

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NOS: 4/09/965FPA And 4/10/078LB

FULL APPLICATION DESCRIPTION: Change of use of existing vacant building, with external renovation and restoration consisting of repair to detailing and cupola, replacement of windows, and alterations to rear elevation, erection of replacement roof, internal demolition, introduction of third floor level and lift, and retention of internal features to form 20 no. residential units for older residents, with external works including provision of car parking spaces

NAME OF APPLICANT: Brett Brothers Developments

ADDRESS: Memorial Hall
Brandon Road
Esh Winning
Durham
DH7 9PB

ELECTORAL DIVISION : Deerness Valley

CASE OFFICER: Mr S France, Senior Planning Officer, 0191 301 8711,
steve.france@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. Esh Winning is a medium sized former mining village in the Deerness Valley, six miles west of Durham City. Whilst the village collieries closed in the 1960s the settlement retains the strong character of a typical Durham Mining community.

2. The former Miners' Memorial Hall was erected in 1923, at a cost of £10,024-0-8d in the main through public subscription from the mining community. The building functioned as a social centre, with a compact arrangement of concert hall / cinema, swimming bath, reading room and meeting rooms. A local architect produced a scheme for a grandiose building of high quality brick and terracotta in an Edwardian Baroque Revival style. Whilst not an 'untypical' design, and out of date in its time in appearance and use, it presented a glowing contrast to the surrounding terraces. Designated a Listed Building in 1976, the building is the finest expression of the mining heritage in the village.

3. The hall had a variety of social centre type uses until 1978 when it was bought for use as a warehouse, by which time the roof in particular was deteriorating, and vandalism was beginning to occur. The former City Council made a number of approaches to the owners between the 1970s and 2000, and granted permission for its use as a nursing home in 1991, without success in intervening in the deterioration of the building. By 2001 the Local Authority were exploring the use of formal Repairs Notices, however an end buyer could not be found, and such was the perilous state of the building that demolition and relocation were considered as options.

4. By 2008 the building was effectively without a roof, windows were missing or boarded, the rear elevation had suffered considerable wall-tie failure, and the front parapet was leaning from the building over the pavement below. Internally a pigeon infestation, the collection of rubbish, and repeated attempts at vandalism provoked the Council's Chief Engineer, Conservation Section and Environmental Health Section into a renewed period of negotiation with the owners, as the situation of the building, both in terms of public safety and the future of the listed building, had become critical. An Urgent Works notice was threatened, and the site partially secured, and the former owner prepared the ground for an application to demolish the listed building. The resulting required marketing exercise surprised many when it found a developer wishing to take on the building and convert it to a form of sheltered accommodation, without external funding.

Since the point of sale, and in advance of the two applications presented here the new owner has been allowed to undertake a series of significant stabilisation works, including a replacement roof and structure, and the rebuilding of the part collapsed external brick skin of the rear of the building, those works being covered in retrospect by the current applications.

5. The planning and Listed Building applications presented here propose Change of Use of the existing vacant building, with external renovation and restoration consisting of repair to detailing and cupola, replacement of windows, and alterations to rear elevation, erection of replacement roof, internal demolition, introduction of third floor level and lift, and retention of internal features to form 20 no. residential units for older residents, with external works including provision of car parking spaces. The only physical extension to the building is the proposed erection of an entrance porch from the rear of the building, where the proposed parking area is. This parking area is accessed from the rear lane of South Terrace near the junction with Durham Road.

6. The Miners Memorial Hall is situated on Brandon Road, flanked by traditional terraced properties on either side. Facing the Hall across Brandon Road is Our Lady Queen of Martyrs Primary School, with a Recreation Ground, Cricket pitch and Club House to the rear. The existing adjacent residential properties to the south are protected by high netting on this boundary. The relationships to surrounding residential property means that there are no residential facing implications from the scheme. The housing mix in the area includes the aforementioned traditional terracing, with terraces of Miners' Cottages and large detached properties to the south of the recreation ground. With areas of public open space, cleared grounds, and large areas of garden, the surroundings are reasonably verdant.

7. The application is presented to Committee on the basis of the number of new residential units proposed by the scheme.

PLANNING HISTORY

8. As noted above, planning permission was granted to convert the building to a nursing home in 1991, this scheme being unimplemented and expired.

PLANNING POLICY

9. 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. Particular emphasis is placed on the need for good design to be an intrinsic part of the development process

Planning Policy Statement 5: (Planning for the Historic Environment), recently published sets out the principals guiding the consideration of applications for consent relating to Heritage Assets and their setting.

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. This PPS3 sets out the expectations of the Government for Local Planning Authorities considering the various aspects of development of new houses, including issues of sustainability, quality, mix, access to facilities, land supply, and the need for 'balanced communities'.

Planning Policy Guidance 13 (Transport): This PPG's 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.

10. 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 (North-east Renaissance) seeks to deliver sustainable and inclusive economic prosperity and growth, and sustainable communities, capitalising on the Region's diverse natural and built environments, heritage and culture.

Policy 2 (Sustainable Development) sets out a series of environmental objectives, social objectives and economic objectives to address climate change issues.

Policy 4 (The Sequential Approach to Development) seeks a prioritised approach to development of sites based on previously developed land, protection of nature and heritage sites, and relation to existing homes, jobs, services and modes of transport.

Policy 6 (Locational Strategy) seeks to maintain sustainable market towns, service centres and villages whilst preserving their historic fabric and character.

Policy 7 (Connectivity and Accessibility) seeks to reduce the impact of travel demand by promoting public transport, travel plans, cycling and walking, and making the best use of existing resources and infrastructure.

Policy 8 (Protecting and Enhancing the Environment) seeks to promote measures such as high quality design in all development and redevelopment and promoting development that is sympathetic to its surroundings.

Policy 24 (Delivering Sustainable Communities) refers to the need to concentrate the majority of the Region's new development within the defined urban areas, and the need to utilize previously developed land wherever possible.

Policy 30 (Improving Inclusively and Affordability) seeks to make provision for a range of dwelling type, size and tenure, assessed against the needs of the local community, considering elements of the housing stock currently under-represented.

11. LOCAL PLAN POLICY:

Policy E21 (Conservation and Enhancement of the Historic Environment) requires consideration of buildings, open spaces and the setting of these features of our historic past that are not protected by other legislation to be taken into consideration.

Policy E23 seeks to safeguard listed buildings and their settings, by ensuring alterations and extensions are sympathetic in scale, design, and materials, and not permitting alterations which adversely affect the special interest of a listed building.

