

## Planning Services

# COMMITTEE REPORT

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### **APPEAL UPDATE (EASINGTON AREA OFFICE)**

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#### **APPEAL RECEIVED:**

**Appeal by Mr G Murray**  
**Site at 96 Dunelm Road, Thornley DH6 3HY**

An appeal has been lodged against the Council's refusal to grant planning permission for a two storey rear extension and private garage at 96 Dunelm Road, Thornley. The appeal will be dealt with by way of written representations and the committee will be informed of the outcome in due course.

#### **Recommendation:**

That the appeal be noted.

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### **APPEAL UPDATE (DURHAM CITY AREA OFFICE)**

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#### **APPEAL DECISIONS:**

**Appeal by Ms H Hooper**  
**Site at 22 North Crescent, Durham, DH1 4NE**

An appeal was lodged by Ms Helen Hooper against the Council's decision to refuse to grant planning permission for the demolition of the existing conservatory and the erection of a two storey pitched roof extension to the rear with replacement conservatory beyond and erection of pitched roof porch to the front elevation.

The Inspectors decision has been to dismiss the appeal for the erection of a two storey pitched roof extension to the rear with replacement conservatory beyond and allow the appeal insofar as it related to the front porch only.

The main issues were considered to be the effect of the development upon the appearance and character of the host property and the residential area. In reaching his decision the Inspector considered the rear extension to have excessive visual bulk, its height and depth failing to be subordinate to the existing dwelling. The disproportionate rear extension would be glimpsed within the street scene and would also be apparent in views from rear gardens. The proposals would therefore be harmful to the appearance and character of the dwelling and the residential area.

#### **Recommendation:**

That the appeal decision be noted.

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**Appeal by Scottish And Newcastle Pub Enterprises  
Site at The City Hotel, New Elvet, Durham**

An appeal was lodged by Scottish and Newcastle against the Council's decision to refuse to grant advertisement consent for illuminated and non illuminated signage to the front exterior of the building.

The Inspector concluded to allow and dismiss the appeal in part, dismissing the appeals for the trough lit individually lettered fascia sign, externally illuminated projecting sign and 1 no. hanging lantern. He went on to allow a non illuminated amenity board and fascia sign at first floor.

The main issue was considered to be the effect on the amenity of the area, having particular regard to the effect on the appearance or character of both the listed premises and the Durham (City Centre) Conservation Area.

The amenity notice board and first floor signage written onto the existing render were considered of a simple kind, commonplace on public houses, acceptable in terms of their effect upon the appearance of the building façade and its historic surroundings.

In combination with the other signs the three remaining elements of the proposals were considered to form a visual intrusion upon the relative simplicity of the traditional building façade and create an unacceptable degree of visual clutter that harms both the appearance of the building and the appearance of the historic townscape within the Conservation Area.

**Recommendation:**

That the appeal decision be noted.

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**Appeal by Mr P Smith  
Site at 85 Gilesgate, Durham, DH1 1HY**

An appeal was lodged by Mr Peter Smith against the Council's decision to issue an Enforcement Notice for a breach of control. The Breach of Planning Control alleged within the Notice was that without the benefit of planning permission the material change of use from public house to 10 bedroom house in multiple occupation, involving partial demolition with erection of single storey extension to the rear, at variance with approval granted for an 8 bed roomed single dwelling.

This appeal was made to the Planning Inspectorate under Ground (a) – that planning permission should be granted. (b) that the breach of control alleged has not occurred as a matter of fact, (d) that at the time the enforcement notice was issued it was too late to take enforcement action against the matters stated in the notice. (g) that the time given to comply with the notice is too short.

The appeal was determined by way of written representation and the Planning Inspector allowed the appeal and directed that the enforcement notice be quashed. The Planning Inspector considered a number of issues in relation to the validity of the Notice as raised by the appellant, concluding that the Notice was invalid and could not be corrected because a

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different breach of planning control to that alleged had taken place.

**Recommendation:**

That the appeal decision be noted.

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