section 106 of the Town and Country Planning Act 1990 to control occupancy will be required.

DVR's proposals for the site allow for the development of 10 of the 30 dwellings proposed (33%) to be built to the Homes and Communities Agency (HCA) National Affordable Housing Programme April 2007 Design and Quality Standards. The intention is that these 10 homes will be contracted for sale to a Registered Social Landlord prior to works commencing on site. Discussions in this respect are well advanced with NomadE5. DVR would be happy that these proposals are secured via a simple section 106 agreement that requires DVR to dispose of the 10 identified dwellings to a Registered Social Landlord for onward rent or shared ownership sale in line with current HCA procedures and policies.

The final affordable housing tenure mix between homes for rent and homes for shared ownership sale is something that DVRC are willing to allow the registered social landlord and Durham County's housing personnel to decide based on local needs.

CONCLUSION

The application proposes a layout of new housing of modern design, density and specification providing 30 no. dwellings, replacing the existing cul-de-sac of bungalows. The application provides for affordable housing with private curtilage and off-street parking, well located for village facilities and transport routes. Subject to a Section.106 agreement to ensure delivery of the 'affordable' element of housing, and conditions to ensure an appropriate quality of building works, the merits of the scheme are considered sufficient to justify a positive recommendation.

RECOMMENDATION

That the application be **APPROVED** subject to;

- a) Completion of a Section 106 Agreement to ensure that 10 dwellings are passed to a Registered Social Landlord for onward rent or shared ownership.
- b) The following conditions:
 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 2. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
 3. Prior to the commencement of the development details of means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The enclosures shall be constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate.
 4. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hard-standing areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
 5. Notwithstanding the information shown on the submitted plans the proposed windows shall be set at least 75mm in reveal in accordance with details which shall be submitted at 1:20 scale, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
 6. No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance

with the approved details before any part of the development is occupied.

7. No development shall commence (nor shall any materials or machinery be brought on the site) until details showing the exact position of protective fencing around trees and hedges within, and adjacent to the site have been submitted on plan, and agreed in writing by the Local Planning Authority.
 - a) No construction work shall take place unless all of the protected trees and hedges within the site have been protected by the agreed fencing, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting either cleft chestnut pale fencing (in accordance with BS 1722: Part 4) or chain link fencing (in accordance with BS1722: Part 1) unless otherwise agreed by written consent of the Local Planning Authority.
 - b) No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place within the protective fenced areas, and no work is to be done as to affect any tree, without the prior written agreement of the Local Planning Authority.
 - c) Ground levels within the fenced areas shall not be altered and any trenches which are approved to be excavated within the root zone or branch spread shall be done so by hand digging or tunnelling only, no root over 50mm being cut and as many smaller roots as possible retained. If trenches are to remain open for more than 24 hours all exposed roots must be protected with earth cover. Trenches shall be completely backfilled in consolidated layers within seven days or temporarily backfilled in lengths under the trees.
 - d) Notwithstanding the tree surgery works agreed by this permission in accordance with the arboricultural report, no removal of limbs or other tree surgery works shall be done to any of the protected trees within the site unless the prior written approval of the Local Planning Authority has been sought.
 - e) No underground services trenches or service runs shall be laid out without the prior written approval of the Local planning authority with the agreed works being undertaken in accordance with the National Joint Utilities Group ('Guidelines for planning, installation and maintenance of utility services in proximity to trees), and BS 5837:2005 'Trees in Relation to Construction'.
8. No building, site works or machinery shall be used or shall be carried out on; any Sunday or Bank Holiday, on Monday to Friday outside the hours of 8.30am and 6.00pm, and on Saturdays outside the hours of 9.00am and 1.00pm.
9. Notwithstanding the provisions of Class Q8 of the City of Durham Local Plan, 2004 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any enlargement, improvement or other alteration to the dwelling(s) hereby approved and any buildings, including sheds, garages and glass houses to be erected within the curtilage of the dwelling-house(s) shall be submitted to and approved by the Local Planning Authority.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no buildings, structures, extensions, fences, gates, walls or other means of enclosure shall be erected within the curtilage of any dwelling without the prior written approval of the Local Planning Authority upon an application submitted to it.
11. Development shall not commence until confirmation that agreement has been reached with Northumbrian Water for a scheme for the diversion or redesign of drainage apparatus, with no building works allowed over such. Evidence of this agreement must be provided to the Local Planning Authority in writing, before development commences.
12. No development shall commence until details of any changes to the site levels and any proposed mounding and retaining structures have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in complete accordance with the approved details.