Policy H3 (New Housing Development within the Villages) allows for windfall development of previously developed sites within the settlement boundaries of a number of specified former coalfield villages across the District, provided that the scheme is appropriate in scale, design location and number of units.

Policy H9 (Multiple Occupation/Student Households) seeks to ensure that buildings in multiple occupancy do not adversely affect the character of the area and do not require significant extensions or alterations having regard to Policy Q9.

Policy H13 (Residential Areas – Impact upon Character and Amenity) states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

Policy R2 (Provision of Open Space – New Residential Development) states that in new residential development of 10 or more units, open space will be required to be provided

within or adjacent to the development in accordance with the Council's standards. Where there is an identified deficiency and it is considered appropriate, the Council will seek to enter into a planning agreement with developers to facilitate the provision of new or improved equipped play areas and recreational/leisure facilities to serve the development in accordance with Policy Q8.

Policy T1 (Traffic – General) states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.

Policy T10 (Parking – General Provision) states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

Policies Q1 and Q2 (General Principles Designing for People and Accessibility) states that the layout and design of all new development should take into account the requirements of all users.

Policy Q3 (External Parking Areas) requires all external parking areas to be adequately landscaped, surfaced, demarcated, lit and signed. Large surface car parks should be subdivided into small units. Large exposed area of surface, street and rooftop parking are not considered appropriate.

Policy Q8 (Layout and Design – Residential Development) sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.

Policy U8a (Disposal of Foul and Surface Water) requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

CONSULTATION AND PUBLICITY RESPONSES

12. STATUTORY RESPONSES:

English Heritage have considered the submitted information, and do not wish to comment.

The Highway Authority raise no objection to the scheme.

The Ancient Monument Society state they are prepared to accept that the current application represents the best last hope for a fine building which has been virtually derelict for three decades. Noting the proposed wholesale changes to the interior and rear elevations, caution is urged over the choice of window material, with upvc unacceptable on the front elevation, with detailed further comments on the cupola and lateral gables. The scheme is supported in principal, with caution urged on the handling of the detail.

13. INTERNAL CONSULTEE RESPONSES:

The response from Design and Conservation Officers summarises the history and decline of the building, a viable new use for an important Listed Building that, had the opportunity not arose, would most likely have been demolished on public safety grounds. They note that whilst the development does not represent an exercise in façade retention, the lack of remaining features gives freedom in the conversion, both internally and externally – in particular on the rear elevation. This has been used to make maximum use of the building, and therefore its economic return, an important factor when considering the poor state of the structure, and the lack of assisted funding. This need to make maximum use of the building justifies the use of the new roof-space, and a simplified approach to the front elevation windows. It is acknowledged that there are elements of the proposals that are not ideal from a purely listed building point of view, however the ‘wider picture’ of achieving the retention and appropriate use of an important listed building, from the verge of demolition, is considered to meet the required aim of retaining the listed building’s special architectural and historical character.

Policy Officers do not object to the principal of the development, and recognise the balance between a high density layout, and securing the restoration and reuse of a Grade II Listed Building.

14. PUBLIC RESPONSES:

The Parish Council conveys its full support for the proposals.

The City of Durham Trust are ‘heartened’ by the application, which brings life to a distinctive building, the Change of use being acceptable, and a sympathetic understanding of the building demonstrated in the proposed restoration, particularly the front façade.

A local Ward Member has written to offer full support for the proposals.

Objection to the scheme comes from the adjacent Council-owned recreation ground, where the resident Cricket Club have concerns regarding the relationship between the impact of their activities on the residential use of the building, and the car-parking area on the back lane, with the incompatibility of cars, windows and cricket balls. The Club has five teams, playing around 60 games on the ground per season. Each one of these games has the chance of balls going across this boundary, with risk to persons and property. The Club asks for the developer to erect safety fencing, as present on the boundary between the ground and the dwellings to the south.

15. APPLICANTS STATEMENT:

The applicant’s supporting statement details the neglect and abuse of the building, and describes its condition on purchase in a photographic and written description, noting the survival of the notable front elevation, despite the stripping, vandalism and deterioration of the inside and rear of the building, with, for example, ‘the rotten roof demoting the (reinforced concrete) first floor to a pigeon loft with dead carcasses and detritus about 50mm deep throughout. Details of the stabilisation and restorative works agreed to date, and a discussion over potential approaches to the fenestration are explored. The building is proposed restored both energy-efficient and disability friendly to enhance cohesion to the

local community through the proposed user group.

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://publicaccess.durhamcity.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=KV0D36BN02O00 and
http://publicaccess.durhamcity.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=KXKZ52BN02O00

PLANNING CONSIDERATIONS AND ASSESSMENT

16. Esh Winning Memorial Hall, despite years of neglect, is an impressively grand representation of a mining community's pride in its history and heritage. A recent change of ownership has brought the prospect of this building being retained, and given not only a viable future, but potentially an appropriate one also. The two applications presented here require firstly, formal decision on the effect of the proposals on the listed building, and the appropriateness of the alterations, restoration and compromises involved. Secondly they must be judged against the requirements of Policy E23 of the local plan and assessed in its own right, in terms of the principals and effects of residential development in this location, in giving appropriate privacy and amenity to new and existing residents, and the users of adjacent sites through the criteria of Policies H3, H13 and Q8. The development must also be able to be justified against both of these not necessarily compatible dimensions of planning principal.

17. Members will be aware from the above report, and the site visit, that works to the building, and in particular the roof and rear elevation are well progressed. Whilst in normal circumstances the commencement of works in advance of consent should be avoided, such was the perilous state of the building when acquired by the new owners, emergency structural and consolidation works were discussed in detail, agreed and commenced, given the real possibility that the structure was on the point of failure. With the unusually harsh winter, and volume of snowfall, Officers would argue this early commencement of works was subsequently justified, and may well have saved the building from its imminent collapse.

18. The application proposes the restoration of the front elevation, which has survived surprisingly intact. As part of the failed roof-structure, the cupola and bell have been removed, to be repaired and replicated to the original design. Six rooflights are proposed on the front elevation, to serve the new accommodation in the roof-space. These are placed to mimic the symmetrical original elevation, above existing openings and balustrade detailing and behind the parapet wall, and will have minimal impact visually from street level.

The major alteration for the front elevation relates to the window pattern. The existing windows are a complex design that the applicant contends is too expensive to replicate. A simplified design derived from the original has been discussed with Conservation Officers, that subject to ultimate detailing and agreement of joinery sections could be considered acceptable. Whilst compromise on the design has been discussed, the use of any material other than wood has been held as immutable, a stance by officers reflected by the response of the statutory consultees. Conditions are suggested to that effect.

