



Mr G Cummings  
41 Greystoke Avenue  
Tunstall  
Sunderland  
SR2 9DS

20 July 2010

Dear Sir/Madam

Town and Country Planning Act 1990

**Proposed** Change of use and conversion of existing retail units/flat to form 1 no. four bedroom dwelling with associated minor external alterations  
**At** 12A South Street West Rainton Houghton-Le-Spring Durham DH4 6PA  
**For** Mr D Bradford

The above application received on 25 May 2010 was considered by the Council on and it has been agreed that permission should be granted. I therefore enclose the appropriate approval certificate. If an application under the Building Regulations was also submitted, development must not commence until Building Regulations Approval has been received from the Building Control Division.

Should the Building Control Division require any alterations to the approved plan(s), in order to issue a Building Regulations Approval, you are required to resubmit two copies of the amended plan(s) to me for approval before commencing work.

I would also draw your attention to the conditions of the permission and particularly if there are matters requiring approval before development commences. This must be done by way of a formal application for the approval of details reserved by a condition. Forms are available on request or alternatively they can be downloaded from the Council's website ([www.durham.gov.uk](http://www.durham.gov.uk)) or submitted electronically via the Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)). A fee will be payable per request, and the case officer above will be able advise you of this and the procedure as a whole.

Please note that failure to comply with conditions could lead to the Council considering the taking of enforcement action.

Yours faithfully

S Timmiss  
Head of Planning

---

**Regeneration and Economic Development**

Durham County Council, Durham City Area Planning Office, 17 Claypath, Durham, DH1 1RH  
Main Telephone: (0191) 301 8499 Fax: (0191) 384 1529

## APPROVAL OF PLANNING PERMISSION

### TOWN AND COUNTRY PLANNING ACT 1990

Application Number: **4/10/00307/FPA**

**Applicant**

Mr D Bradford  
12A South Street  
West Rainton  
Houghton-le-Spring  
Durham  
DH4 6PA

**Agent**

Mr G Cummings  
41 Greystoke Avenue  
Tunstall  
Sunderland  
SR2 9DS

---

#### PART 1 – PARTICULARS OF THE APPLICATION

---

Proposed: Change of use and conversion of existing retail units/flat to form 1 no. four bedroom dwelling with associated minor external alterations

At: 12A South Street  
West Rainton  
Houghton-Le-Spring  
Durham  
DH4 6PA

Date of Application: 25 May 2010

---

#### PART 2 – PARTICULARS OF DECISION

---

The **Durham County Council** hereby give notice in pursuance of the Town and Country Planning Act 1990 that planning permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions and reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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. Plan Reference Proposed floor plans 0911/04, proposed site plan 0911/03, proposed elevations 0911/06, all received 7th May 2010.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy Q8 of the City of Durham Local Plan 2004.

3. 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.

Reason: In the interests of the appearance of the area and to comply with Policy Q8 of the City of Durham Local Plan 2004.

4. Notwithstanding the details shown on the approved plans precise details of all new fenestration, glazing, heads and cills 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.

Reason: In the interests of the appearance of the area and to comply with Policy Q8 of the City of Durham Local Plan 2004.

5. Prior to the commencement of developments details of the proposed boundary treatments are to be submitted to and approved by the Local Planning Authority.

Reason: In order to secure a satisfactory form of development in accordance with Policy Q8 of the City of Durham Local Plan 2004.

---

## REASONS FOR APPROVAL

---

1. The proposals are considered acceptable in terms of the principle of development, is not considered to materially reduce levels of residential amenity nor are they considered to adversely affect visual amenity in line with policies H3, H13, Q2, Q8, C9, R11 and U8A of the City of Durham Local Plan 2004. The application is also considered appropriate in terms of parking and highways safety in accord with Policies T1, T10 and T2.

This decision has been taken having regard to the policies and proposals 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.

2. In particular the development was considered acceptable having regard to consideration of issues of principle of development, detailed design, residential amenity, parking and highway safety.

3. The concerns of the objector are noted, however it is considered that the loss of the footpath itself is insufficient reason to refuse the application as a whole and is matter that can be further considered when an application is made to stop up the footpath under Section 257 of the Town and Country Planning Act 1990.

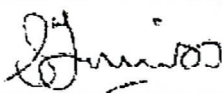
---

## SIGNATURE

---

Signed:

Date: 20 July 2010



S Timmiss  
Head of Planning

## INFORMATIVES

1. Your development will require the allocation of a new postal address/addresses, could you please contact Mr Andrew Young (Tel: 0191 301 8755) to submit your naming and/or numbering proposals.
2. The planning permission hereby granted does not convey any rights to stop up, divert, obstruct or otherwise affect any Public Rights of Way, and appropriate orders must be sought for these purposes from the Council before any development starts. This route must remain unobstructed on its lawful alignment and the safety of the public must not be prejudiced either during or after the works take place. A copy of the Definitive Map of Public Rights of Way is on deposit and may be inspected at, Durham County Council, County Hall, Durham.
3. The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

Collapse of shallow coal mine workings.

Collapse of, or risk of entry into, mine entries (shafts and adits).

Gas emissions from coal mines including methane and carbon dioxide.

Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.

Transmission of gases into adjacent properties from underground sources through ground fractures.

Coal mining subsidence.

Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health and safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

## **IMPORTANT NOTICE**

**THIS PERMISSION IS NOT VALID UNLESS THE CONDITIONS LISTED ARE COMPLIED WITH**

**NOTES TO APPLICANT**  
Further Information

This certificate is issued under the Town and Country Planning Acts and Orders and does not constitute a permission, approval or consent for any other purpose. Applications must therefore be made for any other permission, approval or consent (including Building Regulations approval or the approval of the Council as ground landlord where appropriate) which may be necessary in connection with the proposed development or anything incidental thereto, or the use to be made of the premises which form the subject of such development. Further approval of this local planning authority must be obtained for any subsequent alterations to the approved plans.

#### Appeals to the Secretary of State

- \* If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- \* If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel: 0117 372 6372, <http://www.planning-inspectorate.gov.uk>.
- \* You can make your appeal via an online appeals service. You can find the service through the Appeals area of the Planning Portal – see [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application together with the completed appeal form and information you submit to the Planning Inspectorate. Only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so.
- \* The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- \* The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- \* In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

#### Purchase Notice

- \* If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- \* *In these circumstances, the owner may serve a purchase notice on the County Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.*

#### Compensation

- \* In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- \* These circumstances are set out in Part IV and related provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.

#### **PUBLIC RIGHTS OF WAY**

This planning permission does not convey any rights to stop up, divert, obstruct or otherwise effect public rights of way, and appropriate orders must be sought for these purposes before any development starts.

A copy of the Definitive Map of Public Rights of Way is on deposit and may be inspected at the offices of The Director of the Environment & Technical Services, County Hall, Durham.