

# Planning Services

## COMMITTEE REPORT

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

#### **1. APPEALS RECEIVED:**

**Appeal by Mr Tony Dulay**  
**Site at 6 West Grove, Seaham, SR7 8EL**  
**Planning Reference- PL/5/2010/0140**

An appeal has been lodged against the Council's refusal of planning permission for a change of use from A1 Use Class (Retail) to A5 Use Class (Hot Food Takeaway). The application was refused on the grounds of adverse impact upon residential amenity to neighbouring properties and was also considered to be contrary to Local Plan Policy.

The appeal is to be dealt with by means of written representations, and members will be informed of the outcome in due course.

#### **Recommendation:**

That the report be noted.

---

#### **2. APPEAL DECISIONS:**

**Appeal by Dr George Simpson**  
**Site at Little Thorpe Farm, Littlethorpe, Peterlee, SR8 3UD**  
**Planning Reference- PL/5/2009/0271**

An appeal was lodged against the Authority in respect of non-determination of the application. It was considered that there was insufficient information in respect of archaeology, and that there were also issues of scale/design and Planning Policy.

The appeal has been allowed and permission granted for the erection of 13 number dwellings. The inspectorate considered that due to additional information received regarding archaeology, coupled with lack of evidence in relation to objections on National and Local policy grounds, the proposal would not harm the character and appearance of the surrounding area and would accord with sustainable development objectives and local and national policy.

#### **Recommendation:**

That the report be noted.

---

**Appeal by Mr Colin Watson  
Site at 24 Sandwich Terrace, Wheatley Hill, DH6 3LN**

An appeal was lodged against the council's refusal of permission for the erection of a first floor side extension at the site.

The inspectorate has dismissed the appeal and agreed with the council's decision that the proposed extension would harmfully affect the character and appearance of the area and privacy of the residents at No. 25 Sandwich Terrace. It was considered that the works would be contrary to Local and National Planning Policy.

**Recommendation:**

That the report be noted.

---

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

**APPEAL DECISIONS:**

**Appeal by Mr A Wilson  
Site at Pine Lodge, Hartside, Durham, DH1 5RJ**

Appeal against the refusal to grant planning permission for the erection of a bedroom extension and detached garage at Pine Lodge, Hartside, Durham.

The planning application for the erection of a pitched roof extension to side of the existing bungalow and detached double garage was refused on 26 February 2010. The application was refused as Officers considered that the proposed extension and garage would represent disproportionate additions over and above the size of the original building, which would constitute inappropriate development and be harmful to the openness of the Green Belt.

The inspector acknowledged that the proposed extension and garage represented disproportionate additions to the original dwelling which as a consequence would be inappropriate within the Green Belt.

However, the inspector suggested that due to the wooded nature of the site, the proposals would not have a significant negative impact upon the openness of the Green Belt and attributed little weight to Officers arguments in this respect.

There is scope under permitted development rights to carry out significant works at the site including a flat roofed extension and detached garage without the need for planning consent. The inspector noted this and attributed significant weight to this strong fall back position.

Due to this strong fall back position and the conclusion that harm to the openness of the Green Belt would be limited, the inspector suggested that these factors represented very special circumstances and allowed the appeal.

**Recommendation:**

That the report be noted.

---