19. Whilst the building has an unquestionably impressive front elevation, the rear, albeit developed with a balance and basic symmetry of openings, is of a plain, functional appearance. The proposed alterations to this elevation have been carefully considered to maintain the ethos of the original design concept, with changes and additions in character with the scale, proportions and materials of the original design. An entrance porch is

proposed to be added, and in addition to the roof-lights proposed for the front elevation, two full-height feature windows are proposed overlooking the recreation ground.

The only real surviving feature of note inside the building is the mosaic in the hallway area, proposed for retention as a centerpiece of the new use. Conservation Officers have worked hard to ensure that the project did not become an exercise in façade development, with the central entrance and circulation space, and detailed discussions of the forms of entrance doors and lobby reflecting the likely quality of those elements as originally built.

20. It would be usual with a listed building to require that the size, hierarchy and relationships of the internal spaces to be maintained. These form as much of the character and historical interest of the building as the external elevations and are retained to inform the layout of the conversion. The applicants have submitted archive plans which show the building as designed and built in 1923, showing a concert hall, swimming bath, committee room and large billiard room on the ground floor, a mezzanine gallery for the concert hall, games room, reading room, library and small hall on the first floor, in addition to gymnasium facilities on the first floor. These subdivisions had long-since succumbed to the ravages of time, vandalism and decay, with little other than the reinforced concrete structural elements still in existence. Between this effective existing 'blank slate', and the need to reach a commercially viable scheme in the total absence of available heritage grant funding, a high density subdivision for internal residential accommodation can be, it is argued accepted. The building was built to provide a social community function, and the applicants intention to provide a residential facility aimed at the over 55s has some resonance with this intention.

21. Parking is proposed to the rear of the building, using the rear lane between the rear of the building and the wall of the recreation ground.

22. Whilst acknowledging that the proposals represent a compromise in listed building terms, Officers consider that the use, and external elevations represent a scheme, that is appropriate in scale, design and materials, respecting the historic features of special interest of the building, and its setting, in accordance with the criteria of Policy E23 and E21 of the local plan and their requirements for applications affecting listed buildings and the historic environment.

23. The impact on residential amenity is restricted. The two properties either side will no longer be attached to a vacant, vandalized unstable structure. The Hall faces across the road to a Primary school, and has no residential dwellings directly to the rear. It does not therefore compromise any of the requirements for residential amenity set out in Policies H13 and Q8. In terms of principal, the development is within the settlement boundary, and well located to local facilities and transport nodes, ensuring compliance with Policies H3 and Q8.

These policies also require that the layout and residential amenity provided for new residents is to an appropriate level, and given the intended user group, the density and room sizes can be considered appropriate.

24. The one objection to the scheme comes from the adjacent Cricket Club, who note they have five teams, playing around 60 games on the ground per season. Each one of these games has the chance of balls going across this boundary, with risk to persons and property. The Club asks for the developer to erect safety fencing, as present on the boundary between the ground and the dwellings to the south. The developer has declined this request, considering the responsibility for such to rest with the Club. A fence has already been erected by the Club on the boundary with the houses immediately south. This fence was contentious with some residents with issues raised about the potential for noise in

the protective netting. The relative positions of the developer and the club have presented an impasse. Whilst a solution between the parties would be preferable, this is effectively a problem between two adjacent land-users. Officers do not consider a condition on the developer reasonable, but acknowledge that the lack of resolution of this issue is unsatisfactory and not sufficient to warrant a refusal.

25. The Cricket Club are an established local facility, valued by the local community. Their objection is the only one to the application. Otherwise response to the public consultation exercise has been positive.

26. A residential development of the scale proposed here would usually generate a requirement for recreation and amenity space in accordance with Policy R2 of the Local Plan. However in this instance the viability of the scheme related to the importance of bringing the important listed building back into a meaningful use are such that these factors are considered to outweigh such a need. Additionally the fact that the scheme would provide accommodation for more mature residents and is located close to nearby recreational facilities adds weight to the argument.

CONCLUSION

27. Both the listed building and planning applications presented here have been welcomed by officers in rescuing, at the eleventh hour, a fine listed building which represents an expression of and pride in the social history of the village. Whilst the realities of the economic re-use of the building, in the lack of grant aid available from either the County Council, or national and governmental bodies such as English Heritage have led to a number of compromises, the retention and re-use of the building is considered to justify these. The particular architectural features that justify the listing have been protected and are to be either restored or rebuilt.

28. In assessing residential amenity, both in terms of existing and proposed residents, the proposals are considered acceptable.

29. The outstanding issue of the relationship between the development, its parking, and the adjacent Cricket Club is at present an impasse, but is not an issue where it is considered approval could be withheld.

RECOMMENDATION

That these two applications be **APPROVED** subject to the following conditions;

Application: 4/10/0078/ LB

1. Full details of the repairs and restoration of both the cupola and mosaic floor must be submitted and agreed in writing before these elements of the scheme are implemented. Details of the cupola restoration must include joinery details drawn to a scale of 1:20, with both elements provided with existing and proposed plans. Subsequent works must be in full accordance with the written agreement of the Local Authority

2. Before implementation, full joinery details of all proposed windows, external doors and internal staircases, with elevations drawn to a scale of 1:20, and sections at 1:10 must be submitted to, and agreed in writing by the Local Planning Authority, being subsequently implemented in full accordance with said approval.
3. All windows and doors are to be of painted timber unless otherwise agreed with the Local Planning Authority
4. No vents, flues or grilles may be placed directly through or onto the front elevation of the building or its roofslopes unless otherwise agreed in writing by the Local Planning Authority.
5. Samples of any replacement brickwork, terracotta and roof covering must be provided before implementation, and agreed in writing by the Local Planning Authority.
6. Before implementation of this part of the scheme, full plan, elevational and sectional detail of the lift, stairwell and front entrance arrangement, including the relationship to the mosaic floor must be submitted to, and approved in writing by the Local Planning Authority, being subsequently implemented in full accordance with this approval.
7. Details of all new or replacement signage and the arrangement of the clock area must be provided in elevation and section before implementation, to be agreed in writing by the Local Planning Authority.