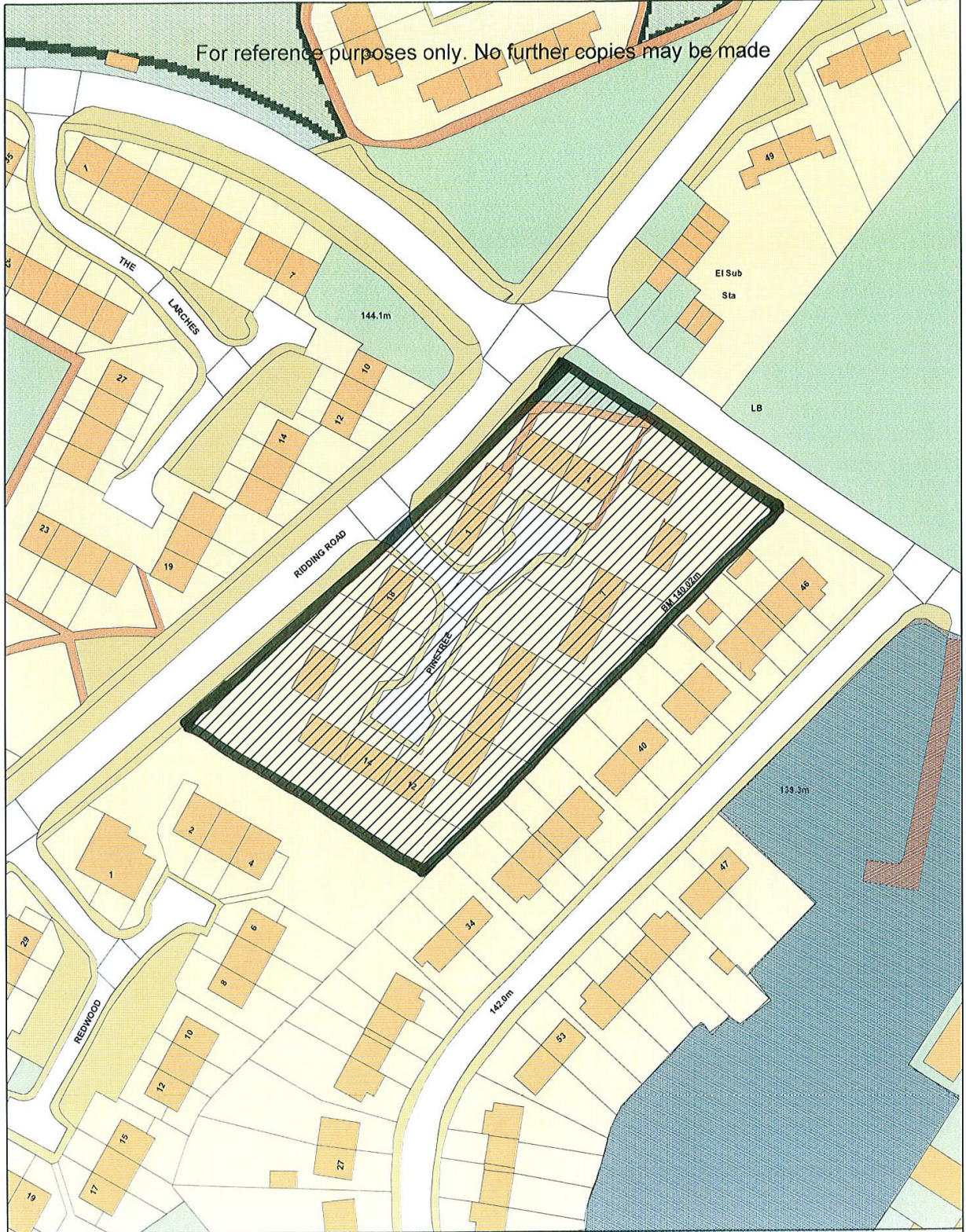
REASONS FOR THE DECISION

1. The development was considered acceptable having regard to the following development plan Policies E14, E5a, E7, E16, H3, H12, H14, T1, T10, R2, Q1, Q8, Q5, U7, U8a and U14 of the City of Durham Local Plan 2004.
2. In particular the development was considered acceptable having regard to consideration of issues of, density, scale, character, and potential impact on residential amenity and privacy.
3. The representation received related to a concern a Council maintenance issue for which provision can be made.

BACKGROUND PAPERS

Submitted Application Forms and Plans
Design and Access Statement
E3 Ecology Phase 1 Protected Species Survey
Batson Tree Report
Queensbury Design – Flood-risk Assessment
North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
City of Durham Local Plan 2004
Planning Policy Statements / Guidance, PPS1, PPS3, PPS9, PPG13, PPG17
The Annual Audit and Inspection Letter, The Audit Commission (Feb. 2009)
Strategic Housing Market Housing Assessment, GVA Grimley (2008)
Responses from County Highways and Northumbrian Water
Public Consultation Response

For reference purposes only. No further copies may be made



Planning Services

4/09/00174/FPA

Land At Ridging Road, Esh Winning, Durham

Comments

COMMITTEE MAP

Date

08 June 2009

Scale

1:1000

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