Application: 4/09/965/FPA

1. The details of the make, colour and texture of all walling and roofing materials must be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
2. The development hereby approved relates to details of development as shown on the approved plans C - Elevations, Roof plan _ Floorplans, External Layout and Floorplans except insofar as such details may be inconsistent with any conditions attached hereto when such condition shall prevail.
3. Before implementation of the respective elements commences, further drawn details of all external doors, windows and rooflights, cupola, clock and signage, balcony railings must be submitted to, and approved in writing by the Local Planning Authority, subsequently built in full accordance with said agreement.
4. Before implementation of the respective elements commences, further drawn details of all internal doors, lift, stairways and entrance lobby arrangements must be submitted to, and approved in writing by the Local Planning Authority, subsequently built in full accordance with said agreement.
5. Before implementation of the respective elements commences, further drawn details of the design, layout and materials proposed for all external spaces and parking areas within the scheme must be submitted to, and approved in writing by the Local Planning Authority, subsequently built in full accordance with said agreement.

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6. Notwithstanding the provisions of Class H of the Town and Country Planning (General Permitted Development Order) (Amendment) (No.2) (England) 2008 (or any Order revoking or re-enacting that Order) no satellite dishes, ariels or antennae shall be erected on the building unless agreed in writing by or without the grant of further formal consent by the Local Planning Authority.
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REASONS FOR THE DECISION

1. The development was considered acceptable having regard to the following development plan Polices: E21, E23, H3, H9, H13, T1, T10, Q1, Q2, Q3, Q8 and U8a.
 2. In particular the development was considered acceptable having special regard to the desirability of preserving the listed building and its setting as required of the local authority by section 16 of the Planning (Listed Building and Conservation) Areas) Act 1990.
 3. The development was considered acceptable having regard to consideration of issues of the effect on the historic interest of the host building, issues of residential amenity, and adjacent land users.
 4. Objections received were not influential in leading to a refusal as the effect of the potential impact of the adjacent recreational land use rests between the two land users.
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BACKGROUND PAPERS

Submitted Application Forms and Plans

Design and Access Statement & supporting information

North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008

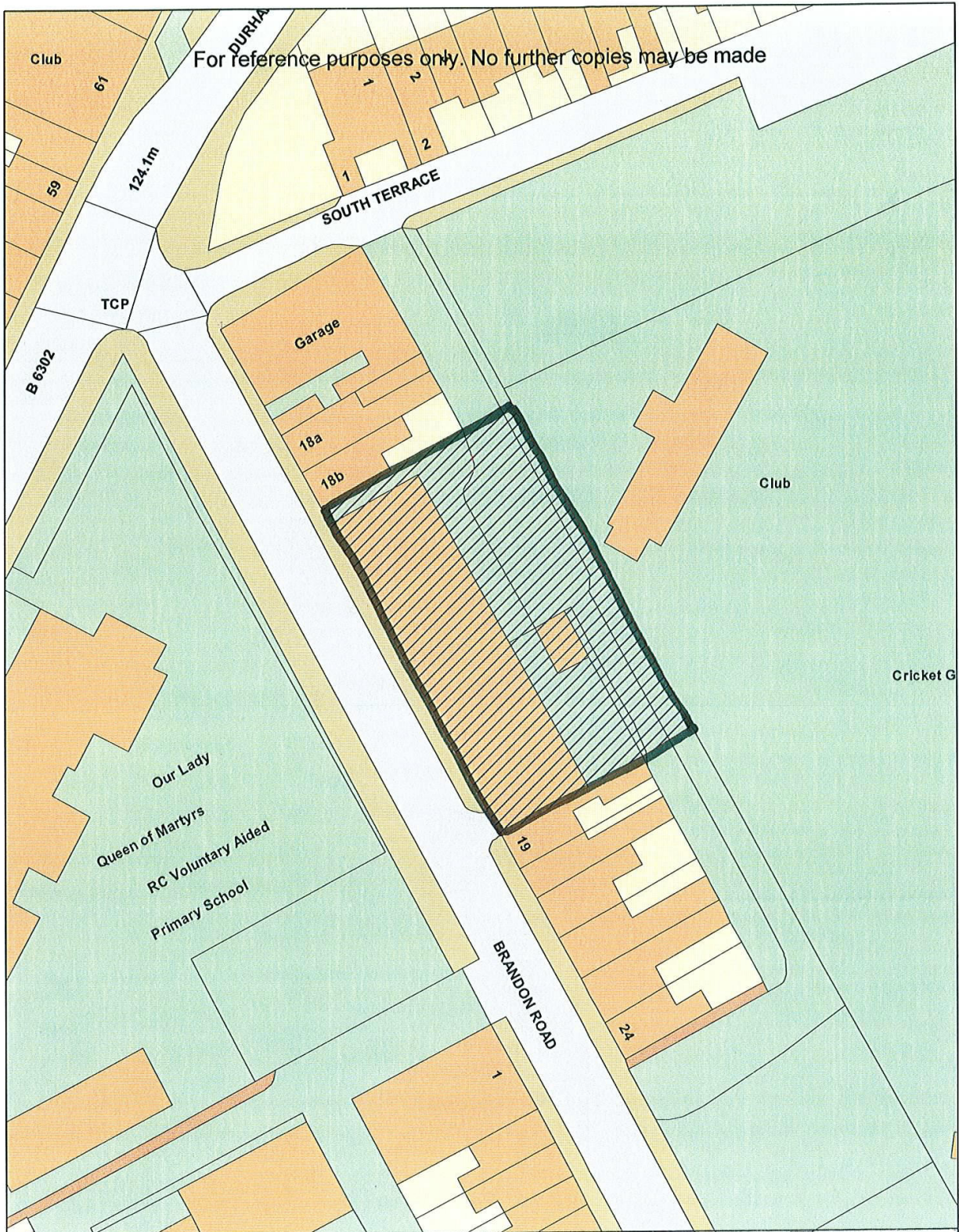
City of Durham Local Plan 2004

Planning Policy Statements / Guidance, PPS1, PPS3, PPS5, PPG13

Responses from County Highways, English Heritage, Ancient Monument Society, Parish Council, City of Durham Trust, Ward Member, Esh Winning Cricket Club

Public Consultation Responses





For reference purposes only. No further copies may be made



Planning Services

4/09/00965/FPA And 4/10/0075/LB - Memorial Hall, Brandon Road

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Comments			
Date	27 April 2010	Scale	1:625

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO: 4/10/00177/FPA

FULL APPLICATION DESCRIPTION: Erection of two storey building comprising two A1 retail units at ground floor with two residential units above (revised and resubmitted)

NAME OF APPLICANT: J A Properties Ltd

SITE ADDRESS: Land Adjacent 81 High Street, Carrville, Durham

ELECTORAL DIVISION: Belmont

CASE OFFICER: Andrew Inch, Senior Planning Officer
Andrew.inch@durham.gov.uk (0191) 301 8745

DESCRIPTION OF THE SITE AND PROPOSALS

1. This application relates to an area of land adjacent 81 High Street, Carrville, on the outskirts of Durham City. The site is in a mixed use area, with a varied range of building type, style, use and appearance surrounding. The development proposes to attach itself to a traditional Victorian residential terrace, fronting onto High Street. There is an estate of semi detached residential properties due east, a modern car dealership to the north and small traditional residential/commercial units facing across the High Street, just south of a large new development of apartments on the former Grange Inn Public House site.

2. The site is currently fenced and grassed, and separated into two parts by the back lane of High Street. The west part of the site forms part of a larger grassed area, bisected by a footpath, with a small group of trees, formally protected by Tree Preservation Order. There are however no trees on the application site.

3. This application proposes the erection of a two storey building comprising two retail units on the ground floor providing a total of 110sqm of gross retail floorspace, facing the street, with two residential flats above, accessed from the rear lane. Each flat would provide two bedrooms. The plans have been amended during the course of the application such that the roof pitch is entirely reflective of the existing terrace, while two storey offshoots are provided at the rear. The shop units now incorporate modest stall risers and are surrounded

by an interpretation of a traditional wooden shopfront surround and fascia. This detail would also now extend onto the gable of the building to provide more visual interest, along with a lean-to bin store, which would be softened by an area of landscaping. The fenestration and doorways for the residential units include artstone heads and cills, but are of modern appearance and proportions, with those facing the High Street being horizontal in emphasis. The part of the site separated by the back lane from the frontage would accommodate four car parking spaces.

4. This application is reported to Planning Committee following an objection to the scheme from Belmont Parish Council.

PLANNING HISTORY

5. This application is a second resubmission following similar proposals in 2008 and 2009 which were withdrawn following an indication of likely refusal of permission. The overall proposals are substantially the same but with alterations to the footprint, siting, design and supporting information regarding trees all having been amended. Previously three dwellings had been granted approval on the site in 1991.

PLANNING POLICY

6. NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the overarching planning policies on the delivery of sustainable development through the planning system.

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 4: Planning for Sustainable Economic Growth outlines the Government's objectives to help achieve sustainable economic growth including the positive approach to be taken to development that helps to build prosperous communities, promote regeneration and tackle deprivation.

Planning Policy Guidance note 13: Transport seeks 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.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

7. 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 following policies are considered relevant:

Policy 4 (The Sequential Approach to Development) provides that a sequential approach to the identification of land for development should be adopted to give priority to previously developed land and buildings in the most sustainable locations.

Policy 7 (Connectivity and Accessibility) seeks to promote the need to reduce the impact of travel demand particularly by promoting public transport, travel plans, cycling and walking, as well as the need to reduce long distance travel, particularly by private car, by focusing development in urban areas with good access to public transport.

Policy 8 (Protecting and Enhancing the Environment) seeks to promote measures such as high quality design in all development and promoting development that is sympathetic to its surroundings.

Policy 24 (Delivering Sustainable Communities) refers to the need to concentrate the majority of the Region's new development within the defined urban areas, and the need to utilise previously developed land wherever possible.

Policy 25 (Urban and Rural Centres) identifies key locations for the development of new leisure and retail facilities in the Region. New development should be consistent with the scale of the centre to ensure enhanced vitality and viability.

Policy 54 (Parking and Travel Plans) promotes the minimisation of parking provision and travel plans for non-residential developments in order to encourage sustainable modes of transport.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>

8. LOCAL PLAN POLICY:

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

Policy E14 (Trees and Hedgerows) sets out the Council's requirements for considering proposals that would affect trees and hedgerows. The loss of ancient woodland will not be permitted. Tree preservation orders will be designated as necessary. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost.

Policy H2 (New Housing within Durham City) states that new residential development comprising windfall development of previously developed land will be permitted within the settlement boundary of Durham City provided that the proposals accord with Policies E3, E5, E6, Q8, R2, T10 and U8A.

Policy H8 (Residential Use of Upper Floors) encourages the use of upper floors for residential use provided there are no conflicts with existing uses, adverse effects upon the character of the area or that it would involve unsightly extensions and alterations to existing buildings.

Policy H13 (Residential Areas – Impact upon Character and Amenity) states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the

amenities of residents within them.

Policy T1 (Traffic Generation – General) states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighboring property.

Policy T10 (Parking – General Provision) states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

Policy T21 (Safeguarding the Needs of Walkers) states that the Council will seek to safeguard the needs of walkers by ensuring that: existing footpaths and public rights of way are protected; a safe, attractive and convenient footpath network is established throughout the City; that the footpath network takes the most direct route possible between destinations; and the footpath network is appropriately signed.

Policy S7 (Individual Shops) allows individual shops within settlement boundaries provided existing local centre's are not undermined and where the character of an area or road safety would be adversely affected.

Policies Q1 and Q2 (General Principles Designing for People and Accessibility) state that the layout and design of all new development should take into account the requirements of all users.

Policy Q3 (External Parking Areas) requires all external parking areas to be adequately landscaped, surfaced, demarcated, lit and signed. Large surface car parks should be subdivided into small units. Large exposed area of surface, street and rooftop parking are not considered appropriate.

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 Q8 (Layout and Design – Residential Development) sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.

Policy U8a (Disposal of Foul and Surface Water) requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.

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 [\(link to webpage\)](#)

CONSULTATION AND PUBLICITY RESPONSES

9. STATUTORY RESPONSES:

The Highway Authority has no objection to the application, finding that the layout would not restrict visibility, while the existing parking restrictions will keep the immediate area at the junction clear of vehicles, while adequate levels of parking will be provided to serve the development at the rear.

10. INTERNAL CONSULTEE RESPONSES:

The Design and Historic Environment Section considers the development of the site to be acceptable, subject to a number of revisions to the design, including roof pitch, fenestration pattern and shop front detailing.

11. PUBLIC RESPONSES:

Detailed consultation has been undertaken for the application by way of individual letters to some 67 nearby properties/businesses, together with the display of a notice at the site.

The occupiers of 51 High Street object to the proposals on the grounds of increased traffic, insufficient parking, highway safety and that given the number of already vacant units, the proposed businesses may not be viable. The accuracy of the consultation exercise undertaken has been queried.

The occupiers of 76 High Street object to the proposals on the grounds that there are already a large number of vacant retail units in the area, and that in view of the parking restrictions to the front of the proposed units, this will exacerbate parking problems for existing residents.

The occupiers of 96/97 High Street are concerned that the proposed retail units will increase anti-social behavior, that further development will exacerbate already difficult conditions for pedestrians crossing High Street, that congestion will be increased, and that parking problems for existing residents will be exacerbated by the proposed development. Litter associated with the proposals is also identified as an area of concern.

The occupiers of 77 High Street object on the grounds of insufficient parking for vehicles associated with the proposed shops, and that existing parking and access problems for residents will be exacerbated.

The occupiers of 43 Kirkstone Drive object to the proposals on the grounds of a lack of existing available parking and traffic levels and that the proposals will exacerbate such problems. They are also concerned that given the failure of a number of businesses on High Street in recent years that the proposed units would be a target for vandals if they became vacant. Concerns that the proposed retail units will be used as hot food takeaway are considered to be not relevant since they are applying for retail (Class A1) use.

Councillors Mavin and Holroyd object to the scheme on the grounds that there is insufficient parking related to the development, that vehicles associated with the development will pose a traffic hazard at the junction with the High Street, that the servicing of the retail units within the rear lane will restrict access for residents, that the development will lead to pressure for the removal of the trees to provide further parking, that the proposals are out of character, that there is little demand for new retail units and that the viability of existing premises will be adversely affected.

Belmont Parish Council strongly object to the proposals finding that the proposed building is out of character with adjacent houses, that there are significant existing traffic problems, that visibility will be worsened by the development for vehicles existing from Kirkstone Drive, that there is insufficient parking adjacent to the development site, and that difficulties for pedestrian crossing over High Street will be worsened. Concerns have also been expressed at the level of consultation undertaken.

Following receipt of amended plans, a further consultation exercise has been undertaken involving all parties who previously contributed, as well as the adjoining dwelling. At the time of writing, the period for response has not expired, however, one response has been received.

The occupiers of 43 Kirkstone Drive consider that the revised rear elevation, in particular, the roof design, is out of character with the existing terrace.

Any additional representations received will be reported fully to Members at the Planning Committee meeting.

12. APPLICANT'S STATEMENT:

In accordance with Durham County Council's Committee procedures I write in order to provide a response to the objections received to date. The objections received can be categorised as follows:-

Highway and parking issues

The development site is situated with the High Street of Carrville a sustainable location within the city and benefits from good public transport connections. The application contains within it four parking spaces for use by the residents and proprietors of the retail units, beyond which I would respectfully refer objectors to the County Council's expert highway officer's consultation response which states the following,

"The layout of the development would not obstruct the current junction visibility from Kirkstone Drive onto High Street. There is already satisfactory visibility and the set back of the building face behind a wide footpath means that it will not protrude into the splay. Waiting restrictions in front of the building will continue to keep this area clear of parked vehicles, adequate car parking for the 2 flats and the two shops will be provided to the rear and they will not interfere with the existing unadopted footway which crosses the grassed area. I am now satisfied with the position of the bin store and the other minor details, which I required amending in the earlier planning application, have been addressed. I have no objection to this planning application."

Retail Use A1

It should be noted that the current application is for two retail units designated as use class A1. This would include uses such as shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes; but excludes financial and professional services, restaurants and cafe's, drinking establishments and hot food take-away's which are all contained within other use classes as set out in the Town and Country Planning (Use Classes) Order 1987. Any objections to the use of the premises for hot food uses are therefore not relevant to this application.

Viability of Retail Use

The viability of the proposed retail units has been assessed by an established and experienced local professional, a copy of his report was submitted with the application. Their conclusion is that the newly constructed, well proportioned retail premises in a

prominent location within the existing High Street will attract new tenants and/or purchasers; despite the current economic climate. Contrary to the objections received regarding policy S7(1) the creation of additional retail space would increase the diversity and vitality of the area, and as a result increase footfall and the viability of adjacent retail premises. The proposed development will supplement existing services and facilities within this vibrant and popular area of the City to help meet existing and future need for this use in the area.

Design

The elevational design of the development has been revised during the application process in response to comments received. The revised elevation treatment simply extends the massing and profile of the adjacent terrace, continuing the eaves and ridge height of number 81. In addition stall risers have been inserted into the retail units shop fronts to increase the aesthetic appeal of the retail units. Thus producing a scheme which is in keeping with the adjacent terraced property and the wider area.

Conclusion

We believe that the development proposed should be permitted as it will provide an attractive addition to the street scene in Carrville High Street, benefit the local economy and provide affordable accommodation.

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 [\(link to webpage\)](#). Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below

PLANNING CONSIDERATIONS AND ASSESSMENT

13. The main issues to consider in assessing this application are the loss of open space, principle of the retail and residential uses, parking and highway safety, visual amenity and residential amenity.

Open space

14. The main part of the application site is an area of grassed open space extending to around 170sqm, and is separated by a rear lane access from the proposed parking area of some 50sqm. This part of the application site is bound closely by protected trees, none being affected by the proposals (subject to tree protection measures), however, and similarly, a footpath across the site is also retained. Policy E5a seeks to protect open spaces which possess important functional, visual or environmental attributes. In this case, the modest scale of the main part of the site and its limited value in terms of recreational use or contribution visually, is such that its redevelopment would not be in conflict with the aims of Policy E5a of the Local Plan, whilst the most sensitive area of open space is outwith the site and retained for its visual and environmental attributes.

Principle of development

15. Turning to the principle of the retail element of the scheme, some 110sqm of gross retail floor space is proposed, for uses within Class A1 of the Use Classes Order (as amended), and would include uses such as shops, travel agents and sandwich shops. Although some residents are concerned about potential other uses, any use not falling within

Class A1 would necessitate planning permission and surrounding residents would be fully consulted should such an application be forthcoming. The recently published PPS4 advises at Policy EC10 that a positive and constructive approach should be taken to applications proposing economic development in sustainable locations, including new retail proposals. Similarly, Policy S7 of the Local Plan is supportive of the development of new individual shops within settlement boundaries and where they are situated in accessible parts of the community and where there would be no adverse affects upon the vitality and viability of any other local centre and that there will be no adverse affects upon the character and amenity of the area. Individual shops should not exceed 100sqm. In this case each individual shop is a little over 50sqm.

16. The nearest local centre is situated around 1km from the site at Cheveley Park in Belmont. Although there are currently some vacant units, the centre provides a wide range of services and is well supported. The Council is currently assessing an application for the expansion of the local centre (4/10/00094). Whilst objectors have drawn attention to a potential lack of demand for the proposed units, the commercial viability of the scheme is not a planning consideration. However, supporting information accompanying the application from a firm of chartered surveyors suggests that new retail floorspace of the nature proposed would, in such a prominent location be more than capable of attracting potential purchasers or tenants. In principle, therefore, an additional 110sqm of retail floorspace would not, it is considered, undermine the vitality and viability of this local centre.

17. In terms of the principle of the residential use of the upper floors, whilst essentially the site is greenfield, it is nonetheless in a sustainable location with the settlement limits of the City, where it is well served by local transport and other services and amenities, and as such there would be little conflict with the aims of Policies 4 and 7 of the RSS which promotes housing in sustainable locations or the Government's approach to housing as outlined in PPS3 in terms of efficient and effective use of land. The use of upper floors for residential uses is wholly encouraged at Policy H8 of the Local Plan since they make use of spaces within buildings which might potentially be underused if the whole building were in retail use. The proposed residential flats would therefore be located in a sustainable location close to local services and a choice of transport modes and as such, the use of the upper floors as two flats is considered to be in accordance with Policy 4 of the RSS and Policies H2 and H8 of the Local Plan.

Parking and highway safety

18. Parking and highway safety issues have been a particular cause for concern among objectors to the scheme. In particular, there is concern that the development would lead to increased traffic levels and result in congestion, that there is insufficient parking and that the poor visibility splay from Kirkstone Drive onto High Street would be further eroded by the development. In terms of parking, the development would provide two parking spaces for the retail units and two spaces for the residential units. The Highway Authority is satisfied that this level of parking is sufficient to serve the development, and indeed a scheme of this nature should not be required to provide significant levels of parking, particularly in terms of the aims of Policy EC10 of PPS4 and RSS Policy 54 which state the importance of accessibility by a choice of means of transport including walking, cycling, public transport and the car. In this case the site is largely surrounded by residential development making the retail units accessible by local residents on foot or by cycling, and by public transport from surrounding areas.

19. Prospective residents would be well served by public transport, with a number of bus routes to the city centre, including the Park and Ride facility. In terms of traffic levels, given the proximity of the likely customers from surrounding residential streets to the retail element of the scheme, the additional traffic generated would not be so significant that it would cause congestion in its own right. In terms of the restriction of access to the rear lane for servicing of the retail units, the frequency that deliveries would occur to retail units of this size would be limited, whilst the alternative access to the rear lane is some 120m further south along the High Street. As such, the proposals would not give rise to such access restriction that it would unreasonably affect existing residents.

20. Turning to highway safety, in particular there is concern regarding existing visibility for vehicles exiting Kirkstone Drive onto High Street. Essentially this is caused by parked vehicles on the highway. However, the Highway Authority is satisfied that the existing yellow lines immediately to the front and side (both sides of Kirkstone Drive) of the site, combined with the wide footway and position of an existing bus stop to the north is such that the visibility splay as it exists will be retained and would not be compromised by the scheme proposed. Similarly, a number of objectors have drawn attention to existing difficulties for pedestrians crossing the High Street. The proposed development would not, it is considered, exacerbate this existing issue. Therefore, whilst there are highway safety concerns raised, it is considered that these relate to existing issues rather than those which would be as direct result of the scheme, and it would therefore be difficult to sustain a refusal of the application on such grounds. Consequently, given the accessibility of the site by a range of means, the limited levels of directly associated traffic, and the protection of highway safety, it is considered that the scheme accords with the aims of Policy EC10 of PPS4 and Policies T1, T10, T21 and S7 of the Local Plan.

Visual amenity

21. As noted at paragraph 14 above, although an open pace, it is not in its own right of significant merit, and its redevelopment by an attractive and well designed building would enhance the area. In this case, the amended design proposes a two storey building with facing brickwork, where its eaves and ridge heights and roof plane follow the existing terrace of which the development will form a part. The proposed shopfront incorporating stall risers, would be of timber and would wrap around the gable elevation of the building, whilst a modest lean-to bin store area, which together with some shrub landscaping successfully softens the gable elevation also. Concerns have been expressed in relation to the design of the rear elevation, and in particular the roof design. The rear elevation will appear as two pitched roof extensions at two storey height and across the full width of the development. However, there are existing pitched roof extensions at two storey's in height and as such the form of the rear elevation will not be an alien one to the rear lane. Fundamentally, the development would therefore provide an attractive building and a focal point to the end of the terrace, thereby enhancing and contributing to the character of the area, in accordance with the aims of Policy EC10 of PPS4 and Policies E5a, H8, H13, S7 and Q5 of the Local Plan.

Residential amenity

22. The adjoining property is a two storey residential dwelling with a single storey rear offshoot positioned hard up to the rear lane. Impacts are therefore only to first floor windows on the rear elevation, and given that the nearest window serves a bathroom rather than a habitable room and by virtue of the site's position north of the adjoining dwelling, it is considered that the adjoining dwelling would not be significantly adversely affected by the proposed development in terms of privacy, dominance or overshadowing. It would therefore

accord with Policy Q8 of the Local Plan in this regard. In terms of the retail uses proposed, there will be some associated vehicular and pedestrian movements in the area as a result; however, given existing traffic levels and ambient noise levels in this essentially mixed use area, it is considered that surrounding residents will not be unduly harmed by the proposals. To ensure that residents are not unreasonably impacted upon at unsociable hours, it is considered that a condition limiting opening hours to between 8am and 9pm would be appropriate, having regard to advice in Circular 11/95. Consequently, it is considered that levels of residential amenity for immediate and surrounding neighbors will not be significantly adversely affected by the proposals, in accordance with Policies H13, S7 and Q8 of the Local Plan.

CONCLUSION

In conclusion, the proposed development would introduce a well-designed and attractive building to complete the existing terrace and enhance the character of the surrounding area. It would provide new flexible retail units of a modest floorspace, together with effective and efficient residential use of the upper floors in a sustainable location well served by public transport and with a range of shops and services close at hand. The proposals will not harm the vitality and viability of the Belmont local centre at Cheveley Park, whilst sufficient parking and visibility is provided so as to not compromise highway safety. Similarly, the proposed uses, combined with the scale and siting of the building are such that residential amenity levels will not be significantly adversely affected. Accordingly, Officers are able to recommend the approval of the application subject to conditions to control the standard of the development and its future usage, in particular.

RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority: Drawing Nos. 02 rev G received 17 March 2010 and 01 rev G received 29 April 2010.
3. 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. Reason: In the interests of visual amenity in accordance with Policy E8 of the City of Durham Local Plan 2004.
4. Within one month of the commencement of the development, or other such time period as may be agreed in writing with the Local Planning Authority, a detailed landscaping scheme shall be 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.

5. No development shall commence 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. This fencing shall be erected not less than a distance 12 times the diameter of single stem trees or 10 times the diameter at 1.3m high of multi-stem trees and 3 metres from hedges or in accordance with the details agreed:

- 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) 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'.

6. Notwithstanding the information shown on the submitted plans the buildings hereby approved shall be constructed with dry pointed verges to the main walls and shall avoid the use of bargeboards.

7. Notwithstanding the information shown on the submitted plans, a detailed joinery section of the proposed shopfront, to include all window joinery, pilasters, fascias, corbels, stallrisers, leadwork and weathering drawn at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall be implemented in accordance with the approved details.

8. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, (or any Order revoking or re-enacting that Order with or without modifications), the ground floor level of the premises hereby approved shall be used for Class A1 uses only and for no other purpose.

9. The retail premises hereby approved shall not be open to customers outside the hours of 9pm and 8am on any day of the week.

REASONS FOR THE RECOMMENDATION

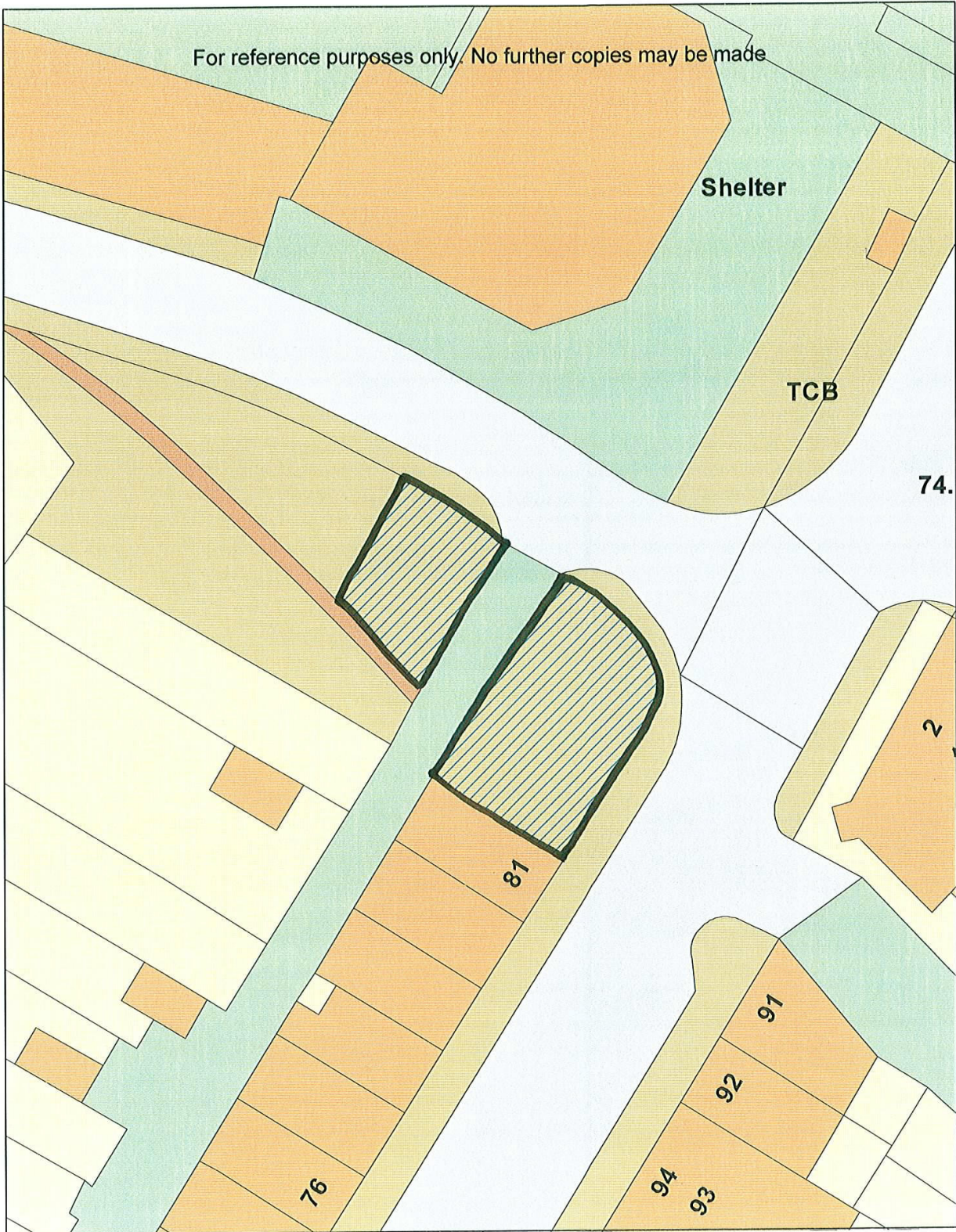
1. The proposed development provides a well-designed and sustainable mixed use retail/residential scheme in an essentially mixed use part of the city, and where the vitality and viability of retailing elsewhere will not be significantly affected, and neither will highway safety or the amenity of surrounding residents and as such the scheme is considered to accord with Policies E5a, H2, H8, H13, T1, T10, T21, S7, Q5 and Q8 of the City of Durham Local Plan 2004 (which is a saved plan in accordance with the Secretary of States Direction under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004), and Policies 4, 7, 25 and 54 of the North East of England Plan - Regional Spatial Strategy to 2021.
2. In particular the development was considered acceptable having regard to the impact of the development on the vitality and viability of a nearby local centre, the site's accessibility and sustainability, the level of parking proposed and the impacts upon surrounding residents both physically and in terms of associated vehicular and pedestrian movements as a result of the uses proposed.
3. Grounds of objection relating to the character of the proposals, their impact upon highway safety generally, the intended uses of the premises, and the lack of demand for such premises are considered to not be determining in this case, whilst planning conditions would ensure that such harm does not arise where it is considered appropriate.

BACKGROUND PAPERS

Submitted Application Forms, Plans and Amended Plans
Planning, Design and Access Statement including Addendum
Tree Report
Retail Report
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, PPS4, PPG13
Responses from Highway Authority and Design and Historic Environment Section
Responses from Belmont Parish Council
Responses from Local Ward Members
Public Consultation Responses



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Planning Services

4/10/00177/FPA - Land Adjacent 81 High Street, Carrville, Durham

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Comments		
Date	27 April 2010	Scale 1:352